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THE question of the employment and position of our female population is one which can neither be trifled with with propriety, nor postponed with safety. For many years the number of unemployed or badly employed women in the country, has been the source of infinite misery and widespread sin. But this is not all. We cannot fall back upon the cowardly consolation that it has ever been even so, and that we need not be vexing ourselves to be better off than were our fathers. The present cheapness and misemployment of women is not only a social evil of appalling magnitude, but it is a rapidly increasing one. Two most potent causes tend to its aggravation, each of which gains strength with growing civilisation, and each of which

therefore will continue to act among us with increasing vigour. One is the natural tendency of our manufacturing system to undomesticate woman and make her work for herself. The other is the growing disinclination to marriage, which at least with regard to a numerous and important class, is one of the marked characteristics of the age. Our great cotton mills, while they make a number of females operatives, ruin an equal number of wives. The close air, long confinement, and hard work of the loom destroy the personal attractions of the woman; the early independence, the consequent to a certain extent unfeminine bearing, and the too promiscuous mixing with the other sex, tend to deteriorate that endearing gentleness, which even the roughest men prize in women. What man is ready to take on himself the cares and responsibilities of a wife, if she is not fitted by domestic virtues, to be the light and the grace of his little home? How is he to be charmed into the fascination of love, if she, who is to be the object of his heart's aspirations, has been roughing her way up in life pretty much as he has been himself? Or if, as is sometimes the case with the more reckless class of operatives, wise nature secures an union, how little encouragement is the example likely to give to others! The young wife goes out to business every morning just as does the husband; remaining beauty cannot long resist advancing years and continuous mill work; while the night residence (for it cannot be called a home) of the two is but a sorry substitute for even the poor man's cottage of merry England in the old time. Here then is one cause of the unsatisfactory position of our female population, and one which must plainly act with increasing force. As it promotes celibacy and its attendant evils, or else miserable marriages among the masses, so for the middle and upper classes we have another potent evil at work. By increasing civilisation, the struggle of life is certainly intensified in vehemence. The universal steeple-chase becomes yearly harder to ride. It is not merely that the standard of living is raised in each class, and that none are willing to fall out of their rank as it presses on. It is that by the increase of wealth and of the democratic element among us avenues to distinction are opened up which were closed to ordinary men before. A century ago the son of a parish parson, or country doctor, or Irish squire who could not afford to go to London till perhaps he was

an old man, quietly contented himself with the horizon which bounded him. A seat in Parliament was the hereditary right of the lord of the soil, and the great mass of even respectable youths contented themselves with obscurity, perhaps now and then attempting a little moralizing on the three kinds of greatness enumerated by Shakespeare. Gray probably was not very wrong when he wrote of the village Hampdens and guiltless Cromwells. A Burke or a Canning might fight their way up to fame by the mere force of genius ; but then the exception was so very rare that it more than proved the rule. And even such an extraordinary genius as Canning, (a man whom the world has yet to do justice to) when he had risen to the pinnacle was deserted by all the fine old Tory Lords who knew not the family of Canning. The youths then as a rule obeyed the injunction of the catechism and contented themselves in the station wherein God had placed them, centred their aspirations on some neighbouring beauty, and in time settled down into respectable English family-rearing men. Now however the case is widely different. The same ideas about political rights and state distinctions which make every man a Senator, or a Congressman, or a State Legislator, or a Colonel at least, in America, are acting with a modified force amongst us. Political power and social position are no longer practically the heritage of the propertied class. Men of all classes are every day forcing themselves up to distinction. Even a Mr. William Williams can now get into the House with greater ease than Burke and Canning did in the last century. The manufacturing aristocracy comes chiefly from the rank and file. There is scarcely a town or village in the land which cannot tell its tale of the penniless lad who used to be playing about its streets, and who is now honoured by the princes of the people. The result is that numbers of our youth are in secret fired by the hopes of distinction more than by the power of love. This is of course especially the case with that very large class which is termed "respectable." Aspirations may differ, but all are anxious to rise. Numbers and numbers of these youths more than a superficial observer would imagine are possessed by a vague desire of pushing on ; and marriage, which they will not take as a goal, would only impede them on their course. They essay their powers at the nearest debating club ; the excitement of the tyro's effort they perhaps mistake.

for the fire of oratory ; they set their whole heart on parliament and the bench, and scorn the lowly choice of quiet married life. We are convinced that any one who can get into the real aspirations of our young men, will be surprised to observe how largely and generally developed is this feeling that we speak of. Every one has "to get on," and till he has done so, he defers marriage ; most probably, when he has waited long enough to satisfy or finally disappoint his hopes, he has waited too long to marry. Then the vast opening of emigration has drafted away the youth in hundreds of thousands, while very few women have been able to avail themselves of its relief. India, with its civil service, the little empire of Canada, Australia, with its gold fabulous fortunes, has taken away, and wedded to foreign lands, those who were intended by nature to take to them a helpmate here. By the last census returns we learn that the emigration for the ten years from 1851 to 61, reached the enormous figure of 2,287,205, and few, comparatively very few of these were females. It is also worthy of notice, that within the last ten years the number of emigrants has been about half of the whole total of departures for the forty-six years between 1815, when government emigration commenced, and 1860. Such is the extraordinary impetus which emigration has received. Meanwhile women have been shut out from all these openings, and they have been left almost helpless to contend with the struggling from which the stronger sex have found a refuge in flight. While the sons go forth to find their fortunes, and generally succeed, the daughters wait at home to find husbands, and generally fail. But, indeed, we need not resort to *a priori* reasoning to guide us to a conclusion as to the relative position of the sexes. Facts and figures are more convincing than the most ingenious hypothesis. Let us notice a few figures from the census returns for 1861. The male population in the United Kingdom, including the absent soldiers and sailors, was 14,380,634 ; the females numbered 14,954,154. Thus we have the striking fact to commence with, that without taking into account any of the detracting causes we have spoken of, there are necessarily condemned to celibacy no less than 573,520 women. But when we take strictly the numbers of men and women actually in the United Kingdom, we find that for every 100 males, there are 106 females, and we also find that this disproportion has been increasing of late years, for in 1841

there were 104.9 females to every hundred males, in 1851 the proportion had increased to 105.1, and now it is as we have said, 106, and no one can say how long the disproportion will continue, or how high a figure it will reach. We can perceive the same fact in a possibly more striking manner, by observing the increase in actual numbers for the successive decades of the present century. The excess of females over males was in

1801, ...	180,027.	1841, ...	348,950.
1811, ...	201,598.	1851, ...	349,871.
1821, ...	210,537.	1861, ...	573,530.
1831, ...	297,246.		

These unpleasant statistics will prepare us for the further fact that there are more than three millions of adult women who are engaged in different kinds of manufactures and trades, and that of these, two millions are unmarried; and, moreover, we know that one-third of the whole of the women over twenty, in the country, remain unmarried. We are too apt, in looking at figures, to forget, or not to comprehend, what they really mean. "A million" is easily said, but who can lengthen out in his mind what it means? "Three millions of women at work," is not a formidable expression either, but what a tremendous mass of human suffering and human wrong it stands for! "One-third of adult women unmarried," is a short sentence, but how many crushed hopes and broken hearts, wretched garrets, and unhonoured graves, does it not represent? It is worth our while, then, to look more closely into the meaning of these statistics. The subject is one which we cannot afford to put off. Even if we were so selfish as not to feel for the women alone, at least the most indifferent statesman must feel for the nation at large. Steele in the *Tatler* plainly speaks a plain truth when he says, "I am of opinion that the great happiness or misfortune of mankind depends upon the manner of educating and treating that sex." Women will be employed in some way or another, and if they are not elevating and aiding society, they will be degrading both it and themselves. All history tells us that no nation can survive wide-spread immorality, and no people ever can continue to be a moral people with one-third of their grown up women unmarried and unprovided for.

The question then is, what is to be done? It is no use

in answer to this query to parade a number of the profound saws of the olden time. It is rather a cruel mockery to tell the two millions or so of unmarried female toilers among us, that

“The important business of their life is love.”

It is but poor religious consolation to remind them that the apostle's will was that they should marry and bear children. It is mere childishness to shake our heads wisely at every scheme for securing them employment, declaring that they are only trying to push their natural supporters out of work, and that as for them, their “noblest station is retreat.” We wish, indeed, that these antique philosophers would remember, that whether they are right or not in theory, they are talking absolute nonsense in fact. They might just as well object to the reconstruction of our navy, and remind us how well we got on with our fine old tubs at Trafalgar and Copenhagen. Change is forced on us, and when that is so, to argue or act against it is folly. It is merely sad perversity to continue asserting that women ought to marry and keep houses, when they cannot do so; and that they ought not to have arrangements made for their independence, when society has already doomed millions of them to single life. Every wise man deals with the world as it is, not as it ought to be, and we have the facts before us, that most of the women of the lower and middle class have to work for themselves, that an enormous proportion cannot get married, and that the continued and increasing action of potent causes will tend to make marriage less the lot of woman every year. The very stirring and upheaving which have been generally taking place among much-enduring, uncomplaining woman-kind, show how yearly they are being, as it were, pushed to extremities. Nothing do respectable women love more than the impress of the domestic, feminine, nay, even unbusiness-like character; nothing do they dread more than the reproach of being masculine and strong-minded. Yet we have seen several associations springing up, mainly composed of, and conducted by charitable ladies, for the purpose of coping with the pressing difficulties of their weaker sisters. Nay, even the exaggerated and ridiculous theories and fancies protruded on the subject of Female Rights, have their origin in wide spread and increasing wrongs. Women feel that they are not fairly dealt with by society, and it is

not much to the credit of us men that we leave them to agitate and devise plans for their own assistance. Though to talk of political rights be nonsense, it cannot be denied that in this country they have the great argument for enfranchisement—injustice worked to them by the present regime.

In the first place, then, let us consider the temporary relief proposed to be given by female emigration. This is plainly, only at best, calculated to postpone the difficulty. Those who lay it down that the wisest remedy is emigration, and leave the matter there, simply shift the trouble to future years. The total excess of females in the Australian colonies, which are in fact the chief available outlet, is only some 150,000, and even if emigration were to draft off from our crowded ranks that total of women, which it never can do, it would be, as it were, only clearing away the overflowings of this social sore. The sources of the evil would remain untouched. Moreover, we must say that our lady friends, in whose hands the emigration scheme at present rests, have made a radical and unfortunate mistake in the course of action they have taken. Much, to be sure, with their present means, they cannot do at all, but the little had better be done well, as the best inducement to the public to assist in further action. Now, the principle of their scheme is to secure the emigration of educated women, and this principle is a total mistake. In their emigration circular, they state their object thus:—"It has been ascertained that educated women are required in the colonies as teachers in public schools, schoolmistresses, and private governesses, and to supply these is the object the society has in view." After two years, what have they been able to do? We are told by Miss Rye, in a letter to the *Times*, that they have sent out thirty-eight ladies in two years, of the arrival and employment at wages varying from £20 to £70 a year, of eighteen of whom they had heard. With reference to the £20 a year, let us observe that the wages of a good cook in the colonies are seldom under £40 per annum. This is not doing very much, and the simple reason is, that merely educated women are not required in our colonies, at least in any considerable numbers. What should fine governesses, we would like to know, be wanted for? If every female child in the new land was to get a lady's education, there would still be only a very limited field to be occupied. That is a

difficulty which cannot be got over, and we are borne out in this view by the reply sent by Mrs. Barker, the wife of the Protestant bishop of Sydney, to the application of the London committee. Miss Rye, in her pamphlet on the subject, read before the Social Science Congress for 1861, states that the Bishop's answer is "so satisfactory and so important" that she must be excused for the length of the extract she makes. We think it is most important, too, and in one sense most satisfactory, as it clearly shows the mistake which the society is making. What does the bishop say? Mrs. Barker writes thus:—

"We shall be very glad to assist in finding situations for educated women of respectable character, provided they could be sent out to Sydney by a fund raised in England. The bishop begs me to tell you that if *two or three persons* qualified for teaching parochial schools for girls or infants, could be sent here, there would not be any difficulty in providing situations for them. They should have some certificate of their competency, and be not under twenty, or more than two or at most five-and-thirty years of age."

If in our oldest and most advanced colony such is the demand, what must it be among the rowdy miners of Victoria, or the belligerent colonists of New Zealand? If anything were required to complete the utter futility of the whole scheme, it would be the way in which it has been recently advocated in the public papers. Even such an able lady as Miss Rye, writes thus, not very long ago, in the *Times*:—

"All I can say is this—knowing, as I do, that while here with extreme difficulty and great self-denial, really educated women must toil on many many hours a day to make £20, and that there, in the colonies, persons who in this country would scarcely be considered competent to conduct the quietest village school, are receiving £130 and £124 a year for salaries as governesses, that the possibility of there being two opinions on the matter strikes me with great and increasing amazement. I not only believe, but am confident, that there are vacant situations in the colonies for hundreds of women vastly superior to the hordes of wild Irish and fast young ladies who have hitherto started as emigrants."

All we can say to this is, that we hope the colonists will not read that number of the *Times* in which Miss Rye's letter appears; for to judge from the certificates and requisites of qualification called for by the bishop of Sydney for the two or three that he undertakes to dispose of, they will

not be likely to show much favour to the hundreds of ladies whom Miss Rye proposes to send out, and of whom she intimates that "in this country they would scarcely be considered competent to conduct the quietest village school." Possibly, too, they may feel inclined to complain of Miss Rye's having assured them in another communication that the society "was very particular about character and capabilities." A few lines further on Miss Rye reduces the difficulty to a most satisfactory dilemma, thus—

"If these women of mine work, it will be well; if they marry, it will be well; *whichever* happens, good must arise to the colonies, for our countrywomen, and for commerce."

But what, we say, if neither happens? This is the difficulty. And we must add, that from all we have been able to learn of the colonies and their female populations, Miss Rye is not at all considerate or fair in describing those women who have gone out before she took matters in hand, as "hordes of wild Irish and fast young ladies." We believe that in few countries in the world, is there more female modesty and propriety, as a rule, than in Australia; one main cause of this good result doubtless being, that nearly all get married readily, and so settle down to domestic life. Miss Rye seems, however, to think that there is no elevated class of females in the colonies at all, for in her paper on emigration, she says that the different colonial governments must be convinced that the emigration she proposes would be "an actual benefit to the colonies themselves—an elevation of morals being the inevitable result of the mere presence in the colony of a number of high-class women." Considering that there is in Australia some half million of such already, we do not see what great improvement the few ladies whom Miss Rye really can send out, will be able to effect, especially as educated ladies cannot coalesce with the men as the plain housewives of the colonists do now.

If we comment somewhat plainly on the mistaken position taken up by the society, and the equally mistaken manner in which it is defended, we do so in the hope of inducing business and benevolent men to join the movement on behalf of women with heart, and give it the assistance of their knowledge and experience. The most talented ladies cannot expect to fall into the proper style

of business management at once, and it is quite a pitiable thing to leave such an important movement without the best guidance.

The kind of women wanted in young countries are principally those taken from the lower orders of Society, who will be prepared to work for their living in domestic employments at first, and then, when in due time they have enamoured some sturdy stockman or miner, be prepared to rough out wedded life with him. How would "educated women" like here to marry a Cornish miner, or a shepherd of Salisbury plain? We can assure them that the diggers and stockmen of Australia are not very much more polished because perhaps richer, and it is diggers and stockmen that principally want wives. More especially do educated women labour under this particular disadvantage. Any great number of them cannot as we have shown get ready employment, and how then are they to live till they find suitable matches? A good housemaid is engaged forthwith; in service perhaps up the Bush, she is thrown together with the bullock drivers and neighbouring shepherds, and the result is obvious. But what is the fine lady to do for herself till she is engaged, for what Mr. Kingsley considers the proper business of her life? If we had in our colonies the plan adopted in some eastern countries, of putting up the fair ones to auction, a certain number,—though even then more limited than is generally thought—might be disposed of. But as it is, they have the double ordeal to go through. They have to get suitable places first, and afterwards suitable husbands. We think it of the very last importance that a proper plan of female emigration should be adopted; and that is why we most strongly object to the present sickly system advocated by the Society of sending out ladies for the purpose of giving a fine education to the children of a nation of roughs. We need not go beyond their own documents for proof of the correctness of our views, and of the proper kind of females to send to our colonies. We find the plan of the London committee developed in the *Englishwoman's Journal* for March 1861, and an article therein written by a Sydney lady professedly in favour of the scheme, but so instructive and accurate on the whole question of lady's work in Australia, that we make some extracts at length. At the very outset we read as follows.

“With regard to the kind of education or training necessary to fit gentlewomen for profitable employment in Australia generally; every one should be able to make her own clothes; to wash and iron all fine linens or muslins, including shirts and collars; to know how much soap and time are necessary to wash and smooth (for mangles are not often to be had nor are flat irons abundant) everything that needs washing in a family; to know the handiest way of softening water when too hard; to make plain pies and puddings; to cook vegetables and meat; to make bread without fresh yeast; to proportion the quantities of tea, coffee, sugar &c. to the number in a family by the year, month and week; to know (and see constantly within reach) the simplest remedies for common accidents, or sickness: such as old clean linen, lint, tapes of different widths for bandages, healing plaster, tincture of arnica for bruises, Dredge’s heal-all, &c.; the homœopathic medicines which I have used for years are aconite, for feverish symptoms or sore throats; chamomilla nux vomica, &c.”

Ladies who are educated with these accomplishments so useful and diversified in their nature, would we think be wanted in Australia or anywhere else. Any woman with such truly catholic qualifications may rest assured of a ready engagement in other lands besides Australia. Further on we read,

“In many of these families the wife has to make the clothes of all, except the strongest suits of her husband; to superintend or cook entirely for the family, bake bread, make candles, teach and nurse the children, &c.; one of the shepherds on the estate *may* be married, and his wife *may* be willing to wash or assist, but this is always uncertain, and a resident domestic servant is liable to be tempted away to a house of her own on very short notice.”

Finally, “Gentlewomen must however fully understand that they go to *work for independence*, not to marry and be idle;” and “*all ladies* must be prepared to assist in *everything*; they should invariably arrange their bed-rooms, make pastry and starch and iron fine things, prepare the tables for the meals and begin at once on the rule that no lady can require any thing done for her which it is disgraceful to do for herself.” To the same purpose writes the Rev. John Garrett, Protestant chaplain of St. Paul’s near Penzance, and Honorary Secretary of the Columbian Emigration Society.

“First,” he says, “we could *not* guarantee suitable homes on reaching the colony to women who should depend upon the use of their brains alone for support, nor does it seem desirable to with-

draw from their sphere of valuable occupation in this country those women who have received sufficient education to place them in situations as teachers in families and schools at home. Those who go out under the protection of this Society, will agree to take service on reaching the colony in such situations as the Governor and Bishop and those acting under their authority may consider best suited to their several cases, and may have open and ready to give them occupation and a safe dwelling on their landing in Columbia."

We have similar testimony from an Australian colonist writing to the *Times*. We have stated too by the Sydney lady be it remembered the requirements of the gentlemen's houses in Australia; and even taking this higher class, it appears that it is ready-handed domestic women that are wanted, not particularly educated ladies. Nor do we condemn this latter class to pine in sorrow and struggling here. We put a very simple alternative. If they really are educated ladies, properly acquainted with what is necessary for a high standard of female education, then they need not go to the other world to sell their accomplishments. It is just in a highly civilized country like ours, with a great aristocracy and upper class, that they are wanted. It is just among the stockmen and diggers that they are not wanted. We maintain that really qualified governesses have plenty to do, and at a fair remuneration too, in England. But then if young women belong to that section of the governess class, who pushed themselves into it from a lower sphere, and brought with them the education or rather the ignorance of that sphere, who can drum on the piano only indifferently well, whose pronunciation of French would make a Parisian shrug his shoulders, whose powers of painting equal either daubing or nil, whose knowledge of book learning is limited and cloudy, and who above all, have not the tact and bearing requisite to teach the upper class of girls properly, then by all means let them emigrate, but let them not emigrate under false pretences. Let them go out not merely as "educated ladies" looking after the "two or three" vacancies of the Bishop of Sydney, but let them go as respectable young women, ready to take anything from a place behind the counter of a decent Milliner's shop, upwards. Nor will they be tied to this position for life. Once in the colony, respectable and independent, forming friendships, meeting numbers of substantial colonists who

feel practically the truth of the old verse that "It is not good for man to be alone," their destiny is sure. The obstructions of different ranks would be little felt in the land where all things are upturned. This (despite the warning of the Sydney lady) is the proper object to set before them. Beyond all question marriage when practicable is the best employment for women. This view which we insist on is the more important, as until the London committee act upon it they will never obtain any substantial aid from the colonies, and it is on this that they must mainly depend. In Victoria, for example, where some 138,000 females are required to equalize the sexes, the Legislature have granted large sums of money to secure emigration. We look over one of the last numbers of the Melbourne Argus and we find three advertisements from ladies *asking for* places as Governesses, companions, school mistresses, &c., some of them significantly enough offering their services for the voyage home; while there are 179 from persons wanting Nurses and General servants. We have looked over a couple more numbers of the Melbourne Argus, and the result is pretty much the same. In one we find Governesses wanting places, 1; wanted 4: General servants wanted 61; wanting places only some two or three. In the other the numbers stand thus: Governesses wanting places 3; wanted only 1; General servants wanting places, some two or three; wanted 59. It is remarkable too that in the last summary of the Argus for Europe, when the particulars of the Labour Market are given in full, *no mention whatever is made of any want of Governesses* or female Teachers; nor are they spoken of at all. While we have as follows about female servants.

"Female servants of capability with respectable references continue in good demand. Rates of wages are steady and rule about as follows: female cooks from £35. to £50. a year; general servants from £25. to £30. do.; nursemaids £10. to £25. do.; laundresses £30. to £35. do.; housemaids £25. to £30. do.; parlour-maids £25. to £30. do."

We find too the following general advertisement in the Argus for the 25th of February last; "Accomplished writing and resident Governesses wait re-engagement. Also Nursery Governesses and Companions. Miss Cower's, 100, Collins-street." Most of the Governess

class are probably competent to "conduct the quietest village school." How much then, we would like to know, are the Government of Victoria likely to give for sending out more "educated ladies?"

We would then venture to suggest to the Emigration Committee of the Society for the Employment of Women, that they should impress on the young persons whom they send out to our colonies, that they must go prepared in the words of their own article, "to assist in everything," and to turn their hands to anything that is honest. If they do this their success in colonial life is certain; if they go out merely as fine ladies they must be disappointed. The best way to get the few single ladies required disposed of is to try to induce those colonists who have female friends at home to bring them out. They would then have homes to go to, and a circle of acquaintances to be introduced to, and either marriage or some literary employment would in time be the result. The Victorian Government has already adopted this plan, selling "Passage Warrants" to colonists, by which for a comparatively trifling sum paid in the colony, the passage of whoever the payer pleases to mention, is secured. It is a pity if a proper effort is not now made, when extensive emigration must take place to the colonies. There are thousands and thousands of young women who are not fit to take either the position of mere ladies or of mere servants, and whose case is sadder than words can tell. These cannot avail themselves of the rude emigration machinery at present provided by the colonists. They cannot be trooped together in Government ships with wild Irish girls from Connemara, or nurse-maids who are unable to make out a living in England. Though they must be prepared for any decent and fair work in the colonies, the society of a common Emigrant-ship would not do. A little negotiation might induce the Government to make some special provision for their case; but this will only be done on the condition stated by Mr. Garrett, that they shall take such employment as proper judges shall deem suitable for them when they arrive. Action on this head of emigration will we hope be vigorously and wisely pursued. If the colonial governments can be induced to take the matter properly up, the results will compare very satisfactorily with the mere nibbling at the difficulty to which the Society is at present confined. In one year the Emigration Commissioners received from

the Australian colonies above £158,000. How much would £50,000 a year for a few years more do if granted to the London Committee and wisely employed by them! Miss Rye states the total of the income received from the beginning up to last April is £800!

Emigration however is at best only a temporary measure. The real difficulty lies deeper. We must strike at the sources of the evil; else it will be ever again and again recurring and pressing on us with increasing force. The colonies cannot always be filling up; they must soon discontinue assisted emigration. Clear away the present accumulation and in a little time the same causes will again produce the same effects. We may for a time postpone the evil day; but what shall we do when it comes? Let us look before us, as well as around us. It is only fools that do not think of the morrow.

The question thus raised comes to this. When the world is full, and men are still increasing, when every country will have to provide work and food for its own population, what shall we do with our women? At present emigration provides or may provide some outlet; what will be done when we have to keep them and feed them here? And first what do we do with them now? It will be found on investigation that the main kinds of woman's work are in an unsatisfactory condition. Everywhere reform is required. From the school girl upwards woman is either not doing, or is not done by as she ought to be. Numbers are doing what they ought not to do, or leaving undone what they ought, or doing badly what they ought to do well, and many too pressed by necessity have erred and strayed from the right way. In fact, while the condition of men has been progressively improved to suit the requirements of each age, women have been left to tumble and push along with the times as best they can. We need not go through the Census returns and enumerate every subdivision of female labour. Fish women and vegetable women, and washerwomen there have been time out of mind, and there will continue to be as long as the British constitution lasts and it may be longer. These classes of females are *sui generis*. To talk of applying political economy to their case would be rather absurd. Surprising indeed and perhaps melancholy a complete history of the lives of many of them would be; yet they seem not to feel the cares of life much themselves, and probably they will be

quite satisfied to be omitted from the female employment discussion. The factory, the shop-work, whether at the counter or in preparing materials, and the domestic sphere, may be considered as embracing those various phases in woman's toil which require observation and admit of improvement.

On the unpleasant features of the factory system of female labour we have already touched, and indeed it is almost needless to delay on it further than to point out the unfortunate influence it must exercise on the domestic relations of the lower orders. We say this because it has now such a hold on one section of the people that though we may hope to improve it, we can no more expect to see it argued down than we could a dispensation of nature. Still it is impossible to reflect on its rapid extension among women without regret. Girls commence the untoward work of the crowded mill when mere children. From the ages of eight to thirteen they are to a certain extent protected by the Factory Act, but they may be and are worked 6½ to 7 hours a day, quite long enough, when time for school is allowed to obliterate the child's fondness for home, the more so as from thirteen to eighteen they work twelve hours a day, thus living about the mill and only sleeping at their houses. Unfortunately perhaps the most critical time of woman's life, is by the Act left unprotected. From dawning girlhood to rising womanhood, 12 hours each day has to be worked, and home necessarily deserted. It is little use then to cut off a few hours labour a day. Habits of independence, solitary living in lodgings in the manufacturing towns, migratory roving after increased wages, have all become a part of the young woman's nature, when, at the age of eighteen the abating power of the Act comes into force.

These young persons then do not form the most promising subjects for wives; and as we have before observed, even when they do marry they have neither the time nor the inclination to perform properly the duties of a wife. The children when they come have to be committed to the care of some underpaid and therefore unqualified hireling and know little of their mother during infancy, while in early childhood they in their turn go to mill work as did their parents before them. A more recent invention or rather importation from Paris are the *crèches* established in some of our manufacturing towns. These are a kind of public

nurseries where mothers leave their children in the morning when going to work, and where they are kept in safety during the day. What an unnatural institution to spring from the most advanced civilisation! How often have we characterised as barbarous the law of Lycurgus which took male children from the mothers, when they had reached the age of seven, and consigned them to the public care-taker. Yet here is an institution more unnatural still. Just think of the little creatures given in charge for the day, and crawling and crying and tumbling in the town nursery; watched and guarded as would be so many dangerous beasts or dangerous men. This is probably a very necessary and useful kind of establishment. But it is surely a poor substitute for the cottage home, with the fields for a playground, and the mother, nature's nurse, for a caretaker, the returning father's welcome, and those nameless endearments which cling round sacred "Home." The very soul and secret of a nation's strength is its sound morality: without it all greatness is hollow and all progression unsatisfactory; and national morality must originate in, and radiate from the homes of the poor. We fear it must be said that but an unsatisfactory population will be produced from *crèches* and mills. The absorption of women into Factories cannot then be considered a pleasing feature in their condition,—particularly when we observe the rapid increase in the numbers so taken and consequently in the number of British homes destroyed. In 1838 there were 195,508 women employed in factories in Great Britain; twenty-one years later, in 1856, the number was considerably more than doubled; it had risen to 409,300, of whom 25,982 were under thirteen years of age. We find from the last census-returns, a parallel fact which is not less unsatisfactory, that is the rapid massing of the people, male and female, into great cities and manufacturing towns. A few figures will make this unpleasantly plain. The increase of population in London for the last ten years reaches the grand total of 440,798; for the county of Lancaster 397,508, and for Surrey 147,603. Take a few manufacturing towns; the increase in Wolverhampton was 22,736, in Birmingham 38,559, in Preston 13,943, in Ashton 33,670, in Blackburn 29,199, in Sheffield 25,303. This mill work then we say is a very unsatisfactory employment for women. We cannot indeed well expect to supplant it by anything better;

but it would be well by opening more feminine modes of employment to women to prevent the rapid increase of the numbers so engaged. For what does that increase mean? It means hundreds of thousands of single women or bad wives, unmarried or undomestic men, children poorly cared for and families with the tie only of blood, strangers to the sacred union of home.

As we only propose to summarise the objections to the different employments for women, we now turn to what may be called their shop or shop-work engagements. We find that there is much to mend here also. What a tale is told about their counter-employments, by the fact that the lessee of one half of the refreshment stalls at the International Exhibition, had as many as three thousand applications for the comparatively limited appointments as waitresses at his disposal! Here, too, we come on what, in all fairness and moderation we must call, a real woman's grievance. We all know that there are hundreds of thousands of fine stalwart young men occupying the post, and doing the work which God and nature plainly intended woman should do, and this with no shadow of reason or excuse, except perhaps what may be afforded by the fastidious fancies of a few grand ladies, or perhaps we should rather say, by the culpable indifference of the public at large. What right have we to thrust the weaker sex into crowded mills, or consign them to the toil and starvation of needle-work, while we have our strong young men well paid for standing behind fashionable counters, fumbling over boxes of gloves, or manipulating articles of ladies dress? No wonder that old Doctor Johnson pointed out the wrong in the indignant language that becomes an honest man. We do not know that we could by any ingenuity select a more suitable work for our young women than that afforded by our millinery shops—it is clean work—it is light work—it is feminine work—it is work not only consistent with, but absolutely requiring that neatness and spruceness of dress, appearance, and manner, which our young women ought to cultivate, as it tends to preserve a self-respect which the "unwomanly rags" of needle-work, the masculine tone of mill-work, and the degrading toil of ore-dressing, or nail making, and even less suitable kinds of work must tend greatly to destroy. That we should shut them out from their own proper employment on the pretence that they are not able for it, while we have them

working at literally the refuse of men's toil, is strange indeed. It is said that young women could not lift down the necessary boxes, &c., &c., in the shop, and that therefore they are disqualified. Does any one believe that this is an honest reason? So far as the matter of strength goes, do we not know that even the tidiest and sprucest of household servants go through a day's work that many of our fine young gentlemen, who sneer at woman's strength, would faint under? Does not the nurse-maid carry young master just thirteen months old, on her arm for half a day, while, if the lord of the household takes the said young master for five minutes, he declares and believes that his arm is in aching condition for the rest of the evening? Young master weighs more than many a box of gloves or caps. If there be, as fairly there might, a difficulty about reaching the upper shelves, a few decent young lads of the same *genus* as the "cash-boys," placed behind the counters, could easily obviate the objection. So much for one obstacle. Then we have read, that to put out young men from milliner's shops, and to put young women in their places, is very unwise policy, because that in putting out the men you are ruining a number of husbands and brothers who support wives and sisters, while the incoming young women would support nobody but themselves. But this objection equally applies to women doing anything that men can do; and where it is not thought of with regard to mills and nail-making, why is it urged as against a proper and becoming employment for females? When, in fact, three millions of our women are working for bread, what nonsense it is to argue as if some startling innovation was proposed in this particular case! Nor is it true that all the shop-boys and shop-men support either sisters or wives. In the majority of cases they could not afford to do so on their wages. In those towns where there are monster houses, it is well known that the young men live on the premises in common apartments provided for all. Very probably in many cases the less favoured sisters, for whose interests and feelings we are so much concerned, are pining in penury and solitude, trying to eke out a living with the needle, shut out from the ten thousand avenues of escape or employment open to men, and yet having to fight on all the same for their living in this inconsiderate world. Do we not justly say that this is an intolerable wrong? So crying a grievance is it

that we own it seems to us that the grand principle of free trade might be departed from just for once, and a tax imposed on all male employeés engaged in selling gauses and stays. A few years notice should be given to enable young girls to be properly trained, and then an absolutely prohibitive tax on every man engaged, after that date, would be justified by every principle of policy and right. It is very well to cry down protection. But it is protection that women want. They have been wronged in being driven from their natural employments, and they cannot by their own exertions recover their rights. Though, indeed, why should women have to ask state interference? In the Report of the Society for the Employment of Women, for the year 1861, we read the following sentence:—

“The committee would take this opportunity of pointing out how much it is in the power of ladies to encourage the employment of women in the trades by which their requirements are supplied. The reply made by a well-known London tradesman, to an application to him to take a woman as an assistant, was, ‘Ladies have the matter in their own hands; if every lady as she came into my shop were to ask to be waited on by women, we should be obliged to supply them.’”

No one can question the truth of this. And is it indeed possible that ladies have it in their own power to set right this injurious wrong, and that it is not done? Can any be so thoughtless as to forget in the respectful blandishments of the young gentlemen behind the counter, the poor sister, of whose wrongs the sternest man cannot think with indifference, and at which even the selfish dissolute is touched with compassion? How, indeed, they have managed to neglect this matter we know not. Blessed themselves, as many of them are, with all the luxury, the honour, and the influence of high station, let them not forget the burdens of thousands of poor women in the land, who have all the sensitiveness and female pride—shall we add the little weaknesses of themselves? An effort on their part, as trifling as the moving of a little finger, would ease those heavy burdens. The moral of the parable of *Dives* should not be forgotten. The rich man who was clothed in purple and fine linen did not injure the poor man—he only neglected him. Yet afterwards the rich man suffered the torments of his remorse. This great wrong, this strange anomaly is, we are glad to learn, excit-

ing attention and consideration on the part of ladies. More than two hundred ladies of influence have signed an address to the tradesmen of London, advocating the farther employment of women in shops. We would suggest to these ladies that if they take decided action in the matter, there can be no doubt that their address will be successful. "They have the power in their own hands." Let them use it, and they may rest assured that they will never again in their lives have an opportunity of advancing such a truly charitable and noble work with so little trouble.

There is nothing else in the shop-work of women which calls for particular remark. Seemstresses are, as a class, gradually becoming extinct, owing to the action of the sewing machine. The Society for the Employment of Women has opened classes, we believe, for those who desire to learn how to work that ingenious instrument. However much we may feel for the last struggles of the poor sewing women, none can regret that such a social sore as was their calling, is likely to be eradicated.

In the domestic sphere, the most proper of all for women, we find much that is satisfactory too. Marriage, of course, at once suggests itself. It is nature's own provision, but men are coming to disregard it. The marriage market is getting tight. What is more, we cannot but think that it would be well if it continued so, provided that women could get something else to do. Old Burton gets exceedingly angry with people who oppose the marriages of the poor. "They would have none marry," he says, complainingly, "but such as are rich and able to maintain wives, because the parish belike shall be pestered with orphans, and the world full of beggars; but these are hard hearted, unnatural monsters of men." We must say that we rank ourselves among the monsters. Not to have the world full of beggars, is, we think, most desirable. There is no denying that a large element of truth is contained in the Malthusian theory. Population is increasing with accelerated velocity, the world is filling up fast, and there is a prospect of perpetual struggling if we go on perpetually and recklessly increasing. One great source of the misery of the lower orders, is the hasty manner in which they form inconsiderate unions, trusting that something will turn up for the children when they come. A housemaid admires the stature and form of a dragoon; she

walks in the park a couple of times, and finds that his conversation is charming. His undress uniform is beautiful, but when she sees him ride in his regiment, the die is cast, and they both go to the altar ; neither, and especially not the silly woman, thinking that a few months after marriage he may be ordered away from her, and she left to provide for her baby and herself by the needle. A poor labourer, when he comes of legal age, and often before it, marries, as a matter of course. It is not till afterwards that he begins to find out practically, that what he felt it difficult to live on himself, is not a comfortable provision for a wife and six children. All these people seem to think that if they are not as fortunate as the lilies which take no thought for the morrow, at least they ought to be, and that they will act as if they were. It is so to some extent with even those who ought to know better. How often do we see some wretched clerk out of work, or some struggling artist with his wife a counterpart of his own misery, and his children early made acquainted with the difficult question of how to get bread. Every little mouth doled out its allowance, every little garment stitched and restitched till the famous question about Sir John Suckle's stockings might be asked of it. Every day a renewed struggle, every year a prolonged anxiety ! It is all very well to talk of the joy of love and to protest that a woman is happier with the man she loves in a hovel, than alone in a palace. These feelings are very poetical in the heyday of youthful affection. But the harsh warning of Sir Walter Raleigh is too often verified in fact. "Remember that if thou marry for beauty thou bindest thyself all thy life for that which perchance will neither last nor please thee one year, and when thou hast it, it will be to thee of no price at all, for the desire dieth when it is attained and the affection perisheth when it is satisfied." Mankind are not all poets, and materially miserable people are seldom happy couples. Against this kind of marriage we protest. The great hope for society is that people shall in time come to marry only when they ought. Without this restriction successive generations represent simply the repeated production of beggars carried on with prosperous productiveness. And one of the most important points which we hope to have gained by securing proper and considerate employments for women would be, that it must form a most material check on imprudent

marriages. If most of our girls instead of pining in solitude and want, or what perhaps is worse, with ungenerous relations, were able to support themselves by some proper and moderately remunerative employment, they would not be so ready as they are now to rush into the arms of the first young man that will take them, without considering whether he is likely to prove a good husband and a man fairly able to support a family. Now, young women are brought up with the idea that they have nothing before them but marriage. They are all as it were started in a kind of race, a husband being the goal; and an emulation to win at any cost is thus excited. Every fair maiden is considered to have succeeded or failed in life, according as she has managed to catch a lover or not. The result is imprudent marriages, often productive of infinite misery, often furnishing additions to the long list of Sir Cresswell Cresswell, certain to produce an unnecessary and a struggling population. Were our girls busily and properly occupied with work suitable to them, in the first place they would not be always thinking of love and marriage, as they are now; and in the next place, they would not be precipitated into matches of which prudence and affection do not approve. Nothing would take them from their independence and comfort, but the force of true love, tempered as much as can be expected by a just regard to prudence. Nor need we fear that even with this salutary check, any want of population would result. It would be only miserable matches that would be interfered with. That great, all-prevailing despot of the human affections, provided by careful nature for her own wise purposes, would do his work where he ought. Only it would be true love that would make marriages not a hasty affection, stimulated by emulation, founded perhaps on necessity. Marriage, as often now contracted, is most unsatisfactory; so is the growing disinclination to marry now evinced by numbers of some classes of our young men, while our young women are left struggling to catch them. But make both sexes independent, and a wariness about marriage in each is one of the very best things that can be devised for their progressive elevation. To have women cheap, and men fastidious, of honourable love at least, is a cruel wrong which no manly-minded man ought to regard with indifference. To have each as independent of the

other as possible, is the true condition of happiness, leaving love, the enchanter, to do the rest.

With regard to domestic servants, what good housewife has not her complaints? Perhaps we ought to trace some portion of the lamentations to that natural tendency in human nature to consider that our fathers and mothers were better off than we are. But still it is beyond all doubt that the relations between servants and the families they live with, are most unsatisfactory. Neither, as it seems to us, do their part properly, though with whom the fault originally lies, we cannot say. Perhaps an issue of fact on this point might be sent up to a mixed jury of mistresses and servants, only that we fear not all the terrors of legal starvation or privation would procure a verdict. But certainly, a change is wanted somewhere, and probably with the servants, to commence with. We doubtless ought to have better servants; but, if we had them, they ought to be treated better than female servants often are now. In fact, a change in the whole relation of master and servant is required. The way to begin this is to try to train up a superior class of servants, and then we may hope that their claims to a better position than at present female domestics occupy will be recognized. And here our schools for girls are sadly at fault. In most cases the children are taught anything but what is useful; so far from it, indeed, that what they do learn rather disqualifies them for the lowly work of the kitchen and laundry. We have all laughed often enough at Dr. Johnson's argument against educating the masses. Yet there was an element of truth in it. A girl with a really good literary education is not so well fitted for domestic service, as if she had been particularly trained in what is to be her business for life. It is all very well for the inspector, when he arrives at the school, to find that the young people are adepts at the use of the globes, can calculate fabulous or extra-complicated sets of figures, with which they will never have to do again in afterlife, can point out a spot on the map which it would puzzle the inspector himself to define from the data, and can tell the time at a given place by what is to them a kind of scientific legerdemain. But what, meanwhile, about the relation of buttons to shirts, the best way to stuff a turkey, or to dispose of a wash-tub full of clothes? What real good is all the fine learning to them afterwards? Can they be expected to remember all this showy knowledge after a year or so of

the dull routine of the kitchen? If they did, what good would it do them? Does a knowledge of the globes assist the starching of a shirt, or an acquaintance with the theory of the seasons enable one to regulate the number and rapidity of the revolutions proper for a rib of beef before the fire? Would it not be better to teach girls who are to be servants, how to perform the duties of servants, how to do servant's work with neatness and expedition, and how to conduct themselves as respectable servants ought? This seems to us common sense in any case, but we are not without the support of good authority. In this case we confess we think that no opinion is of so much value as that of a sensible lady, and such is Miss Hope, who moreover had full opportunities of observing the class of servants our system of education is likely to produce, as she was for ten years overseer of a home in Scotland where schoolmistresses resided. Her testimony is clear and satisfactory on the subject with which we are dealing—she says,—

“For ten years I took chief superintendence of a home where schoolmistresses boarded when under training, and during that time not only two hundred passed through my hands to go out to exercise their profession, but I got acquainted with numbers of other schoolmistresses. Also, it came to pass, that I was applied to from every part of Scotland by the clergy, and by ladies, to send them schoolmistresses, and having sent them, I had continued opportunities of hearing what their employers thought of them afterwards. But although most of them were amiable estimable young women, admirably trained in every kind of book-learning, yet I could scarcely give you ten instances out of those two hundred, who did not seem spoilt by the would-be-ladyism of their training; or whose inclination or power of making their girls tidy housewives or thorough needle-women, was equal to what the ladies who employed them desired. But I could give you many more instances of complete satisfaction on this point, being given in schools of far less pretensions, where neither school-house nor schoolmistresses would come up to the requirements of government.”

And we think that all credit is due to Miss Hope for plainly and bravely saying what is undoubtedly the truth with regard to female education in general. “The hearts and the hands of women,” she observes, “should be educated more than their heads.” She is strongly corroborated by the Rev. Mr. Norris, one of the government inspectors, who, while combating her propositions to a

certain extent, admits that the girls educated by the National Board are not inclined for service. "It must be admitted," he remarks, in a paper to be found in the *Social Science Transactions* for 1859, "that our girls, as a general rule, do not enter service. Why is this? Some places of service are quite unfit for girls who have any self-respect.....Our present course of school training does tend to give girls a distaste for house-work. It is too bookish, too sedentary."

That is to say, the state takes up the children of those who are too poor to send them to private schools, and educates them till they become useless to the community—nay, even more, a positive curse to the community; for such are those females whose education keeps them starving, by raising them above the kitchen, while it does not enable them to earn a decent living by their heads.

Here, then, is another very remarkable example of how the whole subject of woman's employment is characterized by error and mismanagement. We get a number of girls who ought in time to be the domestic servants of the country, respectable and respected, no doubt, but satisfied with the lowly lot for which God and nature have meant them. Instead of making them good servants, we make them miserable nondescripts, above their proper work, struggling to become governesses and fine ladies, naturally failing in the attempt, and then, too, naturally becoming miserable failures as "respectable people," when they ought to be, and if properly trained, would have been contented and successful household servants. The double evil of this system is enormous. Thousands of our best young women are cut off from domestic duties; these duties then fall into inferior hands, these inferior hands are indifferently treated, and the whole status of household service is so lowered that numbers of well-bred girls would think themselves degraded by entering it. We are then distracted to know what we shall do with these latter, and all the while our homes are made uncomfortable without them. Telegraph work, and design painting, and law copying, and printing are called into requisition, when ten thousand families in the country would pay highly for some one to make their fires decently, cook their meat properly, preserve their fruit, and answer a visitor at the door like a Christian. We do not condemn the employment of women in novel businesses, as for

a certain class some such employment is desirable; but we insist that active efforts ought to be made to train up our national school girls, at least for one class of household service, and workhouse children for another. There are 3,745,463 inhabited houses in England and Wales alone; a large proportion of these will always want servants, and for good servants families will be ready to pay highly, as a well taught servant is an actual, positive, saving in a house, and a well trained servant, which includes, of course, a well trained woman, will in nearly every case be kindly and considerately treated by the family in which they live. If the class generally could be improved, a general appreciation of their position and rights would follow. The servant would be no longer the mere drudge of the family, with belligerent relations towards the lady, an engagement terminable on a month's notice on either side, and generally prolonged beyond the first few months with pain. She would be the help of the family, treated with regard and consideration, and her interests would be a matter of concern to every proper mistress. We might also, in case of such an improvement in the class as we speak of, expect to see public attention considerably and humanely turned to the question of, what becomes of old servants? It is surely a very unsatisfactory thing for no one in a civilized community to be able or willing to answer that question. Do they live long, or do they die early? We cannot rest satisfied with either alternative. If few reach old age, what a tale does that fact tell of their lives! If they do fulfil the allowed three score and ten, how are they supported, when the strong arm grows feeble, and the comely figure is shrivelled by age? Are those collapsed specimens of mortality called charwomen, who make out a living by uncertain dubious, dreary hackwork—are they the remnant left of the bright housemaids who bustled about the houses of our infancy, and the merry nurses with whom we played? We like not the thought. Yet where are those same young maidens gone? Some, doubtless, have got married; some are gone to distant lands; the grave has a right to claim some; society ought to have looked after the rest. It is a grievous cruelty for the community to let their household servants, when past their work, sink down into decrepitude and degradation together—to use them as a humane man would not use his horses, so long as they are in their vigour, and then to turn them off to finish life

as best they can. The proper remedy for this great evil is to elevate the whole relations between families and servants. Make a class of respectable profitable servants; people will then be able in a merely monetary point of view to pay higher wages; from the wages, well-trained provident girls would put by something for the evil day, and would not recklessly leave the future to chance. Moreover, no respectable family would desert a faithful and careful servant in her old age. Other movements on behalf of women we would desire to assist, but none more so than that on behalf of the female service improvement. Such work is the most suitable of all for women, it is, and ever must be, a great opening, and its proper management would be productive of as much convenience to the community as benefit to the servants themselves.

The same complaints so generally and justly made about female servants, apply to the tolerably numerous class of professional nurses. Nothing can be more unsatisfactory than the condition of this branch of woman's work. Is any one satisfied with Mrs. Gamp? Nor is Mrs. Gamp a very exaggerated picture. This brings us to a subject most important, with regard to female employment and Christian charity, in which England is at fault. Protestant England has no religious orders of females. In our hospitals, in our common schools, beside lowly beds, in the districts of the poor and miserable, in the work-house ward, in the prisoner's cell, what could be more blessed and becoming than the ministration of good women? The authorized ministers—the regular troops of religion—certainly must go to these places also, but they can go only as ministers. They cannot spend their time in endeavours to work into little rows of beggars the religious impress of which childhood is susceptible; they cannot influence with a woman's power fallen and disconsolate womanhood; they cannot soothe the restlessness of sickness or the struggles of death. On the other hand, the country abounds with ladies who, in a Catholic country, would be usefully to themselves, and happily to others, discharging those holy duties. Every one acquainted with middle class English society, knows that there are hundreds of thousands such. Plain daughters unable to get married are, we know, from book statistics and experience, superabundant. By the census of 1851, we learn that there were 2,449,669 females between the ages of fifteen and fifty-five, unmarried, including widows.

and spinsters, and of these 322,347 were returned as following no business or occupation whatever. These unmarried girls, as they advance in life, are often most unpleasantly circumstanced, perhaps with inconsiderate fathers, perhaps with struggling brothers, perhaps living in solitude on some little pittance of a pension. As they have not been able to give way to the great human impulse of their nature, they are often, indeed, generally, all the more devoted to that other and higher feeling of which also they are so susceptible. They look on the cold ungenerous world with the aversion of pilgrims in a hostile country; they console themselves with embracing fervent, injudicious theories of Christianity, they fix their thoughts on the time when the days of their mourning shall be ended, and the marriage feast of the Lamb made ready. Thus they pass their lives disliking the world and useless in it; a great impetus to extravagant religion is supplied, and a vast amount of sincere devotional feeling is comparatively lost to the world. If these lonely good ladies could be enrolled in a religious order, as they would be on the Continent, and given active duties of charity to perform, what a double blessing would be thereby conferred! They would be made happy in their charitable industry, and the community would benefit by their services. Yet so strange and so strong is the influence of prejudice, that any approach to such a blessed organization is condemned by what is proudly termed the Protestant feeling of England. Thousands and thousands of hapless ladies are left withering in idle and gloomy maidenhood; millions of children and sick are left poorly and often unfeelingly attended. To make the one class active, would be to succour the others, but England cannot manage it. To leave both neglected is either a fancy or an unfortunate fact of Protestantism. We can only point out the evil, it is not for us to suggest the remedy. Nor can we suggest any other feasible plan for employing those three hundred thousand ladies who are at present an useless burthen to the community.

Having noticed these defects in the main employments of women and the respective remedies, as far as they can be proposed, the question raised by the Society for the Employment of Women presents itself. What more ought to be done and what new avenues of work ought to be opened up? Without at all condemning the efforts made by benevolent

ladies to secure new yet suitable work for women, we cannot but think that it would be well to direct our main efforts to remedying the defects and wrongs which at present render so unsatisfactory what may be called woman's peculiar work. When we have made sure of woman's proper province we may try to extend our conquests over what is to a certain extent man's domain. But in truth we can only expect to get a small footing therein. Telegraph work for example,—apparently one of the most suitable for women, often necessitates the workers staying up during the greater portion of the night. We have read of a fine feat of telegraphing which secured to the *London Times* by early morn the full report of the speeches delivered during the evening and night, at one of the Manchester demonstrations; and it appears that the "*Young girls*" who worked the wires began their task at 10. 15. p.m. and ended it at 3. 25. a.m. However gratifying an evidence of female skill and activity this may be, we think that the mere fact proves enough to constitute an objection to telegraph work as a general female employment. If there is one thing which comes out in particularly melancholy relief in the poor needle-woman's or milliner's occupation it is the thought of their leaving the house of toil in the early hours of morning, and passing by scenes of dissipation and at least affected gaiety, which might tempt an unholy thought to rise in the breasts of those who found the paths of virtue certainly not the ways of pleasantness. The work of the telegraph office is not so hard or so badly rewarded as is that of the needle, but it is certainly objectionable to have "*young girls*" scattered over the streets to seek their homes at 3. 25. a.m. Besides such work is clearly incompatible with any domestic engagements. The Victoria printing press is we are rejoiced to learn a complete success, we hope that many like it may spring up throughout the land. Yet here too, woman's work must be limited. The vast branch of newspaper printing seems to be completely shut out from them; there is also a large class of books which could not well be sent through the hands of a number of decent young women. Where great hurry is required we fear that the publishers would feel safer in the hands of men. Still we only mention these as limitations to the plan. It is obvious that for a great deal of printing women are quite as well suited as men, and we should hope that the good

feeling of the literary community would in all possible cases be ready to give them the preference. The "Transactions of the Social Science Congress," which are yearly printed by Emily Faithfull and Co., are a standing evidence of how accurately and neatly work can be done, and we learn that the fair firm is fully established, as a mercantile success, and has more work on hands than it is able to do. Then as to the law copying, dial painting, lithography, we can only wish every success to the efforts made to employ women in those works. At present we regret to learn from the Report of the London Society for 1861 that the success has been very trifling indeed. Only two pupils were apprenticed to the dial painting trade and "except in one or two individual cases" it was not found possible to obtain lithography work for females. We must not however expect over much at first from even the active and intelligent efforts of the Society; but we could have wished that more interest in the good work had been evinced by those whom it is proposed to benefit. We read, "The adult class at Mrs. Boucherett's school averages twenty-three pupils, who are receiving a good education in arithmetic, book keeping and clerk-like handwriting, with such other knowledge as may fit them for a business life." Considering that the last census shows that there are some million and a half females in London, we must say that an average of fourteen is but a poor contribution. Working at this class is a matter in the hands of the women themselves, and the poor attendance seems to show something wrong somewhere. But with regard to all these ways of employing women we can only say we most heartily wish them success. We do not think that they will ever become very general; however, without doing so they may do an immensity of good. They may not be very domestic, but there are numbers of women to whom home is only an empty name; some of them may not be exactly what we call feminine, but neither is mill work nor dressing ore at mines.

As permanent general employments for women we must certainly say that we should rather trust to the domestic field with all its different divisions. All mechanical callings to be successful must in the end trust to the superiority over competition of those who follow them. If women in any numbers are to follow the different businesses which the London committee are now endeavouring to start

them in, it must be by fairly beating men out of the field. A few particular enterprises may be supported by the direct favour of just and good men, but in the gross these things must be done by hard competition. Now we doubt whether women will ever be able to conquer in this unequal struggle. Miss I. Craig says that women can never compete with men, and we think she is right. Women are certainly physically weaker, and despite any training they will probably never take to stern business work with the same determination and devotion as men. We are not guilty of that contemptible want of gallantry which some speculators display on this subject when we say that place the two sexes in equal competition and the result is certain. The prize will not be to the fair. Besides the comparatively limited number of women that in any case can enter in competition with men will always be a source of disadvantage to them. Numbers in any case will be busy with their homes and families and the remnant will never be able to command a profitable controul of the market. Each business in the main will still be in the hands of men. At best women will only edge in and men will still have the lead. Omnipotent and all wise nature will still have her way and most females who can marry well will marry and fulfil one great purpose of their earthly existence. The rest will turn to business as a kind of *dernier resort*,—for want of something better; they will not push themselves to it as men do to what is the immediate and principal object of their life. We do not say this to discourage those business enterprises. On the contrary we hail them with satisfaction as some relief at least to toiling womanhood, and we think that they will be most valuable in providing for that particular section of women for whom they are suited and by whom alone they will be worked. More than this they will not do; and we are only anxious to guard against the notion that we do enough when we start these few pet schemes for womans employment. On the other hand in domestic service they have no competition; *that* men willingly leave to them. They ought to be trained for it, and it ought to be elevated and suited to them. So too those shops where gloves, neckties, articles of ladies dress, gauses and a thousand little trifles are sold, ought to be left to females alone. There men are usurpers and invaders. They might just as well and indeed with more propriety, take in hand the washing-

tub and the mangle. The object is to secure to women a work which they certainly can do as well as men, and no mere whim of a few grand people should be allowed to prevent this most necessary reform. On the continent women are much more employed in the light work of shops than with us, and we may well copy the example, while avoiding the mere shop exposure of Paris.

These all will tend to secure a fair and proper field for woman's toil and a prudent system of emigration will relieve the present pressure. But as a preparation for every scheme of improvement we must have a better system of female training and education. Of the National-school children we have spoken already. No step is more urgently required than a change from the literary style of their education to the domestic. Let them we say be trained for household servants, and let the teachers remember that it is a poor consolation to the family whose leg of mutton for dinner is spoiled, to know that their cook can calculate the distances of the stars. As for the highest class of girls we have nothing to say to them. If they are pretty certain to get married, or have good independent means should they not, their education is too much a mere personal matter to be of state concern. Whatever suggestions a critic might have to make in this respect need not be enlarged on here. There remains the large middle class, the higher artizan, the shopkeeper, the poor respectable; and the bad way in which they manage their daughters is a fertile source of the female difficulty. They seem either to calculate on marriage as a necessary contingency, or else to consider that the future of girls is a matter of no consequence, while that of boys must be most anxiously considered for. The result is two-fold, each equally pernicious. Either the daughters are forced as it were for their very lives into ill assorted marriages without any provision being made for the coming family, or else by the death of the parent or some other contingency they are thrown on the world literally to live by their wits, which indeed they generally find a particularly inadequate provision. Hence is one great source of the would-be-governesses who have barely the qualifications of a housemaid. Hence the rush of hundreds after every trifling situation which females with no qualifications think they can fill. Hence the struggles to open up some new ways of living for women or to escape from the country altogether.

Hence greater evils too. If parents of the middle class would train their daughters as they do their sons, for independence, rather than for marriage, much of this harm might be obviated. If the small shop-keeper, for example, were to teach his daughters book-keeping, how to take orders, or sell wares across the counter, how to pack parcels, and generally the management of his shop, he would be putting them as it were in possession of a property. When he was gone they could continue the establishment. Old customers would not go away if they were served well, and the daughters would be decent shop-keepers instead of unhappy wives or faded struggling spinsters. The same may be said of hundreds of other middle class occupations. Each parent has made a kind of opening in his business, and he should educate his daughters so as to enable them where possible to avail themselves of it. More might be done in the way of this hereditary right than by the hard competition organised by societies. If a father is a watchmaker, why does he not teach his daughters or some of them to make watches? They could learn the work just as well as the sons, or as the girls of Switzerland do in the mountains about Geneva. If the father is a fourth or fifth-class painter why does he not teach his daughter design painting? She could gradually get employment through her father, and if she painted well, she would be afterward independent of his aid. And so on through numbers of other businesses which females may not find it easy to take by storm, parents by judicious training might fit their daughters for the work and then introduce them to it, just as now a man often pushes his son into his place in a trade or calling, which the youth would never have won for himself. Are we not all familiar with the case of the fortunate scion of some prosperous house of the law or some powerful political family? In the one case he has briefs loading his table which are in truth confided to the paternal care and about which the only thing the favoured youth is quite competent for is to sign the fee: in the other he is seated in parliament in early manhood, in course of years he falls into the proper style of debate and is in due time fit for office, his juvenile blunders having been perpetrated and forgotten. And so in humble life, if fathers would only push their daughters into their trades when these are suitable, they could safely leave them to fight their own way afterwards. If there is

not room for the sons, let them emigrate. Men are never at a loss for something to do in a new country. This certainly seems the most feasible plan for enabling women to make a living out of men's trades; they need not leave their homes nor at all neglect domestic duty; while learning their business they might be of great assistance to their relatives, and by them could get a gradual introduction which they could at leisure improve and secure. Nor do we at all by this scheme propose to interfere with marriage when it is really desirable. By making daughters somewhat independent without at the same time undomesticating them, they are only rendered the more fitted for proper marriage. If they do marry in such a case, the union is likely to be a happy one, founded on sincere affection and prudent choice. If parents would only look with provident care to the future of their daughters we are convinced that more could be done for introducing a certain number into business occupations in this way than by any public organization. But then both the fathers and daughters must get out of their heads the pernicious idea that marriage is with us, in this nineteenth century, the only business of women in life—the final cause of their creation. Facts and figures are hard things, and let them observe how many hundreds of thousands of women there are who cannot get married, and who must work for their bread. There is nothing too that so fits a girl in the middle class for marriage as being able to live without it. Husbands are like friends; if you are independent of them they are likely to come to you; if you have to run after them they naturally think that the prize is not worth very much.

And here we may say that we cannot at all concur in the reason which Miss Parkes gives to explain the indifference of fathers to the training of their daughters. In her paper on "The Market for Educated Female Labour," read before the Social Science Congress for 1859, she says that parents do not care to give girls the means of making money, because they know that the future husband will by law become entitled to the fruits of her industry, and she founds on this idea an argument for the modification of the law as regards the husband's power over his wife's property. We read:—

"But there was another reason why the father confided his daughter's future so wholly to her possible husband: women were

so unused to have or to hold property and the law throws the right to the earnings of a married woman so completely into her husband's power, that the father was little tempted to save up his money to give to another man, nor to train up his daughter expensively, when another man was to have legal power over the fruits of her education, and could take away any money she earned."

The fact that so sensible a lady as Miss Parkes uses such an argument with such an object, is a very significant one, followed up as it has been recently by a less discreet advocate of woman's rights. First let us see the value of the reason. We do not for our part think that all middle class fathers, do calculate with accuracy and definiteness on their daughters marrying; we fear very much that they do not calculate on the subject at all. If they do so anticipate, every reason must urge them to make their daughters as independent as possible. For if the husband is a proper husband, what can be more suitable than that his wife should be able to turn some leisure hours to account in assisting the family? If on the other hand he is a bad husband what can be a greater control on his evil passions, or what a greater protection to his wife than that she should be able to earn her livelihood and if necessary to live independently? It is the total helplessness of the wives that encourages the cruelty of brutal husbands. So much for the value of the argument; but what is the meaning of the suggestion at all? We fear that Miss Parkes states guardedly in her own prudent way an idea which more or less mixes itself up in the thoughts of some of the ladies at least who manage this present movement on behalf of women. We fear that justly and properly excited as they are about woman's wrongs, they are inclined to go beyond securing material remedies and to busy themselves about woman's supposed abstract rights. When meetings are held and fair speakers have spoken with all the earnestness of conviction, and ladies' committees are organized and female secretaries are appointed and women's journals started, there is plainly a tendency even with our sensible ladies to let their energies tend in the direction of the strong minded ladies of Massachusetts who some years ago we learn from Mr. Mill, demanded in public meeting assembled, concessions to women-kind as follows.

"Resolved.—That women are entitled to the right of suffrage, and to be considered eligible to office.

"Resolved.—That civil and political rights acknowledge no sex, and therefore the word 'male' should be struck from the state constitution.

"Resolved.—That it is impossible that women should make full use of the instruction already accorded to them, or that their career should do justice to their faculties until the avenues to the various civil and professional employments are thrown open to them.

"Resolved.—That every effort to educate women without according to them their rights, and arousing their conscience by the weight of their responsibilities, is futile and a waste of labour.

"Resolved.—That the laws of property as affecting married persons demand a thorough revision, so that all rights be equal between them, and that the wife have during life an equal control over the property, and be entitled at her death to dispose of an equal share."

The nearest approach to this platform as yet made in England, is by a lady who writes to the *Times*, and who occupies a place on both the general, and managing committees of the Society for Promoting the Employment of Women. The managing committee, we may observe, consists of three gentlemen and four ladies. The lady to whom we refer, entirely dissents from Miss Craig's view, "that women never can nor ought to compete with man," observing—

"Here, again, I cordially join issue. Nature, in making man and woman so unlike in their very likeness, has herself affixed the power and limit to both, and so entirely do I hold this that I believe when women shall become an acknowledged power in the world as well as in the home, taking their share in the world's work and progress, men in the place of competitors will find their labours of head and heart, supplemented and perfected to a degree yet undreamt of."

This is rather vague, but what follows is not—

"The best and noblest women stand aloof in isolated dignity, preferring the martyrdom of unsatisfied affections and sympathies to the surrender of their independence and integrity as human souls, accountable to their God, and their God only, for what they are to do..... We are allowed no platform but the childless heart or the teeming nursery, and if these may not be ours, jostled and pushed aside to rot in inaction, if we have the means to find ourselves food, shelter and clothing; if we have not to wrest or steal a living as best we can, doing hardest coarsest work for worst pay."

Our fair innovator is clearly no great admirer of St. Paul. Yet we can scarcely blame women for allowing their zeal to carry them a little beyond the bounds of prudence, when we find the professor of political economy in one of the universities of this kingdom, indorsing to the full the pernicious and anti-Christian craze of Mr. J. S. Mill, for which that very eminent thinker was indebted to his wife, who was doubtless a most amiable lady, but not a very deep philosopher. Professor Houston of Trinity College, Dublin, in the pamphlet which we have prefixed to our article, startles us with gravely advancing theories which we never expected to see emanating from a learned and Christian university. "Emancipation of Women,"—startling heading! What is the slavery in which our fair friends are? That it may appear we wrong not the professor, let us quote a few sentences.

"What,' the learned professor asks, 'is the account given of it by a lady, who charges herself with the duty of instructing her sisters in the path of life they should choose? In a work called 'My Life, and what should I do with it?'—a work which abounds in most valuable suggestions on the subject, and which is written in a spirit of liberality and enlightenment, the authoress thus defines woman's mission—'A true womanly life is lived for others. Not for things, as a man's may be who is engaged in any productive labour or training; not for mind, as a studious man's may be; not for the increase of knowledge, for the discovery of truth, nor for art; not for the human race in their collective masses, nations, churches, colleges, but for others as individuals.' If true, this is a melancholy fact. No desire of independence, no patriotism, no devotion to art, to the sacred cause of truth, or to the ennobling pursuit of knowledge, must enter into the hearts of over one half of the species! Every particle of individuality—the ultimate crystal from which every regular form of civilization must be developed, is to be sunk in the pursuit of the advantage of others as individuals."

Again, in the appendix, we read—

"Were all avenues of profit and distinction opened to both sexes alike, little doubt can be entertained but that the course of education pursued by both would differ much less than at present, becoming in the case of women more various and comprehensive, and thus tending much more than at present to the expansion of their faculties; and even should they never be required to put the knowledge thus acquired into requisition in the pursuit of any

industrial calling, enabling them in turn to direct with judgment the education of their families."

It is into such follies as these that the most useful social movements so often degenerate. We find that our constitution of society leaves in struggling and wretchedness some million or so of women. Instead of opening up useful occupations and charitable callings to engage them in becoming industry, Professors and social science meetings at once fall a talking about emancipation and college degrees, people at present being, of course, wiser than the old-fashioned teaching of religion. Does the professor propose that women should, like the Amazons of old, take up arms in their countries' cause, and stand in the ridges of grim war? Will he organize a female police force who will patrol and keep in order our streets by night? Will he send our fair friends on the stormy ocean, and have young sailor girls rocked to sleep on the high and giddy mast? And does he suppose that if men do all the hard stern work, they will have women directing and ruling their toil? But, indeed, we need not argue, for as it seems to us the professor refutes himself. He says, "It is not by any means likely that women would be at all satisfied to sacrifice their own natural tastes and feelings, so far as to become barristers or surgeons." Very good, and for which of the professions then are their "own natural tastes and feelings" likely to suit them? The political platform, we suppose, is not more suited than the legal. From the clerical, they are excluded by express precept, unless, of course, the rational interpretation system disposes of it too. Public offices and bustling commerce seem not adapted to the female taste either. Engineering and surveying are as bad. For what, then, the professor contends we cannot conceive. It seems to be the "opening up of all avenues of profitable distinction," on which the natural tastes of females would prevent them from entering. The truth is, that in this, as in many other grand theories and reforms that are started in this wonderful nineteenth century, shallow philosophers are forgetting the nature of the men and women for whom they are devising wise things. They are clever enough to see that there is something wrong with the world as it is, and they are foolish enough to think that they can set to and make out a new and better order of nature. They may improve the human

race; they will never radically change it. We have diverged to this latest folly of the hasty theorists of the age, because of the countenance given to it by the Social Science Congress, headed by the venerable Lord Brougham, the value of whose judgment we will not discuss, but who has not failed his ancient and appropriate character of the ladies' man. And we fear that the introduction of such fancies into the plans for female relief is sure to result in disaster. The ladies themselves are not to be blamed for pushing into practice theories apparently sanctioned by authority. One result is the letter which we have quoted from, coming from one of the ladies' managing committee of the London Society. We do not think we could present to sensible men a stronger argument for their taking an active, earnest, and generous part in the efforts of the society. We are sure that we mean nothing disrespectful to those earnest and talented ladies who at present direct its efforts, when we say that their unacquaintance with business habits renders the attentive co-operation of some gentlemen necessary to secure success to their plans. It is, indeed, a poor way to discharge our duties to the female dependent portion of our population, to leave remedies to their own efforts, and then, if a mistake be made, to laugh at the incompetence of ladies. Every earnest, fair minded man ought to feel himself personally interested in woman's cause, mindful that the circumstances of social condition and training to a certain extent disqualify woman from being her own protector. The very irritation which prompts these strange theories, proves that grievous wrong exists. Women would not care to complain about the legal disabilities of marriage if they were independent of it, or if suitable matches were easy to be had. They would never think of assailing the political power of men if they did not feel that under it they suffered so many wrongs. Want, and struggling, and misery, drive mankind to find a refuge from the hard facts of society as at present constituted, in the congenial follies of socialism. Will want, struggling, and misery not incline womanhood to some similar error?

But whatever may be our opinion about details, let us not look on with cold and unsympathizing feelings at the efforts which benevolent people are now making in this cause. Do we realize the position in which women are now placed? Do we think of what becomes of the increasing surplus of females? The mind, we are told, by literary

critics, is more affected by particulars, than by the most sweeping general descriptions. Miss Rye gives us some particulars. A situation worth £15 a year was offered to female competition—eight hundred and ten women applied. Another worth £12 a year was declared vacant—two hundred and fifty women were candidates. One week a notice was put in the newspapers to say that a law-copying office had been opened at Fenchurch-street—before a week was out seventy-eight women applied for work in it, and one hundred more applied at the office itself. Miss Parkes gives us a simple and affecting picture of the crowds of waiting applicants whom she found collected at the office of the *Englishwoman's Journal* :—

“In this way I have conversed with ladies of all ages and conditions ; with single girls of seventeen finding it necessary to start in life ; with married ladies whose husbands were invalided or not forthcoming ; with widows who had children to support ; with single women who found teaching unendurable as life advanced ; with tradesmen's daughters, and with people of condition fallen into low estate.”

We think that men do not sufficiently take to heart these details. As yet, we must confess that the stronger sex have done little but talk wisely about woman's mission, which seems practically to be, to go to the four corners of the earth, or to wait at home and hold her peace. It is simply acting under false pretences, to tell women to go and get married and not to be pushing themselves forward. Pharaoh acted as justly towards the Israelites, when he told them to make bricks. It is humiliating to think that if our statesmen gave one-tenth of the time and thought to this question which has been given to projects for increasing the political power of the lower classes, and promoting foreign revolutions, it would not now be in its present unsatisfactory state ; and yet that that consideration is not given. The present agitation is not a mere passing excitement springing from ephemeral fancies, and likely to subside when those fancies pass away. If it does subside it will be into the calmness of despair, not the rest of satisfaction. Real pressing causes are now, and have been for years at work, which are pushing our female population to despair, and will continue to be till modified by judicious reform. At bay they stand, and make a struggle for preservation. Within the last few years the sewing ma-

chine has effected a change, blessed indeed in one sense, still destructive in another. Poor wretches live no longer now by the needle, but, Heaven only knows, what else they live by. In 1851 there were 73,620 needle women in London, now there are probably not more than a few thousands. The notable "Song of the Shirt," is not at the present time so applicable as before. Let us hope that the other popular lines of Hood have not become the more fitting lamentations for thousands of new victims. What fearful revelations have been made by the late returns of inquests held in London in 1861, on children who died under ten years of age. In them it is established that in the one year 343 children were, to express the thing in round phrase, murdered, 147 were *accidentally* suffocated, and 614 were the victims of exposure and disease; making a total of 1,104 infants disposed of in the metropolis of England in a twelve month. What a melancholy list! Who can count the number of sinners and sufferers that it represents! It is said that the dense population of the Chinese empire, from which till lately no emigration was allowed was in a great degree owing to the licence accorded to infanticide. Reckless hasty marriages were entered into by the stolid parents in anticipation of availing themselves of the customary right, and so getting rid of family cares. But when the children actually came, the mother's love proved too strong, and the offspring were preserved to throng the land. It would seem that with us the force of nature, and the force of laws, and the force of public opinion, are unable in great cities to balance the misery of women. This reminds us of the great sad fact which lies at the foot of all speculations on the subject of female work. We know what is the end of the increasing cheapness of women, and the increasing disinclination to marry in men. Every man feels it sensitively, and thinks of it often with sorrow. A recent volume of Mr. Mayhew's work on "London Labour and London Poor," has brought vividly and painfully before us the traps, the baits, the extensive organization, the well worked system which is in force to tempt to destruction innocent frail womankind, to whom society leaves the alternative of hard struggles or harder vice. It is of little use to become sentimental on such a subject. Yet we cannot help asking how just-minded men can hurry to their comfortable homes through any of our great towns by night and not make a firm resolve to aid with their might

the society which proposes to do woman justice. Do we not know that in truth numbers of those fallen ones are crushed down into the haunts of degradation by the stern hand of want? And should we rest easy a day till such a cruel wrong is set right? Deplorable, indeed, is their affected indifference to shame and melancholy their ghastly gaiety. But who can tell the sorrows that are crushed down within those lonely hearts! Let us turn our feelings to good account. Let us remember that if we are indifferent to their sufferings we are responsible for their guilt, and that it is little consolation to a virtuous man to feel that he has not participated in their sin, if he has not earnestly set himself to relieve the misery from which it springs.

Up to very recently a lively disputation has been maintained in the daily press on the merits of Miss Rye's plan of emigration, which we criticise in our article. The fair propounder of the scheme has been left almost alone in its defence; while the most decided repudiations of any want of learned ladies have appeared in both Canadian and Australian newspapers. The Melbourne *Argus*, a very trustworthy journal, falls mercilessly on Miss Rye's proposal, as developed in her letters to the *Times*; while the *Toronto Weekly Leader* has an article on the subject, from which we make an extract.

"Miss Rye assumes as a fact, what few in this province at least will recognise as such. In Canada there is a demand for very few governesses indeed, and those young women who are thus employed receive, we fear, rather a poor compensation beyond the comforts of a home and the surroundings of respectability. If there is certain employment for any class of young women, it is for those 'hordes of wild Irish,' of whom the governess advocate speaks in such flattering terms. 'Genteel' young ladies are not required here; they are somewhat indigenous, and are sufficiently numerous to fill all the vacant situations that need their services. Domestic may come without hesitation, but for imported governesses we fear there is little room."

This quite settles a question on which nothing but an acquaintance with the wants of colonial society could ever have raised a doubt. It will not be pretended, we presume, that the Ladies' Committee in London know what the colonists want better than they know themselves. We are glad, indeed, to gather from some of Miss Rye's later letters, that she is not insensible to the weight of testimony furnished on the subject, and that she is disposed to select the young persons she patronises as much as can be from the respectable working class, or at least to send them abroad as

such. But we must warn Miss Rye that anything short of a complete renunciation of her original plan will end in failure. We observe that in a recent letter, Miss Rye reiterates her sweeping condemnation of the class of females who have hitherto emigrated to the colonies, stigmatizing them as the "disreputable set of women who have for so many years formed the bulk of our emigrants." We need not say that we differ from Miss Rye both as to the correctness of the assertion and the desirability of making it at all, even were it true. But while we regret that zeal for the excellent design which she has proposed to herself should prompt what we must consider an indiscreet statement, we are anxious to take the opportunity of condemning the severe and indeed personal tone of stricture indulged in on her emigration scheme by a certain notable weekly journal, which, by the article we allude to, has vindicated afresh its claim to a reputation for fierce criticism and painful inductive.

ART. II. — *Rome and the Catholic Episcopate.* Reply of His Eminence Cardinal Wiseman to an Address of the Clergy Secular and Regular of the Archdiocese of Westminster.

THE Canonization which has recently taken place at Rome, has been accompanied by circumstances which have made it so profoundly interesting to the whole Catholic world, that we feel anxious to offer to our readers a few observations on these most important proceedings both in their directly religious and in their quasi political aspect. And we will commence with the purely religious view of them.

All Catholics know that it is not every day that a Saint is Canonized. The last ceremony of this kind took place during the Pontificate of Gregory XVI. in 1839, when St. Alphonsus of Liguori, St. Francis Jerome, St. John Joseph of the Cross, St. Pacificus of St. Severinus, and St. Veronica Juliani were canonized. It is a function of comparatively rare occurrence, for it is only a few among those conspicuous for sanctity that the Church deems sufficiently eminent above others to be worthy of being set on so high a pinnacle. Not but that many others may have been equally holy or even more so

than some of the Canonized Saints ; but there are not the same *proofs* of their holiness, and not such miracles to mark the approbation of Almighty God, and to indicate His will in the matter. Thus it may happen that persons, placed in a high position, whether spiritual or temporal, Popes, Kings, Bishops, are canonized because their virtues are conspicuous and notorious ; while many a monk or nun of some severe and secluded order, whose life has been passed in a cell of a religious house, where the step of the stranger and the secular has rarely been heard, cannot be canonized for the want of *proofs* of heroic virtue, which virtue nevertheless existed in an eminent degree, and perhaps in a higher degree than in some of the other class before mentioned, but which was known to God alone.

Most of our readers are aware that there are other steps in the process of honouring the Saints which the Church takes before canonizing them ; and in many cases she goes no further, the process being ended there and the saint being raised to no higher place in the calendar. These two steps are 1st, the declaring a person "venerable," and 2nd, beatification.

The first imports that the *fame* of a person's sanctity has been judicially proved, or (in more technical language) that in his cause the Commission of Introduction has been signed. This Commission of Introduction is signed by the Pope and addressed to the Congregation of Rites. The Holy See thus takes the matter in question under its own jurisdiction, so that local bishops and ordinaries can no longer interfere. Before the completion of this step, the fame of the virtues of the Servant of God is established by witnesses or in other ways, and this, of course, not merely as to ordinary but also as to extraordinary or, as they are called, *heroic* virtues. When the Pope has sanctioned the decree in such a case, we know that the Congregation of Rites has fully examined and been satisfied of the existence of a solidly established fame as to the heroic character of the virtues of the person whose process has been under consideration, and that thus we have the verdict of a most scrupulously careful and highly authoritative tribunal. But still the decree differs essentially in its import from those we shall presently speak of. We should remark that in the case of martyrs the very act of their dying for Christ is held to be an act of heroic

virtue, so that the same proofs are not required for them as for other saints.

The declaration that a person is *venerable* does not authorize any public cultus; the second step, however, which is termed *beatification*, does so, and is of course a far more important and serious proceeding,—so much so that it has been disputed whether this act on the part of the Church be or be not an exercise of her *infallible* judgment. It appears that the theologians who have discussed this subject have distinguished between the two kinds of beatification, *formal* and *æquipollent*; the latter being rather a concession than a judgment, and merely authorizing the continuance of a cultus which had already existed, as for example, a particular diocese or a particular order, from immemorial usage, or from some other recognized sanction, and being usually accompanied by a reservation of the right of the Congregation, so that the decision is not irrevocable; the former being a more strictly judicial proceeding on the part of the Holy See itself, by which, after proof of the virtues and miracles of the servant of God, the Pope allows him the title of *beatus*, and generally grants (though not for the use of the whole Church) a Mass and Office in his honour. The best opinion then seems to be that in formal beatification the decision is probably infallible, and in *æquipollent* beatification probably not so.*

The final step in the process is, as we all know, Canonization. Let us see in what respects it differs from Beatification.

Not merely then is the final ceremony, the act itself, celebrated with far more grandeur and solemnity, but there is (as may naturally be supposed) a difference in the intrin-

* Those who wish to enter more fully into the subject, will do well to study F. Faber's treatise on Beatification and Canonization, published in 1848; we are indebted to it for very much information, and have in this article followed the opinions set forth in it. We should observe that (as all persons versed in ecclesiastical history well know) in the early ages of the Church, Canonization was the act of local churches, and it was not till the 9th or 10th century that the Holy See took it entirely under its own immediate direction. It is, of course, only to Canonization sanctioned by the Holy See that the questions raised about infallibility can apply.

sic character of that act. "Beatification," says F. Faber, in his *Essay on Beatification, Canonization, and the processes of the Congregation of Rites*, "may be defined to be a preparatory act, importing a cultus permissus, mostly limited to a particular place: whereas Canonization is an ultimate act, importing a cultus præceptus, extending to the whole Church.* In decrees of beatification, the style of the Sovereign Pontiffs is, *Indulgemus, Concedimus*; in the decrees of Canonization, *Definimus, Decernimus, Mandamus*." Further on he says, "Canonization is the public testimony of the Church to the true sanctity and glory of some one of the faithful departed. This testimony is issued in the form of a judgment decreeing to the person in question the honours due to those who are enjoying the beatific vision and reigning with God." And from this he goes on to prove that the Church is infallible in the Canonization of Saints. It would be too long to extract here all the arguments for this, but we may allude to the opinion of St. Thomas (to which Father Faber refers), which is to this effect:—That the canonization of Saints is something between things which pertain *ad fidem*, and things which pertain *ad facta*, and that the Church is infallible in such matter, because the honour we pay to the saints is a kind of profession of faith, because the Pope can only be certified of the state of any of the faithful departed by an instinct of the Holy Ghost, and because Divine Providence preserves the Church in such cases from being deceived by the fallible testimony of men.

It is, however, an open question in the Catholic schools whether it is *de fide* that the Church is infallible in the decree of canonization; F. Faber evidently leans to the opinion that it is so, and speaks of it as a strong probability. And as this last is an open question, it follows that it is also an open question whether the fact of any canonized individual being really a saint is *de fide* or not. But there is no doubt whatever that to dispute the true

* This does not mean that a Mass and Office in honour of the Saint are always ordered for the use of the whole Church, as this is by no means the case; but only that the whole Church is by the act of Canonization commanded by her chief pastor to honour as a Saint the person canonized.

beatitude of such a person would be, if not heretical, at any rate rash and contumacious in the highest degree.*

Before we proceed to speak of the ceremonies that take place on the occasion of a Canonization, it may be interesting to say a few words on the particular Saints that have been thus honoured last Whit Sunday. The Canonization is generally called that of the Japanese Martyrs, twenty-six out of the twenty-seven Saints having been put to death for the Faith in Japan; the remaining one was not a martyr at all.

Of the twenty-six martyrs "Some," says His Eminence Cardinal Wiseman, in the Reply to the address of his clergy, "some were untutored lay-brothers, three young sacristy-boys, several mendicant friars, others Jesuits; many natives of whose history we know little." We strongly recommend our readers (if they have not already done so) to peruse the Cardinal's "Reply," published as it is in the form of a pamphlet; it is an able answer to the arguments of Protestants, as well as a correction administered to certain "liberal" Catholics.

He says that there are at this moment two processes going on before the proper tribunal, that is, the Congregation of Rites, each for the Canonization of a Queen,—one being "the Venerable Maria Clotilda, Queen of Sardinia, who died in 1802, sister of the martyred King and Queen of France." The other "Maria Christina, daughter of a King of Sardinia, wife of the late King of Naples, and mother of its present calumniated and oppressed monarch. She died at his birth in 1836." The Cardinal then goes on to observe that if the Holy See had been merely aiming at a great political demonstration, here were the materials ready made to hand. "If it wished to give preponderance to one of the two great contending parties in Italy, there was choice acceptable to either. Was its policy that of fusion and union? there

* Our friends the "liberal" Catholics may be interested in a note to F. Faber's treatise in which he states that a man desirous of signalizing himself by novelty of teaching may, if he has a tolerably hardened conscience, find considerable scope for himself without running foul of anything that is *de fidè*; and that he may incur twenty-three different censures, without being guilty of formal heresy.

was the beautiful combination of the two heavenly representatives of both."....." And yet instead of hastening through processes which its enemies pretend are arbitrary and accommodating, the Holy See selected some obscure men and boys, who 300 years ago were *executed*, as they would say, in Japan." He adds that no such stroke of policy as the adversaries of the Church suppose was ever intended; and that not a single step would have been omitted, not a degree less of virtue, nor a miracle fewer, would have been allowed to place a royal candidate upon an altar, or add a king or queen to the catalogue of the saints. What the Cardinal shows by this argument is this—that the Church, in canonizing Saints, is simply performing a high religious act, and that she cares nothing for the world while she is engaged in it, but only for the glory of God and the edification of Christian souls. But of course advantage may be taken most justly and rightly of the *celebration* of the *ceremony* of canonization, when it does take place, to gain support for the temporal authority of the Holy See which is so much bound up with Religion, and to censure the conduct of infidels, rebels, or liberals.

But to return to the Martyrs of Japan. These are their names:—

1. Paul Miki, a Japanese Jesuit, a Catechist and Preacher, said to have been a man gifted with eloquence and spiritual wisdom.

2. John Soan, also a Japanese, a Jesuit, and Catechist.

3. James Kisai, Japanese, a Jesuit brother and Catechist.

4. Peter Baptist Blasquez, a Spaniard, a Franciscan father, of the Minor Observants; he had held an important position as Commissary Father in Japan, and was the man of most mark among all the martyrs.

5. Martin d'Aquirre, a Spaniard, and a Franciscan father.

6. Francis Blanco, also a Spaniard, and a Franciscan father.

7. Philip Las Casas, a Spaniard of Mexico, a Franciscan brother not yet ordained priest.

8. Gonzalvo Garzia, of Portuguese extraction, born in India, also a Franciscan brother, as yet not ordained.

9. Francis of S. Michael, a Spaniard, a Franciscan brother.

The remaining seventeen were all brothers of the *third* order of St. Francis, and not therefore friars in the ordinary sense of the word, for members of this third order may and do live in the world, and are frequently married persons only binding themselves more especially to serve God;—these seventeen were all in some way attached to the service of the Franciscan convent or church; they were all Japanese. Their names were:—

10. Leo Garosuma, a Corean (and therefore a Japanese subject); he was a married man, but with his wife had made a vow of continency; he was interpreter, catechist, and infirmarian in the hospital.

11. Paul Suzuqui, preacher, interpreter, and infirmarian.

12. Michael Cosaqui, formerly an arrow-maker, a servant to the Franciscans.

13. Paul Ibarki, formerly a cooper, a preacher, brother of Leo Garosuma.

14. Thomas Idanqui, an apothecary, catechist, and interpreter.

15. Francis, called the physician, catechist, and interpreter; a married man who had however with his wife made a vow of continency.

16. Gabriel Duizco, catechist and clerk of the church.

17. Bonaventure, in the service of the Franciscan Fathers.

18. Thomas Cosaqui, son of Michael Cosaqui, catechist, and server at Mass; he was but 15 years old.

19. John Quizuya, he was a silk-weaver, and he had harboured the Franciscans, for doing which he suffered martyrdom.

20. Cosimo Taquia; he had been a sword-grinder, and became a preacher and interpreter.

21. Antony of Mangasaqui, son of a Chinese father and Japanese mother, catechist and server at Mass, only 13 years old.

22. Louis Ibarchi, nephew of Paul Ibarchi, catechist and server at Mass, the youngest of the whole number, being but 11 years old.

23. Joachim Saquiye, cook to the Franciscan Fathers.

24. Matthias of Méaco, voluntarily took the place of another Matthias, a Religious, who was absent when the Franciscans were arrested.

25. Peter Suquezico, accompanied the Martyrs to the

place of execution, and was seized for offering them some refreshment on the road; and at last was put to death along with them.

26. Francis Fahelante, a carpenter, together with the last named saint, followed the Martyrs and ministered to them night and day. The officials, therefore, seized him and eventually put him to death with the rest. These two last were therefore, so to speak, supplementary martyrs, added on to the original twenty-four.

We must now briefly narrate the events which brought about the martyrdom of these servants of God. Those who wish to acquaint themselves in detail with the history of the Church in Japan, can refer to various works on the subject.

The Japanese islands were discovered by the Portuguese in 1542, and the Gospel was first preached there in 1549 by St. Francis Xavier. After his departure other Jesuit missionaries followed, and a large number of converts was made, some of them princes and men of high position, and among these the King Sumitanda, who took the name of Bartholomew at his baptism; he does not appear to have reigned over the whole of Japan; but only over a portion of it, for it was divided at that time into several kingdoms; but Taiko-Sama afterwards united them into one Empire. Some of the Christian princes sent an embassy to Pope Gregory the Thirteenth; the ambassadors were most kindly and paternally received at Rome, and returned to their country after an absence of eight years (for travelling was slow in those days); on their return they entered the Jesuit Noviciate, such were their zeal and devotion. What a contrast to the embassy lately in England which came from the same country, and which was mainly occupied with matters conducing to material prosperity and temporal power! But in the sixteenth century, with all its faults, Christianity was still a real moving power, not merely (as it is, and always will be to the end of time) among a select number of pious and devoted men, but among the masses and even the governments of the day. The faith of the middle ages had not yet been extinguished by Protestantism and Liberalism, and the people of Europe not only believed in Christ themselves, but rejoiced to see heathens brought to the same belief.

But to return to our history. A very severe persecution

raged against the Christians for some years, and it is said that in 1590 above 20,000 suffered martyrdom, but the Faith grew and increased notwithstanding, and the Jesuits made 12,000 converts in that same year.

The Emperor, if he may be so called, of Japan at this time was Taiko-Sama; his name had originally been Faxiba, and he was a man of humble origin, who had fought his way upwards and seized upon the supreme authority,—upon the supreme lay authority at least, for he left the Mikado, or religious Emperor, to enjoy his nominal sovereignty: Faxiba took to himself the name of Taiko-Sama, and his official title was the *Kumbo-Sama*.

The same arrangement still exists in Japan, and this same functionary is now styled the Tycoon; the religious emperor is still there, without real authority, and something resembles the Talè Llama of Thibet in his stately seclusion.

It was in 1587 that Taiko-Sama usurped the throne: he was a man of energy and an able administrator, his persecution of the Christians being the only serious blot on his character.

Towards the end of the year 1597, the Christians found themselves in the position of having been sometimes severely persecuted, and sometimes tolerated during the few years preceding; the churches had been for a time altogether shut up; but as we before stated, converts had rapidly increased. There were two missionary establishments, the Jesuits and the Franciscans; the Jesuits, however, were strictly and ostensibly the only missionaries, who had come to Japan as such; the Franciscans had come as a sort of embassy from the Spanish government of the Philippine Islands; they had been received with civility and allowed to remain in Japan, where they had most zealously preached the Gospel.

St. Peter Baptist Blasquez was, as we have before observed, at the head of the Franciscan community, and a holy and devoted man he was; he had been entrusted with the direction of the political mission from the governor of the Philippines, and was naturally therefore the superior of the Franciscans who remained in Japan to spread the faith of Christ. Nothing could exceed the zeal of these good Friars, but their discretion and prudence do not seem to have been equal to their devotion. They seem to have celebrated the Church offices, and to have preached with

somewhat more of ostentatious publicity than was desirable, differing in this from the wise and cautious Jesuit fathers.

Taiko-Sama was no reckless persecutor. He had several times refused to take measures against the Christians, and particularly on a recent occasion, when a most formidable earthquake had occurred, which the Bonzes had wished to attribute to the Christians, he answered them with judgment and good sense, and utterly declined to begin a fresh persecution for such a reason. But two or three circumstances had now happened to alter his mind. Some Christian women had refused to become inmates of his harem; this was one of his grievances; then there was the imprudence, if we may venture so to term it, when speaking of saints and martyrs, of the Franciscans; further, there was a man named Jacuin, said to have been a physician to the Bonzes, who was a good deal about the court of Taiko-Sama, and was always persuading him to persecute the Christians; added to which, the rapacity and violence of some Portuguese and Spanish merchants had been displeasing to him; he had been worked upon, too, by a man called Faranda, a worthless Christian, (some say an apostate), who made the Franciscans the objects of his mischievous insinuations, and begged Taiko-Sama to expel them from Japan. Yet all these things would probably have been insufficient to bring matters to a crisis had it not been for the monstrous folly and falsehood of a Spanish officer, who had been on board a vessel called the *St. Philip*, which had lately been wrecked on the coast of Japan.

We wonder how often in the history of the Church it has happened that a persecution or other trouble arose without a Catholic, (either a "pious fool" or else a downright bad and liberal Catholic,) having a hand in it. In this particular case we are disposed to think that the evil or good deed, whichever one considers it, of sending twenty-six martyrs to heaven, ought to be laid at the door of this Spaniard, rather than of Taiko-Sama; what he did was this, when the articles from the wrecked vessel were according to custom being taken possession of by the Japanese government, and among other things a chart of the world was put into the hands of the emperor's commissary, this last-named official asked how it came to pass that the king of Spain had so many countries under him at a distance from his own land?

the Spanish officer answered that it was done in this way : the missionaries went first to convert as many of the people as they possibly could, and when the Christians were numerous enough, the king of Spain sent an armed force to reduce the country to his obedience.

The Japanese official, without delay, returned and told the whole story to Taiko-Sama, who instantly sent to the governors of the two principal towns of Meaco and Ozaka, ordering them to seek out the preachers of the Christian religion and their followers, and keep them in custody. It was at first intended to put them all to death. Taiko-Sama, like other heathen autocrats, did not trouble himself to examine the question carefully and justly, and enquire how far the accusation he had heard was true ; he did what might naturally have been expected from such a person in such a position ; and looking at the matter, so to speak, from his heathen point of view, we cannot in the least wonder at his cruelty in putting the Franciscans and other teachers to death ; for from the information he had received, he looked on them as intriguing foreigners, involved in a plot to deliver over his country to the king of Spain, and as for the native Christians, he probably thought they would only be too willing accomplices ; but, as we have before observed, he was no mere headlong persecutor, he did not like shedding blood indiscriminately ; he was what would now be considered a consistent *liberal* ; and the principles on which he acted do not differ in this respect from those of many Catholic liberal statesmen, who have the light of a faith which he had not, and have had the grace of the sacraments to help them, which he had not, and who yet rebel against the Church and persecute the Holy See, the religious orders, and the bishops, whom they ought to respect and defend.

Taiko-Sama did not carry out his original intention of putting to death all the Christians ; but he had meanwhile given an opportunity to them to show of what mettle they were made, and most nobly did they behave. As soon as it was known that the Kumbo-Sama wished to have a census of his Christian subjects, all of them, men, women, and children, came forward fearlessly and put down their names as Christians, ready to be martyred if it were the will of God.

Taiko-Sama, however, moved by the representation

made to him by Gibunosci, the governor of Meaco, (who asked if he really wished to put to death all the Portuguese priests who had recently come to Japan in vessels which were evidently mere trading vessels), so far relented as to spare all but the Franciscans and the tertiaries of the order, who were in the convent at the time of the seizure. On December 8th, the Feast of the Immaculate Conception, all these were imprisoned by guards being placed round the house. At Ozaca, however, on the same day, the Jesuits, as well as the Franciscans, were imprisoned by Farimundono, the governor; but there were only St. Paul Miki and the other two lay-catechists in the Jesuit house; Father Organtin, the superior, who had recently been there, having previously left for Meaco, and thus unconsciously escaped.

At the end of December, the Kumbo-Sama finally ordered that all these prisoners should have their noses and ears cut off and be taken through Meaco, Ozaca, Sakai, and lastly to Nagasqui, where they should be crucified.

The governor of Meaco, to whom was entrusted the carrying out of the sentence, mitigated it a little by only cutting off a part of the left ear of each; but they were conducted in cars through the streets with their crime and sentence placarded, (according to the emperor's orders), which in Japan was a disgrace worse than death. St. Peter Baptist, the Franciscan, and St. Paul Miki, the Jesuit, continued as they went along to preach, so far as they could, to the assembled multitudes. The prisoners were twenty-four in number, but there were two others, whose names we have already mentioned, put to death with them for following them and ministering to them.

They began their painful journey through the towns of Japan in the early part of January, and it took them twenty-six days; it was on February 5th that they at length suffered the death they so much wished for. The Jesuit fathers, John Rodriguez, and Francis Pasia, came to hear their confessions, and also received the vows of the two catechists, St. John Soan of Goto and St. James Kisai, who had not previously taken the habit.

The mode of crucifixion was not the same as that by which our blessed Lord suffered. The martyr was not nailed to the cross. His hands were stretched out and fastened to the transverse beam by rings or cords, and his feet rested on another transverse piece of wood. He was

then transfixed by two strokes of a lance, one on each side, and was thus speedily put to death.

And in this way did these holy and heroic men die on that day. Nothing could exceed the fervour of the native martyrs; St. Paul Miki preached to the people assembled, the two boy-martyrs, Anthony and Louis, died with exultation. St. Peter Baptist, the Spanish Franciscan Father, preached too from his cross, and he was the last that expired. It is said that all the Christians, and even the heathens present, hurried to collect the blood of the martyrs, and some tore away their garments as relics. Two Franciscans were among the crowd in disguise, Father Marcel of Ribadeneira, and John the Poor. The bishop was dissuaded by the Jesuits from being present, but seems afterwards to have regretted his absence, as if it were a neglect of duty.

The bodies of the saints remained on the cross for two months, during which time it pleased God to mark their sanctity and their glory by various miracles. Amongst these may be noted, that the birds of prey, contrary to their usual habit in such cases, never touched these sacred bodies; also, the restoration to life of a child whose face had been rubbed by some earth which had absorbed the blood of St. Peter Baptist; and especially the extraordinary vision of this same saint saying mass, attended (as he was during life) by another of the martyrs, St. Anthony, which occurred several times.

The relics were taken possession of by different Christians, Father Peter Gomez particularly having taken pains to collect them.

The martyrdom took place on February 5th, 1597, (old style); in 1621 and 1622 the apostolic processes were compiled, and in 1627 Pope Urban VIII. issued a decree solemnly declaring these twenty-six servants of God to be martyrs, and also that their canonization might be proceeded with, (which last step the correspondent of the *Times*, writing from Rome in the June of this year, mistook for a final decision that they were to be canonized); subsequently the same Pope permitted the Jesuits and Franciscans to say the mass and office of their respective martyrs; and he made a similar concession, we believe, for secular priests in regard to the office of the three Jesuit brothers. On December 23rd of last year, the present Pope declared to the Sacred College that the cause had terminated for the

Franciscan martyrs, and that their canonization might be proceeded with ; and on the 25th of March this year he made a similar declaration for the Jesuit martyrs. And (as we know) the canonization itself took place on Whitsunday, June 8th.

For a time after the death of these saints Christianity flourished and converts were made in Japan, but the Japanese Church was afterwards extinguished in an ocean of blood. Some people have supposed that there are still a few Christians in that country who have carried on the tradition though without priests, and we think this perfectly possible, but there is no proof of the fact, that we know of.

We must apologize to our readers for having differed in our history of the martyrdom from the statements of the Protestant press, in which it was represented that the whole thing arose from injudicious interference of the Portuguese in Japanese politics ; but we thought it better to adhere to facts, so far as we could ; and our *liberal* readers must pardon us for so doing. The Portuguese had as little responsibility in the matter as any one ; it was the Spaniards against whom Taiko-Sama was incensed ; but we suppose that the newspaper writers confused the matter under discussion with some other events in the history of the Church of Japan.

Taiko-Sama did not long survive his cruel deeds, for he died the next year ; and the subsequent terrible persecutions were carried on by others.

We have been more lengthy than we intended in relating the story of these glorious martyrs, but we will be brief in giving a short statement about the remaining saint that was canonized on Whitsunday, St. Michael de Sanctis. He was a Friar of the Trinitarian order ; a Spaniard, born in Catalonia, in the year 1591. He showed extraordinary devotion from his earliest years, and began the practice of severe austerities at the age of six ; professed at the age of sixteen as a Calced Trinitarian at Barcelona, he shortly afterwards got permission to transfer himself to the Reformed and Discalced order at Pampeluna. He was subsequently ordained priest, and made superior of his convent at Valladolid, against his own will. Such was the fame of his holiness, that he was called a saint even in his lifetime. He died (after having foretold his decease) in April 1625, in his thirty-fourth year ; the sanctity of his life, and the

miracles wrought by God at his intercession, both before and after his death, having been duly attested, he was beatified by Pius VI., in 1779, and finally canonized, on Whitsunday last. It was reported in Rome that a Trinitarian lay-brother had some years ago been miraculously cured of an apparently hopeless disease, by invoking the intercession of this saint, and had vowed at the time to devote himself after recovery to getting alms for his canonization; it was said that this miracle was the one that completed the evidence necessary for the process; and the good brother was himself present in St. Peter's on the eventful day to witness the triumph of his holy patron.

The actual ceremonies of the canonization have been described more or less accurately in different newspapers printed at the time; but there is nothing very striking or glittering (so to speak) in the ceremonial beyond what takes place at all grand Papal Masses. On this last occasion no doubt there were some special circumstances, of which we will speak presently, that made the function one of the most solemn and remarkable that has ever happened. But the actual rite of canonization consists of the following ceremonies and prayers. After the procession (always a very solemn and imposing one) closed by the Sovereign Pontiff, has entered the church, and after the usual homage paid to him by the cardinals, bishops, and other prelates, the Cardinal Procurator comes forward accompanied by a consistorial advocate, who, in the cardinal's name, kneeling before the Pope, begs for the canonization of the saints in question; the Pope, by one of his prelates, replies that the virtues of these blessed men are known, but that the Divine aid must be implored; then all kneel, and the Litany of the Saints is sung. Then the Pope and all the cardinals and others rise, (keeping each a lighted candle in his hand), and the same ceremony is repeated of demanding the canonization, but whereas the first time the expression was "*instanter petit*," this time it is "*instanter et instantius petit*;" a similar reply is given by the same prelate, and the *Veni Creator Spiritus* is then sung, and the prayer *Deus qui Corda Fidelium*, &c., is also recited by the Pope. Then the petition for the canonization is made for the third time, the words being "*instanter, instantius, et instantissime petit*;" when the reply is given, that the Pope, by the Divine guidance, has determined to place these beatified persons in the catalogue of the saints;

after which the Holy Father, sitting on his throne, solemnly pronounces the decree of canonization in the following words, "Ad honorem Sanctæ et Individuæ Trinitatis; ad exaltationem Fidei Catholicæ, et Christianæ Religionis augmentum, auctoritate Domini Nostri Jesu Christi, B. B. Apostolorum Petri et Pauli, ac nostra: matura deliberatione præhabita, et divina ope sæpius implorata, ac de Venerabilium Fratrum Nostrorum S. R. E. Cardinalium, Patriarcharum, Archiepiscoporum, et Episcoporum in Urbe existentium consilio, Beatos N. N. Sanctos esse decernimus, et definimus, ac sanctorum catalogo adscribimus; statuantes ab Ecclesia Universali illorum memoriam quolibet anno die eorum natali, nempe N. N.* etc. N. N. pia devotione recolere, in nomine Patris, et Filii, et Spiritus Sancti. Amen."

The Consistorial Advocate then, in the name of the Cardinal Procurator, returns thanks to the Pope, and begs him to decree the issue of the Apostolical letters (commonly termed a Bull) to promulgate the Canonization. The Pope replies "Decernimus." The Prototonaries are then requested to prepare the proper documents, and the *Camerieri Segreti* are appealed to as witnesses. The *Te Deum* is then sung, the trumpets of the Guard Noble sound, and the guns are fired from Fort St. Angelo, announcing the event to the whole city.

The *Te Deum* is sung (as is usual at Rome) one verse by the Pope's choir in solemn harmonized music, and one verse in simple plain chant by the people; and all who were in St. Peter's on that day, will long remember the fine and religious effect of that glorious canticle. At the end of it, the versicle "Orate pro nobis Sancti N. N." (with the names of all the newly canonized saints) and the response "Ut digni, &c.," are sung, and the prayer by the Pope. The Confiteor is then chanted by the Cardinal Deacon (the names of the saints being introduced), and the Pope gives the usual absolution and benediction, adding also at the proper place, the names of the newly canonized, as had been done before. Here end the essen-

* On this occasion the words introduced were, "nempe Petri Baptistæ et Sociorum die quinta Februarii, qua pro Christo passi sunt, inter Sanctos Martyres, et Michaelis die quinta Julii inter Sanctos Confessores non Pontifices, pia devotione recolere debere."

tial ceremonies of the Canonization. But it is more according to custom, and it was observed on the last occasion, that the Pope should sing High Mass. This is much the same as Papal High Masses generally are, but there are a prayer,* secret, and post communion of the newly canonized saints added to those of the day. The Pope reads a homily after the Gospel on the function just celebrated. And at the offertory a curious ceremony takes place, the offering, namely, of wax candles, painted, gilded, and silvered with the figures of the saints, and the Pope's arms on them, two large loaves of bread similarly adorned, two small barrels of wine, ornamented in the same way, and three baskets or cages containing, one of them two turtle doves, another two pigeons, and the third various small birds. These are offered by the Cardinals and other prelates who, from their office (for instance, as members of the Congregation of Rites), have borne a part in the proceedings connected with the Canonization. All these oblations have, of course, a mystical meaning. The offering of the birds is not an invariable custom, and has sometimes been changed for that of two other small wax candles.

The Mass continues and is concluded in the usual way according to the custom observed when the Pope sings High Mass.

On the late occasion it was said by some who were well qualified to judge, that the ceremony *physically* speaking, was rather a failure, but *morally* a great success. The former criticism referred principally to the lighting; it is customary to cover up the windows, and to light with candles the whole of that vast basilica of St. Peter. Now this is no easy matter, and on Whit Sunday the light being intended to be distributed generally over the church, was barely sufficient to illuminate with distinctness those places on which the eye would naturally rest; it would

* These are the words of the prayer:—"Domine Jesu Christe, qui ad tui imitationem per Crucis Supplicium primitias Fidei apud Japoniæ gentes in Sanctorum Martyrum Petri Baptistæ, Pauli et Sociorum sanguine dedicasti; quique in corde Sancti Michaelis Confessoris tui charitatis ignem exardere fecisti, concede quæsumus, ut quorum hodie solemnia colimus, eorum excitemur exemplis. Qui vivis et regnas." &c.

have been better to throw a flood of light on the High Altar and the Pope's throne, and put fewer candles in the body of the Church.

It would be invidious, when the general effect was so magnificent, to question the taste of some of the details of decoration. But there were some truly grand points even in the external ceremony. Such a body of bishops has not been assembled in Rome since the Great Lateran Council,* and it was no small thing to witness a procession, comprising nearly 300 Cardinals and Bishops, enter into St. Peter's. Those who were fortunate enough to get a view of this procession as it passed up the *Scala Regia* before reaching the church, described it as glorious beyond anything they had seen, so much so that at that moment the attention of those who formed it seemed for a moment to be involuntarily arrested, as they one after another almost unconsciously raised their eyes and caught the magnificent spectacle of that vast train as it streamed slowly up the stairs, gliding onwards on its way to the great Basilica.

Those again, few in number, who, from their position in the church could get a coup-d'œil of the Pope's throne, and the Cardinals and Bishops ranged in their seats in front of or around him, must have seen a sight which they may never behold again, unless indeed (as some thought might soon be the case) a general council were to be held in these days to make such modifications in the law of the Church as circumstances called for, and to condemn the prevalent errors of the time; then indeed such a view of the princes and prelates of the Church might again be presented to us; otherwise probably no man living will see it again. The ceremonies of the Canonization itself could not be seen by the majority of the persons in the church. The Guard Noble and the Swiss guards form no small obstruction to the view, and from the position itself

* Besides which it may be noticed that at Ecumenical Councils, however great and solemn, you very rarely have the Pope and Bishops all sitting assembled together; the Bishops deliberate generally in the absence of the Pope, who presides by one or more of his legates, and who afterwards confirms (if he pleases) the decrees of the Council; but here you had all united the Sovereign Pontiff, the Cardinals, and the Bishops, a truly splendid assemblage.

of the Pope's throne, and of the High Altar of St. Peter's, it is almost impossible for more than a very limited number of persons to see what takes place between the altar and the throne; excepting indeed when the Pope comes up to the Altar for Mass; for then the position of the High Altar (just under the dome, in the centre of the cross formed by the ground-plan of the church) is such as to enable large numbers to view the solemn function.

But those who could not see, could hear and could sing, and *did* sing. Oh what a congregation was that with its thousands of voices joining in the Litany, the Veni Creator, and the Te Deum! How different from the mass of unbelieving sight-seers who crowd St. Peter's during Holy Week and at Easter! On this day there were few Protestants in the church, and we believe those who were there, almost all of them, behaved with propriety and decorum; but there were some thousand or two of devout priests mostly French, many monks and friars, several pious laymen, all animated by a sound Catholic spirit, throwing their whole heart into that great religious ceremony.

Now there is no doubt that these pilgrims who thronged the Eternal City at that time, had more than one feeling and object; they were zealous in showing devotion to the saints, but they also wished to give as great a *moral* support as they could to the Holy See at this trying crisis. And there is no doubt, moreover, that the bishops and clergy of Christendom *did* give an effectual support to the Pope on that occasion. They showed clearly to the Sardinian Government and our other enemies, that, if they chose to carry on their unprincipled practices against the Pope's temporal Sovereignty, they would have to fight not merely the Italian Bishops supported by a timid and half-hearted people, nor even merely the fervent and loyal "Ultramontanists" of France, but the whole Catholic world; the French clergy came to the van, certainly, and took a very prominent position, but the assembly of that day showed they were not alone in the combat; it showed that the Episcopate was sound at the core, and that the vast body of bishops (the exceptions being of no very great weight) were heart and soul with the Pope, and that a large proportion of the clergy (probably an immense majority) were so too: it proved that the *feeling*

of the Church, that unerring index of truth, was on the side of the Temporal power of the Holy See.

On this particular day, this eventful Whit Sunday, the success was complete, and no doubt was felt by every one to be so. The liberals of Rome were dumb-founded, they hardly knew what to do; some of them went as a sort of demonstration to take off their hats to M. de Lavalette, as he came back from the ceremony of St. Peter's: others went out to shoot in the Campagna; but how many cock-sparrows, tom-tits, and other *uccelletti* were bagged by these gallant sportsmen on this important day, we have, unhappily, no means of ascertaining.

The Pope truly triumphed on the day of Pentecost 1862, and we suppose that not merely the revolutionary vermin in Rome, but the liberal party throughout Europe must have felt discomfited. On the other hand, the spirit of zeal for the Pope was caught even by the quiet and unenterprising, yet religious and loyal people of the City. On the Thursday in Whitsun Week, the Holy Father was present at the ceremony of laying the stone of a new barrack; the Archbishop of Dublin officiated on the occasion with the remnant of the Irish Brigade (about 25 in number) as his guard of honour. After the conclusion of the function, the people who were present, not merely the foreign pilgrims, but the native Romans themselves, cheered the Pope enthusiastically, crying out "Viva il Papa Re!"

Now we believe that demonstrations of this sort, so contrary as they are to the traditional habits of the people of Rome, imply more and are a greater act of loyalty than would be the case elsewhere. Formerly, the people of the Holy City never thought of shouting in this way to prove their fidelity to the Sovereign Pontiff; they melted down as he passed and begged his blessing; but now that their silence and want of enthusiasm have been attributed to disloyal feelings, they have disproved the charge by developing their inward reverence into an outward and vigorous expression of fealty and attachment.

We are not denying that there are or may be many worthless men in Rome who care nothing for the Pope, but we believe that the majority are sound, and also throughout the remaining part of the Papal territory.

The class said to be most disloyal is that of the "*Mercanti di campagna*." We suspect, however, that the timid

and the indolent, form a larger number than the rebellious and the traitorous; but we must take the Italian character for such as it is, and not expect to find in it the activity and enterprise which we find in such countries as France and England.

And this leads us to speak of the Pope's military force, which contains one or two very good regiments composed of native Italians, particularly the Gendarmerie, who are highly spoken of. The whole Roman army consists at present of about 9000 men, being of course, more than would be required to maintain internal order and peace, but kept up as a partial check to the aggressive Sardinians. It was reported in Rome that the Irish brigade was again to be organized, and raised to 1500 men; but we do not know how this will be. We suppose that the flower of the Papal troops are the Zouaves. These gallant young men are chiefly of French and Belgian origin, some of them being sons of old and noble families, who yet serve willingly in the ranks as private soldiers. Who can say that the spirit of chivalry has died out, when such things are done?

Many were the interesting ceremonies that took place in Rome during those days before and after Pentecost.

The Bishop of Orleans preached to large and fervent congregations two or three times; the Bishop of Tulle preached after the Stations of the Cross at the Colosseum, and a most striking and beautiful spectacle it was to see that congregation, composed of various nations, with the soldiers, French, and others, standing about on those ruins,—that memorable spot where so many have shed their blood for Christ.

Then there was the great banquet given by the Pope on Whit Monday to the Bishops, "the noble but simple banquet," as Cardinal Wiseman justly terms it, "in the Great Hall of the Vatican Library." The Cardinal, in touching language, points out how on that day the Bishops who surrounded the Pope, though they were not now in Church or Consistory, "formed a holy family, cemented together by the unspeakable emotions of Charity." Truly such a reunion has rarely been seen.

But we must not dwell on these things, great as is the interest which attaches to them; for we must go on to speak of that more solemn assembly which took place earlier on that same Whit Monday, the Consistory at

which not only the Cardinals but the Bishops were present, and at which words of solemn import passed from the Pope to the Bishops and from the Bishops to the Pope.

In his Allocution the Holy Father condemns in forcible language the prevalent errors of the day; that infidelity which tries to get rid of the idea of the supernatural, and which (following out this odious principle) encourages the Civil Power to interfere in Spiritual and Ecclesiastical matters, and at the same time endeavours to exclude the Roman Pontiff and other ecclesiastics from every right and dominion over Temporal affairs.

He condemns too the false idea that Divine Revelation is imperfect and subject to a continual and indefinite progress, corresponding with the progress of human reason; and proceeds to reprobate the shocking theories of the modern rationalists, that deny miracles and turn everything into a "myth." The Pope then alludes to the impieties of the Pantheists and Materialists, in language of just and severe censure: "Insigni enim improbitate ac pari stultitia haud timent asserere, nullum supremum sapientissimum providentissimumque Numen divinum existere ab hac rerum universitate distinctum, ac Deum idem esse ac rerum naturam, et ideo immutationibus obnoxium, Deumque re ipsâ fieri in homine et mundo, atque omnia Deum esse, et ipsissimam Dei habere substantiam, ac unam eandemque rem esse Deum cum mundo, ac proinde spiritum cum materia, necessitatem cum libertate, verum cum falso, bonum cum malo, et justum cum injusto. Quo certe nihil dementius, nihil magis impium, nihil contra ipsam rationem magis repugnans fingi et excogitari unquam potest."

Then he speaks of the assertion of men of this stamp, that authority is nothing else than numbers and the sum of material forces, and that all human facts have the force of law (or as we sometimes phrase it, that "might makes right"); and he touches upon that mischievous principle of the foreign democrats, that the State has a kind of *unlimited right*: "Omnia præterea legitimæ cujusque proprietatis jura invadere, destruere contendunt, ac perperam animo et cogitatione confingunt et imaginantur jus quoddam *nullis circumscriptum limitibus*, quo reipublicæ Statum pollere existimant, quem omnium jurium originem et fontem esse temere arbitrantur."

The Pope having enumerated (in order to censure them) these Anti-Christian doctrines, touches upon the calumnies and outrages perpetrated against the Church and the Apostolic See, and particularly upon the persecution directed against the bishops and ecclesiastics, and the religious orders in Italy, by men who *talk* about the Church enjoying her liberty; and he alludes to the absence (in consequence of this tyranny) of the Italian Bishops, and to that also of the Portuguese Bishops. He glances then briefly at the atrocious schemes by which the Revolutionary party have endeavoured to overthrow the Temporal Sovereignty of the Holy See, and then he dwells with more satisfaction on the unanimity displayed by the Bishops whom he was addressing in refuting these errors, and in teaching that Temporal Sovereignty was given to the Holy See by a special design of Providence: "*Hunc civilem Sanctæ Sedis principatum Romano Pontifici fuisse singulari Divinæ Providentiæ consilio datum, illumque necessarium esse, ut idem Romanus Pontifex nulli unquam Principi aut civili potestati subjectus, supremam universi Dominici Gregis pascendi regendique potestatem, auctoritatemque ab ipso Christo Domino divinitus acceptam, per universam Ecclesiam plenissima libertate exercere, ac majori ejusdem Ecclesiæ, et fidelium bono, utilitati et indigentis consulere possit.*" The Pope, after having said these things, solemnly condemns the above mentioned errors: "*in hoc amplissimo vestro consensu Apostolicam nostram attollentes vocem, omnes commemoratos præsertim errores non solum Catholicæ fidei ac doctrinæ, divinis ecclesiasticisque legibus, verum etiam ipsi sempiternæ ac naturali legi et justitiæ, rectæque rationi omnino repugnantes, et summopere adversos, reprobamus, proscribimus atque damnamus.*"

He exhorts the Bishops to refute these pernicious doctrines; to endeavour to keep from the Faithful bad books and newspapers, and to be careful also in teaching the higher branches of literature, lest anything contrary to Faith or morals should creep in. He desires them to pray to the Eternal Father that by the merits of His only begotten Son, He would stretch out His hand to help both Church and State, and to invoke the intercession of the Blessed Virgin, also of St. Joseph, SS. Peter and Paul, and the newly Canonized Saints. He concludes by

expressing his consolation in the presence of the Bishops, and by imparting the Apostolical Benediction.

It is enough for a good Catholic to know that the Holy See condemns such and such doctrines, and he is at once ready to condemn them too, and to abhor and avoid them. But it is most pleasing and satisfactory to see the Episcopate of the whole Catholic world concurring with their Chief, and expressing their concurrence in plain and explicit language.

It had been felt that on such an occasion it was quite necessary for the Bishops to present an address to the Pope, and a sort of a committee was formed to draw it up, the presidency of which was given to the Cardinal Archbishop of Westminster. "The list of prelates composing it," says the Cardinal, "already prepared, was shown to me the morning after my arrival, Tuesday before Ascension; and I was informed that the unexpected and unmerited honour of presiding over this venerable council had been reserved for me. The reason for this selection was at once obvious to myself, and I believe to every one at Rome; and has been most accurately described by the Bishop of Montauban, in an admirable reply to the calumnies and simple fictions of a French paper, upon the address. It was my insular position, and disconnection with any government that could pretend to exercise influence in Catholic affairs at Rome."

There was probably another reason which the Cardinal could not with propriety mention, but which we may supply, which is the high estimation in which he is held generally by foreign Catholics. Many were the enquiries, as the Procession went by on the day of the Canonization, as to which was Cardinal Wiseman; so great is the interest felt in him by our continental brethren.

The Cardinal proceeds to notice the untrue statements published in the French paper the "*Patrie*," to the effect that he "prepared a draught of an Address, containing most violent attacks on all modern principles, fundamental of society," and denies having done any such thing; and we will now state what the Address of the Bishops really contains.

It begins by alluding to the great number of Bishops present on that day of Pentecost, and calling to mind that first day of Pentecost when the Holy Spirit descended on the Apostles. It then expresses the entire devotion of the

Episcopate to the Pope, the centre of Unity. “Tu sanæ doctrinæ nobis Magister, Tu unitatis centrum, Tu populis lumen indeficiens a divina Sapientia præparatum. Tu Petra es, et ipsius Ecclesiæ fundamentum, contra quod inferorum portæ nunquam prævalebunt. Te loquente Petrum audimus, Te decernente Christo obtemperamus.”

The Bishops then go on to speak of the frightful crimes that had been committed in Italy, and the wicked seizure of the Pope's provinces, and they speak of the necessity of the Temporal Sovereignty in the present state of things, in language which we must quote verbatim:—

“Civilem enim Sanctæ Sedis principatum ceu quiddam necessarium ac, providente Deo, manifeste institutum agnoscimus; nec declarare dubitamus, in præsentī rerum humanarum statu, ipsum hunc principatum civilem pro bono ac libero Ecclesiæ animarumve regimine omnino requiri. Oportebat sane totius Ecclesiæ Caput, Romanum Pontificem nulli Principi esse subjectum, imo nullius hospitem; sed in proprio dominio ac regno sedentem suimet juris esse.”

They proceed to point out how desirable it is that there should be preserved in Europe, a sacred spot, from which a just and powerful voice might speak both to princes and peoples; and that the Sovereign of Rome should be one who is not mixed up with the quarrels of other kings, and who is not in a position to be the enemy or the suspected enemy of the Sovereigns of the various Bishops who come to the Holy City.

They quote the declaration of the Pope on a former occasion, that the Temporal Sovereignty arose through the special design of Providence, and reiterate their own conviction that such is the case: they quote also the Pope's declaration (in Jan. 1860), that he was resolved to maintain the Temporal possessions of the Holy See, even at the cost of his life, and they respond that they are ready to go with him to prison and to death, and entreat him to remain constant and firm; they mention also, as a proof that the whole Church felt she had an interest in the Temporal dominions of the Holy See, that the Fathers of the Council of Constance administered the government of them in common, while the Roman See was vacant. They allude to the condemnation by the Pope of the sacrilegious men who have usurped the property of the Church, and they express their entire assent to what

he had done ; they touch upon the mischief perpetrated by infidels, and upon the tyranny of the persecutors of the Church, and they join their condemnation of the conduct of the Italian liberals with that of the Pope in words which we must once more quote. "Adstantibus igitur istis omnibus, nos Episcopi, ne illud impietas vel ignorare simulet, vel audeat denegare, errores quos Tu damnasti, damnamus, doctrinas novas et peregrinas, quæ in damnum Ecclesiæ Jesu Christi passim propalantur, detestamur, et rejicimus ; sacrilegia, rapinas, immunitatis ecclesiasticæ violationes, aliaque nefanda in Ecclesiam, Petrique Sedem commissa reprobamus, et condemnamus. Hanc vero protestationem, quam publicis Ecclesiæ tabulis adscribi petimus, Fratrum etiam nostrorum qui absunt nomine, tuto proferimus ; sive eorum qui, inter angustias, vi detenti, domi hodie silent ac plorant, sive qui gravibus negotiis, aut adversa valetudine impediti, nobiscum hodie adesse nequiverunt." They speak too of the devotion of the clergy and people, and conclude by expressing their wishes for the reform of those who have gone astray, and uttering their prayers to God that such might be the result ; whilst they beg that strength from the Pope which flows from his Apostolic Blessing.

In reply to this the Holy Father expressed in a few words the joy their address had caused him. The names of all the Bishops then in Rome were appended to this document, and we believe others have since been added ; thus there were at the time it was presented, the signatures of 21 Cardinals and 244 other Bishops, those Cardinals who were not Bishops not signing it, 265 in all.

Our readers will easily perceive the great importance of this Address, and they will see, too, that *short of laying it down* in language like a dogmatical decision, when phrases of the most precise nature must be used in order not to give a loophole to heretics, the bishops could hardly have expressed a more decided opinion about the Temporal Power than they have done. They appear to us to have said the very right thing in echoing the Pope's words about the Temporal Sovereignty arising from a special design of Providence. It has always seemed to us that the duty of Catholics in this matter was very simple ; for the Temporal Power *has* clearly *been* for many years up to this time the means chosen by God for preserving the independence and free action of the Holy See ; God may hereafter choose

some other means, no doubt, but our plain duty is to contend for the preservation of the means He has hitherto made use of, and therefore to support the Pope's temporal rights heartily and loyally, until we know for certain that it is the will of God to let them be lost, and to substitute some other means. The allocution, then, and the address are both plain enough and strong enough. And we wish we could see our Catholic fellow-countrymen unanimous in supporting (so far as they can) the Pope's Temporal Sovereignty.

We, for our part, are on the Pope's side, first, because the Temporal Sovereignty has arisen by the design of Providence (as we have already stated), and it is for us to support it, and not to try to alter or modify it; secondly, because the Pope solemnly declares it to be right, and the bishops echo his words, and we feel that in such a case we cannot do better than follow their judgment; thirdly, for a reason on which we have not hitherto touched, namely, that it is for the interest of England, and last, but not least, because it secures us at least one country in Europe where Christianity is strictly the law of the land.

ART. III.—*Life of the Right Honourable William Pitt.* By Earl Stanhope, Author of the History of England from the Peace of Utrecht. Four vols. 8vo. London: Murray, 1861-2.

THE eventful half century which has elapsed since the death of Pitt has hardly sufficed to dispel the clouds of party prejudice which obscure or distort many of the most important events of his history. Some of the memories which it recalls are, to this day, too much even for the most philosophical calmness. Bishop Tomline, Pitt's first biographer, did not make even a pretence of moderation. Lord John Russell, in so far as he is the biographer of Pitt's great rival, Fox, is a scarcely concealed partisan. Lord Macaulay's brilliant sketch of Pitt, while it is too plainly an effort of laborious impartiality, teems from the first to the last with the clearest evidences

of unconscious hostility or misapprehension. Lord Stanhope's admiring and affectionate memoir, although it is in general judicious and discriminating in its facts and judgments, in its manner partakes in too many of its very best passages of the tone of an apology.

From the nature and relation of parties in Pitt's time, it was hardly possible that it should be otherwise. In all the great principles of political philosophy, his theoretical opinions coincided in the main with those of the bitterest of his rivals in the contest for power, and the most inveterate and persistent opponents of his administrative policy. And, at all events, the shades of difference were too slight to serve as the distinct demarcation of two great parties in the state. In most of the divisions, therefore, which arose during that eventful time, the parties were at issue rather upon points of detail or on points of practical application of principles, than upon the broad questions which, earlier as well as later in the history of our constitutional struggles, divided the hostile camps of British statesmen. And, as ordinarily happens in the quarrels of those who have many of their opinions in common, most of the party collisions during Pitt's later administration took the form of a conflict of feeling rather than of intellect; and if they seldom found their expression in the coarse and angry invective which disfigures the parliamentary warfare of other periods, the polished sarcasm and the dignified rebuke which formed the favourite weapons of that warfare in the days of Pitt, too often left a sting behind which was but the more painful because it was concealed. Notwithstanding all the classic dignity at which they aimed, the feelings with which the statesmen of that day regarded each other, often fell far short of the chivalrous. Many of the inferior combatants may be said to rival the truculent malignity of Junius; and even the most distinguished among them did not scruple to impute unworthy motives and corrupt intentions to their adversaries. The quarrel of Fox and Burke would have lost half its painfulness had it been confined, upon either side, to the disagreements upon public policy in which it originated. Fox himself in his private communications with his friends, freely spoke of Pitt as a "low rascal," a mean "low-minded dog;" and even the calm and unimpassioned minister, with all the reserve which he affected, was betrayed (certainly not without suf-

ficient provocation) into applying the same epithet to his own Lord Chancellor, Thurlow.

The personal bitterness thus infused into the divisions of party, was transmitted along with the divisions themselves: and it is only now, when the old landmarks have been practically obliterated, and when, amid the confusion of principles which has taken place, the traditionary representatives of both sides have begun to find it difficult to trace their descent from their respective parties as they stood in the last generation, that we can look for a calm and dispassionate estimate of the men and the events of the last quarter of the eighteenth century. It is impossible to deny to Lord Stanhope the credit of desiring to maintain the strictest impartiality in his estimate of the character and the motives of his hero; but, as we have already said, so little are men prepared for the calm investigation of the subject, that, even in Lord Stanhope, this effort at impartiality takes all the manner and tone of a direct apology.

To us, as Catholics, the history of Pitt has a special interest which recent events have tended to heighten. His name was honourably associated with the early legislation on the subject of Catholic disabilities; but for a long time the part which he took, upon the same question, after the passing of the Act of Union, was regarded with much suspicion, and by many was openly denounced as treacherous and unprincipled. Lord Stanhope has entered very fully into the history of those transactions; and in the brief summary which we purpose to offer of the story of the Life of Pitt as gathered from all available sources by his latest biographer, we shall direct special attention to his relations with the Catholic party, and particularly with the Catholics of Ireland.

It is hardly necessary to say that Lord Stanhope has neglected no source of information which might aid in rendering this memoir of Pitt a complete biography. In addition to the state papers and other materials for the political history, he has availed himself as well of the family papers and traditions, as of the private correspondence of several of Pitt's most eminent contemporaries. Many of those are of great interest, and form an important supplement to the valuable collections recently published;—the Malmesbury, the Buckingham, and the Cornwallis papers, as well as the biographies of Wilberforce and of Lord Sidmouth, both of which are full of materials for the

illustration of Pitt's history. We cannot deny to Lord Stanhope the praise of having used these abundant materials with great judgment, and with as much impartiality as can ever be hoped for from an admiring biographer. It has been complained that the result is less a portraiture of the man Pitt than a history of the public acts of the statesman; but we must confess that so far from concurring in the justice of the criticism, we cannot conceive how an intelligent biographer could have written otherwise of such a character, or could have presented a different picture of such a career. If there be a single individual in history, and especially in English history, in whom the man is completely merged in the statesman, it is the "boy-minister." He was a politician almost from his cradle. When his father, in the boy's seventh year, was made Earl of Chatham, the precocious child expressed his gratification that he was not eldest son, as he "wished to speak in the House of Commons like Papa;" and his earliest studies were all modified by what may almost be called these instinctive tendencies to public life. At an age when other boys are puzzling over the rudimentary structure of sentences, or wearily plodding through the intricacies of the vocabulary, Pitt's favourite employment in studying his Sallust, or Livy, or Thucydides, was "to compare opposite speeches on the same subject, and to observe how each speaker managed on one side of the question."* If, like other boys of more than ordinary powers, he was tempted by the attractions of poetry, it was only after the same precocious fashion. He wrote a tragedy in four acts when he was but fourteen; but it was such a tragedy as no other boy had ever before composed. There is not a word of love from the beginning to the end. "The whole plot," says Lord Macaulay, "is political; and it is remarkable that the interest, such as it is, turns on a contest about a Regency. On one side is a faithful servant of the crown; on the other an ambitious and unprincipled conspirator. At length the king, who had been missing, re-appears, resumes his power, and rewards the faithful defender of his rights. A reader who should judge only by internal evidence, would have no hesitation in pronouncing that the play was written by some Pittite poetaster, at the time of

* I. p. 18.

the rejoicings for the recovery of George the Third, in 1789." And when he was first introduced to his future rival, Fox, on the steps of the throne in the House of Lords, during a debate, he had already taught himself to look at everything solely on its bearing upon parliamentary effect. "Fox used afterwards to relate that, as the discussion proceeded, Pitt repeatedly turned to him and said, 'But surely, Mr. Fox, that might be met thus:' or, 'Yes, but he lays himself open to retort.' What the particular criticisms were, Fox had forgotten; but he said that he was much struck at the time by the precocity of a lad who through the whole sitting was thinking only how all the speeches on both sides could be answered."

In a word, if Lord Stanhope has failed to catch the domestic phase of Pitt's portraiture, we believe the reason to be simply that no such phase can in truth be said to exist. The solitary episode of romance which Pitt's love passages with the Lady Eleanor Eden present, is told by Lord Stanhope with so much grace and simplicity that one can hardly help regretting the defect of similar opportunities; and certainly it would be a grievous injustice to his powers as a biographer, to ascribe to any failure on his own part the absence in his memoir of that charm which a well told domestic story never fails to add, even to the most eventful military or political biography.

William Pitt was the second son of the celebrated William Pitt, whose least distinction is to have been the first Earl of Chatham. He was born at Hayes, in Kent, May 28th, 1769, the most glorious and eventful year of his father's life. His preliminary education was conducted at home, where his tutor was the Rev. Edward Wilson, afterwards a canon of Windsor; but the care of the immediate direction of his studies, as well as of those of the rest of his children, was always retained by his father, and Lord Stanhope does not hesitate to say:—

"It was certainly from Lord Chatham that young William profited most. Lord Chatham was an affectionate father to all his children. He took pleasure, as we have seen, in teaching them all. But he discerned—as who would not?—the rare abilities of William, and applied himself to unfold them with a never-failing care. From an early age he was wont to select any piece of eloquence he met with and transmit it to his son. Of this I have seen a striking instance in a note from him to Lady Chatham, which is endorsed in pencil 'Ma. 1770,' and which was thought to have no

literary value. It was kindly presented to me in answer to my request for autographs to oblige some collectors among my friends; and it was designed to be cut up into two or three pieces of handwriting. But I found the note conclude with these words: 'I send Domitian as a specimen of oratory for William.' Now, 'Domitian' was one of the subsidiary signatures of the author of 'Junius,' and the letter in question seems to be that of March 5, 1770. The words of Lord Chatham prove what has sometimes been disputed, that the eloquence of the author of 'Junius' was noticed and admired by the best judges, even when his compositions were concealed under another name."—Vol. I. p. 7.

With the same watchful care Lord Chatham himself directed the selection of the books to be put into the hands of his boy. Barrow's Sermons he gave him as the treasure-house from which to draw the *copia verborum*, which is an indispensable instrument of the orator. His chosen models in Greek were Thucydides and Polybius. A still more paternal and interesting example of the minuteness of the supervision is mentioned by Lord Stanhope.

"In 1803 my father, then Lord Mahon, had the high privilege, as a relative, of being for several weeks an inmate of Mr. Pitt's house at Walmer Castle. Presuming on that familiar intercourse, he told me that he ventured on one occasion to ask Mr. Pitt by what means he had acquired his admirable readiness of speech—his aptness of finding the right word without pause or hesitation. Mr. Pitt replied that whatever readiness he might be thought to possess in that respect was, he believed, greatly owing to a practice which his father had impressed upon him. Lord Chatham had bid him take up any book in some foreign language with which he was well acquainted, in Latin or Greek especially. Lord Chatham then enjoined him to read out of this work a passage in English, stopping, where he was not sure of the word to be used in English, until the right word came to his mind, and then proceed. Mr. Pitt stated that he had assiduously followed this practice. We may conclude that at first he had often to stop for awhile before he could recollect the proper word, but that he found the difficulties gradually disappear, until what was a toil to him at first became at last an easy and familiar task.

"To an orator the charm of voice is of very far more importance than mere readers of speeches would find it easy to believe. I have known some speakers in whom that one advantage seemed almost to supply the place of every other. The tones of William Pitt were by nature sonorous and clear; and the further art how to manage and modulate his voice to the best advantage was instilled into him by his father with exquisite skill. Lord Chatham himself was pre-eminent in that art, as also in the graces of action, inso-

much that these accomplishments have been sometimes imputed to him as a fault. In a passage of Horace Walpole, written with the manifest desire to disparage him, we find him compared to Garrick.

"To train his son in sonorous elocution Lord Chatham caused him to recite day by day in his presence passages from the best English poets. The two poets most commonly selected for this purpose were Shakespeare and Milton, and Mr. Pitt continued through life familiar with both. There is another fact which Lord Macaulay has recorded from tradition, and which I also remember to have heard:—'The debate in Pandemonium was, as it well deserved to be, one of his favourite passages; and his early friends used to talk, long after his death, of the just emphasis and the melodious cadence with which they had heard him recite the incomparable speech of Belial.'"—p. 8-10.

In 1773, he was sent to Pembroke Hall, Cambridge. His tutor was Dr. Pretyman, who afterwards took the name of Tomline; under which latter name he is best known as the Bishop of Winchester, and as the biographer of his pupil—the author of what Macaulay describes "as the worst biographical work of its size in the world."

At seventeen Pitt was admitted, without examination, to his degree, but he continued to reside in college and to pursue his studies under Dr. Pretyman. The writer of the Memoir in Knight's *English Cyclopædia*, by some strange misconception, asserts that on leaving Cambridge, he went to France, and then pursued his studies for some time at Rheims. This is a great mistake. Pitt never studied in France, nor indeed did he ever visit that country at all except for a short excursion in September and October 1783, in company with his friends Wilberforce and Eliot. During that excursion he spent a fortnight at Rheims; but his visit would be most incorrectly described as in any sense intended for the purposes of study.

His father's death in May 1778, placed him, as regarded his pecuniary circumstances, in a position of considerable difficulty; and Lord Stanhope has preserved some of his correspondence about the purchase of chambers in Lincoln's Inn (where he entered himself in 1778), in which the reader will be amused "to find the future Prime Minister, destined in a few years more to dispense in his country's service tens of millions of pounds sterling, speak of eleven hundred as 'a frightful sum.'"

Pitt was called to the bar in 1780, and went the winter circuit in the August following; but the dissolution of

Parliament in September called him away from the labours of the legal profession to that parliamentary career which had been his dream from childhood. He became a candidate for Cambridge, but was defeated by a large majority; and his first entrance into Parliament was due to the kindness of his friend the young Duke of Rutland, who induced Sir James Lowther to bring Pitt into Parliament for his borough of Appleby. For this borough he took his seat on the 23rd of January, 1781; a day which Lord Stanhope has marked as memorable in his history, for it was also the day upon which he died.

His early experience of London life was not without its perils.

"The clubs of London, Goostree's not excepted, all at this time afforded a dangerous temptation. Fox, Fitzpatrick, and their circle had long since set the example of high play. It had become the fashion; and Wilberforce himself was nearly ensnared by it. On the very first day that he went to Boodle's he won twenty-five guineas of the Duke of Norfolk. His diary at this period records more than once the loss of a hundred pounds at the faro-table. He was reclaimed from this pursuit by a most generous impulse—not because he lost in private play to others, but because he saw and was pained at seeing others lose to him. Of the young member for Appleby he proceeds to speak as follows:

"We played a good deal at Goostree's, and I well remember the intense earnestness which Pitt displayed when joining in those games of chance. He perceived their increasing fascination, and soon after suddenly abandoned them for ever."—Vol. I. p. 54.

It was mainly, however, to the superior attraction of parliamentary life, that Pitt owed his escape from these temptations. From the very first he rose to a position which, while it fulfilled all his most ambitious aspirations, at the same time tasked his powers and engrossed his time to the utmost in order to maintain it with satisfaction. Lord Stanhope's account of his 'maiden speech' is interesting.

"It was not long before Mr. Pitt took part in the debates." He made his first speech on the 26th of February, in support of Burke's Bill for Economical Reform. Under the circumstances, this first speech took him a little by surprise. Lord Nugent was speaking against the Bill, and Mr. Byng, member for Middlesex, asked Mr. Pitt to follow in reply. Mr. Pitt gave a doubtful answer, but in the course of Lord Nugent's speech resolved that he would not. Mr. Byng, however, had understood him to assent, and had said so

to some friends around him; so that the moment Lord Nugent sat down, all these gentlemen, with one voice, called out, 'Mr. Pitt! Mr. Pitt!' and by their cry probably kept down every other member. Mr. Pitt, finding himself thus called upon, and observing that the House waited to hear him, thought himself bound to rise. The sudden call did not for a moment discompose him; he was from the beginning collected and unembarrassed, and, far from reciting a set speech, addressed himself at once to the business of reply. Never, says Bishop Tomline, were higher expectations formed of any person upon his first coming into Parliament, and never were expectations more completely fulfilled. The silvery clearness of his voice, his lofty yet unassuming demeanour, set off to the best advantage his close and well arrayed though unpremeditated arguments, while the ready selection of his words and the perfect structure of his sentences were such as even the most practised speakers often fail to show. Not only did he please, it may be said that he astonished the House. Scarce one mind in which a reverent thought of Chatham did not rise.

"No sooner had Pitt concluded than Fox with generous warmth hurried up to wish him joy of his success. As they were still together, an old member, said to have been General Grant, passed by them and said, 'Aye, Mr. Fox, you are praising young Pitt for his speech. You may well do so; for, excepting yourself, there is no man in the House can make such another; and, old as I am, I expect and hope to hear you both battling it within these walls as I have heard your fathers before you.' Mr. Fox, disconcerted at the awkward turn of the compliment, was silent and looked foolish; but young Pitt, with great delicacy and readiness, answered, 'I have no doubt, General, you would like to attain the age of Methuselah!'"—Vol. I. p. 54-6.

Lord Macaulay observes upon it, as a curious circumstance, that soon after this debate, "Pitt's name was put up by Fox at Brooks's."

The judgments of the political world on Pitt's *debut* were unanimous.

"The merits of Mr. Pitt's performance continued for some days to be discussed in political circles. Lord North said of it, with generous frankness, that it was the best first speech he had ever heard. Still more emphatic was the praise of Mr. Burke. When some one in his presence spoke of Pitt as 'a chip of the old block,' Burke exclaimed, 'He is not a chip of the old block: he is the old block itself!' Dr. Goodenough, subsequently Bishop of Carlisle, exults in one of his letters that the great Lord Chatham is now happily restored to his country. 'All the old members recognised him instantly: to identify him there wanted only a few wrinkles in the face.'

"It appears that a little time previously, Pitt had made the earliest trial of his debating powers in a party of some young friends. Mr. Jekyll, who was at this time like himself a barrister on the Western Circuit, thus relates the fact :— 'When he first made his brilliant display in Parliament, those at the Bar who had seen little of him expressed surprise ; but a few who had heard him once speak in a sort of mock debate at the Crown and Anchor Tavern, when a Club called the Western Circuit Club was dissolved, agreed that he had then displayed all the various species of eloquence for which he was afterwards celebrated.'"—Vol. I. p. 58.

He spoke a second time with great success on May 31st, and only once again during the remaining months of the session. In the summer he once more returned to the legal circuit. The little that he did in the routine of his profession, was enough to satisfy all that his career at the bar must have been successful. He himself entered warmly into the spirit of professional life ; and Jekyll tells that "among lively men of his own time of life, Mr. Pitt was always the most lively and convivial in the many hours of leisure which occur to young unoccupied men on a circuit, and joined all the little excursions to Southampton, Weymouth, and such parties of amusement as were habitually formed. He was extremely popular. His name and reputation for high acquirements at the University commanded the attention of his seniors. His wit, his good humour, and joyous manners endeared him to the younger part of the Bar... At Mr. Pitt's instance an annual dinner took place for some years at Richmond Hill, the party consisting of Lord Erskine, Lord Redesdale, Sir William Grant, Mr. Bond, Mr. Leycester, Mr. Jekyll, and others. After he was Minister he continued to ask his old circuit intimates to dine with him, and his manners were unaltered."

This Circuit, however, was his farewell to the bar. The next session of Parliament established him in that commanding position which he never forfeited in his after career. In the very first debate of the session he spoke with almost unexampled success.

"On the Address, an amendment was moved by Fox, and both he and Burke put forth all their powers of debate. So also next day, on the Report of the Address, did Pitt. Such was the applause in the House when he sat down, that it was some time before the Lord Advocate, who rose immediately, could obtain a hearing.

"The speech of Henry Dundas on this occasion was not a little

surprising. In a tone of great frankness, and paying the highest compliments to Pitt, he let fall some hints of discordant views or erroneous conduct in the Ministry to which he still belonged: but he would no further explain himself. So acute a politician must have clearly discerned the tottering state of Lord North, and may not have felt unwilling, even at this time, to connect himself with a young statesman of popular principles and rising fame.

"Compliments to the young statesman were, however, by no means peculiar to Dundas. We are told in a youthful letter from Sir Samuel Romilly, that in one of these debates before Christmas, 1781, 'Fox, in an exaggerated strain of panegyric, said he could no longer lament the loss of Lord Chatham, for he was again living in his son, with all his virtues and all his talents.'

"About a fortnight after the Address, Pitt made his second speech of the session, and his last before the holidays. Horace Walpole, who was still in his old age a most keen observer of everything that passed round him, has an entry as follows in his journal: 'December 14th, 1781. Another remarkable debate on Army Estimates, in which Pitt made a speech with amazing logical abilities, exceeding all he had hitherto shown, and making men doubt whether he would not prove superior even to Charles Fox.'

"In this speech Mr. Pitt gave a surprising proof of the readiness of debate which he had already acquired, or I may rather say which he had from the first displayed. Lord George Germaine had taken occasion two days before to declare that, be the consequences what they might, he would never consent to sign the independence of the colonies. Lord North, on the contrary, had shown strong symptoms of yielding. Pitt was inveighing with much force against these discordant counsels at so perilous a juncture, when the two Ministers whom he arraigned drew close and began to whisper, while Mr. Welbore Ellis, a grey-haired placeman, of diminutive size, the butt of Junius, under the by-name of Grildrig, bent down his tiny head between them. Here Pitt paused in his argument, and glancing at the group exclaimed, 'I will wait until the unanimity is a little better restored. I will wait until the Nestor of the Treasury has reconciled the difference between the Agamemnon and the Achilles of the American war.'—Vol. I. p. 65-7.

On the fall of Lord North's administration in 1782, and when the Rockingham government was formed, Pitt was not included in the new Ministry. Young as he was, indeed, he had taken beforehand the extraordinary course of declaring publicly to the House that "he never would accept a subordinate situation;" and accordingly, he declined to accept any of the offices which were proposed to him, although "he had before him the choice of several

subordinate posts. These offers came to him through his friend Lord Shelburne; for with Lord Rockingham he had no more than a slight acquaintance. The Vice-Treasurership of Ireland was especially pressed upon him. It was an office of light work and high pay, the latter being computed at no less than 5000*l.* a-year. It was an office to which Pitt might the rather incline, because his father had formerly held it; but the young barrister preferred his independence, with chambers and not quite 300*l.* a-year."

It was as an independent member, therefore, that he brought forward, May 7th, his great motion on parliamentary reform; and on the breaking up of the new cabinet upon the death of Lord Rockingham, he found the reward of his self-reliant persistence in his resolution, in the appointment of the Chancellorship of the Exchequer in Lord Shelburne's government, at the unprecedentedly early age of twenty-three.

The after history is well-known—the successful combination by which the Fox and North parties drove Lord Shelburne from office—the vigorous and well devised strategy by which Pitt retaliated upon his adversaries the very measures of offence; the memorable contest on Fox's India Bill in the Commons—the defeat of that strange measure in the Lords—the eager dismissal of the coalition ministry by the King; and finally, Pitt's accession to the commanding position of Prime Minister, which he was destined to hold for upwards of seventeen years. Lord Stanhope has related with singular clearness the history of this memorable crisis, many of the details of which, especially Lord Temple's resignation, were involved in much mystery. If there be such a thing as romance in parliamentary history, it is to be found in this narrative of the self-reliant determination with which the far-seeing young minister suffered his adversaries to wear themselves out by the very violence of the attack. On the very first day when he appeared as Prime Minister in the House, four hostile motions were carried against him, and he was left in two minorities of 39 and of 54. He proceeded, nevertheless, undismayed with his India Bill; the hostile majority fell to 21. On the second reading of the same bill, it was still further reduced to eight; and although its many subsequent variations might have tempted a less resolute or a more excitable man to depart from the course which he had elected to follow, Pitt per-

severed with a firmness which some of his adversaries were forced to admire, till at length, in the crowning debate on Fox's celebrated "Representation to the King," the great Whig leader found his majority reduced to one! Even still the wary minister could not be tempted into a premature step; nor was it till he had fully matured his own measures, and finally stimulated the public sympathy which he had all along felt confident of securing, that he proceeded to advise the dissolution of parliament.

The interval of this remarkable crisis was lengthened by a very curious incident, which even still appears involved in mystery.

"Early in the morning of the 24th some thieves broke into the back part of the house of the Lord Chancellor, in Great Ormond Street, which at that time bordered on the open fields. They went up stairs into the room adjoining the study, where they found the Great Seal of England, with a small sum of money and two silver-hilted swords. All these they carried off without alarming any of the servants, and though a reward was afterwards offered for their discovery, they were never traced.

"When the Chancellor rose and was apprised of this singular robbery, he hastened to the house of Mr. Pitt, and both Ministers without delay waited upon the King. The Great Seal being essential for a Dissolution, its disappearance at the very time when it was most needed might well cause great suspicion, as well as some perplexity. But Pitt took the promptest measures; he summoned a Council to meet at St. James's Palace the same morning, and there an order was issued that a new Great Seal, with the date of 1784, should be prepared with the least possible delay. It was promised that, by employing able workmen all through the night, this necessary work should be completed by noon the next day."—Vol. I. p. 200-1.

Pitt himself, in a letter to Wilberforce, represents this robbery as a "curious manœuvre." Lord Stanhope appears to think that, while it would be absurd to impute to the leaders of the opposition so clumsy and so stupid a device, yet there might have been some 'low hangers-on' of the party to whom the very paltriness of the trick would have been its greatest attraction; and he adds that, although this may seem to attach an overstrained importance to the possession of the Great Seal, yet "we may well imagine that an humble and heated partisan should be under the same delusion as was, in 1688, the King of England himself, when, hoping to embarrass his successor, he dropped his Great Seal into the Thames."

It was during the preliminaries of this great contest that Pitt gave, in his refusal to take the valuable sinecure of the Clerkship of the Pells, the first evidence of that splendid disinterestedness which is the greatest glory of his career, and of which his declining the free gift of £100,000 pressed upon him by the bankers and moneyed men of London in 1788, is an equally noble example. The merit of such self-denial, too, is heightened by the well-known condition of public opinion, at least of the opinion of the official world, at that period when the abuse of sinecurism was the least offensive form of public spoliation which pervaded all the departments of the administration. Pitt's celebrated committee of inquiry brought much of this curious ingenuity of peculation to light. The stationary bill of the First Lord of the Treasury for a single year was £1300, in which the one item of packthread amounted to £340!

Lord Stanhope has a curious paragraph on the abuses of the privilege of franking.

“Several of the new financial regulations which Pitt was proposing applied to the privilege of franking by Peers and Members of Parliament. Up to that time nothing beyond the signature of the person privileged had been required, nor was there any limit as to place or number. Several banking firms especially were possessed of whole box-fulls of blank covers signed by some friend or partner, and kept ready for use in their affairs. Letters were constantly addressed to some Member, at places where he never resided, so that by a secret arrangement other persons might receive them post-free. It was computed, though probably with some exaggeration, that the loss to the revenue by such means might amount every year to no less than 170,000*l*. By new rules it came to be provided that no Member of either House should be entitled to frank more than ten letters daily, each of these to bear in his own handwriting, besides his signature, the day of the month and year, the name of the post-town, and the entire address; nor were any letters to be received by him post-free except at his actual abode. These regulations, which continued in force until the final abolition of Parliamentary franks in 1839, were carefully framed, and productive of considerable savings. Yet no amount of public forethought is ever quite a match for private skill, and many cases of most ingenious evasion are recorded. Thus on one occasion the franks of a Scottish Member, Sir John Hope, having been counterfeited, the person accused on that account protested that he had done no more than write at the edge of his own letters, ‘Free I hope.’ A Peer with whom I was acquainted is said to have franked the news of his own decease—that is having died suddenly

one morning, and left some covers to friends ready written on his own escritoire, his family availed themselves of these to enclose the melancholy tidings."—Vol. I. 222-3.

The same lofty indifference to personal interest which led him to forego this advantageous and lucrative sinecure was exhibited by him in a still more marked way in circumstances of much greater difficulty, on his retirement from office in 1801, and under the pressure of the enormous pecuniary embarrassments in which by that time he had gradually become entangled. His debts at this period were ascertained to be above £45,000; and though the creditors, while he was in office, had been content to wait, yet "when they learnt that he was resigning, and that two-thirds of his present income would be lost, the impatience of some among them could no longer be restrained. The demands upon Pitt grew to be of the most pressing kind. There was reason to apprehend from day to day that an execution might be put into his house; that his rooms might be left without furniture, and his stable without horses." In explanation of the extent of these embarrassments, Lord Stanhope says:—

"It is not easy at first sight to understand or to explain such enormous liabilities. As first Lord of the Treasury and Chancellor of the Exchequer Mr. Pitt had a salary of 6000*l.* a-year. As Lord Warden of the Cinque Ports there was a further salary of 3000*l.*, besides certain small dues and rents upon the Dover coast, amounting to a few hundred pounds more. On the whole, then, since 1792 Pitt had been in the receipt of nearly 10,000 a-year. He had no family to maintain. He had no expensive tastes to indulge. He had never, like Fox, frequented the gaming-table; he had not, like Windham, large election bills to pay. With common care he ought not to have spent above two-thirds of his official income.

"But unhappily that common care was altogether wanting. Pitt, intent only on the national exchequer, allowed himself no time to go through his own accounts. The consequence was that he came to be plundered without stint or mercy by some of his domestics. Once or twice during his official life he had asked his friend Lord Carrington to examine his household accounts. Lord Carrington subsequently told Mr. Wilberforce the result of that inquiry. He had found that the waste of the servants' hall was almost fabulous. The quantity of butcher's meat charged in the bills was nine hundred weight a week. The consumption of poultry, fish, and tea was in proportion. The charge for servants in wages, board-wages, liveries, and bills at Holwood and in London exceeded 2300*l.*

a-year. Still Pitt would never give the requisite time to sift and search out such abuses. His expenses were not checked, and his debts continued to grow."—Vol. III., pp. 341-2.

Several plans were thought of by Pitt's friends to relieve him from this painful position, of which the first was either a vote of the House of Commons, or a free gift from the city merchants. As to the former, Pitt assured his friend Rose, in the most solemn manner, "of his fixed resolve on no consideration whatever to accept anything from the public." The second offer, (although £100,000 was already subscribed and awaited his disposal,) was declined with equal firmness; "were he ever again to be in office," he said, "he should always feel abashed and constrained when any request was addressed to him from the city, lest by non-compliance he should be thwarting the wishes of some among his unknown benefactors." Perhaps a still more remarkable evidence of the lofty spirit of the man was elicited by a third offer on the part of the king himself—the more gratifying because it was entirely voluntary, and because the king desired that it should be kept strictly private even from Pitt himself—to place in the hands of Mr. Rose £30,000 from his own privy purse for the payment of the debts of his faithful servant. This truly noble offer was equally without result. "The scheme," says Mr. Rose, "was found to be impracticable without a communication with Mr. Pitt. On the mention of it to him he was actually more affected than I recollected to have seen him on any occasion; but he declined it, though with the deepest sense of gratitude possible. It was, indeed, one of the latest circumstances he mentioned to me, with considerable emotion, towards the close of his life." The only expedient to which he would consent to have recourse, was the assistance of a few private friends. The sum advanced by these friends, together with the sale of his estate of Holwood, sufficed to relieve him from actual pressure. These friends, one of whom was his old tutor Tomline, now Bishop of Lincoln, subscribed in all £11,000. But a large deficiency still remained; and the only painful incident connected with the affair took place after the death of Pitt, when a vote was proposed and ultimately carried in the House of Commons, for the payment of the debt still outstanding, which amounted to £40,000. "Another question," says Lord Stanhope, "then arose. Should the appli-

cation to parliament include the further sum of £12,000, as advanced to Mr. Pitt by some friends in 1801? The Bishop of Lincoln, as one of the subscribers to that sum, argued that it should. To do otherwise, he said, would be to contravene the dying request of Mr. Pitt; but the other subscribers took a different view. One of them, Mr. Wilberforce, went so far as to declare solemnly, that if this further grant were proposed in Parliament, he would rise in his place and resist it to the utmost of his power. In the teeth of such a declaration the bishop could not persevere. It was finally determined that the sum asked of parliament should not exceed the £40,000."

In connexion with these painful details may be mentioned the solitary romance of the life of this extraordinary man—his attachment to the Hon. Eleanor Eden, daughter of Lord Auckland. Lord Stanhope dismisses (I. 134) as unworthy of credit the theatrical anecdote of the proposal made to Pitt by the parents of Mademoiselle Necker, to give him their daughter in marriage with a fortune of £14,000 a-year, and of his alleged reply, that "he was already married to his country." But Lord Stanhope's brief narrative of the genuine love passage is worth transcribing.

"It was not only the conversation of Lord Auckland in which Mr. Pitt took pleasure. He was much attracted by the grace and beauty, as well as the superior mind of Lord Auckland's eldest daughter, the Hon. Eleanor Eden. She was born in July 1777, and therefore only eight years younger than Pitt. It would have been a very suitable marriage; and a report of it was not long in arising.

"And Auckland himself noticed it as follows, in a letter to his friend Mr. John Beresford of Dublin :—

" 'December 22, 1796.

" 'We are all well here, and I will take the occasion to add a few words of a private and confidential kind. You may probably have seen or heard by letters a report of an intended marriage between Mr. Pitt and my eldest daughter. You know me too well to suppose that if it were so I should have remained silent. The truth is she is handsome, and possessed of sense far superior to the ordinary proportion of the world; they see much of each other, they converse much together, and I really believe they have sentiments of mutual esteem; but I have no reason to think that it goes further on the part of either, nor do I suppose it is ever likely to go further.'

"Mr. Beresford thus replies :—

December 27, 1796.

" 'I certainly heard of the report which you mention, and saw it in the newspapers. Lord Camden has more than once asked me if I knew anything about it. I answered, as I shall continue to do, that I knew nothing about it.'

" 'This strong attachment—for such on Pitt's side at least it certainly was—did not, as many persons hoped, proceed to a proposal and a marriage. Shortly afterwards, however, some correspondence did take place between Mr. Pitt and Lord Auckland. The letters remain in the possession of Lord Auckland's family, and there are neither copies nor originals among the manuscripts of Pitt. But I have heard them described by a person entirely to be relied on who has more than once perused them. Mr. Pitt began the subject. In his letter to Lord Auckland he avows in the warmest terms his affection for Miss Eden, but explains that in his circumstances he feels that he cannot presume to make her an offer of marriage. He further says that he finds each of his succeeding visits add so much to his unhappiness, that he thinks it will be best to remit them for the present.

" 'The reply of Lord Auckland, as I am informed, acknowledges as adequate the explanations of Mr. Pitt. He was already, he says, aware in general of the circumstances of pecuniary debt and difficulty in which Mr. Pitt had become involved. He does not deny that the attachment of Mr. Pitt may have been fully appreciated ; but he cannot wish any more than Mr. Pitt that his daughter, who, as one of many children, had a very small fortune of her own, should under some contingencies of office or of life be left wholly unprovided.

" 'There were yet two further letters as to the manner in which the notes of congratulation which had already begun to arrive at Beckenham might best be answered. Pitt desired that the blame, if any should be borne wholly by himself.

" 'Thus most honourably, and without any breach of friendship on either side, ended this 'love-passage'—the only one, as I believe, in the life of Pitt.'—Vol. III. pp. 1-4.

The lady two years afterwards married Lord Hobart, and, having lived to a good old age, was known even to the present generation as the solitary 'flame' of the great but phlegmatic statesman. She died only in 1851.

Pitt's connexion with the measures for the relief of Catholic disabilities, occupies but little space in Lord Stanhope's volumes. The first bill, that of 1778, was passed before he entered upon public life ; but his sentiments regarding this, which may be called the negative side of the general question, were no secret from the com-

mencement of his career. He opposed on the broadest principles the strictly penal enactments which it was the object of the act of 1778 to repeal. But as to the positive measure of relief which it was expedient to concede, Pitt's proceeding was much embarrassed by considerations arising out of his views upon the Established Church. The opinions which he expressed on the proposed repeal of the Test Act in 1787, exhibited a determination to regard the claims of the Church as the first consideration to which, in a conflict of interests, all the principles of right must be held subordinate. "It must be conceded to me," he said, "that an Established Church is necessary. Now there are some Dissenters who declare that the Church of England is a relic of Popery; others that all Church Establishments are improper. This may not be the opinion of the present body of Dissenters, but no means can be devised of admitting the moderate part of the Dissenters and excluding the violent; the bulwark must be kept up against all." He professed, moreover, (although possibly this may have been but a device arising out of the expediciencies of debate,) to regard the grievances of Catholics as very trifling; he disclaimed the word emancipation, as conveying an inaccurate idea of the actual political condition of the Catholics, and did not hesitate to declare that there were but few benefits of the constitution remaining, of which they had not been admitted to participate; and although he professed his readiness to add these benefits "to the many which had been so bounteously bestowed on the body in the course of the reign of George III.," this readiness was not founded upon the abstract justice of the measure, but upon the conviction at which he had arrived, that the concession could be "safely" made.

And hence, whatever may have been the private sentiments of the man, the published opinions of the statesman read cold, and ungracious beside the lofty philosophy of Burke, the frank and manly admissions of Fox, or the honest and generous enthusiasm of Wilberforce.

But while it is impossible to suppress a certain feeling of disappointment at the spirit in which Pitt appears to have approached the Catholic question, it is but justice to confess that he desired to carry out honestly and even liberally, although with certain safeguards and counterpoises, that

measure of relief to which he considered Catholics entitled. Lord Stanhope's account of the discussions upon Mitford's Catholic Bill in 1791, is extremely meagre; but we learn from it at least, that Pitt was free from that jealous and grudging spirit, which by fettering concession with irksome and offensive conditions, deprives it of half its value by taking from it the charm of graciousness. His conduct in Wilberforce's Militia Bill was equally frank; and Lord Stanhope's history of the Irish administration of Lord Fitzwilliam, fully bears out the view which has already more than once, in this journal, been taken of the share which Pitt had in that nobleman's recall, in consequence of his precipitation and imprudence in reference to the Catholic question. It appears plain that whatever may have been Pitt's abstract views, and however those views may have been modified in their application to the condition of the Catholics in England, he had made up his mind even at the time of Lord Fitzwilliam's being sent to Ireland, that it was impossible to hope for the tranquillity of that country so long as the Catholic population was held in the condition which it then occupied. Lord Stanhope maintains with every show of probability, that, in sending that nobleman to Ireland, Pitt was prepared to enter upon an entirely new policy, and to carry out large measures of concession to the Catholics; but that, with a view to its being done more effectually and more securely, he desired that the steps in that direction should be cautious and gradual. We have often declared our conviction that, in the crisis which had then arisen in Irish affairs, a bold and firm policy of concession could not have failed of success in the Irish parliament, if it had been accompanied by some of those prudent party negotiations familiar to all practised politicians, such as would have disarmed the hostility of certain large parliamentary interests at that time paramount in Irish affairs. Unfortunately the generous precipitancy of Lord Fitzwilliam alarmed and aroused the very opposition which Pitt had hoped to neutralize. We are satisfied that, even still, Pitt, had he persevered, might have reckoned on success. But he was frightened into submission and recalled Lord Fitzwilliam. Nevertheless we have always believed, and Lord Stanhope's book confirms the belief, that in recalling that nobleman, he acted, if weakly, not dishonestly; and that he still retained the desire and the intention to

redress the grievances of the Irish Catholics. It was in this conviction, that, almost in the same breath in which the recall of Lord Fitzwilliam was decided and that Grattan's Relief Bill was left to its fate in the House of Commons, the policy of concession was inaugurated by the establishment of the college of Maynooth in the spring of 1795. Lord Stanhope does not hesitate to recognize in that measure all the character of a compact. "It was proffered as a boon to the Roman Catholics of Ireland at the very time when their hope of equal rights derived from Mr. Grattan's Bill was dashed to the ground—at the very time when they were called on to make common cause with their Protestant brethren and join in measures of resistance to the threatened French invasion. Passed at such a time, and received in such a spirit, I believe that the foundation of Maynooth does bear many features of a compromise or compact. I am sure that it could not be cancelled without some breach of the English honour and some disparagement to the English name."

But it is chiefly in relation to the negotiations on the subject of the Union that doubts have been cast on Pitt's sincerity in his professions on the Catholic question; and in this part of his history it must be admitted that Lord Stanhope's memoir is a complete vindication. There can be no doubt that when the subject of the Union was first mooted, an effort was made to enlist in its favour the support of the Catholics of Ireland, by holding forth to them hopes that it would be accompanied or followed by an equitable settlement of their claims. Lord Stanhope's account of the measure, although it is far from realizing the full extent of the representations which were made, places the broad facts beyond dispute. It is drawn from Lord Castlereagh's own letter, dated January 1st, 1801.

"Lord Castlereagh states that when in England during the autumn of 1799, he was requested to attend the meetings of the cabinet upon the Catholic question. He did attend them accordingly. He heard no difference of opinion as to the merits of the question itself. On these the ministers seemed to him unanimous; but he found 'that some doubts were entertained as to the possibility of admitting Catholics into some of the higher offices, and that ministers apprehended considerable repugnance to the measure in many quarters, and particularly in the highest.'

"On the whole Lord Castlereagh was at that time empowered to write to the Lord Lieutenant, that so far as the sentiments of the

cabinet were concerned, his Excellency need not hesitate in calling forth the Catholic support to the projected Union. Upon this principle, then, did Lord Cornwallis and Lord Castlereagh act in Ireland. They refrained, as also did Mr. Pitt in England, from any kind of pledge, or promise, or assurance to the Roman Catholic leaders. But undoubtedly a general hope was raised, and from that hope a general co-operation was afforded. The Roman Catholics, as a whole, either remained neutral or gave their support to the Union. It seems to be admitted that had their support been withheld, and their weight been thrown into the opposite scale, the measure could not at that time have been carried."—Vol. III. pp. 265-6.

Hence, although Lord Stanhope contends that there was no actual engagement to be redeemed to the Catholics, he thinks "it must be owned that they had a moral claim upon the government in England. So at least thought Mr. Pitt. He decided that their state, and the change that might be made in the laws affecting them, should be laid before the cabinet on its assembling after the summer recess; and he summoned Lord Castlereagh from Dublin to attend the cabinet meetings on this subject as he had the year before."

It is unnecessary to explain that by the *highest* quarter, referred to in Lord Castlereagh's letter, is meant the king himself. He had already long before expressed with great vehemence his determination not to yield in this matter. He had made up his mind, with that dogged inflexibility which was his characteristic, that to do so would be to violate the promises of his coronation oath; and when Dundas attempted to explain to him that this oath applied to the king in his executive, and not in his legislative capacity, he cut the discussion short by the angry rejoinder, "None of your Scotch metaphysics, Mr. Dundas! None of your Scotch metaphysics!" Soon afterwards he had consulted Lord Kenyon and Sir John Scott, the Attorney General, on this point, who both decided that no violation of the coronation oath would be involved in assenting to the repeal of the Test and Corporation Acts. But the king had other and less upright advisers.

"Unhappily, however, the King at the same time, but separately from the other two, consulted the Chancellor Loughborough. Even the warm admirers (if there be any such) of his Lordship's political career will scarcely ascribe to him any very ardent zeal on the abstract merits of the question. Through his whole life his politi-

cal principles hung most loosely upon him ; he had more than once changed them on a sudden, and from the lure of personal advantage. Of his first turn in 1771, one of his successors on the Wool-sack writes : ‘ This must be confessed to be one of the most flagrant cases of *ratting* recorded in our party annals.’

“ In 1795 Lord Loughborough was most anxious to gratify and find favour with his Royal Master. He sent the King a written opinion stating that the Royal assent to the repeal of the Test Act might be held by implication to violate the Coronation Oath. But he appears to have carefully concealed the communication from his colleagues. It was only some years later, and after the fall of Mr. Pitt’s Ministry, that we find him give an account of the affair in conversation with Mr. Rose. It is painful to add, that the statement of his written opinion, as Mr. Rose reports that statement in his Diary, is utterly and irreconcilably at variance with the written opinion itself which Lord Campbell has published from the original draft in Lord Loughborough’s own handwriting.”—Vol. III. p. 264.5.

When, several years later, the crisis in this great question arrived, this unscrupulous man was not slow to resume the dark policy for which he had thus prepared the way. Taking advantage of a visit of the King to Weymouth in the autumn of the year 1801, he used all his influence in private to strengthen and confirm these prejudices of his royal master. Nor did he stop here. Pitt having resolved, as we saw, to bring before his colleagues what he felt to be the just claims of the Irish Catholics upon the United Parliament, summoned a Cabinet meeting in the end of September, and addressed a confidential letter on the subject to Lord Loughborough while he was still at Weymouth with the King. Lord Stanhope has printed the letter.

“ ‘ MY DEAR LORD,

Sept. 25, 1800.

“ ‘ There are two or three very important questions relative to Ireland, on which it is very material that Lord Castlereagh should be furnished with at least the outline of the sentiments of the Cabinet. As he is desirous not to delay his return much longer, we have fixed next Tuesday for the Cabinet on this subject ; and though I am very sorry to propose anything to shorten your stay at Weymouth, I cannot help being very anxious that we should have the benefit of your presence. The chief points, besides the great question on the general state of the Catholics, relate to some arrangement about tithes, and a provision for the Catholic and Dissenting Clergy. Lord Castlereagh has drawn up several papers

on this subject, which are at present in Lord Grenville's possession, and which you will probably receive from him by the post.

“‘Ever, my dear Lord, &c.,

“‘W. PITT.’

“Mr. Pitt,” continues Lord Stanhope, “did not intend as yet to submit his project to the King. It is, I apprehend, the usual and customary course that a measure should not be laid before the Sovereign until it has been matured and perfected in consultation between the members of the Cabinet. At all events it is quite certain that any previous communication should be made by and through the First Minister of the Crown. But the receipt of these papers from London gave Lord Loughborough a favourable opening for his designs. How tempting to betray the Prime Minister, and in due time trip him up! How tempting to possess himself of the King's private ear, and become the regulator of his public conduct! With such views the Chancellor showed His Majesty the confidential letter from Mr. Pitt, thereby raising great anxiety and great displeasure in the Royal breast. That he did thus show the letter at Weymouth is acknowledged by himself in a long paper of explanation which in the spring of the ensuing year, when some rumours of his conduct began to be afloat, he found it requisite to draw up and to circulate among his friends. The original paper still remains among the Rosslyn manuscripts, and it has been published by Lord Campbell. ‘I abstain,’ says Lord Campbell at its close, ‘from the invidious task of commenting on this document.’ Seldom indeed has any document so discreditable proceeded from any public man.”—Vol. III. p. 268 9.

The rest of the Chancellor's conduct was in keeping with these treacherous beginnings. Still concealing the intrigue in which he had been engaged, he opposed in the Cabinet the measure propounded by Pitt in conjunction with Lord Grenville; and at the same time he drew up and sent to the King a new paper, strongly urging all the popular objections to the Catholic claims. Meanwhile, unhappily Pitt maintained towards the King the same reserve with which he had begun; and pending the discussions in the Cabinet, he appears to have resolved to await some final decision from his colleagues, before he should open his mind fully to the King. But the eager impulsiveness of the King anticipated the advance of his minister.

“The discussions still at intervals continued, though with less and less prospect of agreement, when the anxiety of the King brought the matter to an issue. At his levee on Wednesday, the

28th of January, the King walked up to Mr. Dundas, and eagerly asked him, as referring to Lord Castlereagh, 'What is it that this young Lord has brought over which they are going to throw at my head?.....The most Jacobinical thing I ever heard of! I shall reckon any man my personal enemy who proposes any such measure.' 'Your Majesty will find,' answered Mr. Dundas, 'among those who are friendly to that measure some whom you never supposed to be your enemies.'

"During this conversation at the levee several other persons stood partly within hearing, and some public rumours of course ensued.

"Next day the King, in great distress of mind, wrote to the Speaker. 'I know,' he said, 'we think alike on this great subject. I wish Mr. Addington would from himself open Mr. Pitt's eyes to the danger.....which may prevent his ever speaking to me on a subject upon which I can scarcely keep my temper.' Mr. Addington therefore did call upon Pitt, and was not without some hopes of having produced an impression on his friend. He wrote accordingly in answer to the Royal letter, and he had afterwards an interview with the King at Buckingham House. The part of the Prime Minister was, however, already taken. After the public and vehement language which the King had so recently used, Pitt had little or no hope of prevailing with His Majesty. But he thought his own course of duty clear before him. On the evening of Saturday, the 31st of January, Mr. Pitt addressed a letter to the King, containing a masterly argument on the question at issue, and asking leave to resign if he were not allowed to bring it forward with the whole weight of Government. The King received this letter on the morning of Sunday, the 1st of February, and, after consulting with the Speaker, wrote his reply before the close of the same day. 'I shall hope,' so says the King, 'Mr. Pitt's sense of duty will prevent his retiring from his present situation to the end of my life;' and he proposed as a compromise that he, the King, should maintain henceforth utter silence on the question, and that Mr. Pitt on his part should forbear to bring it forward. 'But,' adds the letter, 'further I cannot go.'"—Vol. III. p. 273-5.

Pitt's letter to the King is already known from Bishop Philpott's publication; but we think it well to record here that portion of it in which he combats the King's objections against the proposed measure of relief to the Catholics, from the supposed dangers which might thence arise to the Established Church and to the Protestant interest generally.

"For himself," Mr. Pitt writes in the third person, "he is on full consideration convinced that the measure would be attended with no danger to the Established

Church, or to the Protestant interest in Great Britain or Ireland:—That now the Union has taken place, and with the new provisions which would make part of the plan, it could never give any such weight in office, or in Parliament, either to Catholics or Dissenters, as could give them any new means (if they were so disposed) of attacking the Establishment:—That the grounds on which the laws of exclusion now remaining were founded, have long been narrowed, and are since the Union removed:—That those principles, formerly held by the Catholics, which made them considered as politically dangerous, have been for a course of time gradually declining, and, among the higher orders particularly, have ceased to prevail:—That the obnoxious tenets are disclaimed in the most positive manner by the oaths which have been required in Great Britain, and still more by one of those required in Ireland, as the condition of the indulgences already granted, and which might equally be made the condition of any new ones:—That if such an oath, containing (among other provisions) a denial of the power of absolution from its obligations, is not a security from Catholics, the Sacramental test is not more so:—That the political circumstances under which the exclusive laws originated, arising either from the conflicting power of hostile and nearly balanced sects, from the apprehension of a Popish Queen or Successor, a disputed succession and a foreign Pretender, and a division in Europe between Catholic and Protestant Powers, are no longer applicable to the present state of things:—That with respect to those of the Dissenters who it is feared entertain principles dangerous to the Constitution, a distinct political test, pointed against the doctrine of modern Jacobinism, would be a much more just and more effectual security than that which now exists, which may operate to the exclusion of conscientious persons well affected to the State, and is no guard against those of an opposite description:—

“That with respect to the Catholics of Ireland, another most important additional security, and one of which the effect would continually increase, might be provided by gradually attaching the Popish clergy to the Government, and, for this purpose, making them dependent for a part of their provision (under proper regulations) on the State, and by also subjecting them to superintendence and control:—

“That, besides these provisions, the general interests of the Established Church, and the security of the Constitution and Government, might be effectually strengthened by requiring the Political Test, before referred to, from the preachers of all Catholic or Dissenting congregations, and from the teachers of schools of every denomination.”

We have extracted this able and characteristic passage mainly as another evidence of the real views in reference to the Catholic Church, which formed the foundation of Pitt's policy, as it has done that of most other statesmen whether Protestant or Catholic. He looked to disarming the Church by acquiring influence over her ministers; and he sought, by giving them an interest in the stability of the state, to make them useful auxiliaries of the government to which they owed their social status and in part their pecuniary support. This curious state-paper, although unknown for upwards of a quarter of a century after his death, is almost a literal verification of the warning held out to Catholics by Burke, and in his letters to Dr. Hussey printed in this journal not many years ago.

But to return to Pitt's letter to the King. His own views upon the necessity of the measure, and his resolve to acquit himself of what he feels to be a moral engagement, he expresses in the most forcible terms.

“It is on these principles Mr. Pitt humbly conceives a new security might be obtained for the Civil and Ecclesiastical Constitution of this country, more applicable to the present circumstances, more free from objection, and more effectual in itself, than any which now exists; and which would at the same time admit of extending such indulgences as must conciliate the higher orders of the Catholics, and by furnishing to a large class of your Majesty's Irish subjects a proof of the good will of the United Parliament, afford the best chance of giving full effect to the great object of the Union,—that of tranquillizing Ireland, and attaching it to this country.

“It is with inexpressible regret, after all he now knows of your Majesty's sentiments, that Mr. Pitt troubles your Majesty thus at large with the general grounds of his opinion, and finds himself obliged to add that this opinion is unalterably fixed in his mind. It must, therefore, ultimately guide his political conduct, if it should be your Majesty's pleasure that, after thus presuming to open himself fully to your Majesty, he should remain in that responsible situation in which your Majesty has so long condescended graciously and favourably to accept his services. It will afford him, indeed, a great relief and satisfaction if he may be

allowed to hope that your Majesty will deign maturely to weigh what he has now humbly submitted, and to call for any explanation which any parts of it may appear to require.

"In the interval which your Majesty may wish for consideration, he will not, on his part, importune your Majesty with any unnecessary reference to the subject; and will feel it his duty to abstain himself from all agitation of this subject in Parliament, and to prevent it, as far as depends on him, on the part of others. If, on the result of such consideration, your Majesty's objections to the measure proposed should not be removed, or sufficiently diminished to admit of its being brought forward with your Majesty's full concurrence, and with the whole weight of Government, it must be personally Mr. Pitt's first wish to be released from a situation which he is conscious that, under such circumstances, he could not continue to fill but with the greatest disadvantage."—Vol. III. p. xxvi, xxvii.

The result is well known. The King and the Minister were both equally firm. The King agreed to accept Pitt's resignation, and it was settled that the Speaker, Addington, should, at the recommendation of Pitt, be charged with the formation of a new ministry, in the arrangement of which, as well in the subsequent conduct of the business of the country, Pitt promised all his assistance and support. The only gratifying incident of the entire proceeding is the memorable disappointment of the selfish schemer, Loughborough. "The statesman," says Lord Stanhope, "who for his selfish ends had wrought all this confusion, derived no advantage from it. On the contrary, he was signally humbled. 'Never,' as Lord Campbell says, 'was there such a striking instance of an engineer 'hoist by his own petard.' The King had lately seen a great deal of Lord Loughborough. He had been glad to lean on his Lordship's legal knowledge and skill. But at the same time he had become well acquainted with his Lordship's character, and I need not add to what opinion a thorough knowledge of that character would inevitably lead. So far from naming Lord Loughborough Prime Minister, as Lord Loughborough himself appears to have hoped, the King was fully determined that he should not even continue Chancellor. His Majesty designed that high office for Lord Eldon, whose perfect integrity and firmness of principle he justly esteemed; and on this point, as on most others, Addington was compliant to the Royal will.

"No wonder" that in Addington's Diary "Lord

Loughborough is described as 'all consternation!' No wonder if, suddenly inverting his political course, he wrote to the King earnestly pressing His Majesty still to continue Mr. Pitt in office, and to rely upon 'the generosity of Mr. Pitt's mind.' " It is pleasant to know that he utterly failed.

The retributive justice executed on another ingrate, Lord Auckland, whom the King described as "an eternal intriguer," and who was excluded from the new Cabinet, has been related by other historians of these events.

Equally familiar is the story of the effect which, before the new arrangements had been completed, this struggle between feeling and what he believed to be duty produced upon the King; but Lord Stanhope has preserved some curious and indeed affecting details. Feeling deeply and anxiously the loss of Pitt at such a crisis, the King, "as if to tranquilize his mind, reverted again and again to the religious obligation which he conceived to bind him. One morning—so his faithful equerry, General Garth, many years afterwards related—he desired his Coronation Oath to be once more read out to him, and then burst forth into some passionate exclamations: 'Where is that power on earth to absolve me from the due observance of every sentence of that oath?...No—I had rather beg my bread from door to door throughout Europe than consent to such a measure!'

"Another day, at Windsor—this was on the 6th or 7th of the month—the King read his Coronation Oath to his family, asked them whether they understood it, and added: 'If I violate it, I am no longer legal Sovereign of this country, but it falls to the House of Savoy.' "

One of the King's first messages, upon his convalescence after the derangement in which these exciting trials resulted, was to his old minister. "Tell him," said he to his physician Dr. Willis, "that I am quite well—quite recovered from my illness; but what has *he* not to answer for who is the cause of my having been ill at all?" Pitt was deeply affected, and, under the impulse of these feelings, at once conveyed to the King an assurance that he would never again, during his reign, renew the agitation of the Catholic question. Lord Malmesbury heard that Pitt wrote to the King to this effect; but Lord Stanhope could find no trace of the letter, and believes that the communication was in the nature of a verbal message.

This would seem clear indeed from the following letter of Dr. Willis.

" Dr. Thomas Willis to Mr. Pitt.

" ' Sir,

" ' Queen's House, $\frac{1}{2}$ past 8.

" ' Her Majesty, and the Dukes of Kent and Cumberland, went in to the King at half after five o'clock, and remained with him for two hours. They came out perfectly satisfied—in short everything that passed has confirmed all that you heard me say to-day. He has desired to see the Duke of York to-morrow, and all the Princesses in their turn.

" ' I stated to him what you wished, and what I had a good opportunity of doing ; and, after saying the kindest things of you, he exclaimed, 'Now my mind will be at ease.' Upon the Queen's coming in, the first thing he told her was your message, and he made the same observation upon it.

" ' I stated also the whole of what you said respecting Hanover—which he received with perfect composure.

" ' You will not expect that I mean to show that the King is completely well, but we have no reason to doubt that he very soon will be so.

" ' I have the honour to be, Sir, &c.,

" ' THOMAS WILLIS.' "

It will be remembered that, up to this time Pitt, in consequence of the King's illness, had not formally resigned ; and, now that the only obstacle to his holding office had been removed by the resolve which he had thus taken, his friends began to ask why he should resign at all ; nor was it without a certain amount of intrigue and agitation that the arrangements were finally brought to a close, and that Pitt's long administration came to an end. On March 14th, 1800, to borrow Mr. Rose's account, " Mr. Pitt went to the King at three o'clock, and returned about half-past four, and I saw him at five for a few minutes before he went to Mr. Addington. He had resigned the Exchequer Seal to His Majesty. He said His Majesty possessed himself most perfectly, though naturally somewhat agitated on such an occasion ; that his kindness was unbounded. Mr. Pitt said he was sure the King would be greatly relieved by the interview being over, and his resignation being accepted ; adding, what I am sure was true, that his own mind was greatly relieved.—Sunday, March 15. Mr. Pitt explained to me much more at large what passed when he was with the King yesterday ; repeated that His Majesty showed the

utmost possible kindness to him, both in words and manner; that His Majesty began the conversation by saying, that although from this time Mr. Pitt ceased to be his Minister, he hoped he would allow him to consider him as his friend, and that he would not hesitate to come to him whenever he might wish it, or when he should think he could do so with propriety; adding that in any event he relied on his making him a visit at Weymouth, as he knew Mr. Pitt would go to his mother, in Somersetshire, in the summer."

And thus in virtue of the engagement entered into by Pitt, and adopted with one single exception, by those who followed him in the office of Prime Minister, the question of the Roman Catholic claims was indefinitely postponed;—with what results, is now a matter of history. It is a much debated question in the theory of constitutional monarchy, how far the interest of the whole, or of a large portion of the public ought to be made dependent upon the welfare, or still more, we may presume, upon the feelings of the monarch. Whatever may be the practical justice of the case, it is one which, taking men as they are, will always be argued upon considerations of sentiment rather than of abstract right. And the conduct of Pitt in relinquishing the policy and withdrawing from office under circumstances so painful, will hardly be condemned even by the sternest advocate of the rights of the subject. But there remains another and much more difficult question, as to the propriety of the subsequent change in his conduct, in resuming the very office which he had relinquished because he was not permitted to pass the Catholic question, with a new and express understanding that he would never again stir that question during the lifetime of the King. Lord Stanhope enters at some length into this question in reply to a criticism of the *Edinburgh Review*, ascribed to Sir George Cornewall Lewis.

"On the other part, I would venture, in the first place, to ask how the critic can feel the smallest difficulty in explaining at least, if not in justifying, the change which he here describes. As reasonably might he state his surprise that the Emperor of Austria was not willing to treat on the 1st of December, 1805, and was willing on the 3rd of the same month; the fact being that the battle of Austerlitz was fought on the intervening day. The intervening illness of George the Third affords, as I conceive, a no less clear, a

no less sufficient explanation. When it became manifest that the proposal of the Roman Catholic claims had not only wrung the mind of the aged King with anguish, but altogether obscured and overthrown it, the duty of a statesman, even if untouched by personal considerations, and acting solely on public grounds, was then to refrain from any such proposal during the remainder of His Majesty's reign. Loyal Roman Catholics themselves could not even desire their claims to be under such circumstances urged. Let me moreover observe that the restraint which Mr. Pitt laid upon himself in consequence was one that came to be adopted by all other leading politicians of that age. It was on the same understanding that Lord Castlereagh took office in 1803; Mr. Tierney also in the same year; Mr. Canning in 1804; Lord Grenville and Mr. Fox in 1806. All these, with whatever reluctance, agreed that on this most tender point the conscience of George the Third should be no further pressed. And surely if the ground here stated was sufficient, as I deem it, to justify Mr. Tierney, who had never before held office, and who owed no special attachment to the King, the ground was far stronger in the case of Mr. Pitt, who had served His Majesty as Prime Minister through most trying difficulties and for more than seventeen years.

"It may be said, however, that although Mr. Pitt was right to relinquish the Catholic Question in March, 1801, he should not have been willing to resume office at once upon such terms. If, however, the Catholic Question were honourably and for good reason laid aside, the special, and indeed the only, reason for calling in "the Doctor" was gone. Under him there was every prospect that the new Government would be a weak one—even far weaker than from various causes which I shall hereafter explain it really proved. I have already shown what were the anticipations upon this point of so experienced and so far-sighted a politician as Dundas. A weak Government was then in prospect; and that at a period when the national interests called most loudly for a strong one. It was the duty of a patriot Minister to avert, if he honourably could, that evil from his country. It was his duty not to shrink from the service of his Sovereign, if that Sovereign thought fit to ask his aid, and if the question which had so recently severed them was from other and inevitable causes to sever them no more.

"For these reasons I believe, and must be permitted to maintain, that the conduct of Mr. Pitt in March, 1801, is free from all ambiguity and open to no just imputation, but guided from first to last by the same high sense of duty as distinguished his whole career."—Vol. III. p. 311-13.

We have left ourselves but scant space for the personal portion of Lord Stanhope's portraiture of Pitt; but we cannot pass it over altogether. His parallel of the two great rivals, Fox and Pitt, is very complete and very judi-

cious, nor, with all the temptation to which a biographer is exposed, can any one fairly, in our opinion, tax Lord Stanhope with partiality. We must be content with so much of it as regards their oratorical powers.

"It is a harder, as well as a more important task to compare the two great rivals in their main point of rivalry—in public speaking. Each may at once be placed in the very highest class. Fox would have been without doubt or controversy the first orator of his age had it not been for Pitt. Pitt would have been without doubt or controversy the first orator of his age had it not been for Fox. It may fairly be left in question which of these two pre-eminent speakers should bear away the palm. But they were *magis pares quam similes*—far rather equal than alike. Mr. Windham, himself a great master of debate, and a keen observer of others' oratory, used to say that Pitt always seemed to him as if he could make a king's speech off hand. There was the same self-conscious dignity—the same apt choice of language—the same stately and guarded phrase. Yet this, although his more common and habitual style, did not preclude some passages of pathetic eloquence, and many of pointed reply. He loved on some occasions to illustrate his meaning with citations from the Latin poets—sometimes giving a new grace to well-known passages of Horace and Virgil, and sometimes drawing a clear stream from an almost hidden spring—as when, in reference to the execution of Louis the Sixteenth, he cited the lines of a poet so little read as Statius, lines which he noticed as applied by De Thou to the massacre of St. Bartholomew. Never, even on the most sudden call on him to rise—did he seem to hesitate for a word, or to take any but the most apt to the occasion. His sentences, however long, and even when catching up a parenthesis as they proceeded, were always brought to a right and regular close—a much rarer merit in a public speaker than might be supposed by those who judge of parliamentary debates only by the morning papers. I could give a strong instance of the contrary. I could name a veteran member, whom I used, when I sat in the House of Commons, constantly to hear on all financial subjects. Of him I noticed, that while the sentences which he spoke might be reckoned by the hundred, those which he ever finished could only be reckoned by the score.

"It is worthy of note, however, that carefully as Pitt had been trained by his illustrious father, their style of oratory and their direction of knowledge were not only different, but almost, it may be said, opposite. Chatham excelled in fiery bursts of eloquence—Pitt in a luminous array of arguments. On no point was Pitt so strong as on finance—on none was Chatham so weak.

"Fox, as I have heard good judges say, had the same defects, which, in an exaggerated form, and combined with many of his merits, appeared in his nephew Lord Holland. He neither had, nor

aimed at, any graces of manner or of elocution. He would often pause for a word, and still oftener for breath and utterance, panting as it were, and heaving with the mighty thoughts that he felt arise. But these defects, considerable as they would have been in any mere holiday speaker, were overborne by his masculine mind, and wholly forgotten by his audience as they witnessed the cogency of his keen replies—the irresistible home thrusts of his arguments. No man that has addressed any public assembly in ancient or in modern times was ever more truly and emphatically a great debater. Careless of himself, flinging aside all preconceived ideas or studied flights, he struck with admirable energy full at the foe before him. The blows which he dealt upon his adversaries were such as few among them could withstand, perhaps only one among them could parry: they seemed all the heavier, as wholly unprepared, and arising from the speeches that had gone before. Nor did he ever attempt to glide over, or pass by, an argument that told against him; he would meet it boldly face to face, and grapple with it undeterred. In like manner any quotations that he made from Latin or English authors did not seem brought in upon previous reflection for the adornment of the subject at its surface, but rather appeared to grow up spontaneously from its inmost depths. With all his wonderful powers of debate, and perhaps as a consequence of them, there was something truly noble and impressive in the entire absence of all artifice or affectation. His occasional bursts of true inborn sturdy genuine feeling, and the frequent indications of his kindly and generous temper, would sometimes, even in the fiercest party conflicts, come home to the hearts of his opponents. If, as is alleged, he was wont to repeat the same thoughts again and again in different words, this might be a defect in the oration, but it was none in the orator. For, thinking not of himself, nor of the rules of rhetoric, but only of success in the struggle, he had found these the most effectual means to imbue a popular audience almost imperceptibly with his own opinions. And he knew that to the multitude one argument stated in five different forms is, in general, held equal to five new arguments.”—Vol. I. pp. 244-7.

The sketch of Pitt's social character is an exquisite specimen of literary portraiture.

“Several testimonies which I have already cited speak of Pitt in his earlier years as a most delightful companion, abounding in wit and mirth, and with a flow of lively spirits. As the cares of office grew upon him, he went of course much less into general society. He would often, for whole hours, ride or sit with only Steele, or Rose, or Dundas for his companion. Nor was this merely from the ease and rest of thus unbending his mind. Men who know the general habits of great ministers are well aware how many details may be expedited and difficulties smoothed away by quiet

chat with a thoroughly trusted friend in lesser office. Pitt, however, often gave and often accepted small dinner parties, and took great pleasure in them. The testimony of his familiar friend, Lord Wellesley, which goes down to 1797, is most strong upon these points. 'In all places and at all times,' says Lord Wellesley, 'his constant delight was society. There he shone with a degree of calm and steady lustre which often astonished me more than his most splendid efforts in parliament. His manners were perfectly plain; his wit was quick and ready. He was endowed, beyond any man of his time whom I knew, with a gay heart and a social spirit.'

"The habits of Pitt in Downing Street were very simple. He breakfasted every morning at nine, sometimes inviting to that meal any gentleman with whom he had to talk on business, and it was seldom when the House of Commons met that he could find leisure for a ride.

"When retired from office, and living in great part at Walmer Castle, Pitt, like Fox, reverted with much relish, although in a desultory manner, to his books. The Classics, Greek and Latin, seemed to be, as my father told me, Pitt's favourite reading at that period. Yet he was by no means indifferent to the literature of his own day. On this point let me cite a statesman who has passed away from us, to the grief of many friends, at the very time when the page which records his testimony has reached me from the press. Let me cite the Earl of Aberdeen, who once, as he told me, heard Pitt declare that he thought Burns's song 'Scots, wha hae wi' Wallace bled' the noblest lyric in the language. Another time he also mentioned Paley to Lord Aberdeen in terms of high admiration, as one of our very best writers. Perhaps the great fault of his private life is that he never sought the society of the authors or the artists whom all the time he was admiring. Perhaps the great fault of his public life is that he never took any step—no, not even the smallest—to succour and befriend them."—Vol. I. pp. 249-51.

Lord Stanhope, of course, could not overlook the popular traditional notions as to the convivial habits of his hero. Commenting on a letter, in which Wilberforce speaks of Pitt during the interval between his two administrations, described him as 'improved in habits.' Lord Stanhope writes:—

"The 'habits' to which Wilberforce here refers as admitting of improvement were probably in the first place as to the system of hours. No longer breakfasting at nine o'clock as in his first years of office, Pitt had become the very reverse of early in the forenoon. The speaker, Mr. Addington, describing his life about this time, says of him that he never rose before eleven, and then generally took a short ride in the park. Any change which he made in this respect,

as Wilberforce notes, was not of long continuance, and for the rest of his life Pitt was very late in his morning hours. Some have thought that the time which he passed in bed was compelled by his delicate health ; others have supposed that he employed it in revolving the details of his speeches or his measures.

"Secondly, it is probable that Wilberforce alludes to the large potations of port wine. These, as we have seen, were in the first instance prescribed to Mr. Pitt as a medicine, and they gave strength to his youthful constitution. But amidst the labour of parliament and office he certainly in some cases carried them beyond what his health could require, or could even without injury bear. Not that they had any effect on his mental powers or mental self-command. Two bottles of port, as Lord Macaulay says, were little more to him than two dishes of tea. Nothing could be rarer in his public life than any trace of excitement in his after-dinner speeches.

"Here again the authority of the Speaker is quite decisive. When in long subsequent years Lord Sidmouth was questioned on the subject, he said that Mr. Pitt loved a glass of port wine very well, and a bottle still better ; but that he had never known him take too much if he had anything to do, except upon one occasion, when he was unexpectedly called up to answer a personal attack made upon him by Mr. William Lambton, father of the first Lord Durham. He had left the house with Mr. Dundas in the hour between two election ballots, for the purpose of dining, and when on his return he replied to Mr. Lambton, it was evident to his friends that he had taken too much wine. The next morning Mr. Ley, the Clerk Assistant of the House of Commons, told the speaker that he had felt quite ill ever since Mr. Pitt's exhibition on the preceding evening. 'It gave me,' he added, 'a violent headache.' On this being repeated to Mr. Pitt—'I think,' said the minister, 'that is an excellent arrangement—that I should have the wine and the clerk the headache!'

"It is not to be supposed that even a single instance of the kind would be left unimproved by the wits at Brooks's. The Morning Chronicle came out with a long array of epigrams upon this tempting subject. Here is one in which the prime minister is supposed to address his colleague—

'I cannot see the speaker, Hal ; can you ?'

'Not see the speaker ?—hang it, I see two !' "

Vol. III. pp. 136-8.

But there is no part of Lord Stanhope's narrative which in our judgment is so successful as that which regards Pitt's conduct during the Addington administration, his own return to the government, and his last term of office. His defence of Pitt against the charge of dishonest or dishonourable conduct towards Addington is marked by the

most rigorous impartiality, and is conducted according to the sound rules of historical evidence ; nor do we think any fair mind can reject the inferences which Lord Stanhope has drawn.

But it is above all in the closing scenes of the narrative that his powers as a descriptive biographer appear to the greatest advantage. In reading the terrible history of those sad days after the news of the battle of Austerlitz had reached him, one is almost reminded of the painful but mysterious contents of the old Greek drama. There is something absolutely haunting in the picture of what Wilberforce called "the Austerlitz look," the careworn and unhappy look which he wore during the last months of his life, and of which Macaulay, with his customary exaggeration, says that "he was so changed by emaciation that his most intimate friends hardly knew him." It is a picture, in the presence of which every feeling of hostile criticism is hushed, and the mind can take home to itself but one lesson—the lesson of the mutability of all earthly greatness and of the hollowness of all earthly ambition.

ART. IV.—*The Revised Code.*

AMONGST the few incidents of the session of 1862 worthy of careful retrospection, were the debates on education. In both Houses different branches of that great question gave rise to earnest and important discussions ; at an early period, the question of state assistance to primary education in England, occupied both Lords and Commons ; and the re-revised code threatened to cause the downfall of the Government. Later on, the present condition and prospects of education in Ireland were canvassed in debates, which, if they led to no immediate result, plainly foreshadowed the contests which must arise next year. The collateral question, too, of industrial and reformatory schools, and middle class education, claimed their share of attention both in and out of parliament.

But the most remarkable educational movement of the year was undoubtedly that in favour of the Irish Catholic University. A movement hardly paralleled in the country, in strength, in earnestness, and in unanimity.

The interest of Catholics in every branch of the great question of Education both in England and Ireland; the importance of a clear understanding of the mutual relation of the different facts and systems; and the proof afforded by the events we have alluded to, that the present is a time when this subject possesses a peculiar and urgent interest will, we hope, be deemed a sufficient reason for discussing at some length the different systems of education adopted in these and other countries.

The moment we speak of the education of a people, the subject naturally divides itself into three branches. First, primary schools for the education of the masses in the simplest elements of knowledge, embracing all varieties of poor schools, industrial schools and infant schools.

Secondly, intermediate or middle schools, embracing all those grammar schools, academies, and institutions which provide teaching for our great commercial and trading middle classes, and in this class must be included the national model schools in Ireland.

And thirdly, institutions for superior or university education.

To each of these classes the state has certain relations; and the whole question of education, as it is called, resolves itself into this; what are the duties and the rights of the state, or government, with regard to each of the classes of schools. It is here that differences both of opinion and of practice arise—and this is the fundamental question to be determined. There is, indeed, another question even more important, namely, what are the duties and rights of religion in regard to education? But as in these countries we have not, as a nation, got a religion, we cannot investigate the relation of religion to the education of the nation, and the just claims of the Catholic religion in regard to the education of its children can be enforced only as their wish, not as its right.

One radical difference between England and most continental countries—especially since the French Revolution—is the very limited action which in England is allowed to the state.

The theory and practice in England is, that it is the

duty of government to interfere as little as possible, and to leave almost everything to individual action. Abroad, on the contrary, the prevalent idea is, that government is the full expression of the nation, as a corporate individuality, and is therefore bound to do as much as possible for the nation, to provide it with everything it needs, and to direct and control all its actions.

In nothing is this difference more perceptible than in the different modes of treating education.

In France, Prussia, and other countries, it is admitted on all sides, that it is both the right and the duty of the state to provide fitting education for all classes, and to regulate and control all educational institutions not founded by itself.* Hence the question always debated is, what is the proper education to be provided, the right of the state to provide it for all being admitted; and the greatest sticklers for liberty of education only claim that those who dislike the state education, to which they have contributed by their taxes, may provide another at their own cost, and this, too, subjected to the supervision of the state. In a word, the state provides at the public cost an educational uniform for every one, and those who do not wish to wear it are graciously allowed to provide a second at their own cost.

Such is the system which prevails almost universally on the Continent, and the principles of which are, too often perhaps, unconsciously, adopted by some in England.

But far different has ever been the practice of England. Here, the absolute freedom of the individual man has ever been fully recognised, and the claim of the state to act for all and control individual exertions steadily repudiated. Every man may educate himself and his children as he pleases, and it would be regarded as tyranny to compel him to contribute to an education of which he disapproved, or to support institutions which he did not frequent. But as cases arise where assistance is sought from the state for the education of those unable to educate themselves; questions naturally occur of how that assistance is to be given; and as certain public advantages are attached to

* See M. Troplong's work, *Du pouvoir de l'Etat sur l'enseignement en France*. Paris 1844.

the recognised possession of a high degree of professional knowledge, it becomes necessary to determine how the possession of that knowledge shall be ascertained. In other words, the questions of state assistance for primary education, and of the mode of conferring degrees spring up. But throughout the discussion it is essential to recollect that the great English principle is, the right of each man to have his children educated as he pleases, and to have his knowledge recognised, however acquired.

And the importance of this principle, and the extent to which it has ever been recognised in England, as well as the very limited and secondary action allowed to the state in regard to education, become still more clear as we trace the history of education in England.

With regard to primary education, it was for centuries left entirely to voluntary action. Previous to the Reformation the monasteries formed the great body of poor schools throughout the land; and there are canons which refer to schools to be attached to parochial churches. As all the monastery schools were swept away at the Reformation, a great blank was left in the education of the poor, and as private efforts proved inadequate to provide sufficient schools, aid has for a considerable time been contributed by the state. But it is strictly "aid." The state has never undertaken to provide education or determine the nature of the education to be provided. On the contrary, all such schemes have been resolutely rejected. The initiative is left to individual action, and the state only steps in to assist by grants in aid. The fullest freedom is left as to the nature of the education—provided only, it be education. To use the phrase so prevalent last spring, the state pays for results. Catholics, Church of England, Dissenters, may educate their children how they please, use what books they please, employ what teachers they please; if the children know how to read, write, and cipher, the government grant will be given. Nay, even in preparing to obtain these results, and in ascertaining their success, they may to a great extent take their own way. Their training schools for teachers are assisted, and their inspectors must be of their own creed.

This system wants, indeed, that superficial appearance of completeness and uniformity which the Continental systems present; but it excels in every element of life, and growth,

and adaptability to the varying wants of society. No government system can have the healthy vitality possessed by institutions of free growth—men labour not for governmental institutions as they do for those they have themselves created; and above all, in educational institutions the necessity of adapting a governmental system to different religions and opinions by striking out whatever may offend any, so deprives it of all character and spirit as to leave it a negative inanity which excites no enthusiasm, which enlists no zeal in its service.

It is like the contrast between those branches of trade which in some countries are carried on by the government, and the healthy development of unfettered commerce and free enterprise.

So strongly has it been felt by those best acquainted with the subject, and who direct public opinion on it, that free voluntary action was superior to any governmental organization in education, that it has been sought to profit by it, even in cases which, at first sight, would appear necessarily to involve the action of the state. It is clearly the duty of the state to educate and reform paupers and criminals; but as it was found that no state institutions were as effectual as free ones for these purposes, the system has been adopted of placing young criminals in reformatories, founded and conducted by individuals, and to the support of which the state contributes, without in any way controlling their management. So also boards of guardians have lately been authorised to pay for the support and education of pauper children in voluntary institutions. Nay, even in France, experience has forced this truth upon the authorities, with regard to reformatories, and some similar institutions, and Metteray, and similar places, are voluntary institutions to which the state only contributes.

With regard to intermediate middle schools, the system of free voluntary action has been even more markedly followed in England. The state has never founded or endowed any schools or sought in any way to control them.* All our ancient grammar schools are the creation

* Unless, indeed, the few schools founded in Henry VIII. and Edward VI. reigns, out of the property of the suppressed monasteries, be looked upon as exceptions. They are, indeed, the only schools of the sort in England which may fairly be called state

of private charity ; the state claims no power over them, save to see that they fulfil the intentions of their founders ; still less does it attempt to regulate or control the modern proprietary schools, such as Cheltenham. And yet none can say that the great body of our schools do not fulfil their mission, at least as well as any system of governmental lyceums in any foreign country. In fact, those who are intimately acquainted with both systems, know that the healthful competition which exists amongst us, and the necessity of satisfying so exigent a visitor as the general public, produces far more intellectual activity and progress, than exists where all form part of one uniform routine system, and the only visitor is a government inspector, himself reared in the system.

There has indeed been one step taken lately in England which tends in some degree to bring middle schools under a general system of inspection, at least as regards their results ; we mean the system of middle class examinations and certificates of proficiency ; and there can be little doubt that this system will progress, and that most probably the time will come when such certificates will have a specific value analogous to that of degrees, and be required from persons desirous of entering the public service or of practising certain arts. But it is worthy of remark, that these examinations and certificates have originated with bodies, (the two universities of Oxford and Cambridge,) by no means departments of the government, and that they are purely tests of results, not in any way regulations as to the modes of teaching. Oxford and Cambridge, respectively, send forth bands of examiners to the various towns, and these examine all who present themselves for examination in certain subjects, and give certificates of proficiency, but they inquire not how this knowledge was acquired, or what views on religion, or history, or philosophy, or on geology, teachers or pupils hold.

The distinction between the state on the one hand testing the results of teaching in the acquisition of knowledge ; and on the other undertaking to teach, or in any way to

foundations ; as even schools of royal foundation though now looked upon as in some sort under the cognizance of parliament, were originally created simply by the charity of individual sovereigns, exactly as those endowed by the charity of private individuals.

regulate teaching, is of great importance, as it pervades the whole question, and the two are frequently confounded in loose reasoning on the subject. In testing knowledge, all religions and opinions can meet in common, without any abandonment of their respective convictions: in teaching, this result can only be attained by eliminating all subjects which involve directly or indirectly any difference of opinion. An examiner in English history may examine Catholics, Protestants, and Jews together, and judge of their knowledge, though their views on the subject differ widely; a professor cannot teach English history to such a mixed class without clashing with their different beliefs. *

Coming to the third branch of education, the Superior or University education; we find a very peculiar state of things existing, and one well worth careful study. It has been the growth of ages, and is, like all old institutions, of a somewhat complex nature; and at the first glance not reducible to any precise system. In France, the University is the pure creation of the State, and under its control; the State University is the only recognised teaching body, and its degrees are absolutely required by those who would embrace any learned profession or art. In England the two old Universities, we will speak of them first, are in no sense creations of the State; their earliest charters for conferring degrees were granted by Popes; and the state has little control over their teaching; but yet they are highly privileged corporations, and their degrees have a legal value although they can hardly be said to be in

* This occurs constantly in the London university examinations where the writer has frequently known such questions put, as, "give a sketch of the progress of the Reformation in England and its effects;" the answers, which were written by Catholics, differed *toto cœlo* in their appreciation of the Reformation from those written by Protestants, yet obtained as good a place for the writers, because they showed an equal acquaintance with the subject. On the other hand, the professor of history in one of the Queen's Colleges, stated before the royal commissioners that history had, in fact, to be omitted from their course, as it was impossible to treat of it without clashing with the religious convictions of the various schools. Thus also with ethics, the supporters and opponents of Paley are equally successful at the London examinations—but a professor could not at once teach Paley's system and confute it.

any case absolutely required for the exercise of any profession.* So with regard to Medical degrees, the bodies which confer them were originally voluntary corporations; and though the legislature, since it has undertaken to regulate the practice of medicine, has, as a consequence, regulated their mode of granting degrees; it does not undertake to dictate their mode of teaching, but merely to ensure its efficiency. So also with regard to the law; the Inns of Court were originally voluntary associations which afforded the public certain guarantees as to the competency of their members; and their regulations have been sanctioned by Parliament, which yet has never undertaken to establish a uniform compulsory system of legal education. To sum up; the Universities, Inns of Court, and Medical Colleges, were originally self-governing institutions, founded, endowed, and privileged, in many instances by the Sovereign; whose degrees or certificates of knowledge originally derived their value simply from the honour and distinction they conferred; but gradually acquired a legal recognition, and became in all cases useful, in some necessary, for the practice of the learned professions. The power of fixing the course of teaching to be followed, and the standard to be attained to for their acquisition were always vested in the learned corporations themselves; which were essentially independent of the legislature, which gave a legal value to their degrees. As long as the religion of England was one, there was no inconvenience in these arrangements; for the degrees of Oxford and Cambridge were equally accessible to all; but in the present century, when the existence of different religions, and their equality in the eye of the law was recognised, it was found unjust that degrees should not be equally accessible to persons of different religion.

Two Church of England Corporations had accidentally acquired a monopoly of granting distinctions, which were

* Of course in speaking of degrees, we exclude all reference to Theological degrees; because the relation of the Universities to the Church arose when the Church was a totally different thing from the State; and the Church of England is now amalgamated with the State: they are logically separate, and Parliament as the supreme body in the Church of England is different from Parliament as the expression of the State.

recognised by law, and should therefore be equally accessible to all who were equal before the law. The manner in which this injustice was remedied is characteristic of our English system.

In France the Government would have remodelled the old Universities, eliminated all doctrinal teaching which was not of general application to all creeds, and created one general government University, with a uniform mode of teaching and of granting degrees. In England we did nothing of the sort: we left untouched the two Church of England Universities; we created no other teaching University; but as the Dissenters had erected several superior educational institutions for themselves, foremost amongst which was University College, we determined to recognise their teaching and give the same value to its results as to that of the older institutions: but as the State was about to give a legal value to those degrees it claimed to fix the mode of examination by which they should be acquired. This was done by the creation, by royal Charter in 1837, of the London University; a purely examining body which has from that date examined all who present themselves with certain certificates; and grants degrees to such as prove themselves qualified. The London University does not undertake to teach, or to regulate the teaching of the different institutions whose pupils present themselves at its examination; nay it carefully avoids, even in laying down the subjects of examinations, anything like a dictation as to the opinions to be taught: and for this reason a general statement of the subjects of examination in moral philosophy has been substituted by the Senate for an enumeration of certain works of Butler and Paley; as the latter might, it was thought, be looked upon as requiring an assent to the teachings of those writers. Another fact with regard to the Constitution of the London University is also deserving of peculiar notice. The authorities which founded our older universities, had been careful to make them self-governing institutions, and the example was not lost on the statesmen who drew up the Charter of the London University; they were careful that the State, in the person of the sovereign, should as much as possible abdicate all control over the new institution to be created; it was to be like its elder sisters self-governing. The Crown nominated the first senate; and retains a limited power of nomi-

nating to vacancies in the Senate, and the nomination of the Chancellor: but there its interference ends: the senate and convocation govern the university, appoint examiners and confer degrees. Thus education is left absolutely free and voluntary; and the state only interferes to ascertain results, and that only through the medium of bodies wholly independent of government control. So also with regard to the legal and medical corporations, the state gives a legal value to their degrees, but does not interfere with their teaching.

We have thus hastily gone over the system of education which has existed for centuries in England; which has grown with her growth, and strengthened with her strength; which is rooted in the affections of her people; and has been deliberately sanctioned and perfected by her statesmen. It is a system of freedom; and of individual and voluntary action. The government, or state, has interfered as little as possible even where it has contributed to the funds for education or given currency to degrees; whether it contributed money for the education of the poor, or stamped with a legal value the degrees of universities, it has interfered only to ascertain that its assistance was not thrown away; it has not undertaken to dictate the mode of education of the people. And this free system may challenge a comparison of its results, with those of any other. It has created noble universities with an enduring vitality which has outlived centuries of revolutions: it has covered England with endowed schools of every class, that are an honour to the country, and one of her proudest boasts: and in our own days, it has originated institutions which may vie with the oldest and proudest; and Bristol and Cheltenham, Stonyhurst, and Ushaw, may not unworthily rank with Eton and Winchester. And if in the class of schools for the poor its action has not been as widely diffused, and as adequate to the need, it has done much even in this sphere; and with the assistance of the privy council grant, an assistance which leaves its action unfettered, bids fair to supply England with a system of poor schools as widely spread as most in Europe; and probably superior to many. If, on the other hand, we look to those countries in which, like France, government has undertaken to supply a complete system of education for the people; we find, indeed, an apparent completeness in the scheme, but a radical

weakness in the execution. The whole system is liable to be changed at every revolution in the government: not only are the universities perpetually remodelled (we would be afraid to say how often the French University has been radically reorganized since 1800) but the Lyceums and schools are equally subject to changes destructive of all vitality; nay, the very primary schools are remodelled to suit the views of succeeding and different governments: education is a lever in the hands of government to be used for its advantage and shaped to suit its ends; teachers are functionaries of the government, bound to promote its interests and uphold its views; and the teaching of the nation varies as the politics of its rulers. That this is not a fancy sketch will be plain to any one who reflects for a moment on the history of education in France during the last sixty years: who remembers all the first Napoleon's edicts as to the teaching of the Lyceum and colleges; all the varying ordinances of the reign of Louis Philippe, and the orders of the provisional government in 1848, to all the schoolmasters of the primary schools of France to teach their pupils political economy and politics, "because citizens should be instructed in their rights and duties" (we wonder what "rights of citizens" are inculcated under the minister of instruction of Napoleon the Third);* and who remembers all the fierce political contests as to the teaching of the university, when adverse parties made the chair of history their battle ground. Or if we look elsewhere we see universities and colleges in Italy, in Austria, and Prussia, not to speak of Poland and Russia, closed as hostile to the government, or remodelled to suit its views. In a word, whilst our own universities have survived every revolution, and our schools have remained undisturbed for centuries, pursuing their peaceful course of progress and internal development, unshaken by successive changes of

* Whilst these lines are in press the following appeared in the Paris correspondence of the Brussels *Echo du Parlement* of the 5th September.

"I learn also that the ministry of public instruction is occupied with a work which will necessitate a complete remodelling of all the works of instruction employed in the primary schools. The *esprit Napoléonien* is to be introduced in these books under all its forms, in order that this spirit may be early inculcated on the generation which will succeed ours."

government: there is not a state-governed university in Europe which can boast an existence of a century; nor a system of state education which has been exempt from radical change for half that period. One other principle of English education, intimately connected with its voluntary nature, must be remarked, before we quit this branch of the subject. It is, that religion, and that in a specific form, is recognised as an essential element in education.

As long as the religion of a nation was one, state institutions for education could teach religion; but when diversity of creed came to be recognised, for the state to teach any one religion were a violation of freedom of conscience; and hence in state systems of education religion was left out. In France and Belgium this is done completely; the official teaching does not recognise the existence of religion; in Ireland a compromise has always been proposed; either the state is to teach "the general principles of Christianity," or the instruction in religion of the children of different creeds by their own pastors is to be recognised. But in England religion has ever been recognised as an essential part of education; and as education is voluntary, there is no difficulty in its being religious. The older institutions, as the universities and endowed schools, were founded expressly to teach the Catholic religion; and as at the reformation, the nation was held to have decided that the established was the Catholic religion, they were and are to this day looked upon, as established Church institutions; and the universities as peculiarly bound to educate the clergy and support the interests of the Established Church. And to such an extent is this recognised, that even those who seek to have the advantage of the universities as regards teaching extended to Dissenters, do not claim to destroy their Church of England character. On the other hand, almost all the other great collegiate institutions have been founded by professors of different creeds for their own use. Not to speak of Ushaw, Stonyhurst, and Oscott, Downside, and others founded by the Catholics for themselves; Bristol, Stepney, and others have been erected by the Dissenters for their own use; King's College, Cheltenham, Chichester, and many others have been created to promote Church of England education; and University College is, we believe, the only great college erected expressly on the principle of eliminating all religious

teaching.* And this system has been distinctly sanctioned in the erection of the London University; each religion is to have its own institutions to educate its own youth and bring them up in its own belief; and the university examiners are to examine all alike, in the knowledge required for degrees.

Nor is the religious nature of education less distinctly recognised in the case of primary schools than in that of universities, and of collegiate and middle schools. It is not necessary to quote all the authoritative declarations, that the system sanctioned by the Privy Council is necessarily a religious one. This principle is embodied in its rules by which religious teaching, of one creed or other, must be provided in the schools which share in its grants. As the Vice President of the Committee of Privy Council said, "The religious element underlies the whole system." That religious element is Catholic for the Catholics; Church of England for those of the Established Church, and dissenting for the various dissenters. It is mainly to uphold this religious character of primary education that the voluntary element has been kept so prominent; and that the state confines itself to assisting the different creeds to educate their own children. We need hardly add that no other system would be tolerated in England; not only

* It is also to be observed that University College and other schools in which no religion is taught, are only day schools not residences; and therefore essentially involve the idea of the pupils living and receiving a part of their education elsewhere; in their families or in residences chosen for them. These institutions are therefore emphatically for *teaching* certain branches of knowledge, not for wholly *educating* youth. There is not, we believe, in England, a single instance of a residential college undertaking the whole education of youth, which is not of some one fixed religion.

The following are amongst the principal colleges enumerated in the New Charter of London University, besides the Church of England and Catholic ones.

"The Baptist College, Bristol; Protestant Dissenters College, Rotherham; Presbyterian College, Caermarthen; Lancashire Independent College; Wesleyan College, Sheffield; Wesleyan Institution, Taunton; Owen's College, Manchester; Independent College, Brecon; Theological Seminary, Hackney, &c. All distinctly religious institutions." See University of London Charter, 1858.

our religious feelings but our love of individual freedom would resist any other. The secular system, as the system of state education apart from religion is called, although ably advocated, has been repeatedly and decidedly rejected. To sum up: English education is essentially *free* and *religious*; nor could it be the latter without being the former.

But when we cross the channel, we find, in Ireland, a wide difference in the whole scheme of education.

There remains not a wreck of the educational institutions which existed previous to the Reformation. It would be easy to shew that they were similar to those of England; but they were wholly uprooted and exercised no influence on those which arose afterwards. Neither were there, previous to the present century, any institutions for the Catholics; so that the early history of modern education in Ireland relates solely to the institutions founded for the Established Church. Now there is this peculiarity in the history of the Established Church in Ireland, that it never was, in any sense, the Church of the people; it was at all times, essentially and purely, a state institution. The Established Church of England, however much under the control of the state, became the church of the people, and had a life of its own, and an action, however limited, independent of the state. The Established Church in Ireland never had; it was always purely a creation of the state, a branch of the executive: and its members were not the nation, they were rather the government or the governing class. Hence all institutions connected with the Established Church in Ireland have a peculiarly governmental character: government is their creator, their endower, and their ruler. Trinity College, Dublin, and the Dublin University, were founded by the state in Queen Elizabeth's reign for the promotion of the state religion under the direct control of the state. The endowed schools throughout Ireland were also founded by the government for the promotion of its views of education and religion; the few foundations made by individuals of the governing class, such as Erasmus Smith and Wilson, were by them distinctly handed over to the state religion and the state control. And when, later, the Kildare street schools were instituted, they were recognised as state schools under state regulations. All these circumstances tended to produce in Ireland, especially amongst

the governing classes, an idea of education totally different from that existing in England. Education was looked upon as a duty and a right of the state: and the government was tacitly acknowledged to have a right to control and direct it: for two centuries it was held to be at once the duty and the right of government to enforce on the people an education distinctly adverse to their own wishes, and their own belief; and when this was found hopeless, and it was at length admitted that they were entitled to retain their own religion; it was still held that the state had a right to control the education they were to receive, and the dispute was, as to the extent of this control, not as to its existence.

These circumstances have produced an effect on the whole tone of feeling of all classes in Ireland with regard to education, more widespread than a superficial observer would imagine; and this feeling influences unconsciously most persons in that country, in discussions on this subject. These ideas have also been fostered by the fact, that from the destruction of all ancient institutions and the poverty of the people, the state has been called on to contribute more largely than in England for the purposes of education, and has come to be considered as having more right to dictate its nature than in England. Nor can it be concealed that the foreign doctrines on the subject of education, of which we have before spoken, have had considerable influence in Ireland. A small but powerful section of leading men have fully embraced the principles of the French doctrinaires, that education is a department of the state, and have zealously propagated the doctrine: and the idea has naturally been adopted by statesmen, always ready to enlarge the bounds of their own power; until we constantly hear the question discussed, "what system of education is the fitting one to be provided for the people of Ireland?" not "what education do the people of Ireland choose to have." *

* This was strikingly illustrated by Lord Palmerston's answer to the deputation which waited on him to ask for a Charter for the Catholic University; that is, not for any assistance, but merely for the recognition by the State of the education provided by Catholics for themselves. His Lordship answered, "Her Majesty's ministers have made up their minds as to the nature of the education suitable for Ireland: they are firmly convinced that the best system of education for that country is a mixed system."

Now this idea of the state ordaining the education of the nation is peculiarly inapplicable to Ireland. It can be rational at all, only on the supposition that the state is the very nation itself; and that consequently its decrees are the expression of the aggregate free will of the people themselves: but whilst this can never be fully the case in a nation of mixed opinions and religions, it is peculiarly untrue of Ireland. There, the people are Catholic, the government which represents the state is Protestant: hence for the government to settle their education for the people of Ireland, is an absolute tyranny, and the very destruction of self-government and individual freedom.

But though the leading idea of education in Ireland was state control, as that in England was free individual action, freedom always struggled in Ireland against this tyranny of the state. The Catholics were for centuries the advocates, and martyrs of free education; for state education was to them proselytism and persecution; and as the government became more intimately amalgamated with that of England, the theories of personal freedom adopted there have made their influence felt in Ireland; and whilst even those who claimed freedom of education cannot quite shake off the idea of a right in the state to control it, even the most zealous advocates of government education proclaim their desire to allow of freedom.

Gradually the antagonism between the two principles is making itself felt; the two systems are now at issue; in every branch of education the struggle is engaged, and it is necessary that the question at issue should be clearly understood by Catholics if they are to be successful in the fight.

We have seen what is the nature of each division of education in England, how far it is voluntary, and how far the government interferes. Let us now examine in a similar manner each branch of education in Ireland.

First of primary education. The cessation of the penal laws found the Catholics, and they constitute five-sixths of the people of Ireland, almost without poor schools, and unable from their poverty to provide them: a wise government could not hesitate to aid a people to provide that instruction which would help to make them good subjects: yet the first attempts failed because the government attempted to enforce an education which interfered with the religious conviction of the people. The Kildare street

schools, as they were called, went on the principle that the government had a right (not indeed to impose a religion on the people but) to dictate what semi-religious instruction they should receive: they were a total failure. At length more enlightened views prevailed, and in 1832, what is now called the national system was initiated. Founded by an English statesman, the present Lord Derby, it would be strange if it were based on the French ideas, and not rather on those current in England. And when we examine its first principles we find that they partook largely of English freedom.

It was to be a "national system," and therefore acceptable to all the nation, and as the nation consisted of professors of different religions, it was not to be adapted exclusively to any one religion—but neither was it to be adapted to none—it was to be "a system of combined secular and separate religious instruction," in which the religious instruction was quite as much recognised as the secular, and distinct instructions were given that whilst "even the semblance of proselytism was to be avoided," fitting times were to be fixed in which religious instruction should be given to the children of each religion by their own pastors.* And the English principle, of trusting to individual initiation was also to be carried out; all grants for salaries were to be grants in aid, conditional on an equal amount being made up by local resources. Grants were also to be made in aid of building and repairing schools, and for the purchase of books, the choice of these being left to the local managers. The nomination of masters and mistresses was left to the patrons, subject only to their passing a subsequent examination as to their competency. Gradually the whole tone of the system has changed. This has arisen in great part from the poverty of the country in educational resources, which threw more work and consequently more power into the hands of the central commission; but it has been caused also by the active influence of a certain number of the commissioners; foremost amongst whom was the Protestant archbishop of Dublin, Doctor Whateley, whose beau ideal was a complete system of state education. This system would, of course, be tinged

* See Lord Stanley's letter, and all the details given in "the Catholic case stated" by Mr. Kavanagh.

under such guidance, by a desire to make it as little Catholic as possible, and by a certain leaning towards a negative rationalism in religion, or what is sometimes called "general Christianity." The steps by which the system was developed were very gradual. The necessity for local contributions was given up, and the teachers thus became wholly the paid officers of the board. A central training school was established, in which teachers were to go through a brief course of training to qualify them for examination. At first this was entirely unconnected with residence or anything like a complete course of education; it was merely a short specific training, into which therefore the question of religious teaching hardly entered. Gradually this was developed into complete training colleges in Dublin, undertaking the whole education of the future teachers, and an education which, as religion was excluded, was at least not religious, or negatively irreligious. These were supplemented with similar agricultural colleges at Glasnevin, equally undertaking the whole charge of the young, and omitting religion. At the same time the board undertook to publish, at the cost of the state, a complete set of educational works, and to supply them to all schools under their care, at a price which rendered competition impossible, and made the nominal freedom left to the patrons of using any other book a fiction. Thus gradually was constructed a complete system of state education, which entirely superseded the original plan of aiding voluntary efforts in supplying education for the poor. All teachers, (with very few exceptions), were brought up in the central schools of the board. Its books were used in all the schools. All the teachers throughout the country were paid by it, and depended wholly on it for promotion. It built many schools, and in these cases retained the appointment of teachers and the entire management in its own hand.

Of course, in the central training schools the professors and teachers were wholly dependent on it, as were the composers of its school-books. And here the peculiar religious condition of Ireland came in, to aggravate the evils of this state of things. The education is a state education—but the state is Protestant—the people of Ireland are in the main Catholics—hence at once arose an antagonism, modified, but not removed, by the state professing not to force its Protestantism on the people, and by the administration being in part conducted by Catholics. All

the books were written by Protestants; many* were distinctly Protestant in their tone and spirit; most of the managers and teachers in the central schools were Protestants, several were converts from Catholicity.

An immense addition yet remained, however, to be made to the system. The central training schools were indeed completely governmental institutions, but the local poor schools throughout the country were under local control; if little religious instruction was given in them, the children spent the greater part of their time with their families, and were open to all the usual religious influences and teaching; the national day schools were teaching, not educational establishments;† they undertook a part, not the whole of the education of the youth who attended them. But the Commissioners of National education in Ireland went a step farther in appropriating to the system the entire education of the youth of Ireland. They determined to establish in the different towns what are denominated model schools. Schools for the education of the middle classes, schools supplying a fuller course of education; schools, in part at least, residentiary, and in which therefore the entire education and training, moral and religious, of the inmate must be supplied in the institution, and schools wholly under the control and management of the commissioners. The fears of the Catholic prelates were at once aroused. They saw it was no longer a question of the partial teaching, but of the entire training of youth, which was to be vested in the hands of a government naturally indifferent, if not adverse, to the Catholic religion.

They had probably not fully perceived at the commencement, that the adoption of a system of state education naturally led to these extensions, and that a state education could not be religious. In 1832 men had been anx-

* Such as Doctor Wateley's *Scripture Lessons*, *Elements of Logic*, &c.

† Teaching is the instructing in one or more branches of knowledge; educating is forming and instructing the whole mind, whether it be done perfectly or imperfectly. A drawing master or a mathematical tutor "teaches a lad drawing or mathematics"—he is "educated at home or at school." Hence mathematical teaching may be neither religious nor irreligious—education is always either one or other.

ious to soften the religious animosities which existed in Ireland by bringing up the youth of different religions together, and hence had adopted the system of "mixed education," or, as it was then more correctly expressed, "united secular and separate religious instruction;" but to do this a governmental system of primary education had been adopted, and it had developed its natural results.

The first idea had been, that the state should so control the secular portion of the instruction given in the schools as that it should not trench on the religious convictions of any; but this had been gradually changed into the state directing and organizing the whole education. And in the mean time the primary object of the system had in a great measure failed to be attained. The country schools were not mixed schools—in the Catholic districts they were attended exclusively by Catholics, in the Protestant by Protestants;* whilst the training and model schools were not institutions in which the secular instruction was united and the religious separate, but one in which secular instruction and training, from which even an allusion to religion was excluded, was alone given.

Thus, primary and middle education in Ireland became governmental; there remained superior or university education. The Catholics of Ireland had long complained of their partial exclusion from Trinity College, and the exclusively Protestant nature of that institution,† and the late Sir Robert Peel proposed to the government, of which he was the head, to create institutions which should supply that university education for the Catholics and Presbyterians of Ireland, which Trinity College furnished to the Protestants. Unfortunately, the system of a governmental education had gradually been adopted for Ireland in place of the plan of assisting voluntary efforts, which had worked so well in England. All the leading minds engaged by the government in organizing education in Ireland, were thoroughly wedded to the principle of a state education,

* A parliamentary return, 1862, showed that not more than one per cent of the country schools were really mixed.

† Catholics and others are admitted to attend lectures, to take degrees, and to compete for certain honours in Trinity College, but the whole government and the whole teaching body are exclusively Church of England.

and the result was, that it was determined to create institutions for affording a state university education. We constantly, indeed, find allusion in the debates in parliament of that period, to the example of the London university; but practically its organisation was entirely overlooked, and the model followed was that of the University of France. The feelings and religious convictions of the different creeds were indeed to be conciliated, and it is manifest from the original instructions of Sir Robert Peel, which speak of the youth of each religion being under the control, and attending the institutions of their respective Deans of residence, that the idea in his mind was that of bodies of young men, each under a separate religious training, and jointly attending lectures on purely secular subjects. But the carrying out of the scheme was in the hands of those who had very different objects in view; and the only plan by which the idea we have attributed to Sir Robert Peel could have been carried out,—namely, having separate residential halls or colleges for each religion, in which the exercises of religion should be carried out, and a course of instruction in all religious and semi-religious subjects be followed by the students, whilst they attended in common all the lectures on secular subjects, and mingled in all their ordinary avocations,—was abandoned. This would have involved a certain amount of action being left to the different creeds, in the conduct of their respective colleges; and the object of the heads of the government system in Ireland, was to have no voluntary action, but to establish a complete system of education, entirely conducted by, and absolutely under the control of the state. As it was to be adapted to all religions, it necessarily became absolutely negative in regard to religion; even an incidental allusion to religion must be avoided, and with the exception of the existence of the deans of residence of the different creeds,—who have, however, no power or authority over the students, or share in the direction of the colleges,—there is not a trace of any religious element. Hence has arisen their nickname of the “godless colleges, or, irreligious colleges.”* By the use of this epithet it is

* We want words in English to express accurately the force of the Greek alpha privativa, which is used in Italian and other languages, expressing simple negation, but not necessarily opposi-

not intended to imply that the individuals constituting them are irreligious, or that the practice of piety may not, or does not, flourish within their walls; but that as colleges they have, and express no opinion on religion; nay, as we suppose, they may be attended by Deists or Atheists, and the opinions of these persons are equally to be respected. The colleges and their mouth-pieces, the professors in their lectures, must express no opinion on the existence of God.

Such is the necessary result of a state education. A mixed state has no religion, and its teaching can have none. But we must indicate still further the differences between the English and Irish systems in regard to university education.

In England, as we pointed out, the state left superior education entirely free, and when it instituted the London university for the benefit of Dissenters, it left their teaching entirely to themselves, reserving only the right of examining. But it did more, it vested the powers that it retained, not in its own nominees, but in an entirely independent body, the senate and convocation of the London university, a body unconnected with the executive government. In Ireland the executive government, after the example of that in France, retains the whole power and control in its own hands. It not only names the senate of the Queen's University in Ireland, but it appoints and removes every professor in the queen's colleges.

We have thus gone through the different branches of education in England and Ireland, and pointed out their differences. In England primary education is entirely free, the state assisting all voluntary efforts, but not shackling them in any way. Intermediate education is still more free, because entirely voluntary; the state intervening only to open voluntary examinations, and announce and recognise their results. University education is the same, the state recognising all free institutions, whatever their religion, and providing a totally independent and unbiassed

tion. "Irreligious" has two meanings; one which would be expressed by "areligious," simply without religion; the other, "irreligious" in its full sense of "opposition to religion." The former is the sense in which the colleges are strictly irreligious and godless.

tribunal for testing their results. And thus the Church of England, the Catholics, the Dissenters, have each their poor schools, their grammar schools, their colleges,* equally recognised and encouraged by the state, and they meet on an equality for purely scientific teaching in the different medical and legal schools. But in Ireland the case is far different. Here a complete system of state education is supported. The queen's colleges, the model schools, the training schools, are purely governmental institutions; and if a certain degree of free initiation is left in the primary schools, even there the whole system of teaching, and all the books used, are regulated by the government.† The one country has free education, the other governmental education; and, as a necessary consequence, the former is religious, the latter destitute of religion, or areligious.‡

‡ The Irish system is alleged, as we mentioned before, when speaking of the English, to possess the advantage of uniformity and wider application; and brilliant sketches are drawn of the state, like a careful parent, providing education for all her children alike, and covering the country with a network of schools for all classes. And still greater stress is laid on the spirit of toleration and charity which is to arise from educating the young of all religions

* Of course the Church of England has immensely the advantage, from having possession of the old endowments, but this is not the result of partial legislation at the present day.

† It is to be observed that the Established Church in Ireland possesses a system of its own, richly endowed in former times by the legislature, and wholly independent of the government. Trinity College, the endowed schools and charter schools, and the Church education schools, form a complete body of Church of England schools; and hence the new governmental system of education is for the Catholics and Presbyterians, of whom, of course, the Catholics form the immense majority. The Established Church in Ireland, therefore, naturally does not much object to a state of things which leaves her all her own, and in which the new government schools at least do not lean towards any other religion; she keeps her own schools, and tries to get as much as she can of the others, whilst, on the other hand, the Catholics feel it a double grievance that a system of education, practically for them, should be directed and governed by a government essentially Protestant.

‡ See note before on page 126.

together; although on this point there is a good deal of ambiguity in the argument, and it is not clear whether its advocates attribute the good effects they foretell to the fact of the youth of different religions living together, or to the teaching which they receive being devoid of religion, and therefore calculated to obviate religious differences, simply by keeping religion itself wholly out of sight.

But with regard to the latter of these merits, it would appear that the system has practically failed to produce this millenium of religious toleration. It has been at work in Ireland now thirty years, and religious animosity is as rife as ever; whilst in England, where no such compulsory means have been taken to amalgamate them, it is notorious that the professors of the different creeds live in far greater harmony; and whilst most of the poor schools are practically separate schools, it is just those which are really mixed which give rise to all the embittered religious controversies; and the most mixed of the queen's colleges, that of Belfast, is the one in which religious animosity and party spirit flourish most.* Whilst with regard to the first claim to admiration made for the system, it is to be remembered that whenever the state has undertaken to treat its subjects as children, and to fulfil towards them the duties of a parent, it has ever proved itself a very step-mother, and that it has come to be a proverb in these countries, what the state does, it does ill.

Long experience has taught us that the action of the state is best restricted to its own sphere, and that the less it interferes with individual action the better. Our free limbs will not bear the swaddling clothes of state control, they would stunt our growth and dwarf our stature; and we have abundantly shown that our spontaneous action founds more enduring institutions, and such as are more nicely adapted to our wants, than the skill of our legislators could ever devise.

But the objections to a system of state education are not only negative ones, its evils are positive as well.

It is not necessary here to enlarge on the gravest objec-

* See the account of the disgraceful exhibition at the visitation of Queen's College, Belfast, in the spring of 1862, where the Kentish fire and party and sectarian cries echoed through the halls, even in the presence of the queen's visitors.

tion of all in the eyes of Catholics, to the national system in Ireland, that it is dangerous to their faith. The subject has been repeatedly and ably treated, every detail has been clearly explained in Mr. Kavanagh's "Case Stated;" the dangers of the queen's colleges have been well pointed out by the bishops, and above all *Roma locuta est*, so that we may well say for us, *causa finita est*. But it will not be useless to point out that this injurious effect of the system on religion, is not a defect peculiar to the Irish system, but is inherent in any neutral system, and of course a governmental system must be a neutral one.

We often hear of the separation of secular and religious teaching, and of the desirability of joint instruction in secular subjects, whilst religion is separately taught. But in this there lurks a fundamental error, that religion is a thing apart, like the knowledge of another language, or a totally separate science, and that it is to be practised at certain times, but has no direct connection with other portions of teaching or action; in a word, that we are taught our religion only when we are taught our catechism, and practice it only when we say our prayers. On the contrary, religion practically leavens every action of our life and every branch of our teaching. Prayer should accompany every serious action, and virtue be inculcated on every occasion. Still more does our religious belief modify every branch of our teaching. If we could realise to ourselves Lucretius lecturing on literature, and Cicero on the history of philosophy, and contrast them with Fenelon and Bossuet treating the same subjects, we might attain a tolerable idea of how religious convictions would modify teaching even on such neutral subjects. The truth is, there is hardly a matter the teaching of which *can* be separated from religion—there is not one which *ought* to be so divided. Pure mathematics are generally selected as the cheval de bataille of the separatists. "What," it is said, "has geometry to say to religion?" Much, for it is essential that when the youthful mind first grasps the force of mathematical proof, it should be taught that there are other classes of proofs as unerring as the mathematical, and that the instrument for the search of truth, which has just been put into its hand is not the only one. No more grievous error exists, or more prevalent or dangerous in modern days, than the undue exalting of mathematical demonstration; and who should point this out but the very

teacher who instructs in mathematics? from him the lesson is both opportune and impressive, that the proof of the existence of God is not less certain than that of the hypotenuse, although it is different in its nature from the latter. There is not a branch of teaching with which religion should not be interwoven, and which will not be differently taught by persons of different creeds.

It is not alone with reference to those portions of history in which distinctly religious questions occur, that these differences will arise; a Catholic will take a different view of the whole scope of history from a Protestant. Arnold would have written a very different sketch of universal history from that which Bossuet wrote, though both were men of a deeply religious turn of mind. Most of us will remember the splendid passage in Arnold's lectures on modern history, when he speaks of the fall of Bonaparte, and traces the hand of Providence in the campaign of Russia; a Catholic could not have written that passage without an allusion to his attack on the Pope, which marked the turning point of his career. None can treat philosophically of modern history without referring to the influence of Catholicity and the Popes, nor of ancient history without contrasting its ideas with those of Catholicity—history apart from all reference to religion is reduced to a bead-roll of dates.

Nor can the classics be adequately taught without allusion to religious truths; the study of Greek and Latin literature is not a mere acquiring the power of reading two foreign languages; their spirit must be entered into and contrasted, and compared with that of Christian literature. Who could read Plato with clever ardent lads, and refrain from pointing out where natural lights had enabled that glorious pagan to reach the truth, and where even he had fallen short? Or who could go through Cicero and not enlarge on the difference between the full certitude of the Christian and his earnest though hesitating groping after immortality? * The same may be observed of the study of

* It must be observed that the study of the classics separated from all such references to religious truth, is really open to all the charges of Paganism brought against it by the Abbé Gaume and his followers. In the English universities it has ever been found that the merely unintentional omission of such correctives has led to an exaggerated estimate and affection for the classics; and that,

every branch of literature ; unless such studies are to be degraded into the mere parrot power of interpreting ; nay, a teacher of philosophy itself would hardly adequately discharge his task if he failed to point out the new meanings which Christianity has imparted to the words *humilitas, charitas, religio, sacramentum*. Doctor Whateley has made manifest how the teaching of formal logic will be influenced by the religious belief of the teacher ; for his work on the subject contains numerous illustrations of syllogisms constructed against the Catholic belief, in which he really uses ambiguous middle terms ; and no Catholic professor could lecture on his work without pointing out those fallacies. Geography must be reduced to a dumb map, if all allusion is to be avoided to the fruits of Catholic missions, and Paraguay be blotted out of the map because we must not offend Protestant susceptibilities by praising the Jesuits. Nor let it be said that the professor may allude to all these subjects but refrain from expressing any opinion on them. Youth will not accept such silence from its teachers, were it possible ; and abstention is often in itself equivalent to assertion. The professor himself would feel that such a restraint would stunt his teaching, and make him a mere instrument for conveying facts, not a teacher and instructor in the truest and noblest sense ; and the teaching would be a dull abridgment of statistics, not an elevating and inspiring instruction in knowledge, cramming the intellect, not forming the mind. Religious truth is the life and salt of all education, and it is as fatal to the vitality of education to separate religion from it, as it would be to give a man saltless food all the week, and tell him to come on Sunday and eat a peck of salt to season it.

A system of state education is not only inimical to the religious element in education ; it also necessarily tends to the destruction of all free education. Not only is the state system naturally jealous of any other which might deprive it of its pupils and rival it in popularity, and there-

as it is said, too many, even of the bishops of the Establishment, form their minds more on Plato and Aristotle than on the Christian philosophers, and have a keener admiration for Cato and Decius than for the Christian martyrs. See the Preface to Madan's Juvenal and Persius.



fore tries in every indirect way to depress other institutions; but it has all the power and wealth of the state to support it in the struggle. The government will not allow its schools to be excelled in material advantages by any free schools; it has undertaken to supply education, and it will supply it of the best at whatever cost: and therefore to speak, as men so often do, of voluntary institutions being perfectly free to compete with the governmental schools is mere folly. As well might the government keep up a splendid manufactory of cotton in Lancashire, at the public cost, where the goods were given away or sold at a nominal price; and then say that the Lancashire manufacturers were quite free to compete with the government factory.* The ex-king Lewis of Bavaria understood freedom in this sense, when he undertook to publish a newspaper for his subjects, which was to cost his government many thousands a year, but at the same time graciously announced that any private newspaper proprietors were free to compete with it "if they could." No, there can be no fair competition between the state and individuals: the free schools are inferior in every resource which should insure success, save one. The government schools have wealth, influence, and legislative favour; their opponents have for them only the indomitable spirit of freedom, and its constant companion, the religious spirit. State control, however favourable, is the blight of religion; freedom is its life: and in return it vivifies and strengthens the spirit of freedom; and with their aid alone have we seen free education sustaining the unequal battle in every state of Europe; and if often oppressed and smothered, yet never finally subdued; and often victorious over its favoured antagonist. For state favour and control gradually numb and waste the life and vigour of literature as they do of religion. Josephism in Austria was not less destructive to learning than it was to piety: and the Parliamentary inquiry into the state of education in France,

* To take one branch alone. The Queen's Colleges in Ireland cost the state £30,000. a year, without speaking of the cost of erection: to say then that it is open to private enterprise to compete with them, is to say that it is open to private enterprise to compete in the sale of an article by the sale of which the state loses £30,000. a year.

in the last years of the reign of Louis Phillippe shewed that superior education was at a lower ebb in that country, where it was completely managed by the state, than in almost any other country of Europe. Were all competition with the state schools in Ireland overpowered, and the whole teaching of the country monopolised by that system which is now grasping at it, the same results would follow: fortunately for education and learning that result can never be attained: most fortunately it has arrayed against itself both religion and freedom, and the free schools will never succumb in the struggle. But that is no reason why we should continue to force them to sustain an unequal contest. It is true the free schools will never be wholly overpowered, but the disadvantage at which they are forced to contend, and by the funds abundantly supplied to their rivals, stunts their growth and checks the literary development of the country. Nor should a statesman overlook the danger of even a partial defeat of the free schools. If their comparative poverty reduce them to inferiority, the whole growth of education in the country will be checked. We say nothing of the striking injustice of making the tax payers of the country pay for the support of schools to rival and oppress those which they voluntarily support. An injustice the more dangerous because it is a legislature mainly Protestant which enforces the support of schools which they disapprove of on a mainly Catholic people.

There is another consideration which should not be without its weight with an enlightened English statesman. It is that the spirit fostered by a system of state education is antagonistic to all our free institutions. Our practical freedom and spirit of self-government are due in a great measure to the little action which our government exercises on the affairs of life, and to the small number of persons in the nation connected with the Government. In France a clever statistician has calculated that rather more than one in every three adult males is in some way connected with the Government.* The Government undertakes to do everything, from organizing commerce

* As soldier, gendarme, custom's officer, government employé, or retailer of articles of government monopoly appointed by government, &c.

to repairing a Church steeple. The consequence is that the Government is the be all and end all of everything, the power to which everyone looks for everything, and all personal freedom is gone; whilst revolutions become more easy and more desired. In England, on the contrary, the executive exercises only the great public functions of government; it has few offices or favours to bestow, few men look to it for advancement; what men wish or seek for they seek from themselves, their neighbours, or the local institutions; and thus independence and self-reliance have become peculiarly English qualities.

But a great and universally diffused system of Government education is a deadly and insidious enemy to this spirit. All its functionaries, from the highest to the lowest, are the ministers of the Government; to it they look for personal advantages and for aid in their task; it is their *Deus ex machinâ*, the beneficent genius to which they look for all good: its decrees are sacred in their eyes, its opinions all wise, its judgments infallible. *Stateolatry* is a creed, as every one knows who is acquainted with the functionaries in our public offices. It is not only the *Tites* and the *Barnacles*, the *Tapers* and the *Tadpoles*, who believe in the omniscient wisdom of Government, it is the creed of all the clerks in the public offices. And we can assure our readers, from a tolerably large acquaintance with all classes of persons connected with government education in Ireland, that such feelings are in full force amongst them. The higher ranks look to Government commissions for the encouragement of literature; immortality for them means a literary pension: the lower orders hope for increased salaries, and dream of government clerkships; all worship Government as their fetish, and are the unconscious apostles of bureaucracy and centralization.* Unfortunately from the greater poverty of the

* We will stake our reputation for accuracy on a very simple test: let any one of our readers go into a national school, and after a little conversation with the cleverest lad in it, find out what his highest aspirations are: we will answer for it they will be found to be a Government clerkship or an appointment in the Post Office. Let him also try a Queen's College, and ten to one, the goal of the student's ambition will be found to be a cadetship in the constabulary, a clerkship in one of the public offices, or a Government appointment in India.

country, and the smaller number of employments offered by private enterprise, this tendency to look to Government employments as the goal to be sought after is much more common in Ireland than in England; but the Government system of education tends immensely to foster it, and to destroy the spirit of independence and self-reliance on which our freedom depends. And these results, the elimination of religion from all education, the destruction of all free teaching and free literature; and the cultivation of a slavish spirit of cringing reliance upon Government, we are tending to at the cost of a large and yearly increasing expenditure; an expenditure the probable increase of which is enough to alarm the boldest mind; for it is not to be measured by its present extent. The probable amount to which the Privy Council grant in England might swell startled statesmen not professed economists. But when the contribution of the State is restricted to assisting primary education there is an ascertainable limit to its increase: we can calculate the number of poor children in the country, and allow so much a head. But the task which the state has commenced in Ireland is far different: it has begun to supply education for the whole nation. Step leads to step; middle has followed primary, superior has followed middle education; and legal, medical, mining, nautical, and artistic are gradually added; if the system be not checked there can be no limit to the expenditure but the whole intellectual requirements of the nation.

The system is calculated to destroy by unfair competition all other educational establishments: it must then supply their place, and as educational establishments are the great foci of literature, it will gradually become the sole patron, the sole encourager of literature. The national school books have all but annihilated all other literature of the same class; the example will be followed; the only historians, the only writers on classics and on science will be the professors who teach their own works in the State Colleges.

Are statesmen prepared for such a gigantic expenditure for such purposes? if not, let them take warning in time. Growth is the natural law of all institutions, and growth is essentially gradual, and therefore unnoticed. It is vain to hope that a system once inaugurated will cease to develop: or that the legislature will effectually control

that growth whilst the system remains unchanged. Everyone knows, how an item, once entered on the estimates, increases year by year, by what appears to be a universal law, and the development of the different branches of the national schools is a weighty lesson. Training schools, agricultural schools, model schools, classical schools* have been added bit by bit, imperceptibly but surely, and whilst the system exists it will follow the law of its nature and grow. If statesmen are not content to allow of this growth and its consequent enormous future expenditure, they must remodel the system, everything else will be but a momentary check.

But if the system of state assistance to education in Ireland is to be modified in the interest of freedom of education it becomes a most important question how this may be done, so as to retain what is good of the present system; to allow of religious instruction without opening a door to proselytism or fostering religious hate; and to limit the demands on the funds of the State to assisting those to obtain education who are unable to provide it for themselves. This is a practical question and therefore to some extent one of expediency; but of expediency without a sacrifice of principle. In stating our views we claim of course for them no authority whatever: they are but the suggestions of one who has thought much on the subject. On the religious part of the question all Catholics are of course agreed; for there, authority has spoken; we also believe that almost all Catholics are unanimous, that their religious rights will be best secured by freedom; and if our reasoning be correct, freedom is the object to be aimed at by every wise statesman in this country. When we say that the question to some extent is one of expediency, we mean that as prudent men will rather strive to reform institutions than to abolish them and construct new ones; it is not a question of what would theoretically be the best plan to adopt were we now beginning; but what modifications had best, practically, be made in the existing system to adapt it to the wants of the country.

、 There are two modes of securing freedom of education

* A "special class" for classics was added to the Dublin school last year, and a vote for classical masters in the model schools proposed but withdrawn *for a time*.

proposed and advocated. One is to leave all the state schools in possession of the state funds, but to give them no special privileges, and to allow free schools erected by voluntary subscriptions to compete with them, giving the students from each equal degrees and honours on passing common examinations. This plan, derived from France, has been loudly vaunted as a plan of perfect freedom by some government officials of education,* and has obtained the unwary approbation of several Catholics; it is the plan of those who advocate the grant of a charter to the Catholic university, but support the queen's colleges; and of those who would maintain the model schools, but encourage free schools in the same towns. It cannot be too often and too clearly repeated that this is no system of freedom at all—it is the destruction of all freedom, and is all but persecution. As we have before pointed out, there is no freedom where the state takes one side, there is no open competition where the state pays one competitor; there is no justice where the state taxes the subject to support one institution, and then allows him to tax himself a second time to support another; as well say at once that there is perfect equality in Ireland between the state religion and all other religions; the Catholic and the Presbyterian are compelled to pay the Protestant rector first, and are then free to pay their own pastor. As well have a state religion, and then proclaim that the state treats all religions alike; as have a state education, and then say that the state puts all systems of education on an equality. Far better indeed; for the endowments of the Established Church date back for centuries, and she may with some show of reason claim them as her property; the endowments of this new state education are each year drawn from the pockets of the tax-payers. And it must be also remembered that this is a double injustice. The state has already provided, out of the resources of the nation, a costly system of state education. Trinity College and all the endowed schools are a system of state education endowed with national funds; to provide a new system, out of the same funds, and leave the great majority of the

* By Sir Robert Kane, president of the Queen's College, Cork, in a paper read before the Social Science Congress in Dublin in 1861.

nation, who reject both, to provide a third at their own cost, is an injustice as gross, as though the legislature having first endowed a Protestant Church Establishment, were next to endow a schismatical Catholic Church, and leave the orthodox Catholics, after paying for both, to support their own pastor by a third contribution.* When Catholics, who are advocates of free education, adopt or advocate this compromise, they are in fact abandoning their own cause; they are, perhaps unconsciously, giving up the battle to their opponents, and conceding in principle all that they claim. It may be true that free education, especially in Ireland, where freedom is the only guarantee for religion, would not be defeated in the unequal contest, but that is no reason why it should be condemned to undertake so unfair a task. Nor should we even be too confident of the perfect success of the better element; the power and influence of the state are great, and will naturally be all exerted in favour of its own protégé; the strength of free Catholic education in Ireland consists, in good part, in the faults of the government schools, but these may undergo specious modifications which, without changing their nature, will weaken opposition; above all, when we abandon a principle, we half disarm ourselves; if we strive for free education, let us grasp the full idea of freedom, and accept nothing less. "If the trumpet give forth an uncertain sound, how shall men prepare themselves for battle?" to tamper with the true principles of education confuses men's minds; it becomes a question of degrees and distinctions, and men lose sight of the true merits of the question.

The other plan which aims at securing true freedom of education by limiting the action of the state to its proper functions is the only effectual one. It proceeds on the principle that the duty of the state is (as it does in England) to assist all education but to enforce no system of its own,

* The only ground on which the system of state endowment of education could be defended, would be that the immense majority, amounting practically to the whole of the nation, wished it. But all admit that a very large portion, certainly a majority, of the Catholics, and a considerable portion of the Protestants, object to it. A majority would not have a right to tax a large minority for their exclusive benefit—much less has a minority a right to tax a majority.

—to aid all but to dictate to none—to hold an equal balance between all, to favour none—above all, neither directly nor indirectly, to promote any monopoly. To determine how this may be done, we must examine each branch of education separately, considering what exists in this country, and be guided by the example of England, and whatever is applicable in the system of France and Belgium, distinguishing carefully what is essential to the principle and what is accidental—the latter may be modified, the former never.

First, of the primary or poor schools. Many of those whose authority is highest on the subject, have claimed the entire application of the English system to Ireland,* and it would no doubt be the fullest carrying out of the principle of free education, and if attainable in its entirety, certainly desirable; but there may be practical difficulties in the way which deserve consideration. The English system is founded in great part on the principle of supplementing local efforts, and making the amount of the grant depend on the amount of local contributions. In Ireland, partly from the poverty of the population in many parts of the country, and partly from the habit of relying wholly on government aid, engendered by thirty years of the present system, the schools are, and probably for many years would be far more dependent on the government grant than they are in England; in fact, practically, the teachers are wholly paid by the board.

This fact, of course, gives the state a claim to interfere rather more with the education given, than it does in England; it may fairly claim that those schools which are supported *wholly* by the public funds, should be available to all without religious differences. There is also the fact that in many districts the rich are of one religion, the poor of another; the state is therefore bound to see that no schools supported in part by public funds, are turned into engines of proselytism. But with these two limitations the state has no right to enforce any system, or to exclude any, from a share of the common funds. Catholics, Presbyterians, and Protestants, are equally entitled to assistance in educating their own children in their own creed.

The principles, therefore, of the changes required in the present national system are easily ascertained.

* See Letter of the Irish bishops to Mr. Cardwell.

First, all proselytism, or, in the words of Lord Stanley, "even the suspicion of proselytism" must be effectually prevented. For this purpose the guarantees which existed previous to what is known as the "Stopford rule," must be re-enacted, and any further rules made which may be found necessary for this purpose.

Secondly, in schools attended exclusively either by Protestants or Catholics, and supported to an extent, say of one half, by voluntary subscriptions, no distinction with regard to religious teaching should be enforced as a condition of receiving government assistance.

The members of any religion who undertake to educate the children of their own creed at their own expense are fully entitled to a share in the public grant, subject only to the condition, as in England, of the education given being a good one, to be ascertained by inspection and examination. But where funds are subscribed to organise schools for the bringing up of children in a religion other than that of their parents, in other words, for proselytism, they have no claim to state assistance.* And no schools attended by children of different religions, however nominally neutral, can be excluded from the category of proselytising schools, if in it any religious teaching is given, any religious exercises followed, or any books of instruction used which have a sectarian bias. In a word, no school could be sanctioned by the board for the education together of children of different religions which was not entirely under its own control, but schools for the education of children of one religion should be left quite free as to religious instruction.

Thirdly; as a consequence of what we have laid down, no restrictions should be enforced as to the religious books to be used in the assisted schools, except as to their literary goodness.

The Board now nominally allows the use of any books; but practically enforces the use of its own, by giving them at a reduced price: this should be remedied by making the grant for books and school requisites a fixed sum,

* Such, for instance, as a school directed by Catholics, attended by Protestants, where the litany of the Blessed Virgin was sung, or a school frequented by Catholics where the Protestant Scriptures were read.

estimated in money to be taken out either in the Board's books, or in any other approved ones. Of course the Board would have a right in the case of the assisted schools to make this grant conditional on the addition of a proportionate sum from the voluntary funds.

Fourthly, there remains the question of training schools. The simplest and the best way of dealing with this part of the question would undoubtedly be the English; leaving it to each religion to provide training schools for their teachers, and assisting them to do so by grants. This is the only really satisfactory solution; but should this not be attainable in Ireland, it remains to be considered what changes are absolutely necessary in the present system. One broad distinction founded on principle may guide us in this enquiry. It is this: that whilst one or more branches of teaching may be conducted in classes composed of different religions, or by teachers of opposite creeds; no mixed institution can be satisfactory, which undertakes the whole education of youth: the reason is clear. Religion may be disconnected from the teaching of mathematics or languages (we have shewn however that it is most difficult to do so) it cannot be left out of a scheme of education without fatal results. Hence all mensal schools or colleges* on the mixed principle are radically and irredeemably wrong; nor can Catholics safely frequent them; whilst they may, under certain conditions, attend individual courses of lectures in mixed institutions. If then it be considered requisite to train the future teachers together in certain branches of secular learning, the training schools should be only institutions from whence they should attend certain courses of lectures; and be supplemented by mensal colleges, equally aided by grants, for the different religions; in which the future teachers should reside, receive instruction in those many branches of education which cannot be separated from religion, and be trained in habits of practical piety and religion. Nor would such a system at all detract from the advantages said to arise from the mutual intercourse of youth

* Schools or Colleges in which the students reside; as being those which undertake the whole training of the mind and habits of the student; in opposition to institutions which they only frequent to attend particular lectures.

of different religions. That intercourse is in the lecture hall, the examination room, and their recreations; and Catholics and Protestants will not feel less kindly towards each other, because they have each said their respective prayers in the morning, or learned their catechisms, before they meet to contend in friendly rivalry in science or at cricket. The contrary can be held only by those who believe that religion is destructive of charity; and that to make men tolerant we must make them indifferent.

This is so prevalent an error, and the cause of so much confusion in discussions on the subject of mixed education, that it is worth while devoting a few lines to it. It is constantly alleged that the great merit of mixed education is the bringing together persons of different religions, and by associating them in common pursuits, leading them to think kindly and charitably of each other, and thus sowing the seeds of future good will: and it is tacitly insinuated that this is so desirable an object, that it is worth while to sacrifice to it as much as may safely be done of religious teaching. But would this softening intercourse take place in the study of subjects which involve religious differences, or from which the mention of religion has been violently excluded; or in religious exercises in which no common action is possible? Or does it require the negation of differences of religious belief; or the suppression of habits of practical and therefore separate religion? No. The kindly intercourse, the neutral good offices must stand on really neutral ground; in common games, and examination, whilst each retain unimpaired, their religious convictions and religious practices;* and each will prove grounded in good will in proportion as they are imbued with the teaching of that religion from whose teaching they have learned it. Reli-

* In the debate on education in Ireland in the Spring of 1862, Mr. Whiteside drew a touching picture of Protestant and Catholic youths singing together in the Dublin University Choral Society: but how little did this justify the conclusion which he drew that it was necessary to produce this harmony that they should both attend lectures by Protestant professors in Trinity College! Their voices would, on the contrary, harmonize the better in the songs of the evening, if each had sung their own religious hymns in the morning.

gion, not indifferentism, is the source of brotherly love : nor can Charity be separated from Faith. Of course what we have said of the regular training schools for teachers applies also to such exceptional training establishments as the Albert Agricultural School.

To pass to the second branch of education, Middle Schools, under which head come the provincial Model Schools: the objections of principle which we have shewn apply to all mensal schools apply to them ; as well as all those gave objections as regards Catholics (for whom they are mainly intended) urged against them by the bishops of Ireland, and which have caused their definitive and formal condemnation. For us to urge these objections would be superfluous: we could not hope to do so as forcibly as the bishops ; and our words would lack the authority of theirs. Our readers are well acquainted with them ; and like ourselves fully adopt them. In point of fact even a brief review of what has been said before will show that it is impossible for the state to organise a good system of intermediate education. It must necessarily be a complete education, and that for youth of an age and a degree of instruction which peculiarly requires a thoroughly solid religious education, and a state of mixed religions has necessarily no religion. The model schools are based on an erroneous principle, and must be abolished ; practically they are so, to a great extent, as they are abandoned by Catholics, that is, by the mass of the population. Nor would their cessation be a subject of regret, or leave a vacuum in education in Ireland. In England voluntary efforts provide sufficient intermediate schools, and there is abundant reason to believe that such would very soon be the case in Ireland also, even if it be not fully so as yet. The model schools are intended to supply a more extended education than the ordinary national schools, for the middle classes in the large towns ; and it was last year proposed to add a classical tutor to each.* Let us see what provision already exists for supplying such education in the towns where the commissioners have created model schools, and where it may therefore be presumed they are most wanted. In Derry a model school has been erected.† In

* See Report of Commissioners of national education.

† Not one single Catholic attends this school.

that town the Church of England has a diocesan school, the Roman Catholics have a Christian Brothers school for boys, a Sisters of Mercy "Benefit School" for the middle classes of girls. In Sligo a model school has been established. There are in Sligo, for the Church of England, classical and commercial schools, a Church-education school, and a diocesan school two miles from the town. The Independents have a school of their own. The Catholics have a classical and commercial school conducted by the Marist Brothers, and a middle and boarding school for girls, conducted by the Ursuline nuns, besides the ordinary schools conducted by the last named nuns and by the Sisters of Mercy. Omagh has a model school.* The Protestants there had a good classical and commercial school, but it has been ruined by the competition of the model school, and is closed. The Catholics have a Christian Brothers school and a classical school for boys; and for girls, a boarding and day school for the middle classes, conducted by the nuns of the Loretto convent. In Enniscorthy a model school has been built, but never yet opened. Here the Church of England is provided with an Erasmus Smith's endowed school, and the Catholics with two Christian Brothers schools and a classical and commercial school. The reader will remark that in each of these cases we have enumerated only those schools which supply precisely the class of education the model school is intended to furnish, and have omitted the ordinary poor schools which exist in each place. We might go through the whole list of model schools, and show that in each town voluntary action has provided the education they offer; and that, in fact, as in the case of Omagh, they are only injuring free schools by unfair competition. This is bitterly felt by the managers of the Established Church intermediate schools in the different towns; for, as very few Catholics attend the model schools, their scholars are, of course, chiefly taken from those who would otherwise support the Established Church existing schools; and when we find the son of the mayor of Derry profiting by the gratuitous education supplied by the state in the model school, we can well understand the complaint of the masters of the endowed grammar schools, that the pupils who

* There are not six Catholics attending this school.

should pay for education in their schools, receive a free education in the others. The model schools are a heavy charge to the state, an injury to the free schools they unduly compete with, and an insult to the Catholics, and should be at once given up.

Lastly, we come to the important question of university education. The reader will bear in mind the brief sketch we gave of its history in Ireland. A richly endowed system of university education existed for the Established Church; fair play demanded that Catholics should not be excluded from degrees, or forced, in order to obtain them, to enter a university exclusive in its governing and teaching body. But the government went further and outstepped the precedent of England; it was thought that the Catholic body* in Ireland were too poor to provide superior education for themselves, and this was an error shared by the Catholics themselves, and consequently the government undertook to do so. But that it was an error to think the Catholics were not able to provide university education for themselves has been abundantly proved. They have subscribed for the purpose of erecting the Catholic university as large a sum as was raised in England to found London University College, and the annual subscriptions are larger. It is therefore clear that had the state confined itself, as in England, to erecting a central examining body, and recognised the colleges founded and maintained by the different bodies, the Catholics would have provided for themselves an education at least equal, if not superior, to that given by the queen's colleges; and there is every reason to believe that the wealthy and independent Presbyterians of the north would have founded and supported a college in Belfast no ways inferior to the Queen's College there. Another error, shared in 1846 by many Catholics, was the idea that a state establishment for education could, in a country of mixed religion, ever be one satisfactory to the different creeds. They talked of

* In speaking of those for whom the queen's colleges were intended, as the members of the Established Church were already provided for, we may fairly consider them as mainly intended for the Catholics, since the Presbyterians are a small minority of the population, and did not entertain the same objections to Trinity College which the Catholics did.

guarantees against proselytism, and did not perceive that education must be religious, and that a state education in such a country necessarily involved the omission of all religion. Hence the queen's colleges were founded on two capital errors—that they could satisfy the various religions, and that the state should supply university education instead of leaving it voluntary; and the queen's university in Ireland, which is but the aggregate of the colleges, shares all their radical defects, and in its present form can never fill the place held in England by the London University. That university is wholly unconnected with any of its affiliated colleges, and therefore impartial to all; were other colleges affiliated to the Queen's University they would be but its step-children, the three queen's colleges its favoured offspring; nay, were it even removed from all more immediate connection with those colleges than with any other, it could never be looked upon as impartial, as long as it is the creature of the state, which is also the founder and maintainer and governor of the Queen's Colleges.

These colleges were founded on an erroneous principle—they are the embodiment of state education, as antagonistic to free education, and as long as they remain unchanged in principle, however modified in detail, there can be no freedom of education in Ireland. The one is as incompatible with the other as bounties are with free trade. And Catholics, above all, should remember this, for it is they who are peculiarly concerned in the question. They should remember that it is they who are taxed to support one system of education, whilst they are ironically told that they are free then to pay for another. And they should remember that those who advocate the grant of a charter to the Catholic university, whilst they support the queen's colleges are not the advocates of free education—are not supporters of equality and fair play—are not demanding equal right and equal justice for religious education, but are supporters of a favoured state education, the advocates of protection, and only just shrink from enforcing monopoly. This cannot be too clearly enforced, for unfortunately too many of those who strove for an absolute monopoly of university honours in the hands of the government colleges, as long as there was a chance of its being maintained, now loudly proclaim that they are advocates of perfect freedom and equality. Let the queen's

colleges only retain the monopoly of state endowment, and they will share with others the honours of degrees. Again we repeat, this is no free trade, it is only the scheme of monopolists, driven to content themselves with the most extreme protection.*

The question then divides itself into two branches ; first, what system of conferring university honours and degrees should be adopted in Ireland in order to put the educational establishments of all religions on a footing of perfect equality ; and secondly, in carrying out such a scheme, what should be done with the queen's colleges ? There is indeed a plan to put the different colleges on an equal footing, which has, we believe, found favour with some Catholics, advocates of free and Catholic education ; it is that the state should endow, not only the mixed colleges, but also the Catholic one, and thus Trinity College, the Queen's Colleges, and the Catholic University, would equally receive support from the public funds. It is almost unnecessary to discuss this proposal, as it is almost certain not to be acceded to by the government, and a government grant is manifestly not necessary for the support of the Catholic University. But we confess there are other objections to the scheme which have far greater weight with us. The gifts of the state are always bonds—she endows but to control, and the price of her favours is the surrender of liberty. Both theory and practice demonstrate the fatal effects of state control—free life and action are the very soul of literary institutions—government control, however light or judicious, cramps their expansion and dulls their zeal, and at the same time deprives them of that popular sympathy and voluntary support which is their most valuable inheritance ; we need hardly add that government interference is always dangerous to religion.

* Sir R. Kane, in his paper referred to before, put forward this protective scheme under the name of freedom, and advocated the endowment by the state of mixed colleges, to the exclusion of all others, on very singular grounds. "There are," said he, "many Catholics who wish for a religious, or exclusive education—let them be free to provide it, and as they are zealous, they will be sure to find the funds ; but there are other Catholics who prefer a mixed education, and as they will not provide the funds to maintain such institutions, the state should provide them for them." We are not exaggerating—this was exactly his argument.

Returning, then, to the question, what system should be adopted in conferring degrees and university honours in Ireland, so as to put all religions and educational systems on a footing of perfect equality; we start with the principle that the duty of the state is simply to test results, and stamp with its authoritative sanction in the shape of a degree, a certain amount of knowledge wherever acquired. There are at present two institutions in Ireland which have this power, the Queen's University and Dublin University; and it is proposed to place the Catholics who do not choose to frequent either, on an equality by granting the power of conferring degrees to the Catholic University. This would be no more than justice to them, and would place them in a fair position. But there are great practical difficulties in the way, arising from the fact that any other voluntary institution, equally well organised, which might be got up, would have an equal claim to be recognised, and that the whole tendency of modern legislation with regard to degrees has been to concentrate and render uniform the power of granting degrees rather than to multiply the institutions so empowered, and this because laxity in granting degrees, and confusion as to their value have arisen from the clashing systems of granting them in different institutions.* Hence it is clear that the plan, which will in all probability be adopted for Ireland will be that of one uniform central system of examination by a body wholly independent of, and unconnected with the different colleges, and as much as possible independent of the executive government; and the existing state of things presents great facilities for the execution of such a scheme. There are at present, as we have said, two bodies which have the power of granting degrees, the Dublin University and the Queen's University; the latter grants degrees only to the students of the three queen's colleges, and is in fact bound up with these colleges; the latter grants degrees only to the students of Trinity College Dublin, and practically is identified with this, its only college. But it must be borne in mind that the Dublin University is in theory, and in essence a separate thing from "the College of the holy and

* An instructive example of this is the case of medical degrees when it was found necessary to consolidate the different systems of granting them by the late act.

Undivided Trinity, near Dublin," (or Trinity College).^{*} The latter is essentially an establishment of the Established Church, it educates its clergy, it supports its principles, it admits indeed Catholics and Dissenters to its schools, but its training is, and ought to be, essentially Protestant. But Dublin University, as an examining body, has no such necessarily exclusive nature; two functions indeed it exercises which strictly regard the Church. It confers degrees in divinity, in that Church, and it elects a member of parliament who, being elected exclusively by members of that Church,[†] is looked upon as the representative in the United Parliament of the Established Church of Ireland; in any change, therefore, which would widen that university, it is clear that these two functions should be reserved to the members of the Established Church, or, in other words, to its College of the Holy Trinity. Dublin University has, therefore, no more a necessary exclusive connection with Trinity College, than the Queen's University has with the colleges of Cork, Belfast, and Galway. The true plan then would be to create one Irish university, in which both the Dublin and Queen's University should merge, and in which Trinity College, Cork College, Belfast College, Galway College, the Catholic University College, and any other college, if such arise worthy of the rank, should be represented, and which would grant degrees to the students of all alike.

Such a university would consist of a senate, as governing body, who would appoint the board of examiners, and determine the course of examination, and the honours and rewards to be conferred.

In such a university Trinity College would naturally be the first College and retain an immense prestige: her age and position entitle her to this; and younger colleges must only strive to emulate her renown. The power of regulating theological studies and conferring theological degrees for the established Church, as well as her whole internal government and the exclusive control of aught that con-

^{*} Just as Oxford or Cambridge University is a separate entity from each of the colleges which compose them.

[†] The member for Dublin University is elected by the M. As., and that degree can be obtained only by members of the Established Church.

cerned the Church would remain to her. In like manner the Catholic University would retain the entire control of Catholic studies, and grant degrees in divinity and philosophy by the Charter she holds from the Pope, and be wholly self-governing as a Catholic University, whilst a college of the Irish University for secular degrees. The executive Government which advises the Queen who grants the charter would have to determine both the first composition of the senate and the mode of its perpetuation;* and in so doing would have to take care that it duly represented all the different elements of education in Ireland: this representation would not be merely by colleges, as in Oxford and Cambridge, but must be determined by the different elements, religious and literary, which exist in the country. Above all it must avoid the fatal error of the Queen's Colleges, the predominance of the Governmental element. An Irish University, to be great, must be free. Learning is a republic and must govern itself. Thus would be created a really great university; one really free and really mixed; not by the compulsory exclusion of the various religious elements of education, nor by the hiding out of sight of differences of opinion: but by the separate freedom of each, and the joint action of all: a University, not where the one enforced state livery of negativism was worn by all; but where the various shades of opinion retaining their distinctness blended in a common harmony of purpose. We do not wish to conceal that there are difficulties in the way of such a result; but they are very far from insurmountable. Trinity College might hesitate to give up its exclusive connection with Dublin University: yet it could hardly refuse to do so with reason. It would retain all its endowments, its exclusive education, its connection with the Established Church: its students would indeed meet at the examinations for degrees those of other Colleges; but they have proved, in many a competitive examination that they fear no rivalry in knowledge. A far graver difficulty is the fact that if the colleges we have named were consolidated in a University, out of the five, three (viz. the Queen's

* Of course after a time the graduates in convocation would, as in the London University, have a voice in the government of the University.

Colleges) would be exclusively state institutions ; whilst Trinity College has from its antecedents a strong leaning towards the state ; and that this would give the Governmental element an undue predominance.

This leads us to the second branch of our subject ; what is to be done with the Queen's Colleges in a system of free University education in Ireland ? As at present constituted they have wholly failed ; chiefly, but not wholly, from the antagonism of the Catholics ; who abstain from availing themselves of them.*

It has been proposed to remodel them without changing their system so as to remove the objections of the Catholics ; but, in the first place, we do not believe this possible ; in the second place, such a reform would leave untouched the radical evil of their being Governmental institutions. It is, we believe, impossible to remodel them so as to render them acceptable to Catholics : because all that the state can give is negative guarantees against proselytism or tampering with the faith of the students ; and what Catholics require is a Catholic education. The more we examine the decisions of Rome on the subject the more clearly we perceive that university education for Catholic youth must be Catholic ; it will not suffice that it abstain from positive opposition to Catholicity.

The simplest and most efficacious cure would be to pay off the professors and sell the buildings, in which case there can be little doubt the latter would at once be purchased by voluntary associations for the purposes of education ; and the former would find ample and congenial employment in the various free colleges which would arise, the state would be relieved of a heavy charge ; a source of religious controversy be removed ; and literature and education be invigorated by being restored to their congenial freedom.

But if the state, like too many individuals, is unwilling frankly to acknowledge an error and retrace its steps, and must seek a middle solution and a compromise : if, whilst it is proved that the Catholics are able and willing

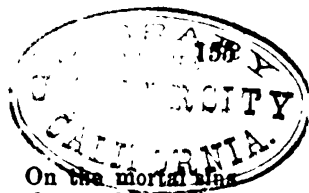
* This has been admitted (with regret) by both Mr. Cardwell and Sir R. Peel, and in fact by the commission appointed to enquire into them.

to provide education for themselves, it be thought the Presbyterians might not be able to do so (though we believe they would); and if that portion of the Catholics who, as Sir R. Kane alleges, wish for a state education apart from religion be deemed deserving of special provision; then at least let the facts be recognised, and the system be remodelled to meet them. The present system of these colleges does not content the Presbyterians, or Catholics, who, though they lean towards a state, wish for a religious education. Let then Belfast College be remodelled to meet the wants and wishes of the Presbyterians; let Cork College be remodelled to render it acceptable to the Catholics, and let Galway College remain as it is, for the benefit of those who prefer a purely secular education: thus, all would be satisfied and the wants of all supplied. Nor would such an idea be difficult to carry out, if the facts were frankly recognized. The Presbyterian body would settle what changes they desired in Belfast to meet their wants: probably the recognition of a Presbyterian element in the government, to which might be given a negative control over the teaching, to insure that nothing inimical to their religion was introduced; a Presbyterian mensal college with religious teaching; and control over the moral and religious training of all the Presbyterian pupils: in a word, the recognition of the Presbyterian religion; whilst attendance on the purely literary classes should be free to students of any religion; and care taken that in the lectures on subjects unconnected with religion, as mathematics and classics, no allusion should be made to religious subjects.* This would be simply recognizing the fact that the majority of the students in Belfast are Presbyterian, and that the Presbyterians of Ireland are entitled to an education such as they wish for, and acting accordingly. On the other hand the recognized authorities of the Catholic Church would decide, with judgment and prudence, what changes were necessary to remove the objections which prevent Catholics attending Cork College. It is not for us to

* The reader must observe that we are not laying down a system of which we fully approve, or that we believe the teaching even of mathematics had better be devoid of religion, but explaining a reasonable compromise.

speaking with anything like authority on such a subject ; but it appears to us, that almost everything would flow naturally as a consequence from the recognition that it was to be a college specially, though not exclusively, for Catholics. Hence would follow the recognition of a Catholic element in the government ; and the lawful authority of the bishops in all that trenching on religion or morals ; history and its cognate branches of study would be taught in a Catholic sense ; full religious teaching and training would be provided for the Catholic students : in a word it would be a college providing a Catholic education for Catholics ; whilst its purely literary and scientific lectures would be open to all without offence to their religious convictions. The remaining college might remain for those who preferred a purely secular institution for their children ; one wholly severed from any religion, and would meet the wants of those few persons in Ireland who belonged to none of the three prevalent religions. Such would be a real amendment of the Queen's Colleges, founded simply on the recognition of the fact that the people of Ireland are divided into three great religions, the Established Church, Catholic, and Presbyterian.

But the length to which this article has run, admonishes us to conclude. In a subsequent number we may probably enter more at large into the details of the modifications of legislation on university education in Ireland which are required : and examine fully the legislation, on the subject, of France and Belgium. We have thus briefly, but we hope faithfully traced the leading facts as to the system which have grown up in England and Ireland and pointed out the principles on which they rest. We cannot hope that all our readers will agree in the details of the various suggestions we have thrown out ; we shall have achieved all we desire, if we have succeeded in drawing the attention of Catholics to the principles which are involved ; and in convincing them that all the interests of religion, as all those of sound education are bound up with freedom : that that is the one thing to be striven for and the one condition which is essential ; and if we convince impartial Englishmen that what Ireland needs is what England has ; and that freedom which has given the latter all her noble educational institutions will prove a principle as prolific of good if frankly applied to the former.



ART. V.—*De Obduratorum peccatis mortalibus.* On the mortal sins of the hardened. By W. G. Ward. London. 1854. (Not published.)

THERE is, or at least there used to be, a recognised principle of morals, that no deliberate action performed by a man could escape responsibility. A human being, according to this maxim, sane, awake, sentient, with full use of mind and body, free from a paralyzing pressure on the powers of either, could not consciously, and reflectingly act, without having to give an account of that act: be it done by the hands or the brain, personally or through others, or by the pen, or the pencil, or any other instrument directed by his will.

Hence we say of a man, in these ordinary conditions of human action, that he is an "accountable being." To say of a person, that he is "not accountable," means in familiar phrase, that he is an infant, or mad, or idiotic, or silly, or in dotage.

This is not a principle merely, as we have called it, nor a maxim; it is a fundamental axiom, or a lemma of the whole moral science, philosophical, theological, social, domestic, or personal. As the able book before us says, "*Alterum vero dogma de quo loquimur, notissimum est illud effatum; 'nullus actus humanus indifferens est in individuo.'*"

And this responsibility extends to negatives, to inaction, to non-action, to neglect, to indifference, where duty claims the positive, instead of the negative pole of liberty, to be called into activity.

So completely is this doctrine an acknowledged truth in theory, that human power assumes a share to itself in its practical application. The State sends to the gibbet, or to prison, fines or exacts hard labour, on the simple ground that subjects are punishable for not obeying its laws, without regard of their justice, or of any proportion between the crime and its award. No one believes that it was a delinquency worthy of death to be a priest or to harbour one; public feeling would now revolt at death being inflicted on scores of people, for stealing a sheep, or even for committing a forgery. Yet our ancestors, and many alive who saw Fauntleroy executed, never doubted

that society had a right to exact submission to its Draconian mandates, on the simple obligation of all men's responsibility to them.

Had any one then questioned, or should any one yet question, this claim upon him, this suspension of his freedom, a stern rebuke from the judge, and perhaps an aggravated verdict from the jury might make him feel, that society is more unrelenting, at least openly, than a higher tribunal. The idea of unaccountability to man is, of all others, perhaps the most inexorably proscribed on earth. Its opposite is, in truth, the basis of social security.

In like manner, the father, it is true, can no longer whip his son to death, or sell his daughter to be a slave grinding at a hand-mill: because society keeps the iron hand of responsibility over him, up to this point. But he can go, with impunity, to a frightful extent as yet: he may neglect wilfully the education of his children, to degrading them and brutalizing them, without any power preventing him, so long as he does not beat them till their moans alarm his neighbours, or their wan emaciation touch the hearts of fellow-lodgers; and he may by a thousand indirect ways, squeeze out the little of soul he has ever allowed to live in his son's crippled body, or drive his daughters into courses worse than death. This is but an evidence of recognised domestic claim to responsibility over those unhappily subject to it.

Of course, says our reader, you allude to the dreadful people who live in courts and alleys, and are brought, every morning, before police magistrates, by the exercise of a claim a step higher than their own, in the scale of demands on obedience.

It is not so. Who is judge between the lofty-minded and rich father, who disinherits his eldest son, and leaves him to want, because he has, perhaps once contradicted his will, maybe in not sacrificing his happiness for life, by accepting the parental choice for a matrimonial alliance? Or who can compel him to educate his children, or prevent him, unless a public scandal grow up, from allowing them to disgrace and ruin their name and character? No: man, however disinclined to be himself responsible, exacts responsibility from all who may be subject to him, responsibility to his mandates, his wishes, even his caprices. And to an immense extent, society dares not interfere.

Why? because, you will be told, accountability is a necessary ground work of the domestic polity.

In every place, where society in any form exists, this is a universal law. Through the army, and all its grades, in peace or in war, at the mess or on the battle-field, every body is accountable to somebody else, for everything and anything, from victory to forage. And so in every ship, and in collections of ships, in squadrons, or in fleets, there are endless accountabilities from the cabin boy to the admiral of any colour afloat, and to Lords of the Admiralty, "who sit at home at ease." And in every vessel from the lordly Indiaman, or over-freighted emigrant-ship, to the mackerel-boat or herring-smack, there is control, command, and so responsibility exacted and acknowledged.

In fine from the palace, through mansions, as they are now called, and houses, down to the European hovel, the African kraal, the American wigwam, and the Asian nomad tent, where even only two persons of unequal strength live together, there must and will be one who calls the other, generally pretty smartly, to account.

When a principle thus thoroughly pervades the human race, from its lowest depths of uncivilization and barbarism to the greatest height of cultivation and refinement, we cannot doubt that it is an innate, and a self-sown truth, in the individual, and in his multiplications. And this is more so than almost any other social element. His most respectable Majesty the King of Dahomey, whom some religious society lately wished Great Britain to subsidize, that he might help us in putting down the slave-trade, and perhaps later be induced to give a constitutional government and articles—not of war but of wear, to his subjects, even he exacts a precise account of heads, whether of cowries or of men, for his "grand customs;" while of justice or mercy, the two pillars of the throne, he has about as accurate a notion as a boa or a gorilla.

In such circumstances, those who believe in a Creator, and Lawgiver of man, naturally see in the universality of such a feeling and doctrine, a primeval and implanted fixed law of the actually normal condition of our race.

Now where shall we seek its type or mould? Not where we naturally expect to find whatever is represented or reflected of good on earth. Whatever excellent qualities conduce to the creating real happiness among men, as

social beings, we consider as emanations, or deductions from similar ones in Him who gave to His greatest of earthly creatures, soul and intelligence as well as body and motion. Goodness, benevolence, forgivingness, liberality; justice, equity, impartiality, hatred of wrong, abhorrence of sin; purity, sweetness, affectionateness, love of man and delight in his virtue and happiness; generosity in the reward of goodness and excellence, wherever found; peacefulness, readiness to help, to sustain and succour, without gain or reward:—all these, if found in any society, would ensure its universal happiness, and cement its parts in exquisite perfection. Yet all these high qualities, or virtues, are exactly what, transferred by our minds into their sublimest sphere, or into their common, indivisible centre, we call attributes of the Highest Existence. It is the perfection of humanity to come the nearest to them, the completeness of men's social relations to combine the greatest number of them.

The great difference, however, between the two, besides that between the finite and the infinite, lies in what we have intimated. We can copy every great and good gift, or every condition of our moral state, from the Giver, and from the Legislator. Responsibility, without which they could not exist an hour amongst us, has no type in Him, no example, no rules,—it exists in Him no more than subjection, feebleness, or sin. Man, indeed, bears upon him the *notae serviles* of the slave, as well as the *bullæ* of the child, before heaven; when he throws away the latter into the slime among the mast, he certainly does not erase the former, on becoming a swine-herd.

It may seem almost too solemn a subject for such an article as this to pursue further; but one is almost compelled sometimes to yield to the inward impulse to communicate a thought, for which a fitter opportunity may not easily be found. And ours at this moment is this, not new, nor uncommon, but necessary to carry out our present topic: that in the great Mystery which reunited man, sundered from his Maker, He who undertook to make good the chasm of separation, by casting Himself into it, made the nearest approach to the worst side of man; lowered Himself the most to the human level, without sinking into its degradation, by partaking in man's responsibility. Pain, from external infliction, or from personal causes, even to a cruel death; nay, temptation

from His hated, though undreaded foe; He endured cheerfully; but they are all as nothing compared to that new quality or condition of being, which essentially divides the divine from the human existence. "*Servi formam accipiens,—obediens usque ad mortem.*" One supreme element, however, seems to come in, as compensation, the sublimity of the liability, where every thing else is truly sublime; the undertaking to rescue man from the iron claws of an almost legalised oppression, to recall the sentence to eternal death pronounced at the gates of Eden, to cancel the warrant of exile and misery, and return a lost priceless inheritance to a fallen race. To do all this He entered into a bond, and fulfilled it to the letter; He made Himself accountable and He faithfully rendered His account.

This responsibility becomes a marked line between the two conditions of power; it belongs essentially and exclusively to the portion of man, in which he has no laws or terms, to be learned direct from the contemplation of God's works, or from meditation on His attributes. And further it is a necessity of our social state, not to be learned from the constitution of a more perfect one. Beyond the precincts of earthly life it has no existence. Bliss and responsibility are no more compatible than is certainty with doubt, repose with toil, calm with storm, inward peace with anxiety. Many successive, but not mutually dependent, ranks of happy spirits compose the population of the heavenly city, of whom not one is responsible to another:—nay not even to their Lord and King. For, where there is accountability there must be laws, and duties, and possible transgressions, or infringements. And of these there can be none.

Responsibility then is on earth, and of earth, the consequence of that mighty disruption of the world's normal condition, which we familiarly and strikingly name simply "the Fall." While, however, it has no counterpart or first form in the higher sphere of intelligence and love, it is clearly not only the line of division from it, but the great link of connection with it. For as, in the most regal of genealogies, when the last human link has been apparently reached in the first man, there yet remains another in "who was of God;" so in the ascent from the least to the greatest, from the lowest to the highest, from the last to the first in the scale of human responsibilities, in civil, or domestic, or religious society, it comes to a simi-

lar conclusion ; " who answers to God." This condition of every individual may be symbolized by a double chain ; each one, except the first and last in the human series, holding by a link of either,—the one of gold, of iron the other. The golden bond is that whereby we are superior to all below us,—the pleasant and honourable one in which we exact account from all beneath. The iron chain is that which presses on each one from above, the hard lot of having to give to others higher placed a heavy reckoning for all his actions. The golden unfortunately reaches not the lowest, nor the iron one the highest, in this social series.

This would render the law imperfect. And indeed, a natural and universal instinct tells us that the casual position of a man, higher or lower, in the two progressions, or his being moved from one point to another in their relative scales is a variable quantity, which does not affect essentially the formula that governs his responsibility as man. However he moves, and to whatever extent, whether he climb to the highest pinnacle, or sink into the lowest abyss, he can never divest himself of this sense ; he knows that the lowest has one accountable to him, and the loftiest, one to whom he is accountable. The first has *himself* responsible to him, the second is responsible to God. These two conditions which govern the extremes, rule all that is intermediate. Every one feels, if he have not killed in himself the natural germ of moral sensibility, that he accounts for everything that is his own production, first to conscience, and through it to his Maker.

And thus alone does responsibility reach its universality and essential equality in all, without distinction of class or degree. For as all, without exception, are physically equal before men, gifted with the same organs, dimensions, senses, and capability of the same functions, not merely corporal, but mental—as thinking, willing, resolving, judging, so are all equally accountable to the Power which has bestowed these faculties with impartial liberality. And as the internal and invisible operations of mind are as patent to Its vision, as the outward and sensible, and since they are as truly acts as these are, and as divisible between good and evil, it follows that each individual, each microcosm, as man is justly considered, holds his real, direct, inward, and personal responsibility to God. All exterior and relative responsibilities to the outward world, its

rulers, its laws, or its casual points of connections, are trifles, shadows, sometimes mockeries, in comparison.

Like the light around us, accountability to man is diffused, mixed, diluted, refracted through a thousand mediums, reflected from myriads of planes and objects, now strong, now weak, but generally without intensity, or strain upon our sight. But the higher may be likened to the pencil of separate light which enters but by the smallest orifice into the deepest darkness, and shoots directly athwart it, vivid, definite, straight and undeviating, a dart of pure, brilliant radiance, which fixes itself placid and unwavering on the opposite point, waving its own bright fringes in the surrounding darkness; manifesting through all its course a thousand motes invisible in any other light, films on which, as they float, may rest and disport innumerable undiscernible animalcules, so many Pucks upon less than a feather, countless sporules that may convey life or disease on their undistinguishable down. How beautifully may this spectrum of light be broken, or rather resolved, into varied species of glowing colours, by man's hand, in the heavenly, as in the solar, ray; in either betokening a readiness to meet it, and a power to render it a mild and genial beam, "the Iride della pace" that cheers and enlivens, instead of a pointed shaft, which dazzles and annoys.

Such is the divine Eye, piercing, searching, and unavoidable. And it is from it that man shrinks, from it that he seeks escape. In ancient times this was done by the stupidity of ignorance; in modern, by the cunning of devices. We need do no more than allude to the first. The heathens, who in their very fables of Elysium and Tartarus, Minos and Rhadamanthus, recognised universal responsibility, probably, with the exception of some more delicately organised men, little troubled themselves practically, with so solemn and disturbing a truth. But among those to whom this law had been clearly communicated, and incessantly inculcated, there prevailed, as the highest authority informs us,* the silly subterfuge, attributed to that maligned animal, the ostrich, of believing, that not to see was equivalent to not being seen; that hidden sins might escape responsibility.

This is too gross for our refined age; which deals more

* Eccclus. xxiii. 26-29.

boldly with moral laws, and circumscribes supernatural rights by human restrictions or conditions. In a certain book, perhaps belonging to a past generation, entitled "The Gentleman in black," scarcely unfolding more wickedness than "The Woman in white," there is a pleasant narrative of how a youth, who had made an inconvenient compact with the king of Erebus, on the usual terms of a merry life and a sorrowful end, finding the sands in the upper-half of his glass running low, came home to England, followed by his inexorable creditor, to see if he could not stave him off, or take advantage of some Insolvent debtor's Act. He succeeded through the cleverness of his attorney. For this legal functionary merely proposed to put the case into Chancery; and this sufficed to make the sable claimant at once surrender all his rights and pretensions.

This contains an allegory, easily explained. Better and higher compacts with man are considered liable to be judged by his tribunal, without any appearance being expected to be put in, on the better side. But let us begin higher.

We have seen that, in human society, the claim of subordinate accountability goes up to that highest link in it, which would naturally unite the whole to the most exalted sphere. But modern refinement has barred this connection, by interposing a human decree, a very axiom, in that which undoubtedly we have a right to consider as the most perfect form of government. Nay it is its very groundwork—"THE KING CAN DO NO WRONG."

We do not, of course, misunderstand the constitutional meaning of the phrase: that is, that the supreme ruler of a kingdom has no responsibility to his subjects; but that certain bulwarks, in the form of devoted men, take upon themselves the disagreeables of such a duty. In other words, as the French express it: "*Le Roi règne, mais ne gouverne pas.*" Could this artificial principle be carried out without lapsing into a moral fiction, we should have no objection to it. But can it be so?

We do not believe that any really Christian statesman can hold, that the personal vices, and shameful example of a recent sovereign in our own country came under the axiom just quoted; or that when his soul left his body, during a terrific storm, he stood not as bare and unshielded before the highest judgment-seat, as any other subject

(may he have been found penitent!) in his dominions. No, certainly not.

But for the public profligacy which ever follows the evil example of monarchs, the lavish expenditure, the wasteful jobbing, the unmerited rewards, the capricious wars, the sacrifice of life, which may all receive the approbation of obsequious Parliaments, through corrupt administrations, has a constitutional king full immunity from any call for accounts? Or does not the maxim, put into his own and his subjects' hearts and mouths, tend to deaden *his* conscience at least, to the idea that he is to be answerable for the guilt, by corruption, or oppression, of those to whom he has committed the reins of government?

We wish not the plane of our argument to be in our own country. Delicacy and loyalty forbid us to pursue the argument, where rules a virtuous sovereign, and where a certain standard of constitutional proprieties has been acquired through ages of experience. Yet this very reserve puts us forcibly in mind of Sydney Smith's anecdote of the Emperor of Russia and Madame de Stael, who, "to her disgrace, said to him: 'Sire, your character is a constitution for your country, and your conscience its guarantee.' His reply was, 'Quand cela serait, je ne serais jamais qu'un accident heureux.'" "This," adds the witty narrator, "we think one of the truest and most brilliant replies ever made by monarch." (Edin. Rev., 1825. "*Bentham on Fallacies*.")

Let us then shift the field of our operations to another climate where reigns, and certainly governs not, a constitutional king, on whom doat the hearts of the English people. He throws the responsibilities of misrule upon his ministers as fast as they supplant one another. He hunts with passion among his mountain fastnesses; over his other pursuits we cast the veil which self-regard commands. Over the whole of a kingdom obtained we will not say how, there have been committed rapines, spoliations, sacrileges and injustices. Nothing however sacred, however venerable, has been allowed to stand before the face of the whirlwind, which has swept away what formed the pride and beauty of that hapless land. Its finances are ruined, its commerce depressed, its imposts doubled, its people languishing and discontented. But in distant provinces it is far worse. The towns are disaffected, the peasantry in arms, not as rebels to a usurpation, but as

faithful to a lawful monarchy. And to bring into subjection this refractory loyalty, the torch and the sword are the weapons employed: fire and blood must pacify the natural re-action, which we have honoured in La Vendée, in Spain, in Greece, in Corsica, and formerly in those very provinces, where we almost applaud, certainly tacitly approve, of a sanguinary vengeance.

Generals, whose names must not disfigure our pages, issue more brutal orders, than those of the French Directory, under which in 1795, prisoners were shot down in platoons at Quiberon; not villages but towns have been reduced to ashes, scores of poor countrymen, with their clergy, have been fusilladed without trial, the crops and woods have been burnt down, and the most trivial act of a boy or a girl, in the country, a sign almost or gesture may be interpreted into a capital offence.*

For all this inhumanity, for all this cruelty, for all this injustice, some one or other must be somewhere answerable. Who, and to whom? The soldiers obey orders, and they throw their liability on their commanding officers; these have received their commands from the generals who have issued those barbarous decrees; and they are only acting under obedience to the war-department. This, by another step, brings us into ministerial responsibility; for the war office is only a function of the executive council. Its chief cannot have issued orders for these excesses to be committed, except as an avowed ministerial course of action, for which they paid a certain amount of joint liability.

It is clear that the human responsibility has been gradually dissipated in the course it has taken. It is like a lump of ice passed from hand to hand, till it has melted away, and is become nobody's.

Yet there is an awful declaration, that blood cries aloud from the ground, against him who unjustly spills it: aye even if he be a brother. And it cries for vengeance. And it cries to God. And its cry is heard. And it is avenged. Rills of blood have trickled down the mountain clefts of the Abruzzi; pools of gore are stagnating in the plains of Campagna, once the happy. Their cry is loud and shrieking: it *must* be heard.

Do you ask in return, what says the blood spilt by the

* See the next note but two.

lawless band, not in warlike conflict, but in revengeful passion? we answer, it cries for vengeance too on the head of him who sheds it. He bears his own grievous burthen, with more chance indeed of repentance, when he comes to feel that its whole weight is on his own shoulders.

But it is not so with the man, wherever placed, who does not hold himself answerable for his acts, but shifts their responsibility on some one else, till, through as many stages as are in "the house that Jack built," it has been subdivided into infinitesimal quantities, of which the integration belongs to another world. Some one must answer for the whole resultant. Shall it be one or many?

Time was, when the answer would have been simple and obvious. A sovereign was reputed to be the shadow on earth, and representative of the supreme Ruler; his power a delegation from Providence, the "majesty which hedged" him in, an emanation from the gold and amber of the celestial throne. Then, if he was evil, to him all the evil of his subjects was attributed.

"Quidquid delirant reges, plectuntur Achivi."

If good, his goodness diffused itself in peaceful fruition, throughout his realm.

"Regis ad exemplar totus componitur orbis."

Thus the heathen. The Christian monarch was taught that he had a double responsibility. The first was for his personal transgressions, like any other man's; the second for the evils of his rule, for his own negligences, and for their consequences, through unjust, wicked, oppressive, or idle ministers. The responsibility of nobles, army, burgesses, peasants culminated in his diadem.

The well-known saying of a fearless confessor to Charles V. is trite: "Dixisti hactenus peccata Caroli; dic nunc quaeso peccata Caesaris."* And among Philip the Second's last words are recorded these: "For nothing do I now feel so much grieved as of having been a king. For I hear the voice of the last trumpet, which summons me to render my account."

* "You have so far confessed the sins of Charles, please now to confess the Emperor's."

But now, there are no kingly, as distinguished from personal, sins. In all that regards government, "the king can do no wrong." Not even in the choice of the ministers, who have to bear his constitutional responsibilities. They may be irreligious, profligate and reckless men. But they are forced upon him, by the majorities of his Chambers, or by the determination of the people. The sovereign discharges upon this finally his act of immediate responsibility; he has nothing to answer for to God any more than to man.

Can this be so? Is there nothing in kinghood that is beyond human determination? No sanction, no authority implied in vocation or in coronation, and the Church's blessing? Is all this a mockery, a piece of kingcraft to delude the multitude? If it be so, or in more modern phrase, if all this be "a sham," we trust there will never be a repetition, where this is held, of so sacrilegious an imposture. If it be not so, but it must be held that something comes to the sovereign from above, call it right, or privilege, or favour, we may rest assured that with it comes responsibility, and responsibility as to the discharge of royal obligations. Nor can any compact among men, between king and people, or ministers and a nation, remove or transfer, or subdivide responsibility. No more than the cry of the Jewish rabble, "His blood be upon us and upon our children," took off one drop from Pilate's hypocritically washed hands. The guilt was not divided, it was multiplied instead.

If there be any direct gift from above, with a corresponding liability, to the supreme authority in earthly kingdoms, the mutual relations thus solemnly contracted cannot be altered by other powers. We are not talking of "the divine rights of kings," or theories on the derivation of jurisdiction. But the modern sovereign is invested by his own subjects with immense powers—the right of war, that over life or death, the distribution of honour and reward. The army is his, and the patronage of the Church, by assumed headship, or by concordat, charitable endowments, taxes; the national wealth are often reckoned as his. With these tremendous powers accepted, can it be said that, by a simple human fiction, he may discharge himself of a most awful responsibility in the proper application of them? that no charge is laid upon his conscience, distinct from personal offences?

It has not been thought so ; though under unfortunate circumstances. Only on one subject have the sovereigns of England appealed to conscience, and then it was to perpetuate injustice. The greatest minister that England ever produced, Pitt, lost his unrivalled position of Prime-minister, in 1801, after seventeen years of splendid administration, because his constitutional master appealed to his conscience, on the concessions justly claimed by Catholics.* And how has this most rare, and most unfortunate display of individual responsibility, that overruled the constitutional maxim, in favour of wrong, been treated by English publicists? Take Jeremy Bentham. "Suppose a king to have expressed his fixed determination, in the event of any proposed law being tendered to him for his assent, to refuse such assent, and this not on the persuasion that the law would not be 'for the utility of his subjects,' but that, by his Coronation Oath, he stands precluded from so doing :—the course proper to be taken by parliament,...would be a vote of abdication—a vote declaring the king to have abdicated his royal authority, and that, as in the case of death or mental derangement, now is the time for the person next in succession to take his place."—(E. R. quoted above.)

Sydney Smith's commentary is short and pithy. "And thus a king, incapable of forming an opinion on serious subjects, has nothing to do but to pronounce the word *Conscience*, and the whole powers of the country is at his feet."

The constitutional axiom is therefore considered to relieve the royal conscience from all accountability in what appertains to government. Peculation, robbery, sacrilege, the inundation of immoral publications, the ruin of fami-

* Lord Stanhope's Life of Pitt, vol. iii. p. 276. But in 1799, the King said to Dundas, "I only hope Government is not pledged to anything in favour of the Roman Catholics." "No," the minister answered ; "it will be matter for future consideration ;" and on the King going on to allege his scruples on the Coronation Oath, he endeavoured to explain that this Oath applied to His Majesty only in his executive capacity, and not as part of the Legislature. But George III. angrily rejoined, "None of your Scotch metaphysics, Mr. Dundas ! None of your Scotch metaphysics !" *Ib.* p. 178. No doubt the poor king was sincere, for his mind sank under this anxiety of conscience.

lies, nay bloodshed and conflagration, lives and towns destroyed, all this may go on, under a king, without his having any reason to suffer a headache, or lose a minute's sleep, because he is a constitutional king, and can do no wrong. What a pity that certain of the twelve Cæsars, who burnt cities, and martyred priests, did not know of this principle. All that we will say is, "God is not to be mocked!"

Constitutionally, however, we pursue responsibility into the "multitude of counsellors, in which there is safety;" and we naturally add, where is it lodged?

Where an upright monarch has chosen, to the best of his power wise and honest counsellors, who look only to the justice and prudence of the case before them, and advise accordingly, and their measures are sincerely adopted, and carried out, no doubt there is additional security to the conscience of all thus directed. For, all that conscientious prudence can do has been done, on righteous maxims; and even in case of failure in result, the resolutions and decisions will be justifiable.

But let us suppose that a council of ministers is guided by no such lofty notions, but considers, openly or covertly, what will keep its party in power, and exclude the wolf that is howling round the gate of the fold, no doubt believing that their own enjoyment of its command is of essential utility and necessary for the welfare of the country; suppose that it discusses which will be the *popular* side in great pending questions, foreign or domestic, what will best help them at the next election, what will rouse dormant religious feelings in their favour, whom they shall "throw overboard," and whom take, for the nonce, to their bosoms; is this a conception of motives and resolves which any man in the empire considers impossible? Or rather is it not one with which we are all so familiar, or which seems so obvious to us, that we have almost come to explain it by a household phrase: "What have morals to do with politics?"

Shall the Catholics or the Orangemen be conciliated? Shall a No-popery cry be got up in England for the next elections? Shall our organs, for that purpose, incense the more inflammatory part of the population; and then shamelessly assert that their priests and bishops are secretly exciting them to insurrection? Or what will be the more popular politics on the Continent? Is discontent

to be fomented by our diplomatic agents in certain countries, or proselytism pursued under English patronage, or the crown to be knocked off some monarch's head, or his best provinces encouraged in irritation against their actual sovereign? Are we to favour the red-handed rebel, because he marches against Rome, reckless of the bands of silly youths, to be shot down, in battle or after it; are we, who were so loud about Poerios, and state-prisons under the Bourbons, to be silent now, about prisoners twice as numerous, and sufferings far more atrocious, try to conceal present wickedness, because committed by our friends, under the name of liberty, and are we to affect disbelief of the barbarities and butcheries committed through Southern Italy?

Whether mooted distinctly or not, we see daily that such conduct as is here implied, and every sort of "jobs," indirect bribery, trickery, and unscrupulous public measures are boldly attributed by opposite parties in the state, to one another. It is taken for granted by those out of office, that the ruling ministry is by no means actuated by pure motives of abstract right or wrong, nor squares its policy by the inflexible rule of justice, but that it follows the zig-zag course suggested by expediency, has not two, but many, weights in its bag, not one, but many, measures in its girdle. A crooked, a wily, a pliable policy is boldly attributed to the governing body.

And if we transfer the field of ministerial discussion and deliberation elsewhere, who hesitates, as he likes Ricasoli, or Ratazzi, to attribute the worst motives of cowardice, infidelity, or self-seeking, to the rival of his champion? At any rate, one ministry after another, with England conniving or applauding, has issued mandates for the arrest of cardinals and bishops and priests, for simple performance of their sacred obligations, has seized and confiscated property no more their own than that of the Temple was Antiochus's or Heliodorus's, has turned out ruthlessly, and left roofless venerable women, who in any civilized country held their property by as sacred a tenure as their persecutors held those of their ancestors, and has deluged the kingdom, more than permissively with irreligion and immorality.

Well, in the first case, that of our own constitutional administration, we have sufficient grounds for a hypothetical datum; while we may safely set the second aside, as

being far beyond the condition of hypothesis. For overt iniquity cannot afford a disputable ground.

Let us then suppose, what every one without hesitation, deals with as at least possible, to become actual ; and that a ministry regulates, at any one time, its domestic or foreign policy, simply by reference to self-interest, in violation of all equity and justice. The members are divided, but a measure is adopted to which the minority assent. Where does the responsibility rest, for this act, not less a human one because the result of many wills ? If injustice is committed by it, or is its foreseen result, responsibility is as surely following it, as the black shadow is the murderer who walks in the sun.

Are all who adopt the conclusion, or only those who have taken part in its discussion, or those solely who have proposed and by influence drawn others into the unjust measure ? We will not deny that there may be great aggravations, in some, of the general guilt, as there was in the priests who instigated the cry for Barabbas, beyond those who raised it. But every individual who joined in it, partook of its whole guilt.

Sin is an imponderable quantity, and cannot be measured out. Yet men have a natural desire to think otherwise, and to like company in guilt. Boys would rather rob an orchard in a body, than alone ; and so would burglars a house, or poachers a preserve. And this not because they intend to fight, but because of a certain comfort in having companionship in a scrape, and a sort of feeling that the guilt is divided, and only a share comes to each. The law however judges differently. One man will hardly dare to deal a policeman a deadly blow on the temple ; but ten will bruise and kick him on the ground. Not one gives him a fatal knock ; one hits his arm, and another his leg : this his head, and that his body, till the accumulation of injuries kills the poor fellow, on the spot or in the hospital. Now be the offence murder or manslaughter, that unsparing exactor of accounts, human justice, does not divide the indictment, and charge Smith with smiting X 500 on the arm, and Jones for abrading his scalp, and Robinson for pummelling his ribs, and award punishment to each separately for his individual share in the murderous assault ; but holds them all jointly and severally guilty of the heinous guilt, resulting from their individual ferocities. It is the same in civil matters. If the

directors of a Company meet in their Bank-parlour, and agree to risk their depositors' moneys in a "neck or nothing" speculation for their own immediate profit, and ruin their clients; all engaged in the nefarious conspiracy will be found equally guilty as speculators, or swindlers, without reference to the proportionate division of spoils.

Now if earthly justice be but the puny adaptation of the celestial, by imitation of its laws, instinctively, and revealedly communicated, we must naturally conclude that the guilt of joint transgressions is not distributive or cumulative, but "solidary," each one being responsible for the whole. If by instigation of our rulers, or with their positive approbation, the late bishop Franson was driven into exile, without trial, or even judicial forms, by a most arbitrary and unconstitutional proceeding, surely the whole of his disgraceful treatment, and the spiritual miseries which ensued, come home to the primary actors in this act of religious persecution. Nor does the electric wire bring news quicker to the ear, than responsibility incurred comes on the conscience, of those whose systematic encouragement has, by logical steps, easily foreseen, caused the military assassination of a loyal people, for not submitting to the tyranny and irreligion which are considered a cheap rate of purchase for chimerical and fantastic liberty.*

* While we are writing, the papers furnish us with a tolerable justification of our text; *ne pereant fragmenta*, we will insert the account abridged from the "Standard" of Nov. 3.

"Although this *régime* of brutality has failed, it is to be persisted in, and upon an extended scale. The prefect of Foggia has recently issued an order as brutal as that of his neighbour, FANTONI, at Lucera, and throughout the provinces notifications have been published like a circular, which the correspondent of the *Times* approvingly quotes as the work of Commander DI LUCA, the prefect, we presume, of the Principato Ulteriore. We cull a few of the flowers of this address—

4th Instruction. 'The relatives of brigands to be arrested to the third degree, unless they give valuable information, or are guaranteed by four respectable citizens.'

"If this is carried out the prisons will be full enough. Fancy arresting and imprisoning for an indefinite time, men, women, and children because they have a cousin who is suspected of being a brigand—i. e., a person in insurrection against KING VICTOR EMMANUEL."

"5th. 'The troops in their perustrations are to examine all

With eighteen assassinations in one day at Palermo, and a fair proportion in other cities of young and renovated Italy, are we to believe that no account is to be rendered by the country, or its rulers, who have urged on that wretched policy, of treason, of rebellion, of buccaneering

country houses, and arrest those who have arms or any incriminating articles.'

"6th. 'Labourers in the country must have a permit from the syndics, specifying characteristic marks, the places and kind of work on which they are engaged. The labourers shall be responsible for men, women, children, or servants who bring their food.'

"7th. '*They shall be severely punished if they carry with them more food than is necessary for one meal.* The labourers, too, shall be severely punished who do not mix lime with the grain before sowing it.'

"8th. '*All country houses are to be closed and walled up before the expiration of 15 days, and the inhabitants are to retire to the communes the syndics finding habitations for them.* Within this time the labourers are to bring in from the country all their effects, forage, and produce of the harvest. All animals, too, are to be brought in, and placed either in the communes, or as near as possible to them for security.'

"13th. 'Great vigilance to be exercised over the clergy. Weekly reports of their conduct to be sent to the prefects, sub-prefects, and military commanders. Those who are faithful shall be marked out for public gratitude.'

"What a terrible condition of society this circular discloses! It admits that the people generally are hostile to the Government, and will, when they can, help the 'brigands;' and it coolly orders the employment of means so brutal that it is unintelligible to us how an Englishman can be found to applaud them. We say distinctly that in the worst days of the worst of the BOURBON dynasties no such infamous barbarities were attempted. And be it remembered all this cruelty is committed in the name of liberty and universal suffrage. The Piedmontese went to Naples professedly to liberate the people from a tyranny which weighed heavily upon them, and it is as liberators that they commit these atrocities. We do not seek to excite sympathy for this unhappy peasantry. We are quite aware that it is impossible to awaken it in the quarters where alone it could be useful. EARL RUSSELL and MR. GLADSTONE are so enamoured of Italian unity that they can see no wrong in any means employed to effect and maintain it, and, moreover, are both of them a great deal too aristocratic and Protestant in their sympathies to trouble themselves about the miseries of a poor and bigoted Popish peasantry."

invasion, of savage rule, to which are traceable all the miseries of the ill-fated "Two Sicilies?" Let us leave the Government of the new country to answer for its own heavier debt; but let us think well of our own.

We can simplify an equation, by diminishing, or subdividing its quantities; and we can reduce our reasoning to simpler terms. A few years back on the continent, and a few centuries ago at home, when a king wished, for example, to plunder and oppress the Church, he did not sink his responsibility in that of many councillors. Generally it has been a weak and minister-ridden prince who undertook such a work, and his Kaunitz, or Pombal, or Medici was perfectly ready to take upon himself any amount of maledictions in both worlds, without the least idea of relieving his master of a single grain. Or it has been a sovereign with iron heart and hand, like Henry VIII., who easily found ministers to do his brutal will in anything, without the slightest desire to transfer to them a blame, which he scorned—fearing neither God nor man.

Squaring accounts with one Achitophel is a simpler process than doing so with a whole Sanhedrim; but in essence it is the same. If ten people advise a wicked measure, and a sovereign adopts it, the case is much the same as if Burleigh or Cromwell alone had either advised or executed it. We fear that combinations among men have not essentially modified the method of keeping the awful books, to be one day produced from the heavenly Accountant's office.

This distribution of responsibility is one of the happy expedients of an ingenious age; which would ridicule the gross idea of cloaking, or curtaining, oneself against the all-penetrating ray of celestial light, yet fancies it has discovered a way of so dissipating and sub-dividing liabilities, as that the supreme wisdom itself cannot possibly unite them into a tangible shape.

This popular plan may be described as a "Joint-stock conscience with limited liability."

In the course of a few years, we have seen an unprecedented number of cases, in which men bearing honourable positions in society, each being singly respected, have conjointly perpetrated the most heartless wickedness, to the ruin of thousands. The instances have been too numerous to be forgotten. Whether the public partake of

Dr. Johnson's feelings, when he regarded as a mean culprit the man who got a few hundreds into debt, but looked up with a sort of veneration as to a hero, to the nobleman, who ran into £100,000 liabilities, on the principle of much older date

"Fac aliquid brevibus Gyaris, aut carcere, dignum
Si vis esse aliquid,"

we cannot say. But certainly there is a species of awe generated in that public's minds by the vastness and almost grandeur of evil coolly committed by what are called Companies; and when several men of rank and repute fall under the unequal hand of law, their very number augments compassion, instead of multiplying vituperation. After all, when you come to spread the responsibility over a whole Board of Directors, each receives but a very small dividend. Let us imagine a timid member of the body, who in private life would not defraud a tradesman of the pence in his bill, nor refuse a crossing-sweeper his daily penny, called, for the first time, to deliberate in his official capacity, whether or no £50,000 shall be advanced to an original founder of the Company, to enable him to carry on iron works already mortgaged to it for double the amount. If he were alone, he would look at the matter as a gentleman, and perhaps a Christian. "The money is not his, but belongs to many poor shareholders, who have entrusted their little all in small £5 shares:—the advance is for the profit of one already insolvent person, who gives negative security, past loss for present cash;—it is only throwing good money after bad." And a thousand other monetary saws and proverbs hurry to his mind, which embalm the wisdom of a race, evidently with "no speculation in its eye." Poor good man, what shall he do? Raise his feeble voice against the injustice proposed, and seconded, by the great colossal men of gold, brass, or clay, whom they all worship? Impossible! Or if he meekly attempt it, he will be told, "it is no use—you will be alone in minority;—besides it is too late, as he must abide by the decision." And the whole argument may be worked up into one of those wise aphorisms, which are exceedingly foolish: "My good friend, we are all in the same boat, and must either swim, or sink, together."

What is the natural issue of this? That the quiet man acquiesces in the common guilt, prefers the joint-stock

to the individual conscience. For, indeed no doubt, man's law more inexorable than heaven's, will hold him equally guilty of the conspiracy, and "*inter velut anser olores*," like a goose as he is, will, not indeed twist his neck, as in the last century, but mercilessly clip his pinions, against another flight. But at any rate, before another tribunal, he would have come out saved, had he adhered to his own conscientious convictions, and strenuously, even though unsuccessfully, resisted the injustice.

Still very few have courage for acting thus: each feels the comfort of multitudinous liability, and joint-tenancy in the investment of moral, as well as material, capital. It is extremely seducing, and soothing to the individual conscience, which thus feels relieved of its momentous duties of weighing, deciding, and resolutely enforcing its own decrees.

In oriental regions, where they pray by machinery, and meditate by wind-mills, this difficulty of conscience is more easily evaded. Busbequius, to whom we owe so much information, concerning our now amiable allies the Turks, in his time considered ruthless barbarians, tells us that, in his travels, he tried in vain to seduce his attendants into the pleasant use of alcoholic beverages. All to be sure, except one; who, renegade dog as no doubt he was considered, used to yield to the stimulant temptation, and quaff an occasional goblet of wine. Before doing so, however, he used to utter a most terrific yell. Upon being, at last, questioned as to the meaning of this singular preliminary, he explained, that by that howl, he intended to frighten his soul to a distance, that so it might have no share, or responsibility in the action about to be performed by his weak and recreant body.

Thus "conscience doth make cowards of us all," of the barbarous Turk by driving him to this childish self-mesmerization, of the civilized Englishman, by impelling him to merge, that is drown, his over indiscreet monitor, in the multitude of others. It is like trying to smother the sound of one cracked bell, by ringing out a peal.

This flying from the voice of conscience, or weakening its individual and unmelodious sounds, in a concert with those of many, is the most strikingly elucidated in the news-press of the day. In what consists the editorship of a daily paper? Some potential, and unseen energy, concealed from the eye as were the furnaces and the boilers

in the late Exhibition, move the most complicated, and stupendous, but sometimes rude, sometimes delicate, machinery. There is that which gathers together, from every country in the four quarters of the globe, information of every class ; that which discards, blends, weaves together the materials so collected ; that which joins the variegated webs with the still more complex combinations of home intelligences, from the royal Court to the police Court, from aristocratic gossip to dry monetary intelligence and price-lists ; that which throws in the salt and seasoning of literary and artistic criticism ; that which sifts, classifies, and renders accessible, the heaps of advertisements : finally that which elaborates, each day, a pamphlet full of leaders, on every sort of subjects, and of every degree of merit. We speak not, under this name, of the more real and substantial machinery, by which all these great elements of information are multiplied, from the compositors' hands, by the engines which whirl off thousands of huge sheets, in their uninterrupted revolutions. But even including this, the entire organization is under the control and management of human intelligences, unseen, and in general unknown, by the tens of thousands, who daily swallow at once, or gently imbibe the amount of information thus spread over the entire land.

There is clearly a corporate authority vested in these immense periodical productions, births of the day, the week, the month and the quarter—but now chiefly of every morning. They are known by names, like those of great firms, whose credit is received on trust, without acquaintance with a single person, real or fictitious, that lends a name to it. We send our parcel by Pickford's, though there is no such a person in the Company ; and we order furniture of Gillows, though the name is altogether mythical. And so a person quotes the *Times*, or the *Morning Post* for an opinion, or a fact, without ever reflecting that a single individual, probably neither as well educated, nor as well informed as himself, has emitted the one, or stated the other. It can be only one man who wrote the paragraph ; but then he clothes himself in the mysterious plural. O that WE of the periodical press ! It gives the authority of many minds to the babblings of a single tongue, or the scratchings of a single quill.

In other words it assumes the joint responsibility of many in the statements of one. The *Times*, or the

Daily News, signifies an association or combination of various geniuses, the learned, the polite, the dignified, the scurrilous, the blasphemous, the shrewd, and certainly the inventive. Whether like Cerberus, they are often "three gentlemen in one," we do not pretend to divine; but the public believe that they have the joint guarantee of many for the truth of what they read.

And it is so in truth: it is the most perfect specimen of a joint-stock responsibility. Certain views, a given party are to be maintained, and these must be supported. Facts must be suppressed, or bent, or twisted, which could suggest a suspicion of error, on the organ's side. In the foreign correspondence, pure fiction is prepared by men often of notoriously worthless character, to deceive the bulk of readers. We were shown, with indignation, a few years ago, the conditions offered to an aspirant for such a post, in the staff of a great daily paper: one of which was to decry and depreciate in every way the Sovereign Pontiff. He preferred personal to associated responsibility, declined the honour, and incurred a serious loss.

There can be no doubt that the daily press requires to have its "accounts cooked" for its readers. For how long a time were unceasing efforts made by some, to poison the public mind about Naples, its late king, and his father, and even the exiled queen, whom any remnant, we will not say of chivalry or gallantry, but of manliness even, in the writers, ought to have shielded from insult! This was necessary for eventual revolution, no matter at what cost of life, of property, of peace and of happiness. Everything was exaggerated that could embitter men's minds against the royal government: everything suppressed that could have told in its favour. Then, the Neapolitan prisons, and their fictitious annals, were given day by day with pathetic earnestness. Now, that they are far fuller of political inmates, and are scenes of far greater cruelty, scarcely a word escapes the pen of correspondent, or writer at home. They are Piedmontese who are now the judges, and the gaolers; formerly they were Bourbonists.* The

* The impudence of fictions on this subject is almost incredible. At the moment when the Piedmontese government does not know how to satisfy the clamorous demands for places from its own partisans, and that it is filling all Italy with northern *impiegati*, a leading
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present suppression of truth is in such a case as criminal as the former allegation of falsehood ; the intention of both being to mislead. However, what we have said of Naples will equally apply to many other countries, as Spain,

paper, through its correspondent, actually accounted for the undenied barbarities, inflicted in the Neapolitan prisons, on the ground that the same officials were still employed there, who practised them under the Bourbons. A statement most incredible, that men cruelly used, as has been alleged, in prison, should, when masters, reward their tormentors by keeping them in pay, or trust them with those of their party, when sent to gaol by their rivals. And if so, it avows that the present government has continued those whom it had denounced as butchers, in honourable office, and holds itself responsible for the continuation of the old atrocities. But the fact is, that this is a deliberate, and daring untruth : to make the poor exiled Bourbons answerable for the crimes of the invaders who dethroned them. And similar apologies have been made for the violences committed in the usurped Papal States.

The following facts for which we can vouch, will prove the falsehood of this account. A member of the Turin Chamber, well known in all Europe went, as he informed us, to visit Count Benosti, in one of the political prisons. He possessed right of entrance, by virtue of his position, as a deputy ; and drew out his medal, to show to the head warder ; when seeing who had presented himself, he exclaimed : " I want to see the governor, not the prompter (*soffiatore*) of a theatre." For it so happened that this nobleman had brought out several Tragedies at Florence, and had accordingly had to deal with this important functionary, at rehearsals. And he it was who now presented himself to inspect his silver ticket. He informed our acquaintance, that having formerly acted as go-between for the political prisoners of the other day, and their extra mural friends, he had been rewarded, for treachery, as was natural—" set a traitor to watch a traitor."

Another time, the same gentleman went to visit in prison the Count Popoli ; from whom he learnt that he had at first placed over him a turnkey who behaved very respectfully to him. His servant informed him that he was a wine-dealer, who, up to the previous week, had furnished the Count's house with that commodity, and had received his present office. But on its being discovered that he was civil to his prisoner, he was removed from at least that part of his charge, and a certain Santo Stefano substituted, who had indeed been in some dependence on the prisoner, but now made it a duty to show that he was master, by conduct contrasting with that of his predecessor, but doubtless more acceptable to his superiors.

Austria, Ireland, and more especially Rome, the news from which, given by special correspondents, has been so portentous in its malignant truthlessness, as to have provoked enquiry by honest English residents, who have found them to be absolute inventions. And as to home information it has been exactly the same.

Take for example what has occurred within the last month, in the course of a few days. The leading Journal, as it is pompously called, asserted, with distinct information to the contrary, that a priest at Birkenhead had harangued an Irish crowd, inciting them to a breach of the peace. The paper considered to be the ministerial organ, informed its readers, that money to foment riotous Catholic meetings in the Parks, was supplied by "the College of Cardinals;" many others affected to see, in the Addresses of bishops to their flocks, exhorting them to abstain from riotous proceedings, covert incentives to do the contrary. Even the two weekly journals that represent the opposite poles of vulgarity, the more refined extreme of a perpetual sneer, and the coarser one of an eternal leer, the Cynic and the Buffoon of our periodical literature, joined in the absurd outcry, disappointed evidently in the failure of a scarcely human conspiracy to make our religion and Ireland odious in the eyes of the Empire.

That the falsehood of all these assertions, statements, and calumnies was perfectly known to those who emitted them, is abundantly demonstrable.* And who is responsible for all this wickedness? Some one must be. The position assumed by the periodical press looks certainly a lofty and noble one. The clever writing, and vast information daily provided by it, for the world, leave the impression that it commands genius, that rarest combination of intellectual possessions. But genius of its nature is noble, independent, and ought to be unpurchaseable. Whereas here all is well paid, mercenary, and sordid. A man must be ready to write in the sense, and according to the thoughts or wishes of a body, whose servant he is,

* Does the reader wish to have the key to them? Here it is. Not many days ago a writer in one of the principal papers, said to a Catholic gentleman: "The long and short of it is, that we are determined to get up an anti-popery cry; and do what you like, we *will* have it." Catholics beware!

whose pen he holds, whose salary he receives; as much as the clerk of a mercantile firm is bound to write out invoices or check off entries, as his employers bid. The corporation called "The Times" is after all a monetary association, regulated in its opinions on politics, and every other topic, by the balance of profit or loss. Its masters are those who share the gains; the commanders of its vast and varied talents are the dispensers of remuneration, the holders of the money chest. If a man says: "what a capital affair such a paper is;" or, "how I should like to have a share in another;" nobody understands such expressions otherwise than as if the name of the "Royal Exchange Insurance Office," or the "New River Company" were substituted in the phrase. They all pay good interest for money invested in them; but their shares are become very high.

Now if what are called the principles of a paper resolve themselves into what opinions pay; and these are to be supported "through thick and thin," by reckless assertions, or artful suppressions, at the expense of private character, or personal feelings, there is somewhere a weighty responsibility both for every separate sin thus committed, and for the almost satanic wickedness, which bribes so many others to moral these offences, and deadens countless consciences, for the purpose of keeping a speculation up to its desired productiveness for its proprietors.

In what part of the huge machine is hidden its conscience-power? On which of its adamant wheels does responsibility rest? No doubt, in the opinion of its shareholders, in some great fly-wheel, which carries off, and drifts into space any waste, or over-power; than which none can be more so than conscience. The instruments, distant and near, all equally venal, must with certainty bear their individual blame, in ministering to injustice or untruth: but the gold-full hand which grasps and directs their pen, the iron head which overrules their conscience, and inspires their minds, must stand the tests of moral responsibilities, not in shareholders' proportions, but in indivisible and complete personal acceptance.

There is a similar use of this truly modern process of mental purgation, of this application of artificial human laws, to those of a superior tribunal. Men have found it convenient to institute rules about human liability, and seem to think it a matter of course, that an Act of Parliament

framed on this subject holds good elsewhere. Just as many people believe that marriage is indissoluble, according to God's law, but nevertheless quite acquiesce in the sentence of the Divorce Court.

And so it is thought that a disclaimer of responsibility actually secures exemption from it; like an advertisement to tradesmen, that a man is not liable for his wife's or son's debts. The Editor of a Magazine, for instance, tells his readers that he does not hold himself responsible for the sentiments of his correspondents, or his contributors. Now, to what liability does he allude? To that to God, or that to man?

Surely, if he have made up his mind never to admit into his pages even a line contrary to his own conscientious principles, nothing that can be disapproved by religion or morality, or which he believes or fears is untrue or unjust, or uncharitable, why should he disclaim that higher responsibility? There is plenty of scope for diversity of opinions, within the great moral lines thus traced out. Fair discussion upon a thousand permissible topics gives variety, richness and interest to the pages of a periodical. Monotony of minds is as wearisome as identity of features; even a little rasping collision of opinions will elicit brilliant sparks. In the very heavens there are oscillations of great parts, which do not interfere with the mighty laws that rule their positions and their courses.

No one need deprecate responsibility, for what he has intention and power to preserve from vagrancy beyond the sacred boundaries of moral right. And as to men, undoubtedly no responsibility can be cast off, except upon some one else who undertakes to bear it. We may differ quite diametrically (for this is an instance of an open question) on the propriety or expediency of the French imperial law, that every newspaper article must bear a real signature.

Verax or *Paterfamilias* will not do. In other words, the certainly sagacious ruler of France insisted upon some tangible, mulctable and imprisonable human being, holding himself ready to bear all fitting pains and penalties, for the untruthfulness of facts, and the treasonableness of opinions in his old friends' publications. Even so, plenty of lies, under the more softened title of *canards* glide over the surface of these responsible articles, whose signatures take off, not "the division of the twentieth part of one poor scruple," from the pressure of that hand, of which a finger

weighs more heavily than the loins of any Bourbon king, on editorial liability.

But if no real name, or its equivalent, assigns elsewhere the responsibility of a communication, on whom must it fall but on him who gives it wings, as to an arrow, and then impulse through the crowded thoroughfare?

Let us, however, conclude. For twenty years and more, has this Review pursued its course. It has not been without its struggles, its enmities, and its rivalries. Yet now so far from thinking that its career is ended, or that the necessity for its prolongation has ceased, those in whose hands it is placed, feel rather that a vigorous effort is expected from them, to increase its energies, and do battle for sound doctrines, against the shifting errors of the day. It would be a curious historical record, if any one, in a future number, would write it, to trace the progress of controversy and the changes of ecclesiastical circumstances, as registered in the successive volumes of this Review. How totally different was the relative position of Catholics in Great Britain and of Protestants, when the first number appeared. How different our literary, our theological, our political, our architectural, our artistical, our ecclesiastical, our social condition, from those now old times. How many topics then fresh would look stale now, not because in themselves unimportant, but because we have conquered the necessity of alluding to them. What was then recommended in these pages has been now fully adopted: what was foreseen has been fulfilled; what was reprobated has ceased to be.

What questions, mighty indeed, in the history of this portion of the Church, perhaps not insignificant in its greater Annals, have arisen, run their course and ended, entirely or partly during this space, and at any rate will be found step by step pursued in these pages. The phases of the great intellectual yearning after truth at Oxford, and the glorious conquest of souls which crowned its longings are here registered. The history of the Catholic Hierarchy opens and dies out in but a few of our numbers. We have survived many other questions and almost their interest. Nor could we have foreseen the new fields that have now opened to us, and invite us to watch.

We could not have anticipated the stirring topic of the day, Italy, with its complications, political and religious. Especially could we not foresee the renewal, even among

Catholics, of the question of pontifical temporal rule. Neither could we have warned our readers against such signs and portents as the "Essays and Reviews," or the more recent attack on Scripture from a bishop of the Establishment. Nor is it possible for us to allow our faithful representation, through nearly a quarter of a century, of the interests, the aspirations, the anxieties, and the successes of Catholics in England and Ireland, to come to an end, at the instant when so many new and momentous matters demand their faithful record, and public expression, in sympathy with their present feelings, and in continuation of their past history. No publication which does not express this sympathy can go down to our children as the faithful chronicle of our days.

Our literary and religious mission is clearly not ended; and we must not leave its work unfinished.

But what has led us to these closing remarks is this. From the first number to this, every article has been written, or revised, under the sense of the most solemn responsibility to the Church, and to her Lord. If we have been reproached, it has been rather for severity in exclusion, than for laxity in admission. Many an article has been ejected rather than rejected, even after being in type, because it was found not to accord with the high and strict principles from which its editorship has never swerved, and which it has never abated. To him who has conducted it for so many years, a higher praise could scarcely be given; and by no one, we are sure, has it ever been better deserved. That occasionally an article, or a passage may have crept in, which did not perfectly come up to the highest standard of ecclesiastical judgment, is not only possible but probable. Absence, hurry, pressing occupation, ill health, or even inadvertence and justifiable confidence will be sufficient to account for an occasional deviation from rule, should anyone think he detects it. If so, we are certain he will find its corrective or its rectification in some other place.

For from first to last, as we have said, this Review has been guided by principles fixed and unalterable; and those who have conducted it, have done so with the feeling that they must render an account of all that they admitted. However long may be its duration, and under whatever auspices, we are sure that the same deep, earnest, and religious sense will pervade its pages, and animate its

conductors, that their occupation is a sacred one, a deputation to posterity that our children's children may know how we adhered to the *true faith* of their fathers, how we bore with patience and *gentleness* the persecutions of our enemies, and how we never swerved from *justice* to friend or foe. Our motto may well be: "PROPTER VERITATEM, ET MANSUETUDINEM ET JUSTITIAM."

ART. VI.—1. *Reisebriefe von Felix Mendelssohn Bartholdy aus den Jahren, 1830 bis 1832.* Herausgegeben von Paul Mendelssohn Bartholdy. Leipzig, 1861.

2. *Letters from Italy and Switzerland.* By Felix Mendelssohn Bartholdy. Translated from the German by Lady Wallace. London: Longmans, 1862.

3. *Sketch of the Life and Works of the late Felix Mendelssohn Bartholdy.* By Jules Benedict. Second Edition. London: John Murray, 1853.

4. *Supplement to Vol. IV. of the Musical World.* London: Novello, 1837.

SELDOM, indeed, does it fall to our lot to meet with such a book as that which we have placed at the head of this paper. More seldom, still, is it vouchsafed to the bright band that crowds Parnassus' slopes to reckon among its ranks one so perfect, so complete in every respect, as the great artist of whose young genius that book is the simple and affecting memorial. It is a fortunate thing for us, that we have received it precisely as it issued from his pen. It is, perhaps, the highest tribute, of its kind, which could be paid to his memory, that they, whose character already stood so high, and who have received an immense accession of reputation by the fame which he has bequeathed to them, should have thought that this memory will be best served, and this fame extended by the publication of those unpretending letters, penned in the warmth and innocence of his affectionate heart, ere yet the responsibility of public life could have brought even the alteration

of an added grace to the simplicity of his native greatness.

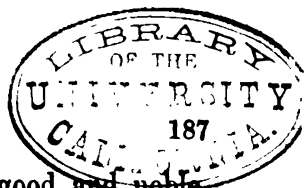
In truth, among the records of art and artists we do not remember any that may be compared with this singular career. Art, whether it be imaginative or representative, is so begirt with temptations of every kind, so shackled by circumstances, so weighed down by drawbacks, that they who can appreciate it best are least surprised by its shortcomings. Among all the intellectual occupations of man, its pursuit is too often the one most familiar with vicissitude, most apt to be cheated into taking appearances for the substance, most liable to find, when too late, that the doomed cockle has been irretrievably mixed with the good grain which ought to be preserved. Let us add to this, that all art tends to be absorbing, and therefore tyrannical, grudging any attention to aught else besides itself; that the artist is after all but human, and that the very temperament which renders him the fittest instrument for achieving the high aims of art, is also open to suggestions and fascinations, equally powerful, and of a very different kind. They who know the history of art well, do not marvel at the saddened lives which so frequently chequer its chronicles; at the varying struggle of victory and defeat, the mingled shame and glory, the wasted energy and mistaken lights, the confusion of plan, the infirmity of execution, the inconsistency of purpose and result; nor are they shocked, when they find, as alas! it too often happens, that the artist has stooped very low indeed, even when he seemed to rise highest. To this long series of antecedent and contemporary biographies, the life of Mendelssohn presents a brilliant and joyous contrast; holding, in the muster-roll of artists, a place all to itself, individual and alone. Without flaw or blemish or defect, unstained by meanness, unsullied by passion, free alike from all sordid promptings and cynical austerity, from warp or check, it passed along swiftly and surely, piling success on success, pure as a ray of sunshine, diffusing health and gladness wherever it could reach. It was a wondrously consistent whole from the beginning even to the end, without a single fault to break its evenness, a single drawback to mar its continuous prosperity, untouched by failure, ignorant of vanity, unruffled equally by presumption or by fear, sustained in ceaseless and successful toil by that nobleness of spirit

and unflagging energy which genius ever borrows from virtue.

The opulence of his family preserved Mendelssohn's childhood and youth from those anxieties which are the proverbial obstacles in the artist's path ; while their position secured for him that favourable introduction to public notice, which always constitutes a preliminary difficulty, and often an insurmountable one, in the way of unaided genius. Every thing, too, connected with his home, was such as could hardly fail to promote his advancement. The family traditions, pointing to intellectual eminence as the chief source of the great consideration in which his house was held, furnished at the same time a beacon and a powerful incitement to a youth of talent and of high spirit. His father was a large-minded and highly cultivated man, energetic, kind-hearted, and liberal. His mother was an admirable compound of goodness, refinement, and judgment, whose heart was bent on securing the proper culture of her family, and whose ingenuity was wholly directed to discover ways and means of influencing their tastes, increasing their acquirements, and promoting their improvement and enjoyment. Rarely has genius been born into such a sunny sphere. Rarely has it been so carefully tended, so diligently nurtured, so lavishly helped. Rarely, too, has it expanded so quickly and to such early maturity, with such abundant blossoms, and yet richer and more copious fruit. Seldom, indeed, has the education of youth been attended with so much promise, and still more seldom has this promise been so outstripped by the profusion of its fulfilment. He learned easily, quickly, and solidly, putting away surely in the storehouse of his memory everything which was worth remembering, whence he was always ready to draw it the moment he required it. Nothing seemed too much for his powers, nothing too trivial to be worth knowing : and yet he was solicitous about his acquirements according to the estimate which he was enabled to set upon their value. He seemed to have an equal aptitude for each province of the realm of art and intellect. He was an admirable draughtsman, and passionately fond of poetry :—nought but a poet's fancy could have conceived the *Lieder ohne Worte*. He was an excellent linguist, speaking perfectly the modern languages of Europe, and thoroughly informed in classical literature, to an extent indeed far exceeding the ordinary attainments of well-

1862.]

Mendelssohn.



educated men. Everything that was good and noble, whether in nature or in art, he appreciated, loved, and strove to identify almost with himself; but this keen susceptibility of impression brought no confusion to a mind, one of whose foremost qualities was a subtlety of discrimination, that at once caught each difference of shade and tint and variation of tone. An extreme mobility of temperament, a thorough sense and relish of humour, and a faculty of instant perception were tempered by a kindness and suavity of disposition, which forbade any enjoyment or satisfaction purchased at the slightest risk of pain to another. With all the frolicsomeness and delight of a boy when among children, he had the greatest respect for those older than himself, and took an unfeigned pleasure in their society. His great personal beauty may well be believed to have increased the public inclination to view with favour his early efforts, and may in some degree have contributed to his life-long popularity; for, we suppose, the old principle ever holds good, and now, as formerly,

“Tutatur favor Euryalum,

Gratior et pulchro veniens in corpore virtus;”

yet he seemed to be wholly unaware of his advantage, and neither by vanity, nor affected indifference evinced the slightest consciousness of a gift which every portrait has failed to copy. Need we say, that there was nothing in him, low or vulgar, base or tainted; that everything was elevated, refined, and gracious; that even in his very physical actions there was a dignity unequalled among his fellows? Born and reared in affluence, carefully and amply educated, fortunate in the choice of a profession, surrounded by applauding friends, blessed with singular domestic happiness, borne along a continuous tide of success:—he was not spoiled by this unvarying prosperity, but remained simple, guileless, perfect to the end.

Fifteen years have now elapsed since this great artist and still greater man was suddenly taken away from among us. It is natural that we should look for some record of so complete and noble a life; and it is particularly desirable that such a record should be compiled, before they too, have departed who enjoyed the privilege of his familiar intercourse, and whose opportunities of information will furnish those details, the knowledge of which will equally satisfy a legitimate curiosity, and afford materials for our

instruction and improvement. Here in England especially, where his genius first found the opportunity of putting forth those efforts which afterwards astonished Europe, and to whose appreciation and sympathy he himself ever bore the warmest testimony, such a work would be fondly hailed, as relating to one whom we cannot regard as a stranger, but must look on as occupying a place among the most illustrious of our own dead. An outline of Mendelssohn's career appeared during his lifetime, in *Novello's Musical World*, in 1837, shortly after his oratorio of the Conversion of St. Paul was first produced in England. In the beginning of 1850, a short sketch of his life and works was published by Mr. Benedict, which possessed the advantage of coming from one who knew and understood the great composer well, but did not, after all, exceed the limits of a mere sketch. It was hoped at that time that a more complete memoir would be soon undertaken; but this hope has hitherto remained unfulfilled. At length a movement was made in the desired direction, and, two years ago, his brother, Paul Mendelssohn Bartholdy of Berlin, proposed to publish a selection from his correspondence, chiefly with a view of thus preserving biographical elements that might be of use in the compilation of a memoir, a work, however, whose performance was reserved for a future day. Difficulties intervened to prevent, for the present, the publication of anything like a complete collection of Mendelssohn's correspondence. Accordingly, his brother determined to restrict his plan to narrower proportions, within which it would be capable of being completely carried out; hence the work which stands at the head of this paper. Its nature and purport are explained in the preface.

"In 1830 Mendelssohn proceeded to Italy, returning through Switzerland to France, and in the beginning of 1832 visiting England for the second time. This period, which to a certain degree forms a separate section of his life, and which, through the vivid impressions it made, assuredly exercised an important influence on Mendelssohn's development, (we may mention that he was only one-and-twenty at the commencement of this journey,) supplies us with a number of letters addressed to his parents, and to his sisters, Fanny and Rebecca, as well as to myself (his brother Paul). I have also added some communications of the same date, to various friends, partly entire and partly in extracts, and now present them to the public in their original integrity.

"Those who were personally acquainted with Mendelssohn and

who wish once more to realize him as he was, when in life,—and those also who would be glad to acquire a more definite idea of his individuality, than can be found in the general inferences deduced from his musical creations—will not lay down these letters dissatisfied. Along with this particular source of interest they offer a more universal one as they prove how admirably Mendelssohn's superior nature and perceptions of art mutually pervaded and regulated each other."—Preface to Letters, p. vi.

It is almost superfluous to say that the public has welcomed the appearance of this work, and has been the more satisfied by reason of an implied promise conveyed in the preface, that it will be soon followed by other instalments in discharge of a debt so long owing. From the very nature of the case, "these letters,—stored up so long in the peaceful home for which they were originally destined and exclusively intended, and now made accessible to a more extended circle," solely in obedience to an earnest and generally expressed wish,—cannot be made amenable to the ordinary rules of criticism. But were it otherwise, the most affectionate solicitude could have no anxiety for the reputation of their author. Of the translation we need only say that it has been, generally, well executed, combining clearness, neatness and fidelity. We shall avail ourselves of the occasion of these publications to place before our readers a connected account of Mendelssohn's early career, pressing into our service as well the imperfect narratives to which we have already referred, as the more copious materials now for the first time placed within our reach.

The name of Mendelssohn, albeit indebted to the achievements of the subject of this notice for increased lustre and more widely extended repute, does not, however, owe to him its first distinction. It had been already famous, since the middle of the last century, in the person of his grandfather, the celebrated philosopher Moses Mendelssohn, with whom, indeed, the family surname in its present form originated. This great man, an enduring monitor of all that energy and industry may accomplish, was born at Dessau in 1729, where his father Mendel was at the head of a Jewish school of the lowest class. From him the young Moses received such fragmentary instruction in Hebrew learning as he was capable of imparting. The *Moré Nebuchim* of Maimonides is specially mentioned as a subject of his study; and a constitutional debility and an affection of the spine continued through

life to test the intensity of his boyish application. This early diligence, although destined to exercise a most important influence on the fortunes of his after life, was not at first attended with any immediate beneficial result to his position ; and, in his thirteenth year, he found himself in the streets of Berlin, a wandering Jewish outcast, penniless, friendless, homeless, incapable of earning his livelihood by manual labour, by reason of his bodily infirmity, and speaking an almost unintelligible jargon made up of broken Hebrew and the low German of the humblest class. For some time, he was wholly dependent for subsistence on the bounty of his fellow Hebrews ; but gradually his abilities and sterling good qualities won him friends ; and these, in turn, by their advice, encouragement, and association, greatly contributed to his rapid intellectual advancement. Availing himself of the instruction thus placed within his reach, he applied himself successfully to the study of mathematics, Latin, and modern literature. But the turning point in his life was in 1754, when he was accidentally met by Lessing at chess. The great critic at once recognized the worth that lay shrouded in so much obscurity. He resolved to become the friend and helper of the poor struggling young man, and continued faithful to his resolution throughout his whole life. This intimacy proved of the greatest advantage to Mendelssohn. Under the guidance of his new friend, he entered on the diligent study of Greek literature, and soon emancipated himself from the narrow-minded pedantry of his early Jewish education. He soon began to adventure himself on the deep sea of philosophical disquisition, which thenceforth became his favourite pursuit. His acquirements became, at length, so generally recognized, that he was strongly recommended to a silk manufacturer, named Bernard, who took him into his house as tutor to his children. He acquitted himself of his duties in this capacity so much to the satisfaction of his patron, that he first promoted him to the superintendence of his factory, and then admitted him to a partnership, and finally relinquished the business in his favour. His literary advancement kept pace with the development of his material fortune. His first work was *Briefe über die Empfindungen* or *Letters on the Sensations*. This was followed, from time to time, by other philosophical treatises which gained for their author a high reputation for acuteness of thought and systematic reason-

ing. Lessing associated him with himself in the conduct of Nicolai's *Deutsche Bibliothek*, the earliest German literary periodical. It was a great contrast to the abject misery and loneliness of his boyhood. He was now in middle life, a man of wealth and station, universally respected, and numbered among the leading teachers of the age. It was at this time that he composed his *Phædon*, a work which has been translated into most European languages, and on which his merit as an author and a thinker, will chiefly rest. Its precision and elegant simplicity would have been worthy of Xenophon had Xenophon written in German, while the ingenuity of the arguments that are alleged for the immortality of the soul and the systematic ability with which they are sustained would not have discredited Plato, and have been actually honoured with the critical notice of Kant. Lessing has immortalized the character of his friend in his drama of *Nathan der Weise*, in which the part of Nathan has been always understood to have been copied from Moses Mendelssohn. It is unquestionably a great conception, at once attracting our attention and securing our sympathy, ennobled by a wisdom and large-hearted tolerance and forbearance that impress the reader with a sense of ineffable dignity. It is a very faithful representation of the real man as he has come down to us, mild, shrewd, and always worthy; remaining in the religious system of his early training though often solicited to come out of it, and yet it cannot, with any truth, be said that he was of it, or belonging to it; ever aiming at bettering the social and intellectual condition of his own race, still equally ready to welcome any project that would recommend itself to him, as tending to promote the general welfare of all mankind. Lessing meant that Nathan should be the impersonation of a tolerant Jew. In this we think he has altogether failed, the character and the part which it was to bear being not only inconsistent but simply contradictory. But, in this very failure he has been able to bequeath to us a living and enduring portrait of an eminent man, whose innate greatness of mind raised him above the littlenesses with which circumstances would have fettered him. Mendelssohn's death was singularly in keeping with his life. An essay of the elder Jacobi on the doctrines of Spinoza, appearing to him to involve a charge of atheism against Lessing, excited him very much. He zealously defended his dead friend against so

injurious a suspicion. But the controversy had such an effect on his nervous temperament, that a cold was sufficient to terminate his most useful life in 1786, in the fifty-seventh year of his age.

Abraham Mendelssohn succeeded to the wealth, position, and consideration which his father had acquired during his brief, but industrious and honourable career; and he had both the ability and the good fortune to consolidate and develop these advantages. To his hereditary manufacturing and commercial pursuits, he added the lucrative occupation of banking. The circumstances of the time may have suggested this new undertaking: they, at all events, remarkably befriended its progress, while his Jewish connections secured for the banker monetary facilities and wider opportunities. He married a lady named Bartholdy, one of a family already distinguished for literary talents and attainments, and who gave ample proofs that she had fully inherited these ancestral accomplishments. Her husband adopted her name in addition to his own, and transmitted it to his children as a portion of the family surname. Their eldest child was a daughter named Fanny, who exercised a very considerable influence on the career of her brother, Felix, the subject of this notice. He was born on the 3rd of February, 1809,—at Hamburg, where his parents chanced to be staying, their usual place of residence being at Berlin, the centre of M. Mendelssohn's commercial and financial operations. As if presaging the fortune of his after life, and indicating the gifts of circumstance and intellect, which were lavished so profusely around his cradle, he was named "*Felix*" at the baptismal font:—for, although the Jewish philosopher, the founder of the family, could not be induced to relinquish his formal communion with what he had probably come to regard as the superstitions of his race, yet, his son, either for fashion's sake, or through conviction, had become a convert to Christianity. Seldom, indeed, has the name bestowed on an infant, been proved to be of such prophetic significance; seldom has this uncertain promise been permitted to receive so clear and, in all respects, so complete a fulfilment. "*Felix*," indeed, that infant was destined to be in all the gifts of physical beauty and intellectual power; in the careful training which watched over his boyhood and youth, and taught him how best and most surely to use the strength which was his pos-

session ; in the unruffled peace of his domestic life leading him from spring's delight to summer's joy, in perpetual recurrence, ignorant alike of autumn's blight and of winter's chill ; in the unvarying success of his more adult years, bringing fresh and greater triumphs in quick succession, and bearing him swiftly nearer and nearer to that ideal goal which is the artist's highest aim. In one respect only, but that, alas ! the highest, we greatly fear that the fulfilment fell short and the presage failed—in the absence of the grace of being reunited with the Church into which he had been unconsciously admitted at the dawn of his life, and of effective correspondence with opportunities more than once vouchsafed and allowed to pass away, perhaps in the illusory hope that they might be again recalled.

From his infancy, the little Felix manifested the same delicate appreciation of sound which made the childhood of Mozart so remarkable ; and this coincidence was carried so far, that the young Mendelssohn evinced a similar decided repugnance to drums, brass instruments, and military music, as his precocious predecessor, while he listened with the same attentive pleasure to anything of a softer character. His parents at once recognized the musical tendencies of their son, and they had the great good sense to determine to do all in their power to foster and develop them. Nay it was one of the ambitious dreams of the elder Mendelssohn that his son should yet become one of the ornaments of his own city of Berlin, a dream which a perversity of taste on the part of the Berliners defrauded of its accomplishment. Felix was very fortunate in having for his first teacher his mother, who was thoroughly well trained in the Bach school. She began with lessons of five minutes, gradually increasing their length until he and his sister Fanny went through a regular course of instruction. No one can over-estimate the gain which resulted to Mendelssohn from his being blessed with so able and judicious a guide in his tender years, and in having his young genius formed in the study of the compositions of the best school. It was also an immense advantage to him to be associated in those early lessons with his highly gifted sister, whose facility of acquirement and tenacious memory enabled her not only to keep pace with him, but even to outstrip him at that time. Mendelssohn himself bears witness to the wonderful attain-

ments of her childhood, and in after years she was universally acknowledged to be one of the most remarkable female musicians of her day. From their infancy, the two children were united in every thing. Their amusements and their studies were in common for several years, and their first essays in composition were also the result of mutual efforts. The natural attachment which linked them together, thus strengthened by identity of genius and community of pursuit, grew only deeper and firmer with time, exercising the best and most genial influence over the lives of both, and presenting a spectacle of family union of which it were well for the world if the examples were less rare.

For some years of Felix's childhood, his parents resided in Paris, where they took care that he and his sister should receive lessons in music. On their return to Berlin, he was placed under the care of Ludwig Berger for instruction in piano-forte, and of Zelter for thorough-bass and composition. He was fortunate in both masters, particularly in the latter. After his tuition by Berger had continued some time, he used to take lessons from all the distinguished Professors who visited Berlin, such as Hummel, Moscheles, &c. Before he was eight years old, he was able to execute with facility most difficult passages of works requiring a very skilful performer.

"The quickness of his ear, his extraordinarily retentive musical memory, and above all his astonishing facility of playing at sight, which surpassed everything of the sort that could be conceived, excited the greatest wonder in his teachers, and inspired them with the hope of seeing a worthy successor of Mozart arise out of their pupil. As instances of his extraordinary readiness, we may mention, that in his eighth year, he was enabled, at sight, to play from the many part scores of Bach, to transpose Cramer's Studios, and by the great quickness of his ear to detect fifths, and other errors or omissions in the most intricate compositions:—as for example, in a motett by Bach, where the inaccuracy had existed for a century undetected by any preceding musician. The consequence of this was, that he quickly learned by heart, all the grander compositions which he was accustomed to play with his masters.* He once transposed and played at sight, at the same time, a manuscript which Guillon, a flute-player, placed before him."—*Musical World*, p. 7.

* The compositions of the Bach School were evidently a family delight. Upon one occasion, Fanny Mendelssohn prepared a sur-

He played publicly for the first time in his ninth year at Berlin, with such vivacity and steadiness, that no one could have believed that a child of only nine years was the performer. Meanwhile Zelter was contributing his own share, and more than his share, to the development of these same talents in another, albeit kindred direction. Zelter was at this time director of the Singing Academy in Berlin, a profound man and an admirable musical theorist, full of ability and originality, of large literary acquirements, moreover, and the friend and correspondent of Goethe. He was a genial man withal, notwithstanding some uncouthness of manner, and soon looked upon the precocious boy rather as a son than as a pupil, becoming his friend and counsellor in every thing, and probably influencing, to an extent which we cannot now determine, the tone and character of his music. He allowed his pupil to follow the bent of his own inclination, interfering less by correction than by kind advice. The banker allowed his children to give, once a fortnight, at their house, a small family concert, consisting of a string quartett band with an occasional flute. Zelter used to induce his pupil to write symphonies for the quartetts of stringed instruments; and at the concerts the young composer's last symphony would be performed, together with the piano-forte sonatas, concertos, trios, &c., of the various great masters from Bach to Hummel. M. Benedict has given us a picture of Mendelssohn as he was at this time of his life, which is so touching and attractive that we cannot resist the temptation of placing it before our readers.

"It was in the beginning of May, 1821, when, walking in the streets of Berlin with my master and friend, Carl Maria Von Weber, he directed my attention to a boy, apparently about eleven or twelve years old, who, on perceiving the author of Freyschütz, ran towards him giving him a most hearty and friendly greeting. 'Tis Felix Mendelssohn,' said Weber; introducing me at once to the prodigious child, of whose marvellous talent and execution I had already heard so much at Dresden. I shall never forget the

prise for her father, on his birth-day, by playing from memory the forty-eight fugues of Sebastian Bach. We are not informed if the worthy banker bore the infliction patiently to the end. Let any of our readers imagine a "Governor" of the present day, and a banker to boot, being made the victim of such a "surprise."

impression of that day on beholding that beautiful youth, with his auburn hair clustering in ringlets round his shoulders, the look of his brilliant clear eyes, and the smile of innocence and candour on his lips. He would have it that we should go with him at once to his father's house; but as Weber had to attend a rehearsal, he took me by the hand, and made me run a race till we reached his home. Up he went briskly to the drawing room, where, finding his mother, he exclaimed, 'Here is a pupil of Weber's, who knows a great deal of the music of his new opera. Pray, mamma, ask him to play it for us;' and so, with an irresistible impetuosity, he pushed me to the piano-forte, and made me remain there until I had exhausted all the store of my recollections. When I then begged of him to let me hear some of his own compositions, he refused, but played from MEMORY such of Bach's fugues or Cramer's exercises as I could name. At last we parted—not without a promise to meet again. On my very next visit I found him seated on a footstool, before a small table, writing with great earnestness some music. On my asking what he was about, he replied gravely, 'I am finishing my new Quartett for piano and stringed instruments.'

"I could not resist my own boyish curiosity to examine this composition, and looking over his shoulder, saw as beautiful a score as if it had been written by the most skilful copyist. It was his first Quartett in C minor, afterwards published as *Opus I*.

"But whilst I was lost in admiration and astonishment at beholding the work of a master written by the hand of a boy, all at once he sprang up from his seat, and, in his playful manner, ran to the pianoforte, performing note for note all the music from Freyschutz, which three or four days previously he had heard me play, and asking, 'How do you like this chorus?' 'What do you think of this air?' 'Do you not admire this overture?' and so on. Then, forgetting Quartetts and Weber, down we went to the garden, he clearing high hedges with a leap, running, singing, or climbing up the trees like a squirrel—the very image of health and happiness.

"If I have dwelt on this first meeting with Mendelssohn, it is because much of his subsequent greatness is referable to the perfect moral and physical education he received at the hands of his parents, seconded by the most carefully chosen masters. Whilst making him pursue his classical studies, in which he was inferior to none, cultivating the wonderful genius and talent which he from earliest childhood displayed for music—constantly leading his mind in the right direction, anxiously watching over the development of his religious feelings—his parents checked every tendency to form too high an opinion of his own merits, or to depart from the child-like simplicity of his manners. Favoured thus by Providence with an independent, and even brilliant social position, surrounded by men eminent for science and mental attainments, kept from the contact of all that was vulgar and mean, the tender plant was

carefully fostered, and soon unfolded its blossoms."—*Sketch*, pp. 7-9.

In the autumn of this same year (1821), Zelter took his pupil with him on a visit to Goethe at Weimar. The poet at once perceived the great and varied talents of his young guest, and thenceforward he took the liveliest interest in his fortunes. It was no small honour to have won the esteem of the first man in Germany, at so early an age, and we may be sure that this friendship exercised a great and wholesome influence on the young composer, elevating his views, and confirming resolutions to aim only at the highest branches of his art. In the year 1825 his father took him to Paris, where he gained the friendship and approbation of a judge so severe as Cherubini, before whom he played his third quartett in B flat minor, assisted by the celebrated violinist Baillot. He had already in the previous year made his first appearance before the world as an author, publishing two quartetts for pianoforte, violin, viola, and violoncello. One of these, in C minor, is the Opus I. at whose composition Benedict surprised him when he was only twelve years old; the other is the Opus II. in F minor. These were followed in 1825 by a Sonata, with obligato violin accompaniments, and by the quartett in B flat minor, which had been distinguished by the approval of Cherubini. Venturing on a more ambitious stage, he produced, in the autumn of 1825, a little opera, "*Die Hochzeit des Camacho*," "The Wedding of Camacho," at the Theatre Royal at Berlin. It is, of course, not so mature or finished as later works, but it contains many beauties of a high order. Notwithstanding the total want of dramatic effect in the *libretto*, and the disappointment occasioned by the untoward illness of the principal singer, it met with a very favourable reception from the general public, who expressed flattering anticipations of the young author. But he was dissatisfied with the criticisms passed upon it by the local press, and to this dissatisfaction M. Benedict attributes the first foundation of his dislike to Berlin, which subsequent events increased into antipathy. He continued steadily to combine these studies of composition with the pursuit of the practical branch of his art; and in the month of November, 1826, he was able to submit to the well-known composer and pianist Moscheles, his overture to the *Midsummer Night's Dream*, which he and his sister Fanny played

as a duet on the piano-forte. It must have been no small surprise to the veteran musician to hear this great composition, the wonderful production of a youth of only sixteen years. How diligently he worked we may infer from the fact, that by the time he was twenty years of age he had composed his *Ottetto*, three quartetts for piano and stringed instruments, two sonatas, two symphonies, his first violin quartett, various operas, a great number of separate songs, and this overture to a *Midsummer Night's Dream*.

In his early compositions, impelled by the natural affinity of his genius, he inclined towards the imitation of Mozart; but commencing with the third quartett in B flat minor, his music began to assume a character of its own. In the *ottetto* for stringed instruments his originality seems to have fully developed itself, in the novel musical form of a scherzo in 2-4 time full of vivacity and spirit. Following M. Benedict's example, we shall quote Macfarren's criticism of that "perfect marvel of the human mind," the overture to a *Midsummer Night's Dream*.

"A careful examination of all its features, and a comparison of them with all that had previously existed in the writings of other composers, must establish the conviction that there is more that is new in this one work than in any other one that has ever been produced. It is a complete epitome of its author's style, containing the type of all the peculiarities of idea, character, phrase, harmony, construction, instrumentation, and every particular of outline and detail, for which his style is remarkable. Its many and daring novelties are not introduced with the speculating hesitation of an uncertain experimentalist, but with the confidence and the result of one who had gathered them from the study of a lifetime or the experience of ages; and yet Mendelssohn was but sixteen when he produced this wonderful masterpiece."—*Sketch*, p. 12.

All this time we are not to suppose that the young composer's energies were directed solely to the achievement of eminence in the art which he had chosen for his profession. Both the wishes of his parents and his own inclinations coincided in the desire that he should add to it the distinction of being also an accomplished man of letters. He could hardly have commended himself to the esteem of Goethe were it otherwise. Fortunately his abilities sufficed for the accomplishment of the double task. During the years 1827 and 1828, he prosecuted his literary studies in the

University of Berlin, and was remarkable for his application to classical and philological pursuits. Fruit of this diligence and scholarship was the first metrical translation into German of Terence's *Andria*, first printed for private circulation among his friends, and afterwards published by M. Heise, philological professor at the University of Berlin, who had been his chief classical instructor.* Goethe in a letter to Zelter, acknowledging the receipt of the copy which had been sent to him, charges him "to thank the excellent and industrious Felix for the splendid specimen of his literary labour, which would serve as an instructive recreation to the Weimar circle during the winter evenings."

It were to be wished that we had fuller information of the domestic life of our young composer, during this period of training. That both its musical and literary success were much indebted to the home influences which surrounded it, our readers may fairly infer from what has been already stated, that there is abundant evidence in the Letters. To the taste and suggestions of his mother, and to her more active interference and assistance he often professes his acknowledgments. His father, too, seems to have been always anxious to secure the best instruction for him, and to co-operate in his successful prosecution of the career which he had chosen. So much so, indeed, that he appears to have occasionally allowed his zeal to carry him too far, and to have believed that his interest in his son's welfare authorized him to dictate his conduct. We shall have to refer to an instance of this, regarding the composition of an opera (Letters p. 301) and our readers will there see how prudently the younger Mendelssohn knew how to bear himself in such difficult circumstances. We cannot here avoid anticipating and quoting a letter written by our author to his brother and sisters, from Rome, for the sake of the hints which it gives of these peculiarities of his father, and of the inconveniences and jars which occasionally arose from not dealing properly with them.

"Let me tell you therefore of a mistake in your conduct, and in truth the same that I once made myself. I do assure you that

* Musical World, p. ix.

never in my life have I known my father write in so irritable a strain as since I came to Rome, and so I wish to ask you if you cannot devise some domestic recipe to cheer him a little? I mean by forbearance and yielding to his wishes, and in this manner, by allowing my father's view of any subject to predominate over your own; then, not to speak at all on topics that irritate him; and instead of saying 'shameful,' say 'unpleasant;' or instead of 'superb,' 'very fair.' This method has often a wonderfully good effect; and I put it, with all submission to yourselves, whether it might not be equally successful in this case? For, with the exception of the great events of the world, ill-humour often seems to me to proceed from the same cause that my father's did when I chose to pursue my own path in my musical studies. He was then in a constant state of irritation, incessantly abusing Beethoven and all visionaries; and this often vexed me very much, and made me sometimes very unamiable. At that very time something new came out, which put my father out of sorts, and made him I believe not a little uneasy. So long therefore as I persisted in extolling and exalting my Beethoven, the evil became daily worse; and one day, if I remember rightly, I was even sent out of the room. At last however it occurred to me that I might speak a great deal of truth, and yet avoid the particular truth obnoxious to my father; so the aspect of affairs speedily began to improve, and soon all went well.

"Perhaps you may have in some degree forgotten that you ought now and then to be forbearing, and not aggressive. My father considers himself both much older and more irritable than, thank God, he really is; but it is our duty always to submit our opinion to his, even if the truth be as much on our side, as it often is on his, when opposed to us. Strive, then, to praise what he likes, and do not attack what is implanted in his heart, more especially ancient established ideas. Do not commend what is new till it has made some progress in the world, and acquired a name, for till then it is a mere matter of taste. Try to draw my father into your circle, and be playful and kind to him. In short, try to smooth and to equalize things; and remember that I, who am now an experienced man of the world, never yet knew any family, taking into due consideration all defects and failings, who have hitherto lived so happily together as ours."—*Letters*, pp. 61-2.

The year 1829 marks a most important era in the young artist's life. Hitherto his efforts had been almost of a domestic character, and his public appearances had been made in his father's town and among audiences disposed to accord to him the hereditary right of ancestral renown. He was now about to try his fortune in a new arena, and among strangers. Encouraged by the advice of Moscheles, he accepted the invitation of an intimate friend, then resident

in London, and came to England in April 1829. Shortly afterwards he conducted, at the Philharmonic Concert, his own first symphony in A major, and the overture to a *Midsummer Night's Dream*. The effect of the performance of this overture in London is described as electrical. The first feeling seems to have been that the great gap left by Beethoven's death was to be all at once and worthily filled up. This impression became conviction after opportunities had been afforded of hearing some others of his compositions, and listening to his performances both in public and in private. "His renown, after the enthusiastic but just reports of his reception in London, both as a composer and pianist, spread like wildfire all over Europe, and gave the young and ardent *maestro* a new stimulus to proceed on his glorious path." And so, this England, for whom the mighty works of Handel were composed, and Haydn's finest symphonies written; who hailed the wondrous promise of young Mozart, and cheered and applauded the declining strength of Beethoven when all but rejected by Germany—this England, whose musical judgment is simply despised in Germany, was again to give the world a lesson of musical discrimination, again to be the first to recognize the genius of a young German artist, and to send him forth, stamped with her approval, to receive European fame. In after years, he used to refer with the greatest pleasure to this first visit to London, and to his subsequent journeyings through Scotland and Wales, during which he formed many valuable and life-long friendships both within and without the circle of his own profession. In the month of August he set out on a tour with his friend Klingemann. The time was spent in observing, drawing, and composing, amid the romantic scenery through which they passed. They went first to Edinburgh, then to Perth, Blair-Athol, Loch Tay, the island of Staffa, and Fingal's Cave; then southwards by Glasgow and Loch Lomond, visiting the Cumberland Lakes, Liverpool, and North Wales. This tour continued to exert its influence on Mendelssohn's mind for many years. The splendid "*Overture to the Hebrides*," or, as it is now called, "*Overture to Fingal's Cave*," was the only immediate result of his impressions; but, it was not till fourteen years afterwards that their full effect was realized in his Scottish symphony in A minor, the grandest of his instrumental works, the first idea of which was caught from the inspira-

tions of Holyrood visited in the darkening gloom of advancing night. On his return to London he met with a severe injury to his knee, caused by the overturning of a gig, which laid him up for several weeks. Hardly yet restored to health, he hurried back to Berlin for the "silver wedding," or twenty-fifth anniversary of the marriage of his parents, taking with him as the fruit of his seclusion, his operetta of the *Son and Stranger*, the libretto of which was composed by his friend Klingemann. This bright little gem was performed at his father's house and then remained unpublished until after his death, since which event it has been brought out in London and elsewhere with most signal success.

He remained at home for the Christmas time of this year 1829; and now again, in the spring of 1830 he was to set out on another eventful journey. One element was wanting to his complete education as an artist—that instruction which only a sojourn in Italy can bring, with its great examples, its associations, its enduring influences. His absence from home for this purpose extended over two years; and these letters, in which he pours out most freely his impressions of the land that Genius and Beauty and Art have conspired to consecrate as their home, were written in order to share his enjoyment with those beloved ones whose sympathy was always his greatest delight. They afford a fresh argument of the inestimable value of this Italian travel in the formation of an artist's character, showing how rightly this interval has been regarded by Mendelssohn's brother as forming a separate and most important section of his life, in which the large promise of his youth was matured and expanded into a richer and more abundant fulfilment. As letters and literary compositions, they are deserving of all praise. They also possess this additional charm, that, as vehicles of the impressions concerning Italy and Italian art of a great genius and accomplished artist, they are simply unequalled. This journey commenced on a sunny day in May 1830; and the first letter of the series, dated next day, was written at Weimar, and probably contains the last notice of a household, which for so long a time ruled paramount over Germany, and must ever possess a deep interest for the true lover of German literature, and German nationality.

"I wrote this before going to see Goethe, early in the forenoon after a walk in the park; but I could not find a moment to finish

my letter till now. I shall probably remain here for a couple of days, which is no sacrifice, for I never saw the old gentleman so cheerful and amiable as on this occasion, or so talkative and communicative. My especial reason, however, for staying two days longer is a very agreeable one, and makes me almost vain, or I ought to say proud, and I do not intend to keep it secret from you — Goethe, you must know, sent me a letter yesterday, addressed to an artist here, a painter, which I am to deliver myself; and Ottilie* confided to me that it contains a commission to take my portrait, as Goethe wishes to place it in a collection of likenesses he has recently commenced of his friends. This circumstance gratified me exceedingly; as, however, I have not yet seen the complaisant artist who is to accomplish this, nor has he seen me, it is probable that I shall have to remain here until the day after to-morrow. I don't in the least regret this, for, as I told you, I have a most agreeable life here, and thoroughly enjoy the society of the old poet. I have dined with him every day, and am invited again to-day. This evening there is to be a party at his house, where I am to play. It is quite delightful to hear him conversing on every subject, and seeking information on all points.

"I must however tell you everything regularly and in order, so that you may know each separate detail.

"Early in the day I went to see Ottilie, who, though still delicate, and often complaining, I thought more cheerful than formerly, and quite as kind and charming as ever towards myself. We have been constantly together since then, and it has been a source of much pleasure to me to know her more intimately. Ulrike is far more agreeable and amiable than formerly; a certain earnestness pervades her whole nature, and she has now a degree of repose, and a depth of feeling, that render her one of the most attractive creatures I have ever met. The two boys, Walter and Wolf, are lively, studious, cordial lads, and to hear them talking about 'Grandpapa's Faust' is most pleasant.

"But to return to my narrative. I sent Zelter's letter at once to Goethe, who immediately invited me to dinner. I thought him very little changed in appearance, but at first rather silent and apathetic; I think he wished to see how I demeaned myself. I was vexed, and thought that possibly he was always now in this mood. Happily the conversation turned on the *Frauen-Verein* in Weimar, and on the 'Chaos,' a frivolous paper circulated among themselves by the ladies here, I having soared so high as to be their coadjutor in this undertaking. All at once the old man became quite gay, laughing at the two ladies about their charities and intellectualism, and their subscriptions and hospital work, which he seems cordially to detest.

* This was Goethe's daughter-in-law; Ulrica, Walter, and Wolf were his grandchildren.

He called on me to aid him in his onslaught, and as I did not require to be asked twice, he speedily became just what he used to be, and at last more kind and confidential than I had ever seen him. The assault soon became general. The 'Robber Bride' of Ries, he said, contained all that an artist in these days required to live happily,—a robber and a bride; then he attacked the young people of the present day for their universal tendency to languor and melancholy, and related the story of a young lady to whom he had once paid court, and who also felt some interest in him; a discussion on the exhibitions followed, and a sale of work for the poor, where the ladies of Weimar were the shop-women, and where he declared it was impossible to purchase anything, because the young people made a private agreement among themselves, and hid the different articles till the proper purchasers appeared.

"After dinner he all at once began,—'Gute Kinder, hübsche Kinder, muss immer lustig sein—Tolles Volk,' etc., his eyes looking like those of a drowsy old lion. Then he begged me to play to him, and said it seemed strange that he had heard no music for so long; that he supposed we had made great progress, but he knew nothing of it. He wished me to tell him a great deal on the subject, saying, 'Do let us have a little rational conversation together;' and turning to Otilie, he said, 'No doubt you have already made your own wise arrangements, but they must yield to my express orders, which are, that you must make tea here this evening, that we may be all together again.' When in return she asked him if it would not make him too late, as Riemer was coming to work with him, he replied, 'As you gave your children a holiday from their Latin to-day, that they might hear Felix play, I think you might also give me one day of relaxation from my work.' He invited me to return to dinner, and I played a great deal to him in the evening.

"My three Welsh airs, dedicated to three English ladies, have great success here;* and I am trying to rub up my English. As I had begged Goethe to address me as *thou*, he desired Otilie to say to me on the following day, in that case I must remain longer than the two days I had fixed, otherwise he could not regain the more familiar habit I wished. He repeated this to me himself, saying that he did not think I should lose much by staying a little longer, and invited me always to dine with him when I had no other engagement. I have consequently been with him every day, and yesterday I told him a great deal about Scotland, and Hengstenberg, and Spontini, and Hegel's 'Æsthetics.' He sent me to Tiefurth with the ladies, but prohibited my driving to Berka, because a very pretty girl lived there, and he did not wish to plunge me into

* Three pieces for the piano, composed in 1829 for the album of three young English ladies; subsequently published as Opus 16.

misery. I thought to myself, this was indeed the Goethe of whom people will one day say, that he was not one single individual, but consisted of several *Goethiden*. I am to play over to him to-day various pieces of Bach, Haydn, and Mozart, and thus lead him on, as he said, to the present day. I should indeed, have been very foolish to have regretted my delay; besides, I am a conscientious traveller and have seen the Library, and 'Iphigenia in Aulis.'

May 25th, 1830.

....."Yesterday evening I was at a party at Goethe's and played alone the whole evening,—the Concert-Stück (of Weber), the Invitation à la Valse, and Weber's Polonaise in C, my three Welsh pieces and my Scotch Sonata. It was over by ten o'clock, but I of course stayed till twelve o'clock, when we had all sorts of fun, dancing and singing; so you see I lead a most jovial life here. The old gentleman goes to his room regularly at nine o'clock, and as soon as he is gone, we begin our frolics, and never separate before midnight. To-morrow my portrait is to be finished; a large black-crayon sketch and very like; but I look rather sulky. Goethe is so friendly and kind to me, that I don't know how to thank him sufficiently, or what to do to deserve it. In the forenoon he likes me to play to him the compositions of the various great masters, [in chronological order, for an hour, and also tell him the progress they have made, while he sits in a dark corner, like a Jupiter Tonans, his old eyes flashing on me. He did not wish to hear anything of Beethoven's, but I told him that I could not let him off, and played the first part of the symphony in C minor. It seemed to have a singular effect on him; at first he said, 'This causes no emotion, nothing but astonishment; it is only *grandiose*.' He continued grumbling in this way, and after a long pause he began again,—'It is very noble, very wild; it makes one fear that the house is about to fall down; and what must it be when played by a number of men together!' During dinner, in the midst of another subject, he alluded to it again. He is always so gay and communicative after dinner, that we generally remain together alone for an hour, while he speaks on uninterruptedly. He has several times lately invited people, which he rarely does now, so that most of the guests had not seen him for a long time. I then play a great deal, and he compliments me before all these people, and *ganz stupend* is his favourite expression. To-day he has invited a number of Weimar beauties on my account, because he thinks that I ought to enjoy the society of young people. If I go up to him on such occasions, he says, 'My young friend, you must join the ladies and make yourself agreeable to them.'"—*Letters*, p. 2-9.

At length, Mendelssohn thought it was time to proceed on his tour. By Goethe's direction, his daughter-in-law asked him to remain longer.

"Then came the old gentleman himself, and said he saw no use in my being in such a hurry; that he had still a great deal to tell me, and I had still a great deal to play to him; and what I had told him as to the object of my journey, was really all nonsense,—Weimar was my present object,—and he could not see that I was likely to find in *tables d'hôte* elsewhere, what I could not obtain here: I would see plenty of hotels in my travels.....I resolved *not* to be a man of determination, and agreed to stay. Seldom in the course of my life have I so little regretted any resolution as on this occasion, for the following day was by far the most delightful that I ever passed in Goethe's house. After an early drive, I found old Goethe very cheerful; he began to converse on various subjects, passing from the 'Muette de Portici' to Walter Scott, and thence to the beauties in Weimar; to the 'Students,' and the 'Robbers,' and so on to Schiller; then he spoke on uninterrupted for more than an hour, with the utmost animation, about Schiller's life and writings, and his position in Weimar. He proceeded to speak of the late Grand-Duke, and of the year 1775, which he designated as the intellectual Spring of Germany, declaring that no man living could describe it so well as he could.....Next day he made me a present of a sheet of the manuscript of 'Faust,' and at the bottom of the page he wrote, 'To my dear young friend F. M. B., mighty yet delicate master of the piano,—a friendly souvenir of happy May days in 1830. J. W. von Goethe.' He also gave me three letters of introduction to take with me.

"At the very beginning of my visit to Weimar, I spoke of a print taken from Adrian von Ostade, of a peasant family praying, which, nine years ago, made a deep impression on me. When I went at an early hour to take leave of Goethe, I found him seated beside a large portfolio, and he said, 'So you are actually going away? I must try to keep all right till your return; but at all events we won't part now without some pious feelings, so let us once more look at the praying family together.'"—*Letters*, pp. 11-13.

And so he went his way, and never again came within the limits of that magic circle whose spell will not relax its potency for many a year. Even then the lamp which illumined it was paling fast; long before the young maestro had come back over the Alps its light had quite faded away. It was but a lurid light at best, not comparable with real sunshine, though mimicking its brilliancy at times with deceptive vigour. It lacked that warmth which can be kindled only by the genuine charity that looks on all humanity as kindred; but its ray was an admirable counterfeit, making pure and arrant selfishness pass for the sterling gold of catholic sympathy. Thoroughly heathen

was that old divinity of Weimar, without one mitigating trait to veil the anachronism or palliate the hardness of his heathenism. Jupiter was the type that best embodied his mythological excellencies, according to the ideas of his fanatical worshippers. But this is a calumny of the pagan original. The grace and freedom which concealed the grossness of the system that surrounded the Greek Zeus, and the nobleness and patriotic devotion which tempered the mighty despotism that bowed down before the Capitoline Jove, were alike unknown to Goethe. His heartless heathenism was not human; it was mere sensuous egotism, denying the existence of a future which it dared not face, ignoring the past for fear of awakening any sense of responsibility for the present. His might have been the motto:

Quid sit futurum cras, fuge quærere; et
Quem sors dierum cumque dabit, lucro
Appone;

or

Carpe diem, quàm minimùm credula postero;

but never this large-hearted one,

Homo sum: humani nihil a me alienum puto.

What Heinrich Heine said of him, by way of apology, is at the same time the truest and most severe censure. He likens him to a forest tree, beneath whose spreading branches the naked Dryads of paganism were permitted to ply their witchery, to the scandal of the adherents of the old Christian faith; while the apostles of Liberalism were equally irritated that no Cap of Liberty could be perched upon its summit, nor Carmagnole danced around its trunk, nor could it even be made to serve for a barricade. Such was really Goethe. The barren heathenism which he would have substituted for Christianity, would have aroused and pampered man's passions; but it brought no sympathy for man's true wants, it provided no security for his rights, it suggested no promptings for his progress. It is marvellous, the influence which this passive, inglorious sensuousness exercised in Germany for more than half a century, and even still exercises—the height to which it was raised by its idolatrous devotees—the abject submission with which its doctrines were received, and its sayings and doings extolled. The selfish

old heathen who slandered the friends of his poverty and need in order to exalt himself into a hero in *Werther*, and sneered at Beethoven's music which will perpetuate *Egmont* long after its author is forgotten, was hailed as the "Life-enjoying" and "Many-sided" man. From the long extracts which we have just quoted from Mendelssohn's Letters, our readers may appreciate the consistency of this character even to the close, vain, selfish, exacting, only growing more pompous as the season of his observance was passing away. Well was it for the young artist, that his fresh and generous nature had not to linger long, within the shadow of this blighting influence; and that his heart escaped that curse of hardness, which is the fatal penalty of such callous sensuousness.

From Weimar, Mendelssohn went on to Munich, where he listened to *Fidelio* with great dissatisfaction. He objects to the liberties taken with a great work by "fine singers and intellectual artists, who are not however sufficiently modest and subordinate to render their parts faithfully and without false pretension." He complains in language applicable to the present day, that "when a German like Beethoven writes an opera, there comes a German like Stuntz or Poissl, and strikes out the ritournelle, and similar unnecessary passages; and another German adds a trombone part to his symphonies; a third declares that Beethoven is overloaded: and thus is a great man sacrificed." We have an instance of attentive affection, worth a thousand protestations, in one of these Munich letters. He had been about three weeks from home, when one morning he received a letter from his sister, Mde. Hensel, which seemed to him to betray lowness of spirits. It was impossible, as he himself says, to be with her and talk to her; so he at once sits down and composes a song "in a tender mood, expressive of his wishes and thoughts." And the youth who thus devotes a whole morning to apostrophising an absent sister in song, was gifted with the keenest susceptibility and love of art, and had but two or three days to make himself acquainted with all the treasures stored up in the city which was then, and still is, the Art-capital of Germany. From Munich, by Salzburg and Linz, he came to Vienna, where he found the people so frivolous, that he became "quite spiritually-minded." He complains bitterly of the universal neglect of Beethoven (for which indeed Vienna had

then been some time notorious) among the best pianoforte players; and that when he ventured to suggest that neither Beethoven nor Mozart were to be despised, he was sneeringly asked "whether he, too, was an admirer of classical music?" From Vienna he went over to Presburg, where he just arrived in time for the Coronation of the Ex-Emperor Ferdinand (then Crown Prince, and eldest son of the Emperor Francis II.) as King of Hungary. As this was the last occasion of the celebration of this national ceremonial, on which the Hungarians seem to set such immense constitutional value, we shall venture to quote what Mendelssohn says concerning it.

"This excursion has made me acquainted with a new country; for Hungary with her magnates, her high dignitaries, her Oriental luxury, and also her barbarism is to be seen here, and the streets offer a spectacle which is to me both novel and striking. We really seem here to approach closer to the East; the miserably obtuse peasants or serfs; the troops of gipsies; the equipages and retainers of the nobles overloaded with gold and gems (for the grandees themselves are only visible through the closed windows of the carriages); then the singularly bold national physiognomy, the yellow hue, the long moustaches, the soft foreign idiom—all this makes the most motley impression in the world. Early yesterday I went alone through the streets. First came a long array of jovial officers, on spirited little horses; behind them a crew of gipsies, making music; succeeded by Vienna fashionables, with eye-glasses and kid gloves; then a couple of uncivilized peasants in long white coats, their hats pressed down on their foreheads, and their straight black hair cut even all round (they have reddish-brown complexions, a languid gait, and an indescribable expression of savage stupidity and indifference); then came a couple of sharp acute-looking students of theology, in their long blue coats, walking arm-in-arm; Hungarian proprietors in their dark blue national costume; court servants; and numbers of carriages every moment arriving covered with mud..... Below, the Danube runs very rapidly, darting with the speed of an arrow through the pontoon bridge; then the extensive view of the flat but wooded country, and meadows overflowed by the Danube; of the embankments and streets, swarming with human beings, and mountains clothed with Hungarian vines—all this was not a little strange and foreign. Then the pleasant contrast of living in the same house with the best and most friendly people in the world, and finding novelty doubly interesting in their society. These were really among the happy days, dear brother, that a kind Providence so often and so richly bestows on me.

"September 28th, one o'clock.

"The King is crowned—the ceremony was wonderfully fine,
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How can I even try to describe it to you? There is a tremendous uproar under my windows, and the Burgher-guards are flocking together, but only for the purpose of shouting 'Vivat!' I pushed my way through the crowd, while our ladies saw everything from the windows, and never can I forget the effect of all this brilliant and almost fabulous magnificence.

"In the great square of the Hospitallers the people were closely packed together, for there the oaths were to be taken on a platform hung with cloth; and afterwards the people were to be allowed the privilege of tearing down the cloth for their own use; close by was a fountain spouting red and white Hungarian wine...They yelled as if they had all been spitted, and fought for the cloth; in short they were a mob; but my Magyars! the fellows look as if they were born noblemen, and privileged to live at ease, looking very melancholy, but riding like the devil.

"When the procession descended the hill, first came the court servants, covered with embroidery, the trumpeters and kettle-drums, the heralds and all that class; and then suddenly galloped along the street a mad Count, *en pleine carrière*, his horse plunging and capering, and the caparisons edged with gold; the Count himself a mass of diamonds, rare herons' plumes and velvet embroidery (though he had not yet assumed his state uniform, being bound to ride so madly—Count Sandor is the name of this furious cavalier). He had an ivory sceptre in his hand with which he urged on his horse, causing it each time to rear and to make a tremendous bound forward. When his wild career was over, a procession of about sixty more magnates arrived, all in the same fantastic splendour, with handsome coloured turbans, twisted moustaches, and dark eyes. One rode a white horse covered with a gold net, another a dark grey, the bridle and housings studded with diamonds; then came a black charger with purple cloth caparisons. One magnate was attired from head to foot in sky-blue, thickly embroidered with gold, a white turban, and a long white dolman; another in cloth of gold, with a purple dolman; each one more rich and gaudy than the other, and all riding so boldly and fearlessly, and with such defiant gallantry, that it was quite a pleasure to look at them. At length came the Hungarian guards, with Esterhazy at their head, dazzling in gems and pearl embroidery. How can I describe the scene? You ought to have seen the procession deploy and halt in the spacious square, and all the jewels and bright colours, and the lofty golden mitres of the bishops, and the crucifixes glittering in the brilliant sunshine like a thousand stars.....The procession then rode up the Königsberg, whence the King waved his sword towards the banks of the Danube and the four quarters of the globe, in token that he takes possession of his new realm.

"Once more I send you my farewell from Germany, my dear parents, and brother and sisters. I am leaving Hungary for Italy,

and thence I hope to write to you more frequently and more at leisure. Be of good cheer, dear Paul, and go forwards in a confident spirit; rejoice with those that rejoice, and do not forget the brother who is wandering about the world."—*Letters*, pp. 22-27.

At last, he reached Venice; and his first thought was to write home to share with the dear ones there what he had "all his life" looked forward to, "as the greatest possible felicity." How gratefully he addresses his parents "for having bestowed so much happiness on him!" How eagerly he wishes that his brother and sisters were there to divide with him his enjoyment! The sight of such a fresh generous heart, so warm, so impulsive, so affectionate, so utterly unselfish, is both consoling and improving. Before he had been a week at Venice, he wrote a long letter to his old master, Zelter, sketching for him the beauties of nature and art in which he was revelling, giving an account of the work which he had done and an outline of what he projected. His time, certainly, had not been idly spent; and if we remember that his eyes and ears were always open for everything worth seeing or hearing, we shall give him credit for an industry at all times rare, but marvellous in a youth of twenty-one. While in Vienna, he finished two pieces of sacred music—a choral in three movements for chorus and orchestra, to the words of Paul Gerhardt's Good Friday Hymn, "O! Haupt voll Blut und Wunden;" and an "Ave Maria" for eight voices, one of his most beautiful sacred pieces.

These letters contain abundant instances that his taste for natural beauty was just as keen, his perception of the circumstances and features of the scenery through which he was passing just as ready and accurate, as when dealing with the phenomena of the art-world. He is constantly noting traits which would hardly have caught the attention of an ordinary tourist, and in language so appropriate and felicitous that it could only spring from great refinement and subtlety of apprehension. On some of these occasions he is almost as enthusiastic as when speaking of some great art-masterpiece. What fine appreciation, for example, and yet what natural unspoiled feeling, is evinced in the passage where he describes the "superb" gardens of the Pitti palace, with the "thick solid stems" of their myrtles and laurels, and their innumerable cypresses, "making a strange exotic impression" on him; and nevertheless acknowledges that he considers beeches,

limes, oaks, and firs, ten times more beautiful and picturesque." Again, what genuine delight beams forth in the playfully circumstantial sketch which he has given us of a stroll among the hills above Florence, when leaving man and his wonderful works behind, he gave himself up to the enchantment which a soft October day ever inspires in that favoured locality. The countless white villas and sloping terraces, that cover every acclivity as far as the eye can reach, the endless succession of vineyards and olive grounds, the blue hills in the distance clad in roses and aloes and clumps of cypresses, and decked out, even in mid-autumn, with beds of violets, narcissuses, pinks, and heliotropes—all conspired to make him regard the banks of the Arno as one of the most lovely scenes in the world.

But the chief characteristic of these Italian Letters is their art-criticisms and notices. It is quite impossible indeed to read the few letters written in Northern Italy without feeling that had Mendelssohn not wholly given himself up to Music, one, if not more, of her sister arts would have raised him to distinction. His sympathy with the arts of Painting and Drawing is especially evident. And what is particularly noticeable, and demonstrative of the catholicity and true loftiness of his genius is, that he, a young German, and imbued with German notions of art, had a most warm appreciation of the Italian masters, nay even betrayed a bias in favour of their style. How spontaneous this feeling was, we may infer from the fact, that, although he had heard the name of Giorgione, he had never seen a painting of that great Venetian until his visit to Venice, but, as soon as he had "at last personally made the acquaintance of this very admirable man," he pronounces him to be "an inimitable artist." And yet, with that instinct which only true art-genius wields, he was not held captive by the beauties and peculiarities of any one school, but seized upon the merits, and estimated the value of all, with just and equal discrimination. Titian, he says, affected him most deeply; but the power of the Florentine Artists proved to be just as great. At Florence his favourite haunt was the Tribune in the Gallery in the Palazzo degli Uffizj, "a room so delightfully small that you can traverse it in fifteen paces, and yet it contains a world of art." There he used to take possession of a favourite arm-chair under a noble Greek

statue, and enjoy himself for hours together. Before him, so close that he could touch it, was that marvel of ancient statuary, the Venus de Medici, and above it Titian's Venus. Around him were the "Madonna del Cardellino," and a portrait of the Fornarina by Raphael, a "lovely Holy Family" by Perugino, other exquisite ancient statues, and other pictures by Titian, Domenichino, Raphael and others:—"all these within the circumference of a small semicircle no larger than one of your own rooms. This is a spot where a man feels his own insignificance, and may well learn to be humble." He was especially attracted by Fra Bartolomeo, and used to stay long in admiration of a little picture of his, which he had discovered for himself. It seemed to him as if the picture itself, with its "exquisite and consummate finish, most brilliant colouring, brightest decorations, and most genial sunshine, told of the delight which the pious Maestro had taken in painting it, and in finishing its most minute details;" and he says that he felt "as if the painter ought to be still sitting before his work, or had only this moment left it." We are sure that our readers will feel a kindred sympathy with these reflections on the portraits of the Great Masters, which are exhibited together in a room of the Gallery degli Uffizj.

"I wandered about among the pictures, feeling so much sympathy, and such kindly emotions in gazing at them. I now first thoroughly realized the great charm of a large collection of the highest works of art..... I could not help meditating on all these great men, so long passed away from earth though their whole inner soul is still displayed in such lustre to us, and to all the world.

"While reflecting on these things, I came by chance into the room containing the portraits of great painters. I formerly merely regarded them in the light of valuable curiosities, for there are more than three hundred portraits, chiefly painted by the masters themselves, so that you see at the same moment the man and his work; but to-day a fresh idea dawned on me with regard to them,—that each painter resembles his own productions, and that each while painting his own likeness, has been careful to represent himself just as he really was. In this way you become personally acquainted with all these great men, and thus a new light is shed on many things. I will discuss this point more minutely with you when we meet; but I must not omit to say, that the portrait of Raphael is almost the most touching likeness I have yet seen of him. In the centre of a large rich screen, entirely covered with

portraits, hangs a small solitary picture, without any particular designation, but the eye is instantly arrested by it; this is Raphael—youthful, very pale and delicate, and with such inward aspirations, such longing and wistfulness in the mouth and eyes, that it is as if you could see into his very soul. That he cannot succeed in expressing all that he sees and feels, and is thus impelled to go forward, and that he must die an early death,—all this is written on his mournful, suffering, yet fervid countenance; and when looking at his dark eyes, which glance at you out of the very depths of his soul, and at the pained and contracted mouth, you cannot resist a feeling of awe.

“How I wish you could see the portrait that hangs above it; that of Michael Angelo, an ugly, muscular, savage, rugged fellow, in all the vigour of life, looking gruff and morose; and on the other side a wise, grave man, with the aspect of a lion, Leonardo da Vinci; but you cannot see this portrait, and I will not describe it in writing, but tell you of it when we meet. Believe me, however, it is truly glorious. Then I passed on to the Niobe, which of all statues makes the greatest impression on me; and back again to my painters, and to the Tribune, and through the corridors, where the Roman Emperors, with their dignified yet knavish physiognomies, stare you in the face; and last of all I took a final leave of the Medici family. It was indeed, a morning never to be forgotten.” *Letters*, pp. 188-192.

At length, he got to Rome in November, and settled down there for the winter. Pope Pius VIII. was then dying; he died, indeed, on December 1, 1830. The anticipation of this event, the funeral obsequies, the subsequent conclave, which lasted for seven weeks, and the Lent following within a fortnight, detracted from the gaiety and pleasures of the winter, usually the Roman festive season, by depriving it of the customary ceremonials and of that splendour for which Rome, more than any other capital, depends upon the presence and participation of its Court. But Rome will ever be the home to which genius and literary eminence will naturally turn; and the depressing causes which influenced the public enjoyments, brought no diminution to the intellectual and artistic character for which its society was then preeminently distinguished. Bunsen was then Prussian Minister at the Papal Court, a man whose many merits and singular ability and learning, albeit marred by great errors, none can gainsay. Thorwaldsen, Horace Vernet, Cornelius, Overbeck, and Bendeman, were the foreign leaders in Sculpture and Painting. Mendelssohn was at once admit-

ted to the intimacy of the circles of which these men were the chief ornaments, and so quickly came to be appreciated by the Roman fashionable world. He quite gave himself up to the genial influences of such associations, profiting by the opportunities which they afforded, and still more by the encouragement and suggestions which both openly and tacitly he received from all around, keeping his mind open to all good impressions, whencesoever they came, and closed against every thing else. He had not long mingled in Roman society, before his genius and worth were universally recognised, and it was soon acknowledged that though young in years, he already possessed the right to rank with the highest in his profession, and to be admitted to an equality with the noblest within the inner sanctuary of art. His natural refinement and delicacy made him shrink from contact with the vulgarity, meanness, pedantry, cynicism, and insolent pretentiousness, which are affected to such a great extent, and are so great a blot in the life of art-students in Rome. The following sketch reads like a caricature, but is unfortunately too true.

"The painters here are most formidable to look at sitting in their Café Greco. I scarcely ever go there, for I dislike both them and their favourite place of resort. It is a small dark room, about eight feet square, where on one side you may smoke, but not on the other; so they sit round on benches, with their broad-leaved hats on their heads, and their huge mastiffs beside them; their cheeks and throats and the whole of their faces covered with hair, puffing forth clouds of smoke, and saying rude things to each other, while the mastiffs swarm with vermin. A neck cloth or a coat would be quite innovations. Any portion of the face visible through the beard is hid by spectacles; so they drink coffee, and speak of Titian and Pordenone, just as if they were sitting beside them, and also wore beards and wide-awakes! Moreover, they paint such sickly Madonnas and feeble saints, and such milk-sop heroes, that I feel the strongest inclination to knock them down."—*Letters*, p. 79.

Indeed all the notices of the great body of artists throughout these letters are disadvantageous. Soon after the election of Gregory XVI., political troubles broke out in the Papal States. The artists feared lest their filth and affectation should compromise their political good name with the authorities.

"The German painters are really more contemptible than I can tell you. Not only have they cut off their whiskers and moustaches, and their long hair and beards, openly declaring that as soon as all

danger is at an end they will let them grow again, but these tall stalwart fellows go home as soon as it is dark, lock themselves in, and discuss their fears together. They call Horace Vernet a braggart, and yet he is very different from these miserable creatures, whose conduct makes me cordially despise them."—p. 115.

Very different were his feelings towards Thorwaldsen, Vernet, and the other artists of real genius whose familiarity he enjoyed, spending often whole days together in their studios, or in rambles through the Campagna and the hills in their company, while the nights were devoted to receptions at their houses. Of Bunsen he speaks with especial warmth, as indeed he had good reason to do, being indebted to him for his favourable introduction to Roman musical notice, and for many other kindnesses which considerably enhanced the pleasure of his sojourn. Almost immediately on his arrival, he presented him to Baini, the famous master of the Papal choir, and to other musical notabilities, and especially to Santini, who proved a valuable acquaintance, as he had a very complete library of ancient Italian music, and kindly lent to the young artist anything which he liked. Mendelssohn speaks gratefully of his obligations to this kind and simple old man. To these commendations we may be permitted to add the testimony brought by the memories of our own youthful years, for we too had the honour of enjoying his acquaintance, of profiting by his generosity, and of being admitted to familiar opportunities of observing his unobtrusive diligence and unselfish zeal. Nor can we easily forget the circumstances of our first introduction to the Abbate Santini, nor the cheerful courtesy with which, thanking us for a very trifling civility which it had been in our power to offer to him, he bade us be assured that we should never have cause to regret being considerate to old age.

Bunsen's fondness for music brought many artists together at his re-unions, which thus afforded Mendelssohn excellent opportunities for the display of his marvellous skill in pianoforte performance, and his wonderful talent for improvisation on that instrument. The minister was especially partial to Palestrina's music, and used every Monday to assemble the members of the Papal choir for the purpose of singing some of his compositions. Those who have had the privilege of being admitted to these and similar re-unions, which indeed form a portion of

the routine of genuine Roman society, will ever preserve a lively and grateful recollection of having enjoyed a treat such as no other place but Rome can offer, that of having listened to the harmonies of some of the greatest masters in the musical art, rendered in a style which could not be attempted save by those who have been, as it were, unto the manner born. It was at one of these Monday meetings at Bünsen's house, that Mendelssohn made his Roman debüt. He gives the following account of it.

"Yesterday, for the first time, I played before the Roman Musicians *in corpore*. I am quite aware of the necessity of playing in every foreign city so as to make myself understood by my audience. This makes me usually feel rather embarrassed, and such was the case with me yesterday. After the Papal singers finished Palestrina's music, it was my turn to play something. A brilliant piece would have been unsuitable, and there had been more than enough of serious music; I therefore begged Astolfi, the Director, to give me a theme, so he lightly touched the notes with one finger, smiling as he did so. The black-frocked Abbati pressed round me and seemed highly delighted. I observed this, and it inspired me, so towards the end I succeeded famously; they clapped their hands like mad, and Bunsen declared that I had astonished the clergy; in short the affair went off well."—*Letters*, p. 66.

The relations thus auspiciously commenced became closer as his stay wore on; and he was admitted to a footing of intimacy with the Papal choir, such as few have enjoyed. Among the places which he used to frequent for the gratification of his musical tastes was the church of 'Trinità de' Monti, occupied then as now by French sisters of the congregation of the Sacred Heart. It was then the fashion, as indeed it still continues to be, with the music-loving and devotional portions of the promenaders on the Pincio to adjourn to this little church for the evening benediction. Our young artist had generally the additional incentive of the company of Horace Vernet's charming and accomplished daughter, afterwards Madame Paul Delaroche, or others of the many female acquaintances whose society cheered the monotony and encouraged the occupations of his sojourn. These visits gave rise to a romantic idea which he thus expresses:—

"It is twilight, and the whole of the small bright church is filled with persons kneeling, lit up by the sinking sun each time that the door is opened; both the singing nuns have the sweetest voices in the world, quite tender and touching, more especially when one

of them sings the responses, in her melodious voice, which we are accustomed to hear chanted by priests in a loud, harsh, monotonous tone. The impression is very singular; moreover, it is well known that no one is permitted to see the fair singers—so this caused me to form a strange resolution. I have composed something to suit their voices, which I observed very minutely, and I mean to send it to them. There are several modes to which I can have recourse to accomplish this. That they will sing it I feel quite assured; and it will be pleasant for me to hear my chant performed by persons whom I never saw, especially as they must in turn sing it to the *barbaro Tedesco*, whom they also never beheld. I am charmed with this idea.”—*Letters*, p. 87.

The result was the composition of three Latin Motetts, which are still prized among the chief treasures of the well furnished *archivio* of the Trinità dei Monti. There are, however, other compositions undertaken more deliberately, if not with a more serious purpose, which attest both the industry and the progress of this Roman period. Before he left Vienna, a friend had made him a present of Luther's hymns; and he was so much struck with their power, that during the winter he composed music for several of them. Of one of these, “*Mitten wir im Leben sind*,”—a grand double choral—he says that it is one of the best sacred pieces he had yet composed. The splendid overture, entitled to the “*Einsame Insel*,” and now known as the “*Overture to Fingal's Cave*,” was completed by Christmas. As soon as it was finished he set to work on the orchestral arrangement of Handel's “*Solomon*,” intended to render it more suitable for performance according to modern musical appliances and requirements. This work (similar in character to that which he afterwards undertook for Handel's “*Israel in Egypt*”) seems to have been accomplished in the incredibly short space of a month; and we may believe that the studies which it involved gave the first shape to those ideas which afterwards found expression in the “*Paulus*” and the “*Elijah*.” He also composed, at this period, a grand orchestral work on a large scale, entitled the “*Reformation Symphony*,” but he was never sufficiently satisfied with this to give it to the world, and it still remains unpublished. English critics, especially, have referred to these works “of the most intensely Protestant colour,” as they are pleased to regard them, as conclusive proof that Mendelssohn's Protestantism was not in the slightest degree

weakened by the composition of Motetts, suggested by the evening devotions at the Trinità dei Monti, of "Ave Marias," and of many other "Roman Catholic" productions. We confess that we cannot quite fathom the depth of this logic, or feel its acuteness. We know that if a "Roman Catholic" of parallel genius, disposition, education, training and associations, were to sit down and write off music to some Anti-Popery chant, his Protestant leanings would be regarded as pretty decided by Roman Catholics as well as by Protestants; while the composition of some Catholic Motetts could scarcely be looked upon as a very wonderful or out-of-the-way fruit of his practical faith. In a similar way we do not think that the composition of some Lutheran hymns modifies to any great extent the exceptional character of the Catholic productions that have come from our artist's pen. Nay, we think it is hardly reconcileable with good faith and straightforwardness to found an argument for Mendelssohn's Protestantism on the fact of his having composed music to such hymns as "Ein' feste Burg," "Wir glauben all' an einen Gott," and "Mitten wir im Leben sind;"—embodying as they do, the truest Catholic sentiments. With as much propriety and logical consistency it might be argued that Christians should forsake the belief in One God, because Mahomet has made it a fundamental doctrine of his system, as that Catholics should abstain from making use of words thoroughly expressive of their faith and devotion, because they happen to have been composed by the heresiarch founder of what is called Protestantism. This querulous assertion of Mendelssohn's Protestantism, and childish endeavour to support its credibility, betrays an uneasy suspicion of its probable falsehood; its authors would wish that it should really prove to be the case, but they have a lurking dread lest it may turn out otherwise.

But the chief subjects on which he was engaged during his stay in Rome were of a very different character from any of these to which we have alluded. First of these was his Scottish Symphony in A minor, which was always present to his mind, but never proceeding quite to his liking, being almost as quickly put down as taken up, and which was finally laid aside until the maturer inspirations of thirteen years afterwards enabled him to bring to completion this greatest of his instrumental works. Another was the

second symphony in A major, which he called his Italian Symphony. This collection of profound and beautiful melodies was brought out by the author in London in 1833, but was not really appreciated until its reproduction in 1848. The third was the music to Goethe's "Walpurgis Nacht," destined to be one of the most celebrated of his productions, which was begun and finished during his stay in Italy, although it was entirely reconstructed about twelve years later, when it was published. It is worthy of note that the first person to whom he played over this piece was a son of Mozart. He gives the following account of it, in a letter to his sister Fanny.

"Since I left Vienna I have partly composed Goethe's first 'Walpurgis Nacht,' but have not yet had courage to write it down. The composition has now assumed a form, and become a grand Cantata, with full orchestra and may turn out well. At the opening there are songs of Spring, etc., and plenty of others of the same kind. Afterwards, when the watchmen with their 'Gabeln, und Zacken, und Eulen,' make a great noise, the fairy frolics begin, and you know that I have a particular foible for them; the sacrificial Druids then appear, with their trombones in C major, when the watchmen come in again in alarm, and here I mean to introduce a light mysterious tripping chorus; and lastly to conclude with a grand sacrificial hymn. Do you not think that this might develop into a new style of Cantata? I have an instrumental introduction, as a matter of course, and the effect of the whole is very spirited." *Letters*, p. 112.

He gives the following account of the distribution of his time in Rome.

"Picture to yourself a small house, with two windows in front, in the Piazza di Spagna, which all day long enjoys the warm sun, and an apartment on the first floor, where there is a good Viennese grand piano: on the table are some portraits of Palestrina, Allegri, etc., along with the scores of their works, and a Latin psalm book, from which I am to compose the *Non Nobis*. After breakfast I begin my work, and play, and sing, and compose, till near noon. Then Rome in all her vast dimensions lies before me, like an interesting problem to enjoy; but I go deliberately to work, daily selecting some different object appertaining to history. One day I visit the ruins of the ancient city; another I go to the Borghese Gallery, or to the capitol, or St. Peter's, or the Vatican. Each day is thus made memorable, and as I take my time, each object becomes firmly and indelibly impressed on me. When I am occupied in the forenoon, I am unwilling to leave off, and should like to continue my writing, but I say to myself that I must see the Vatican, and

when I am actually there, I equally dislike leaving it ; when I have fairly imprinted an object on my mind, and each day a fresh one, twilight has usually arrived and the day is over."—*Letters*, pp. 51-52.

But it is now time to refer to his Italian impressions in his own special department of art. These may be very briefly epitomised in the single word *dissatisfaction* ; unless in some instances, where we might substitute *disgust*. He objects to the style, he denounces the execution, and he attributes the faults under both these heads to that curse of indolence which seems to form part of the Italian nature. No one must imagine from this that Mendelssohn was not an admirer of Italian music ; his favourite themes for his own piano-forte performances would be a sufficient refutation of any such idea. But in his opinion, the class of Italian music which was current in Italy during his residence there, was inferior to the Italian music as it is accepted and admired throughout Europe ; and moreover the defective execution of this actually inferior music sank it lower still. Thus, Italian music, as heard by our author in Italy, was labouring under three drawbacks, any one of which would be almost fatal. There were scarce any musicians, all who had attained any eminence having gone elsewhere ; in the next place, the quality of the article itself was worse than second-rate ; and thirdly, the execution was very bad.

"The orchestras are worse than any one could believe ; both musicians, and a right feeling for music, are wanting. The two or three violin performers play just as they chose, and join in when they please ; the wind instruments are tuned either too high or too low ; and they execute flourishes like those we are accustomed to hear in farm-yards, but hardly so good. The sounds they bring out of their wind instruments, are such as in Germany we have no conception of..... I heard a solo on the flute, where the flute was more than a quarter of a tone too high ; it set my teeth on edge, but no one remarked it, and when at the end a shake came, they applauded mechanically. The great singers have left the country. Lablache, David, Lalande, Pisaroni, etc., sing in Paris, and the minor ones who remain copy their inspired moments, which they caricature in the most insupportable manner."—*Letters*, p. 95-6.

This was at Rome. He did not find things better at Naples.

"The orchestra, like that in Rome, was worse than in any part of Germany, and not even one tolerable female singer. Those who wish to hear Italian operas, must now-a-days go to Paris or London. Heaven grant that this may not eventually be the case with German music also! The voices are never together. Every little instrumental solo is adorned with old-fashioned flourishes, and a bad tone pervades the whole performance, which is totally devoid of genius, fire, or spirit. The singers are the worst Italian ones I ever heard anywhere. This is but natural, for where can the basis of a theatre be found, which of course requires considerable capital? The days when every Italian was a born musician, if indeed, they ever existed, are long gone by. They treat music like any other fashionable article, with total indifference; in fact they scarcely pay it the homage of outward respect, so it is not to be wondered at that every single person of talent should, as regularly as they appear, transfer themselves to foreign countries, where they are better appreciated, their position better defined, and where they find opportunities of hearing and learning something profitable and inspiring.....Donizetti finishes an opera in ten days; to be sure it is sometimes hissed, but that does not matter, for it is paid for all the same, and he can then go about amusing himself. If at last however his reputation becomes endangered, he will in that case be forced really to work, which he would find by no means agreeable. This is why he sometimes writes an opera in three weeks, bestowing considerable pains on a couple of airs in it so that they may please the public, and then he can afford once more to divert himself, and once more to write trash. Their painters, in the same way, paint the most incredibly bad pictures, far inferior even to their music. Their architects also erect buildings in the worst taste; among others, an imitation, on a small scale, of St. Peter's, in the Chinese style. But what does it matter? the pictures are bright in colour, the music makes plenty of noise, the buildings give plenty of shade, and the Neapolitan grandees ask no more."—*Letters*, p. 150-165.

In these last words we have the key to what Mendelssohn conceived to be the explanation of the state of things of which he complains. The indolence which long habit, assisted and encouraged by the delicious climate, has made so chief an ingredient in the Italian character, culminates in Naples and the southern provinces. This indolence is incompatible with the exertion, both mental and bodily, which is the indispensable condition of art-life in its truest and noblest forms; the absence of which, however, is the less felt, perhaps even scarcely adverted to, by reason of the lavish exuberance of her choicest gifts, that nature has poured out so lavishly on that glorious land.

If Mendelssohn himself heard music "echoing and vibrating on every side" from the Alban Hills, how much more the Neapolitan looking out on his peerless bay, with its deep azure blue above and below, and Capri, and Ischia, and Nisida, vieing with each other in the beauty of their melodies? There is also, doubtless, much in the common place and very prosaic reason at which our author hints, when he alludes to the comparative poverty, in a financial sense, of Neapolitan theatrical administration. There is no branch of art which ministers so much, for the moment, to the sensuous enjoyment of man, as music, consequently there is none whose ministrations will, *cæteris paribus*, be so practically appreciated. Since, then, London and Paris are able to pay a higher price, we cannot be surprised if they succeed in attracting to themselves all that is most excellent in the art. Still it is impossible to avoid thinking that Mendelssohn was not only biassed in favour of the German school, but so much so, as to be almost unfair to Italian music, at least as far as his genius and naturally unprejudiced disposition would allow. The reference to Donizetti in the passage just quoted seems to breathe some such sentiment. In another passage from one of the Roman letters, it appears still more plainly. He has just been condemning the Roman orchestras.

"We in Germany may perhaps wish to accomplish something false or impossible, but it is, and always will be, quite *dissimilar*; and just as a *cicisbeo* will for ever be odious and repulsive to my feelings, so it is also with Italian music. I may be too obtuse to comprehend either: but I shall never feel otherwise; and recently, at the Philharmonic, after the music of Pacini and Bellini, when the Cavaliere Ricci begged me to accompany him in 'Non più andrai,'* the very first notes were so utterly different and so infinitely remote from all the previous music that the matter was clear to me then, and never will it be equalised, so long as there is such a blue sky, and such a charming winter as the present. In the same way the Swiss can paint no beautiful scenery, precisely because they have it the whole day before their eyes. 'Les Allemands traitent la musique comme une affaire d'état,' says Spontini, and I accept the omen."—Letters, p. 96.

Perhaps our readers may question these facts and this

* The well-known ironical Aria from Mozart's *Figaro*, in which the barber admonishes the recently enlisted Cherubino.

philosophy. After it, at all events, they will not be surprised to find, that the music of the Holy Week failed to impress Mendelssohn to the extent to which it generally does those who have the privilege of assisting at it. His account of the ceremonies of the Holy Week is contained in two letters written from Rome, one to his sister Fanny and the other to his old master Zelter. It is needless to say that these documents are very valuable, containing, as they do, the criticisms of a great and most accomplished musical genius, on what must ever be regarded as one of the greatest specimens of the musical art. These criticisms are, in a historical point of view, most accurate; and, coming from one not a Catholic, they are wonderful, and often most noble and devotional. So far, indeed, they are wholly devoid of the slightest tinge of prejudice, and above all exception. But we think it is otherwise, when we consider them as a technical commentary on a series of productions, which constitute in themselves a great system of religious music. The very education and training which Mendelssohn had received, his keen susceptibility and intense love of his art, while they rendered him the better qualified to judge of the merits and defects of music in general, interfered also the more with his fitness for judging those special compositions, which were altogether of a different kind, and carried out in a different fashion, from what he had been accustomed to; he was more alive to their shortcomings, he saw more clearly their blemishes, but would, at the same time, be the less likely to appreciate beauties, that presented themselves under forms unknown to his experience. This implies no fault on the part of Mendelssohn himself, nor censure on his training. It is simply one of those accidents to which genius must ever be exposed, not merely in the several departments of art, but in any pursuit whatever, intellectual or otherwise. No blame could attach to the Roman Generals, that they failed to penetrate intuitively the merits of the Phalanx marshalled by Pyrrhus; and we ourselves are ever ready to excuse the misapprehensions of foreigners respecting our institutions, on the ground that their previous habits do not leave them in a position to appreciate them. A Canadian would scarcely be inclined to defer to the judgment of an East Indian, on the question of how he could best contrive his dwelling so as to protect himself from the rigours of his Arctic winter. One who had never

been present at an opera, is hardly the person, whom we should expect to form, off-hand, the best opinion of such a production. We, in England, pride ourselves on what we consider our special faculty of appreciation, with regard to that great class of sacred dramatic music, which has found its embodiment in the Oratorio; so much so, indeed, that on this point we claim a supremacy of opinion. We should never dream of wavering in our admiration of those beauties of the *Messiah* or of the *Elijah*, which we profess to seize instinctively, because a foreigner, no matter how great his reputation, or high his ability, failed to discern them at a first hearing. And yet truth compels us to admit, that even we required some time to familiarize us with those great works, before we could thoroughly apprehend their massive grandeur, their complete unity, and that singular beauty which is so peculiarly all their own. We cannot then be surprised that a young man of two-and-twenty, educated up to that time in the traditions of the strictest German school, failed, as we believe, to render perfect justice to a class of music, then for the first time brought within his reach, and which, whatever be its merits or its faults, is different in kind from anything which he had previously known. But we may, indeed, well be surprised that he caught its general tone so fairly, and was frequently able to identify himself so fully with its spirit. On going over these letters, it is clear that Mendelssohn had but an imperfect conception of the ceremonies at which he was assisting. On the Palm Sunday he had no book with which to follow the words, and he was so far from the choir that the singing "made the most confused impression on him." Now let us waive all higher considerations, and simply ask, what should we say of the sketch of a great opera, given to us by one who was present at its performance under similar circumstances:—for the first time, without a libretto, unacquainted with the plot, unfamiliar with operatic music? He comments at considerable length and with much acuteness on the *tones* employed in singing the Psalms, on the formula for the Lessons, etc., and on the *canto fermo* settings for the Antiphons. These observations are sure to be interesting, even for their very novelty, to every student of Church Music; although it is plain, that the writer was not then acquainted with the *canto fermo*. Of this ignorance, indeed, we have a very curi-

ous instance in his mistaking the formula to which the Credo is universally intoned for the composition of Sebastian Bach: the plain fact being that the grand old master wrote down the time-honoured *canto fermo* formula for the first notes of his massive Credo.* Had Mendelssohn studied more deeply this and similar compositions of his favourite author, who almost made his own of that severe counterpoint to which the music of the Papal choir belongs, wielding it with an enjoyment and facility that the most prolific melody-maker might envy, he would have been more thoroughly fitted to appreciate the singing of the Papal chapel. But we must now lay before our readers two or three brief extracts which may give them an idea of the impressions made on the young artist by the solemnities of what he himself calls "a truly memorable week." He appears to have been particularly struck with their "perfection as a whole."

"People have often both zealously praised and censured the ceremonies of Holy Week, and have yet omitted, as is often the case, the chief point, namely, its perfection as a complete whole. Whether one person repeats it from another, whether it comes up to its great reputation, or is merely the effect of the imagination, is quite the same thing. It suffices that we have a perfect totality, which has exercised the most powerful influence for centuries past, and still exercises it, and therefore I reverence it, as I do every species of real perfection. There is more to be considered than the mere ceremonies:.....as a whole the affair cannot fail to make a solemn impression, and everything contributes to this result."—Letters, pp. 125-126.

He gives an elaborate account, in his letter to Zelter, of the technicalities of the *canto fermo* of the Tenebræ, which, as we have already said, will seem very curious to those familiar with the subject. We may here remark that his attention to the music was truly wonderful. He contrived to note down the melodies for the Psalm tones, all the different cadences employed in chanting the lessons, and some of the Antiphons. It is only one who is thoroughly intimate with these matters that can have the

* Can it be, that, through a similar mistake, Mendelssohn himself was led to adopt—or, shall we say to adapt?—the *canto fermo* melody known as the eighth Psalm-tone for the grand opening of the Antigone?

faintest conception of the keen attention and rapid perception necessary to accomplish this. And yet this was a mere trifle compared with some other of his feats of notation. He wrote down the concerted chant of the Miserere, while it was being sung, actually distinguishing between the notes of the original counterpoint as written by Allegri and the *abellimenti*, or variations which have been handed down from year to year by a carefully preserved tradition. He did the same with the *Impropria* of Palestrina. It is hard to say which was the more difficult task—to note down the traditional notes, actually sung and yet hardly touched, so delicate is the execution,—or the notes of the chords, which *are not sung*, but were gathered by him from the variations founded upon them. We have had some acquaintance with the matter; and we can safely say, that no manuscript which we have seen, purporting to be a copy of those variations of the Miserere, at all approached the minute accuracy of the notation which is published in these letters. And all the time that he was thus employed, with his ears strained to catch the slightest inflection, his eyes too were wide open seizing and treasuring up every feature and detail of the scene.

The chant of the Psalms seemed to him “harsh and mechanical,” and the effect “tiresome and monotonous.”

“Then commences the Lamentation of Jeremiah, sung in a low subdued tone, in the key of G major, a solemn and fine composition of Palestrina’s. The solos are chanted entirely by high tenor voices, swelling and subsiding alternately, in the most delicate gradations, sometimes floating almost inaudibly, and gently blending the various harmonies; being sung without any bass voices, and immediately succeeding the previous harsh intonation of the Psalms, the effect is truly heavenly...After this the psalms are sung as before. Then follow the Lessons: a solitary voice is heard reciting on one note, very slowly and impressively, making the tone ring out clearly. One lesson was chanted by a soprano solo in long-drawn notes and lasts a quarter of an hour at least. There is no pause in the music, and the chant is in a very high key, and yet it was executed, with the most pure, clear, and even intonation. The singer did not drop his tone so much as a single comma, the very last notes swelling and dying away as even and full as at the beginning; it was, indeed, a masterly performance.....During this time the lights on the altar are all extinguished, save one which is placed behind the altar. Six wax candles still continue to burn high above the entrance, the rest of the space is already dim, and now the whole chorus *unisono* intone with the full strength of their

voices the 'Canticum Zachariæ,' during which the last remaining lights are extinguished. The mighty swelling chorus in the gloom, and the solemn vibration of so many voices, have a wonderfully fine effect. The melody (in D minor) is also very beautiful. At the close all is profound darkness. Then all present fall on their knees, and one solitary voice softly sings, 'Christus factus est pro nobis obediens usque ad mortem.' A pause ensues, during which each person repeats the Pater Noster to himself.

"During this silent prayer, a death-like silence prevails in the whole church; presently the Miserere commences, with a chord softly breathed by the voices, and gradually branching off into two choirs. This beginning, and its first harmonious vibration, certainly made the deepest impression on me. For an hour and a half previously, one voice alone had been heard chanting almost without any variety; after the pause came an admirably constructed chord, which has the finest possible effect, causing every one to feel in their hearts the power of music; it is this indeed that is so striking. The best voices are reserved for the Miserere, which is sung with the greatest variety of effect, the voices swelling and dying away, from the softest piano to the full strength of the choir. No wonder that it should excite deep emotion in every heart. Moreover they do not neglect the power of contrast; verse after verse being chanted by all the male voices in unison, forte, and harshly. At the beginning of the subsequent verses, the lovely, rich, soft sounds of voices steal on the ear, lasting only for a short space, and succeeded by a chorus of male voices. During the verses sung in monotone, every one is aware of how beautifully the softer choir are about to uplift their voices, soon they are again heard, again to die away too quickly."—*Letters*, pp. 170-175.

As to the famous variations, or *embellimenti*, while our author is full of admiration for their conception and execution, he is wholly opposed to the idea that they are purely traditional.

"No musical tradition is to be relied on; besides, how is it possible to carry down a five-part movement to the present time, from mere hearsay? It does not sound like it. It appears to me that the director, having had good high voices at his command, wrote down for their use ornamental phrases, founded on the simple unadorned chords, to enable them to give full scope and effect to their voices. They certainly are not of ancient date, but are composed with infinite talent and taste, and their effect is admirable; one in particular is often repeated, and makes so deep an impression, that when it begins, an evident excitement pervades all present. The soprano intones the high C (in alt) in a pure soft voice, allowing it to vibrate for a time, and slowly gliding down, while the contralto holds the C steadily, so that at first I was

under the delusion that the high C was still held by the soprano; the skill, too, with which the harmony is gradually developed, is truly admirable."—*Letters*, pp. 177-79.

The *Passion*, on Good Friday, which is generally much admired, "appeared to him too trivial and monotonous;" and he was "quite out of humour and dissatisfied with the affair altogether." He refers to the *Passio* of Sebastian Bach as his ideal of what such a composition ought to be; but, as sung in the Sixtine chapel (and, *à fortiori*, as sung in all the other churches at Rome, and in those which copy the Roman ceremonial) it seems to him "very imperfect, being neither a simple narrative, nor yet a grand dramatic truth."

It would lead us altogether too far, to enter into a discussion of the brief but pointed criticism which follows. We have already said that we do not think Mendelssohn was quite prepared to appreciate the Holy Week music, and we think that the strictures which he passes on the *Passio* more than bear us out; but, then, it is also obvious that the ideas which were then present in his mind, and by which some of his admirers would firmly abide, are wholly at variance with the principles on which those great compositions are built. It is thus a question of primary notions, and every one knows how insoluble such questions generally are; for, as the supporters of each side differ radically, it is next to impossible to hit on any common principle whence the argument may proceed. Mendelssohn has, however, not contented himself with general observations, but has descended to particulars which may be examined on their own merits. For example, he selects the music to which the choir shout the words "Barabbam," as "most singular;" being of opinion that the Jews who could so express themselves should be "very tame Jews indeed." Few who have heard this passage will easily forget the impression made by the hurried, tumultuous manner of the singers, and the extreme severity and rapidity of the passage itself. It will be sufficient to say, for the information of those who have not heard it, that each of the four voices utters but one note to each syllable of the word "Ba-rab-bam," and that it is sung with extreme liveliness and rapidity and with the full strength of the choir. Elsewhere he complains that "the choir sings 'Barabbam' to the same sacred chords as 'et

in terra pax.' ” This is simply unintelligible, or ridiculous. Of course, if it is music at all, if especially it be severe counterpoint, chords must be employed; nor do we recognize any special sacredness about any chords, apart from the words linked to them. Surely there is nothing to forbid the composition of an “et in terra pax” in D flat, because Leporello sings his “Madamina” in the same key. But there is a still more valuable instance. Mendelssohn tells Zelter that he “must *really* mark down here as a curiosity the ‘Crucifige,’ just as he noted it at the time.” The passage would almost read like an example of vaulting ambition overleaping itself, did we not know the honest unaffected candour and simplicity of the young writer. He notes down indeed in the letter to Zelter a passage to the words “Tolle! tolle! crucifige eum,” which has one little drawback to its value as a critical basis for proceeding to condemn the Passion as sung in the Sixtine—but we fear it is a fatal drawback. It is only this:—*that it is not to be found in that production.* Such is the fact. The passage given by Mendelssohn, as noted by him at the time, does not exist in the original music of the Passion as composed by “Thomas Ludovicus A Victoria,” nor is it introduced into the performance by the Papal choir. Mendelssohn’s piece is in common time, the original in triple time, and distinctly in 3-1 time. Mendelssohn’s is in seven bars, the original in six—but, mark, seven bars of common time to represent six of 3-1 time. Finally, Mendelssohn’s piece, not only does not give even the mere notes of the original, but does not in any way represent it—it differs in the division of the syllables, in the accentuation, in the rhythm, in the relative proportions of the parts of the phrase. We think, after such a specimen of critical “accuracy” with regard to a passage which provoked his special censure, we may fairly pass over his sweeping observations. We have already said, and we now repeat, that we do not blame the young artist. He simply did not know “the lie of the land,” which he had ventured to map out. His ear, evidently, played him false in the passage to which we have referred—that ear whose accuracy was the theme of universal wonder:—but it did so in rendering a language which he was then really hearing for the first time. It is no detraction from its marvellous faculty that it failed to catch, at once, all the peculiarities and characteristics of a strange speech. But

we cannot let off so easily his editor, or his translator. Paul Mendelssohn was, we think, especially bound to have verified this passage, before he gave it to the public. It now stands, stamped with his brother's high authority, as a correct version of a portion of the Passion as sung in the Sistine; and on its accuracy the value of the preceding and subsequent criticism mainly hinges. We have however shown that it is a simple travesty, and cannot pass for even an imperfect version of the real passage. It has about as good pretensions to accuracy, as the good old Protestant notion which attributed to each successive Pontiff the qualities, together with the imaginary outlines and features, of Antichrist.* The consequence is, that its spuriousness discredits both his testimony and his judgment with regard to the other portions of the Passion, and impairs the critical value of his observations on the music of the Papal choir and on Italian music generally. Paul Mendelssohn could have easily obviated a blunder which might have been so damaging to his brother's reputation. Since Felix had been staying in Rome in 1831, the music of the Passion by Victoria has been published, and could have been easily referred to, for the purpose of ascertaining the accuracy of the passage noted in the letter. The discrepancy might have, then, been pointed out and explained, or the passage in the letter to Zelter might have been omitted, as many other passages—nay whole letters—have doubtless been suppressed. Just now the affair stands, as if we had undertaken to criticize those very letters without having read them, and had coined excerpts which we had palmed off on our readers as genuine quotations.

Very different from the criticisms on the Passion, which we have just been reviewing, is his judgment of the *Impropria*, chanted during the adoration of the cross.

"It seems to me to be one of Palestrina's finest works, and they sing it with remarkable enthusiasm. There is surprising delicacy and harmony in its execution by the choir; they are careful to place every passage in its proper light, and to render it sufficiently prominent without making it too conspicuous—one chord blending

* One of the highest dignitaries of the Church in these countries once presented to the late Pope, Gregory XVI., an honest English gentleman who was calmly satisfied that his Holiness must have a tail because he was Antichrist.

softly with the other. Moreover the ceremony is solemn and very dignified, and the most profound silence reigns in the chapel. The effect of the whole is undoubtedly superb. I only wish you could hear the tenors, and the mode in which they take the A on the word 'Theos;' the note is so long drawn and ringing, though softly breathed, that it sounds most touching.....I quite understand why the 'Improperia' produced the strongest effect on Goethe, for they are nearly the most faultless of all, as both music and ceremonies, and everything connected with them, are in the most entire harmony."—*Letters*, pp. 185-7.

From these extracts our readers will be able to form a tolerably accurate idea of the impressions wrought on Mendelssohn's mind by the solemnities of the Holy Week in the Sixtine Chapel. On a detailed perusal of these Letters they will, we are sure, agree with us that no similar record of equal importance, in an artistic sense, has yet been given to the public. Of its merits, especially remembering the immature years of its author, it is impossible to express what one must feel; and for any shortcomings in appreciation which it may disclose—if his "strictures" may be said to amount to so much—the novelty of his position, and the deficiency of his experience amply account. Nor can we better close our remarks on this subject than by quoting the truthful and unaffected language with which he ends his description of the Holy Week.

"They were memorable days to me, every hour bringing with it something interesting and long anticipated. I also particularly rejoiced in feeling that, in spite of the excitement and the numerous discussions in praise or blame, the solemnities made as vivid an impression on me, as if I had been quite free from all previous prejudice or prepossession. I thus saw the truth confirmed, that perfection, even in a sphere the most foreign to us, leaves its own stamp on the mind."—*Letters*, p. 187.

The interest which will always attach to art-life in Rome, and the importance with which we Catholics would naturally regard the views entertained concerning the solemnities of the Holy Week in Rome by one who was an accomplished scholar in addition to being a great musical genius, have induced us to linger too long over these Roman letters. We must say as briefly as we can, what we have still to say of those which remain. Mendelssohn left Rome on the Saturday after Easter, and proceeded to Naples, where he visited all the ancient remains and natural objects for which its neighbourhood is famous,

and gave himself up completely to the fascination of that delicious climate and most beautiful land. There, at the house of Madame Mainville Fodor, the celebrated vocalist and instructress of Sontag, he was introduced to Donizetti, Coccia, and other Neapolitan musical notabilities. Here, too, M. Benedict renewed the acquaintance formed nine years before, when both were boys, and was able to judge for himself of that marvellous progress of which he had heard, but whose reality far surpassed its fame. Among the "treasures unfolded to him," he had opportunities of witnessing instances of that astonishing faculty of improvisation, which manifested itself in his earliest years, and to which we have more than once referred in this paper.

"At an evening party, at the house of Madame Fodor, several airs of Donizetti and Rossini, French romances, and an instrumental duet by Moscheles were performed. Mendelssohn being subsequently invited to play, without a moment's hesitation he introduced first one theme of the pieces performed before, then another, added a third and fourth, and worked them simultaneously in the most skilful manner. At first, playfully mimicking the Italian style, and then adopting the severe forms of the old masters, he contrived to give a perfect musical form and shape to all, and thus the inspiration of the present moment seemed as though it had been the result of forethought and study. Again, at an evening party, where several distinguished foreigners were present, he performed from memory some of the finest choruses of Handel's 'Israel in Egypt,' the 'Messiah,' and some of his '*suite de pieces*,' for the harpsichord; thus showing his mastery over that school of composition."—*Benedict's Sketch*, p. 18.

From Pæstum, the southernmost limit of his journey, he returned northwards, passing again through Rome and Florence with still greater pleasure than on the occasions of his first visit. At Milan he met with two musical celebrities, whose acquaintance gave him unexpected satisfaction. One of these was Madame Ertmann, wife of the Austrian *Commandant du place*, who had been a friend of Beethoven many years previously, in the days of his glory in Vienna, before his heavy infirmities had soured his temper and estranged him from his friends. She and her husband were delighted at meeting one, who prized the music of the great master; and she played over sonata after sonata to her admiring listener, the "old general being quite enchanted, and with tears of delight in his eyes, because it was so long since he

had heard his wife play." The acquaintance leads to a sketch of Beethoven, characteristic of the deep sympathy and kindness of his nature, as it was before evil days came upon him.

"She told me that when she lost her last child, Beethoven at first shrank from coming to her house; but at length he invited her to visit him, and when she arrived, she found him seated at the piano, and simply saying, 'Let us speak to each other by music,' he played on for more than an hour, and, as she expressed, 'he said much to me, and at last gave me consolation.'"

Another "valued acquaintance," which he made at Milan, was that of a son of Mozart; whom he describes as "bearing the strongest resemblance to his father, especially in disposition," and so amiable that "no one could fail to love him the instant he was known." He gave Mendelssohn introductions to friends near the Lake of Como, and this led to his seeing the Italian Lakes—"not the least interesting objects in the Peninsula." While at Como, he received some advice which, in his case, was marvelously comical.

"They spoke of Shakespeare's plays, which are now being translated into Italian. The Doctor said that the tragedies were good, but that there were some plays about witches that were too stupid and childish; one in particular, 'Il Sogno d' una Notte di Mezza State.' In it the stale device occurred of a piece being rehearsed in the play, and it was full of anachronisms and childish ideas; on which they all chimed in that it was very silly, and advised me not to read it. I remained meekly silent, and attempted no defence."—*Letters*, p. 217.

The great "Overture to A Midsummer Night's Dream" had been already written in 1826, five years before.

From Italy he passed into Switzerland by the Simplon, journeying down the beautiful Valais to Martigny, thence round the Chamouni district, through the Pays de Vaud, which he pronounces "the most beautiful of all the countries which he knows, and the spot where he should most like to live when he became really old;" and so all over the Swiss Alps, travelling chiefly on foot. We cannot quote from the letters which give an account of these rambles; they are even more graphic than sketches by the Alpine Club. The deep impression which these Alpine scenes made upon him, is a strong proof of the intensity of his spontaneous inclination to natural beauty. He had

visited Switzerland when a boy; he travelled through it now, with all the fresh appreciation of opening manhood; he yearned to return to its calm enjoyments through all the excitement of his glorious career. And it was to the lovely valleys around Interlachen that he retired in 1847, to seek in nature's grandeur and repose that sympathy and restoring influence which his heart needed in its utter prostration, after the death of that beloved and accomplished sister, who had been the sharer of his aims and his hopes, and the delighted witness of his success.

Six weeks were spent in journeying up and down through Switzerland, and then he passed into Bavaria. At Munich he gave a public concert, which was attended by the king and queen and all the court, and which he describes as a brilliant success; and so, by the Rhine and Belgium, he at length arrived in Paris, where he spent the winter. He never liked Paris, as most certainly Paris never appreciated him. He loved to roam through the Louvre, as formerly through the galleries of Florence. He mixed with his fellow-artists, enjoying their society, attending their rehearsals, and assisting in their public performances. He also went wherever the excitement, which then swayed Paris, bore him—to the Chamber of Peers, to the Chamber of Deputies, to the Opera, to a *Vandeville*, to a *reunion* at Casimir Perrier's. But, not only did he not relish the prevalent tone of French society, and French habits and customs, but he positively disliked them, and held them in genuine aversion: All through these Parisian letters, we meet with luminous instances of the deep moral feeling and earnest purity, that lay so happily at the foundation of his character. Witness his remarks about *San-simonianism*, on theatrical representations, and on the prevailing style of the opera. Auber's "*Parisienne*," intended by its author to be for the Revolution of July 1830, what the "*Marseillaise*" had been for that of 1789, is most justly denounced by him as "a cold, insignificant piece, quite common-place and trivial: the words are worthless; then the emptiness of the music!—a march for acrobats." We must make room for his description of a now famous and popular opera, in a letter to Immermann.

"In the Académie Royale, Meyerbeer's '*Robert le Diable*,' is played every night with great success: the house is always crowded, and the music has given universal satisfaction. There is an expen-

diture of all possible means of producing stage effect, that I never saw equalled on any stage. All who can sing, dance, or act in Paris, sing, dance, and act on this occasion.

"The *sujet* is romantic; that is the devil appears in the piece—this is quite sufficient romance and imagination for the Parisians. It is however very bad; and were it not for two brilliant scenes of seduction it would produce no effect whatever. The devil is a poor devil, and appears in armour, for the purpose of leading astray his son Robert, a Norman knight, who loves a Sicilian princess. He succeeds in inducing him to stake his money and all his personal property (that is, his sword) at dice, and then makes him commit sacrilege, giving him a magic branch, which enables him to penetrate into the princess's apartment, and renders him irresistible. The son does all this with apparent willingness; but when at the end he is to assign himself to his father, who declares that he loves him, and cannot live without him, the devil, or rather the poet Scribe, introduces a peasant-girl, who has in her possession the will of Robert's deceased mother, and reads him the document, which makes him doubt the story he has been told; so the devil is obliged to sink down through a trap-door at midnight, with his purpose unfulfilled, on which Robert marries the princess, and the peasant-girl, it seems, is intended to represent the principle of good. The devil is called Bertram. I cannot imagine how any music could be composed on such a cold, formal *extravaganza* as this, and so the opera does not satisfy me. It is throughout frigid and heartless; and where this is the case it produces no effect upon me. The people extol the music, but where warmth and truth are wanting, I have no test to apply."—*Letters*, pp. 322-3.

This same letter to Immermann alludes to a matter which cannot fail to excite interest. While he was at Munich, Mendelssohn received a commission from the director of the theatre to write an opera for Munich. In order to carry this intention into effect, he made it his business to pass through Düsseldorf, "expressly to consult with the poet Immermann on the point." They fixed on a subject which had been long in Mendelssohn's thoughts, and which he believed his mother wished to see made into an opera—Shakespeare's "*Tempest*." But when the *libretto* was finished, it did not satisfy Mendelssohn's ideas on the subject, and consequently he could not bring himself to compose for it, and so he seems to have permanently abandoned all views of operatic composition. In all these proceedings, he had been in constant communication with his father, and believed that he was only complying with his wishes. But Abraham Mendelssohn seems to have

considered that a French poet—or, rather libretto-manufacturer, like Scribe, would be more likely to turn out an effective *libretto*, than a German poet such as Immermann; and he wrote to his son to this effect. The young artist replied in a noble letter, in which, while expressing himself with the utmost affection and respect, he differs firmly and decidedly from the views his father appeared to hold in the matter. Having set forth his ideas on the subject with great clearness, he concludes by stating that he could not conscientiously compose music for a French libretto, such as he would be then likely to obtain in Paris. "One of the distinctive characteristics of them all," he says, "is precisely of a nature that I should resolutely oppose, although the taste of the present day may demand it, and I quite admit that it is wiser to go with the current than to struggle against it. I allude to that of immorality... All this produces effect, but I have no music for such things. I consider it ignoble; so if the present epoch exacts this style, and considers it indispensable, then I will write oratorios." (p. 304.) However much we may regret, that we possess no opera from one so ably qualified both by nature and by art to write one, it is impossible not to feel more than admiration for the sentiments which made so dramatic and creative a mind regard such self-denial as an imperative duty—sentiments which, alas! so rarely find an echo among his brother-artists.

Nor was it with regard to operatic composition, nor on this particular point of sensuousness only, that the conscientious delicacy of Mendelssohn displayed itself; it was an active principle in all his productions, now restraining, and now urging on, but always ruling, and never in the smallest degree disobeyed. He had no sympathy, he protests, for the licentious music then affected by the drama; but neither had he for anything which did not approve itself to his convictions, and commend itself to his heart. With him the artist was the man; he could not pretend an enthusiasm which he did not feel, nor, for hire, find utterances for sentiments which he would not, of himself, pronounce. Writing to his sister about some music, composed by herself, he says:—

"These two choruses are not sufficiently original; but my opinion is that it is the fault of the words, that express nothing original; one single expression might have improved the whole, but as they now stand, they would be equally suitable for Church music

a cantata, an offertorium, etc. Where, however, they are not of such universal application, as for example, the lament at the end, they seem to me sentimental and not natural. The choruses are fine, for they are written by you; but, in the first place, it seems to me that they might be by any other good master; and secondly, as if they were not *necessarily* what they are, indeed as if they might have been *differently* composed. This arises from the poetry not imposing any particular music. My *resume* therefore is, that I would advise you to be more cautious in the choice of your words, because, after all, it is not everything, even if it suits the theme, that is suggestive of *music*."—*Letters*, p. 315.

Already, he had declined to comply with the request of Madame Pereira, a relative whom he was most anxious to oblige, and who had asked him to compose music for the "Nächtliche Heerschau" of Baron Zedlitz, known to English readers as "Napoleon's Midnight Review." * The letter in which he excuses himself, contains some excellent, although subtle criticism on the nature of such poems, and their literary position; but it is chiefly valuable for the musical views which it enunciates.

"I take music in a very serious light, and I consider it quite inadmissible to compose anything that I do not thoroughly feel. It is just as if I were to utter a falsehood; for notes have as distinct a meaning as words, perhaps even a more definite sense. Now it appears to me almost impossible to compose for a descriptive poem; I am not acquainted with one single composition of the kind that has been successful.....I could indeed have composed music for it in the same descriptive style, as Neukomm† and Fischhof, in Vienna. I might have introduced a very novel rolling of drums in the bass, and blasts of trumpets in the treble, and have brought in all sorts of hobgoblins. But I love my serious elements of sound too well to do anything of the sort; for this kind of thing always appears to me a joke: somewhat like the paintings in juvenile spelling-books, where the roofs are coloured bright red to make the children aware they are intended for roofs."—*Letters*, pp. 197-8.

But perhaps the fullest insight into the views and purposes which then swayed him, and the ideas which dictated them, and constituted the ruling principle of all his art-life,

* There is a fine and spirited translation of this poem by James Clarence Mangan, which has been published in the later editions of his *Anthology*.

† "Napoleon's Midnight Review," as composed by Neukomm, was published in London by Cramer, and was very popular about thirty years ago.

is afforded us in some letters addressed to the eminent dramatic singer Devrient, himself a genuine artist.

"You reproach me with being two-and-twenty without having yet acquired fame. To this I can only reply, had it been the will of Providence that I should be renowned at the age of two-and-twenty, I no doubt should have been so. I cannot help it, for I no more write to gain a name, than to obtain a Kapellmeister's place. It would be a good thing if I could secure both. But so long as I do not actually starve, so long is it my duty to write only as I feel, and according to what is in my heart, and to leave the results to *Him* who disposes of other and greater matters. Every day, however, I am more sincerely anxious to write exactly as I feel, and to have even less regard than ever to external views; and when I have composed a piece just as it sprung from my heart, then I have done my duty towards it; and whether it brings hereafter fame, honour, decorations, or snuff-boxes, etc., is a matter of indifference to me.* If you mean, however, that I have neglected or delayed perfecting myself, or my compositions, then I beg you will distinctly and clearly say in what respect and wherein I have done so. This would be indeed a serious reproach.

"You wish me to write operas, and think I am unwise not to have done so long ago. I answer: Place a right libretto in my hand, and in two months the work shall be completed, for every day I feel more eager to write an opera. I think that it may become something fresh and spirited, if I begin it now; but I have got no words yet, and I assuredly never will write music for any poetry that does not inspire me with enthusiasm. If you know a man capable of writing the libretto of an opera, for heaven's sake tell me his name, that is all I want. But till I have the words, you would not wish me to do anything—even if I could do anything.

"I have recently written a good deal of sacred music; this is quite as much a necessity to me, as the impulse that often induces people to study some particular book, the Bible, or others, as the only reading they care for at the time. If it bears any resemblance to Sebastian Bach, it is again no fault of mine, for I wrote it just according to the mood I was in; and if the words inspired me with a mood akin to that of old Bach, I shall value it all the more, for I am sure you do not think that I would merely copy his form, without the substance; if it were so, I should feel such disgust and such a void that I could never again finish a composition.... I am now going to Munich, where they have offered me an opera to see if I can find a man there who is a poet. I always fancy that the right man has

* Elsewhere, he defines a "true musician" to be "one whose thoughts are absorbed in music, and not in money, or decorations, or ladies, or fame."—p. 269.

not yet appeared; but what can I do to find him out? Where does he live? I firmly believe that a kind Providence, who sends us all things in due time when we stand in need of them, will supply this also if necessary; still we must do our duty, and look round us—and I do wish the libretto were found. Meantime I write as good music as I can, and hope to make progress. In instrumental music I already begin to know exactly what I really intend. Having worked so much in this sphere, I feel much more clear and tranquil with regard to it—in short, it urges me onwards..... If you could succeed in not thinking about singers, decorations, and situations, but feel solely absorbed in representing men, nature, and life, I am convinced that you would yourself write the best libretto of any one living; for a person who is so familiar with the stage as you are, could not possibly write anything undramatic...When one form is to be moulded into another, when the verses are to be made musically, but not *felt* musically, when fine words are to replace outwardly what is utterly deficient in fine feeling inwardly—this is a dilemma from which no man can extricate himself; for as surely as pure metre, happy thoughts, and classical language do not suffice to make a good poem, unless a certain flash of poetical inspiration pervades the whole, so an opera can only become thoroughly musical, and accordingly thoroughly dramatic, by a vivid feeling of life in all the characters.”—*Letters* pp. 206-11.

His stay in Paris extended to nearly five months: and the letters written from that centre of gaiety and excitement will prove among the most attractive, although not the most valuable of the whole collection. They are full of sparkling vivacity and happy dashes; of graphic sketches of men and things, not without a certain sly humour and satire, which make them all the more appreciable by reason of the caricature. He evidently made it his business to see all that could be seen, and to enjoy all that could be enjoyed, consistently with honour and duty. Nor was he idle in his own particular path of progress, composing fresh works, and re-touching those already composed—as the “Walpurgis Nacht,” and the great Scottish symphony in A minor, which seemed to be always approaching completion and yet never to satisfy him. He also appeared at some public concerts, and was able to have his “Overture to a Midsummer Night’s Dream” performed at the Conservatoire, in a style which caused him great pleasure. But it is clear that he never could take to Paris, as probably Paris never could take to him. Its “immorality to a degree that almost exceeds belief,” shocked his moral sense and disgusted his innate delicacy and refinement; nor

could its frivolity satisfy one whose leading principle was that man existed for work and not for pleasure.

Towards the close of his stay he had a sharp attack of cholera ; and, as soon as he was sufficiently recovered to bear the journey, he came on to London, arriving soon after Easter. Three years before, he came among us, a youth of great promise and wonderful attainments. He now returned with the fulfilment of that promise, a matured genius, bringing with him the endorsement of European fame. His reception was proportionate, and thenceforward he regarded those occasional visits to London as the proudest periods of his professional success, as they were associated with some of the happiest episodes in his domestic life. On this occasion he was engaged at the Philharmonic concerts, producing and playing his concerto in G minor at two successive concerts, an occurrence without precedent. He also brought out his "Fingal's Cave" during this visit. He remained in England only six weeks, being suddenly recalled by his father to Berlin. Zelter, the director of the "Singing Academy," and Mendelssohn's beloved master, had just died ; and the worthy banker saw here, as he thought, an opening for the accomplishment of the dream of his ambition, in securing for Felix a post where he could pursue his artist-vocation, with dignity to himself and with honour to his ancestral town. But this expectation was disappointed ; and although the younger Mendelssohn had not coveted the appointment, he was so disgusted with the intrigues set on foot against him, that he determined not to settle in Berlin, and he left it, as he then believed never to return. The last letters of the collection refer to this business. They show how grateful he was to his parents for their zeal and affectionate care of his interests, and how anxious he was to follow out his father's views and to be guided by his advice ; but they also show how thorough was his devotion to his art, and with what respectful firmness and manly independence he could maintain his own views when he was convinced of their correctness. We must find room for one last extract as a specimen of these admirably balanced qualities.

"I must, in taking a general view of the past, refer to what you designed to be the chief object of my journey ; desiring me strictly to adhere to it. I was closely to examine the various countries, and to fix on the one where I wished to live and to work ; I was

further to make known my name and capabilities, in order that the people, among whom I resolved to settle, should receive me well, and not be wholly ignorant of my career; and, finally, I was to take advantage of my own good fortune, and your kindness, to press forward in my subsequent efforts. It is a happy feeling to be able to say, that I believe this has been the case. Always excepting those mistakes which are not discovered till too late, I think I have fulfilled the appointed object. People now know that I exist, and that I have a purpose, and any talent that I display, they are ready to approve and to accept.....I hope, therefore, I may say that I have also fulfilled this part of your wish—that I should make myself known to the public before returning to you. Your injunction too, to make choice of the country that I preferred to live in, I have equally performed, at least in a general point of view. That country is Germany. I cannot yet, however, decide on the particular city; for the most important of all, which for various reasons has so many attractions for me, I have not yet thought of in this light—I allude to Berlin. On my return therefore I must ascertain whether I can remain and establish myself there according to my views and wishes, after having seen and enjoyed other places.”

—pp. 338-9.

“The situation in the Academy is not desirable at the outset of my career; indeed I could only accept it for a certain time, and under particular conditions, and even then, solely to perform my previous promise.....I do not know how I shall get on in Berlin, or whether I shall be able to remain there—that is, whether I shall be able to enjoy the same facilities for work and progress, that are offered to me in other places. The only house that I know in Berlin is our own, and I feel certain I shall be quite happy there; but I must also be in a position to be actively employed, and this I shall discover when I return. I hope that all will come to pass as I wish, for of course the spot where *you* live must be always dearest to me; but till I know this to be a certainty, I do not wish to fetter myself by any situation.”—*Letters*, pp. 355-6.

For a year Mendelssohn was uncertain as to where he would permanently fix his abode. For a time, it seemed as if his inclination for England would induce him to give London the preference; and he returned there in 1833, accompanied by his father, and bringing with him his second symphony in A major, which he had composed during his residence in Italy. Thence he went to Düsseldorf, where he conducted the Triennial Rhenish Festival with an unprecedented success that was soon to exercise a decisive influence on his life. But, like the moth, he again came over to London, bringing with him a most effective and brilliant Overture in C, which he has named



the "Trumpet Overture," on account of the predominance of brass instruments, so unusual in his compositions. But his uncertainty was now to be resolved. His successful superintendence of the Düsseldorf Festival led to an offer of the directorship of the concerts and theatre in that city, which he accepted for three years. At Düsseldorf the young director—then only four-and-twenty years of age—fairly entered upon his artistic career, surrounded by fellow votaries of art, among whom were his Roman friends Schadow and Bendemann. Here, while conducting operas, oratorios, and concerts in fulfilment of the duties of his office, he worked assiduously at original compositions of his own. Among the productions of this period were those beautiful pieces, the design of which was his own invention, the "Lieder ohne Worte." But the great work of the time—a work too composed, in great part, while he was struggling with the affliction consequent on his father's unexpected death—was the Oratorio of St. Paul, which was first produced at Düsseldorf on the 22nd May, 1836, when its author had but just completed his twenty-seventh year, and which at once placed him on a level with the greatest masters of his art. Towards the close of 1835, he removed to Leipzig, where he chiefly dwelt during the remainder of that prosperous career which proceeded, without check or pause, from triumph to triumph for eleven years; until death came suddenly to cut it short, not too soon indeed for his fame as an artist, but too soon for the benefits which we might fairly hope to have received had he stayed longer among us,—and too soon, alas! we fear for the completion of that great change in his religious convictions which, we think, we have reason to suspect had been long developing itself, and which might seem to have been even then on the eve of its accomplishment, when Providence in its mysterious dispensation hurriedly summoned him away.

Here we must pause. We have laid before our readers a sketch of the early years and first career of Mendelssohn up to the period when, by the production of his *Paulus*, he reached the highest rank in his profession. We must reserve the consideration of his subsequent brilliant course to a future time, when, perhaps, the publication of his later letters and of other documents will help to complete a knowledge which, as yet, we can be said to possess only in outline. Nor can we with propriety enter now into a

critical examination of his works, which belong chiefly to those later years. It is enough for us to know that a verdict, which will scarcely be reversed, has pronounced that his place is with Handel and Haydn, with Mozart and Weber, and Beethoven whom he loved and understood so well. The letters leave us at the threshold of all this greatness. They tell us of the youthful hopes and aims and preparations, of the culture, the beautiful mind and unsullied heart, that were the elements out of which the after success was to be wrought. They give us the first glimpse of the dawn of fame that was lighting up the path of genius, never to be clouded until it had deepened into the fulness of day. We hope, that our readers will derive from their perusal some of the delight and instruction which they have afforded to us. They have made us, indeed, long for the publication of those other volumes, which the Editor has promised us in his preface. We are particularly desirous of information concerning the period of the composition of the *Lauda Sion* for the *Liege Festival* in 1846, and the short remaining period of his life, and for some details of his relations with his Catholic pupils and friends at Leipzig. His mind was too acute, his intellectual faculties had been too well trained, his heart was too noble, to allow us to believe that he would ever have abandoned an idea of which he had once become possessed, without following its legitimate development to the end. We feel certain that whatever comes, nothing will appear that can detract from the fame which the world has universally decreed to Felix Mendelssohn Bartholdy, or to mar the unity of a career, in which we know not whether most to admire its integrity, its nobleness, or its unvarying success, the rare genius, the rarer modesty, or the unselfishness rarer than all.

ART. VII.—*Mission de l'état ses règles et ses limites, par Ed. Ducpetiaux.*
Brussels: C. Muquardt. 1861.

SELF-GOVERNMENT is the boast of Englishmen: we all speak of it; we all are fond of our powers of self-government, and of our exercise of that power. It is indeed our great characteristic; that which most distinguishes us from neighbouring nations, which most strikes the foreigner: yet we venture to doubt whether the full meaning of the word is always understood by those who use it; whether we are always fully sensible of what our self-government consists in; of its advantages and drawbacks, and of the safeguards which its preservation requires.

Self-government is of two sorts; political, and administrative, if we may venture so to describe them, although the words do not fully express our meaning; or national and individual: the former consists in the right of a people to chose their government; the latter in the right of each man to govern himself, saving of course the rights of others. Thus the French nation exercised the right of choosing their government when they elected the Emperor; but their self-government ends there; the government of their choice governs every man in the minutest details of life. The English have not for centuries exercised anything like the same absolute choice of a government: but on the other hand every man in England enjoys infinitely more of individual self-government; since here the state never interferes with the exercise of his individual will; and the right of the government to compel a man to his good is as earnestly repudiated as any other exercise of arbitrary authority. Connected with the right of individual self-government is that of local self-government: or the right of each local community or association to govern itself independently of the central government: taken together, local self-government, and individual free action constitute freedom in its truest sense: the exercise of that free will which is the noblest gift of God to man; the highest attribute of our nature, for "by this," (namely free will) says the great St. Thomas Aquinas, "do we excel the beasts; are we equal to the angels; and in some degree like to God Himself." It is then, well worth our

while to examine its essence ; to study its exercise ; and to calculate the price we must pay for it : that we may not grumble at its cost : *et divitiis nihil esse duxi in comparatione illius.*

The work to which we have undertaken to draw attention is a most valuable essay on this most important study ; the nature and limits of individual liberty ; and one well worthy of the careful perusal of every Englishman. The action of the State, that is of the government, is of course the limit of the free action of the individual ; and the question how far the State ought to control the individual, is the question of individual freedom : this is the question of which Monsieur Ducpetiaux treats in the work "The duty of the State ; its Rules and its Limits." There is a large school of writers in France and other continental countries who seek to extend the action of the state to every relation of life : and strange to say those who thus advocate the destruction of all individual freedom are the loudest advocates of liberty. Their theory is a very simple one. Proceeding from the principle that the state or government should emanate from the will of the nation, they look upon it as the expression of the general mind ; and as the duty of the government is to seek the welfare of the people, they deduce the two consequences, that the government is obliged to supply every want, and direct for the best every action of the people ; and that, as it is the expression of the popular will, it can never be tyrannical however it override the individual will, and control individual action. Hence have flowed all those systems of centralization and state action which in France have made the government the monopolist of almost all action. In England we have ever practised the opposite system : but yet we perpetually hear claims advanced for the interference of government in individual instances based on these fallacious principles. Such are the statements ; "it is the duty of the State to prevent improvidence, therefore it should suppress pawn-broking." "Intemperance is injurious to society and should therefore be prevented by law." "The government is bound to afford the people a good education, therefore there should be a system of State education." The first point is to determine what are the limits to the duties and action of the State ; when should it interfere, when not.

We will endeavour briefly to give an idea of the solution M. Ducpetiaux gives of this question.

He begins by stating the importance of the question.

“ Observing the struggle which is going on between governments and peoples ; the instability of institutions ; past and impending revolutions ; the perpetual oscillation between the excess and the abuse of authority and of liberty ; it is the duty of good citizens to seek the causes of these perturbations and their remedy. The danger, I consider, lies, in great part, in the erroneous idea of the State which is entertained, and its vicious constitution ; the remedy in the defining and recognizing the rights respectively of the individual, and of society, of citizens, and of governments.”—p. 3.

He then investigates briefly the different theories which have been held in ancient and modern times as to the nature of the State, and shortly points out some of their errors : the following passage is remarkable.

“ A doctrine, less complicated, more practical in appearance, and more generally received, especially in France, is that which confounds Society and the State by attributing to them the same ends. This doctrine increases beyond measure the action of the State ; it is it which has spread among the masses the idea that the welfare and progress, intellectual, moral, and material, depend on the manner in which the State is constituted and administered. Hence perpetual attempts to reform the constitution of the State. The idea that all human interests can and ought to be regulated by the social power is the principal source of Socialism, which seeks to apply its doctrines, not by the action and consent of individual wills in free association, but by the power of the State which it seeks to obtain.”—p. 12.

Having then cleared the ground he proceeds to define the meaning of the *State*.

“ The individual, society, and the State, are three elements, three organizations, having each their distinct end and their fitting development which must not be confounded. Each of these elements is subordinate to divine, absolute, universal principles which it is bound to respect. Human nature itself proclaims unanimously the existence of a justice anterior and superior to all human laws and institutions, and which it is the duty of the State to maintain and enforce. Man is destined by his nature to develop himself physically, religiously, morally and intellectually. He is free and responsible. From this freedom results his rights and his duties. Left to his individual strength, man cannot accomplish his destiny on earth ; he needs the assistance and concurrence of his equals in society, of which the family is the germ. Society in its

turn can exist only on condition of having an organization. This organization constitutes what is called the State. The State is the moral being organized in society for the preservation of rights and justice."—p. 17.

From this definition of the State, the writer deduces its rights and its duties. To allow of the development at once of society and of individuals, by protecting them in the exercise of their rights, and enforcing their mutual obligations towards each other; directing them thus towards their natural development without shackling their individual action; without substituting its responsibility for that of the individual: and allowing to every one the fullest exercise of his rights, limited only by the rule that that exercise does not trench on the rights of others. From this it follows that man being free, has a right to chose as regards himself good or evil, without the State having any right to interfere or compel him to his own good. The action of the state is independent of its form; its origin, or nature, politically speaking, may be despotic, and yet its action not so; and the most popular government, in origin, may be most despotic in its action as regards individuals. The Constitution of the State is inseparable from a certain amount of centralization; it is the concentrating of power: the practical question is, where should this centralization stop? what are the limits beyond which the action of the state should not extend? with what branches of social life ought it not to interfere?

It is also to be observed that there are two sorts of centralization—political and administrative; the former depends on the extent of the function attributed to the state; the latter on the extent to which these functions are monopolized by the central power. Thus education is made a function of the state, if it be regulated by government, whether by the central government, or by the local corporations; it is administratively centralized when it is wholly under the control of the central government; politically centralized when it is taken from the control of the individual.

Our writer here pauses to enlarge on the practical evils of excessive centralization: and this is perhaps the most interesting part of his work. He traces step by step the causes and effects of centralization, taking its origin in the demand on the part of the subjects for the interven-

tion of the state to aid them, to direct them, to deliver them from troubles and sufferings; and the desire of the government to make itself popular by protecting the weak, helping the suffering, assisting every class—it leads to the destruction of individual effort—the complicating and delaying of every proceeding—it culminates in bureaucracy and ends in revolution. But we should only weaken the force of our author's description by any words of ours, we shall therefore lay before our readers a few extracts from this chapter.

“Centralization requires a large number of agents, which constitutes what is called bureaucracy; red-tapism (*le formalisme*) renders the simplest affairs complicated, delays the most pressing decisions, and shackles, if it does not prevent, the most necessary reforms. It gives birth to the most wretched of manias, the mania for place and honours. Intellect is thus turned aside from a useful career—education is perverted—the creation of a numerous and powerful corporation, a species of caste, subject to a regular hierarchy, and to a discipline which takes away all independence, and follows blindly the impulse given by authority, constitutes a permanent danger for liberty, weakens the nation by absorbing all intelligence and degrading all minds, and becomes a standing menace for the government itself by the jealousies and ambitions which it breeds in its entrails.

“‘The government,’ says Mr. Vivien, ‘was pleased as it considered all functionaries as the servile agents of its will, devoid of individual independence and deprived of free will; that blind obedience, which even in the army has its limits, was introduced into the civil service. And what has been the result? Centralization thus carried out, has afforded to the central power, and to what is called in the language of party, Paris, the means of keeping France under the yoke. An order issuing from the seat of government, whatever may be the power in possession, experiences no opposition. To obtain possession of all public power, it is only necessary to become master of the capital, and to seize upon the offices of the different ministries, and to work the telegraph. Hence the incessant revolutions arising from the struggle to obtain this power.’ p. 25. By the species of omnipotence which it attributes to the government, centralization, weakens its action for good by changing its nature. The government becomes a species of fortress incessantly besieged; the capture of which enables the victor to crush his adversaries. It is in vain that the government which has once entered on this road seeks to stop; it goes on deeper and deeper, urged by the instinct of self-preservation and the fear of losing the interested support of its partisans and creatures. And as all governmental action ultimately resolves itself into expenditure, the

increase of loans and taxes keeps equal pace with the extension of centralization. This is well described by Mr. Bastial (*l'état, Melanges d'économie politique.*) If the government refuse the service asked of it, it is accused of weakness, of want of good will, of incapacity. If it essay to grant it, it must needs lay on new taxes; and thus do more evil than good, and excite by another means the general disaffection. Thus arise on the part of the public two hopes, on that of the government two promises: *many services and few taxes.* Hopes and promises which, being incompatible, are never realised. Between the government which lavishes impossible promises, and the public which conceives hopes which can never be realised, two classes of men soon interpose themselves: the ambitious and the utopians. Their part is marked out for them by the circumstances of the case. These seekers for popularity have only to cry in the ears of the people, 'government deceives you, if we were in its place we would overwhelm you with services and free you from taxes.' And the people believe, and the people hope, and the people make a revolution. Its friends are no sooner in power than they are called on to execute their promises. 'Give me work, bread, assistance, credit, education, colonies,' cries out the people; 'and yet according to your promises, free me from taxes.' The new government is no less embarrassed than the old one was; for when we treat of the impossible, it is easy to promise, but impossible to fulfil. The contradiction ever rises before it; if it seek to be philanthropic, it must tax; if it gives up taxes, it must give up philanthropy. And then other seekers for popularity arise, make use of the same illusion, travel the same road, obtain the same success, and soon are swallowed up in the same abyss."—p. 36.

Having thus shown the evils of excessive centralization and its nature, Mr. Ducpetiaux proceeds briefly to sketch out the true principles which should bound the action of the state. These he deduces from its very nature. The state is distinct from the individual and above him; but it must not absorb him; it must not ignore his existence or his rights; or those of society itself. Its duty is to protect individual rights, by preventing their collision: to secure individual liberty, not to absorb or destroy it. The state, the country, the public interest, the law; all these are great and deserving of respect; but the rights of the individual are not less so; freedom, morality, well-doing, these can exist only in a being who has a conscience and a responsibility. Man is the image of his Maker; and his fellows may not ignore his nature and his free will even for the common good.

"Society or government has no right to prevent each one from

choosing his profession, and regulating his life as he wishes ; to prevent the citizen who wishes to combine with other citizens to enjoy in common these individual liberties. Though others, or even the majority of society consider our conduct stupid, perverse, dangerous, no matter, each one has the right to blame us ; but as long as we interfere not with the liberty of others, no one has the right to say to us ‘ you shall or you shall not do so and so ; ’ as Mr. Remusat says, ‘ The limit of Centralization is personal liberty. The right of the individual is above his happiness ; a rule which would make him happy at the expense of his responsibility, would in reality be only a seductive oppression. ’ ”

Hence a democratic form of government is not necessarily a free one ; if self-government be applied only to the central government, and not to the details, it only substitutes the tyranny of the many for the tyranny of one ; and thus, as has been well observed—

“ In some countries the people desire not to be tyrannized over ; in others they only desire that each should have an equal chance of tyrannizing over others. ”

Hence also the undue extension of the principle, that it is the duty of the state to seek the good of society, leads to the same tyranny. How often do we hear the old Roman maxim quoted, *Salus populi summa lex esto* ; and translating somewhat inaccurately, *salus populi*, by the good of the people, applied to every occurrence of life. The maxim is true only in its literal sense ; that the safety, the existence of the nation is the supreme object of the law ; but it is the existence of the nation only that is above all individual interests, all personal rights ; individual freedom is not to be sacrificed to promote the welfare of the mass. The Pagan idea, indeed, of old Rome, was the omnipotence of the state—Rome absorbed her citizens in herself—all individual rights, nay, all individual existences must give way to promote her greatness ; but this excess of government, this absorption of the individual in the state which raised her to such a height of power brought with it the seed of decay to Rome, as it had done before to the Greek republics. Christianity restored life to society by substituting for the Pagan idea of the omnipotence of the state, the Christian idea of the dignity and responsibility of the individual. Everywhere the same causes have produced the same results. The old Asiatic empires, India, and China, now tottering to its fall, equally illustrate the

fatal weakness of the system by which the state absorbs all the social forces and rules mankind like a flock. The most civilized nations of Europe experience the same revolutions. England has escaped despotism, by limiting within the narrowest bounds the functions of the state. In France, what was the result of centuries devoted to the perfection of the unity of the monarchy? The exaggeration of the idea of government hastened its ruin. When Louis the Fourteenth declared *l'état c'est moi*, he signed the death warrant of the government. The state was concentrated in a single head, only for that head to fall on a scaffold. The revolution of 1789, so rich in hopes and promises, sought to cast everything in a fresh mould, it sacrificed the individual to the state. It did little for individual freedom, but it succeeded in framing an engine of mighty power, of which the first Napoleon soon possessed himself; and for the possession of which successive governments have struggled through successive revolutions. Mr. Ducpetiaux well points out that Belgium enjoyed far greater freedom and far greater happiness under its old municipal institutions when men and associations were left to themselves, than under the reign of centralized freedom which France forced on them. The Belgians had ever struggled against governmental despotism, and for the maintenance of the rights and liberty of individuals; and it was the doctrine of absolute centralization and the pretended reforms, which Joseph the Second sought to force upon them, which led to the overthrow of the Austrian power in Belgium. And the same attempt at centralization led to the downfall of the dynasty of Orange. Our author concludes:—

“It may be asserted *a priori*, that those nations which are least governed, are also the most advanced, politically, intellectually, and morally. They alone possess security, the only sure guarantee of progress. It required the yoke of iron which Napoleon so long pressed on Europe, to enable him to shed that sea of blood in which he and his empty glory sunk together. Excessive centralization, at the same time that it deprives the people of the power which makes it master of its own destinies, removes the most solid foundation of national independence. If the government be overthrown, the people, deprived of all power, is handed over helplessly to conquest. To helplessness against foreign invasion, is added the incessant danger of internal commotions. Which are the nations who revolt? The nations administered, ruled, governed, most

paternally if you will, in which all individual existences are effaced and borne down before the all powerful government, but revolt at the first opportunity to protest against their degradation and claim their neglected rights. Mark the contrast between our two powerful neighbours, France and England, the one so disturbed, where revolutions periodically succeed each other, and where no power, however apparently strong, is sure of the morrow; the other calm, peaceable, and immovable in the midst of disturbances around her; the main, if not the only reason of this difference, is to be sought in their system of government; which in France ever tends to absorb the individual, whilst in England it frees him; and securing to him his rights, places him seriously face to face with the responsibility which their exercise involves. Revolutions can be directed only against the central power; if this latter moderate its action, and efface itself, as it were, to make way for individual initiation and individual action, the revolutionary passions cease to have an object and a motive, they have their safety-valve and exhaust themselves in vacuo.

“And here I am happy to find that my ideas agree with those of M. Laboulaye;—which, he asks, are the countries which suffer from the revolutionary malady? Is it England or Austria? Is it France or America? Is it Naples or Belgium? One would think that centralization and revolution mutually evoked each other.

“What is it which prevents this reform, from which the state would not suffer, since it gains in real strength and influence what it loses in embarrassing and dangerous prerogatives? Prejudice. We are imbued with Greek and Roman ideas; it is those which we find at the bottom of all democratic and socialistic theories. All the pretended liberal systems really give the people only an illusive sovereignty, and establish in reality the despotism of the state. If we wish civilization to advance, if we wish to disarm revolution, we must free the individual, we must develop personal liberty.”—
p. 57.

He then proceeds to answer the objections of those who advocate a *paternal*, in other words a strong government, showing that it must necessarily involve tyranny and the destruction of individual effort; ending in the government doing badly, and at a much greater cost what should be done by individuals. As I. B. Say remarks, *paternal care, solicitude and benefits of the government* are empty words; and as for the gifts of government, it can only give to its subjects what it has first taken from them, and this at a heavy cost. (*Traité d'Economie Politique*, liv. 1 chap. 17.) Proceeding to trace the limits of the intervention of the state, our author points out that the self-styled liberals of many countries, and especially of Belgium, whilst pro-

claiming that they fight against tyranny and intolerance, are really the opponents of freedom, they insist on making men what they call free and enlightened against their will; and he illustrates this by the question of education in Belgium. Those, he remarks, who are opposed to Catholic education, have a perfect right to oppose to it an education which they prefer, to found schools and pay teachers; but when fearing free competition, and despairing of triumph by their own strength, they apply to the state to paralyze and oppress other systems by its superior resources and the institution of a state system, they destroy liberty and replace the might of right, by the right of might.

In his seventh chapter, M. Ducpetiaux lays down the limits within which he holds the action of the State should be confined. After enumerating its legislative, executive, judicial, and diplomatic functions, he adds, it protects individual and collective liberty in all its legitimate acts, imposing no limits but those of respect for the liberty of others. It facilitates and protects all relations, transactions and associations. It protects minors and all others incapable of protecting themselves. It is not the duty of the state to procure for each one, happiness, morality, education; but only to protect the general prosperity and morality. The state is not religion; religion has a higher sphere and an authority entirely independent of the state. The state is not society: nor is it its duty to organize society or provide for its necessary developments: this society will do for itself by means of association which should be perfectly free. Our space will not allow us to follow M. Ducpetiaux in all the details he enters into; which, however, are well worth perusal. He insists particularly on the necessity of perfect freedom of association: and points out that although the Belgian constitution proclaims the right of citizens to associate for any object, this is practically neutralized by many restrictions. Thus charitable and provident associations cannot possess any property, universities, literary and artistic societies, cannot receive any legacies.*

* In England this restriction does not exist. By means of trustees, any association or society can inherit, possess property, &c. The Catholic University of Ireland possesses large property in the funds, and has received several legacies; the University of Louvain can do neither.

After having thus treated of political centralization, M. Ducpetiaux proceeds to speak of administrative centralization. This is a curse from which we are nearly exempt; and it is difficult to give an idea of its magnitude to those who are not intimately acquainted with the social life of the countries where it exists. He naturally chooses Belgium for examination, as being a country which holds a middle place between France where centralization has reached its limit, and England where self-government is the rule. The local details he gives are, of course, of more limited interest than the other portions of his work: but we will give a few extracts to explain to our readers those "advantages of good government" (as they are sometimes called) which we do not possess.

"M. Jules Simon has calculated that in France there are, out of twelve million citizens, half a million of public functionaries, to this must be added two or three millions of office seekers. And if we consider that there are given each year at least fifty thousand decorations, asked for by at least five hundred thousand persons; that there are places in each of the public schools to be given away; that every transaction of each department and each parish, is submitted for the approval of the government; that it requires an authorization to commence many branches of trade; an enquiry to open a foundry, a decision of the prefect, or of the minister to get water for a mill; an ordonnance to work a mine, a patent to work a discovery of which you are the author, a visa of the custom house to export or import any article of merchandise, a deposit receipt and a pass to carry your own wine from your wine press to your cellar, a permit to keep a gun, a game license to kill a hare, a passport to leave your own parish, a police register to enter service, we will see that one of the greatest employments of the French people is to ask, one of its greatest desires to obtain; that it is governed, shackled, or if you prefer, administered on all sides and by every hand; and that if the burthen of its liberty is too heavy for it, it is truly because it has long lost the habit of responsibility and taking the initiative; and that the ideal of the communists, a convent or a barrack, is in reality not so far from us as would at first appear, when we take literally the great principles of 1789, with which we very simply fill up our speeches."—(La Liberte vol. 2. c. 1.)

According to M. Ducpetiaux, and he is a competent authority, for he long held a responsible office himself, even in Belgium where centralization is carried to a far less extreme than in France, its practical effects are most absurd. He says:—

"It takes but eight days to travel from one end of Europe to the other, it often takes longer for a document, a simple letter, to reach from one office to another in the same town, often under the same roof. I have seen two employés seated on opposite sides of the same desk methodically corresponding with each other, when one word would have sufficed to spare all that waste of time and paper. Follow with me, if you have patience, the despatch in which the local administration of a parish asks of some minister some trifling thing, for instance, an authorization to repair the steeple of the parish church. The despatch is forwarded to the Commissaire d'Arrondissement, who hands the letter to the secretary ; it is examined and a minute drawn up to be forwarded to the governor of the province ; a copy made, signed by the Commissaire ; forwarded to the provincial government—handed to the registrar, endorsed to the precis-writer, reference to the head of department, examination by the head of department ; reference to one of the clerks ; minute drawn up of a letter to the minister ; marginal note of the head of department ; endorsement of registrar and of governor ; copy made which after making nearly the same journey is submitted to be signed by the head of the provincial administration. —It is forwarded to the central administration ; transmitted to the Secretary general of the department ; handed over to the person charged with determining the division it belongs to ; delivered to the proper division ; communicated by the division to the chef de bureau, and by him to the clerk who draws up the minute of the answer. The answer, revised, corrected, noted, approved, retraces all the circuit already traversed by the request, and arrives after some weeks of delay and many halts, at the parish.—Is the request granted? No : it was informal ; or, the explanations were not sufficient ; before coming to a decision more precise information is required ; and the correspondence recommences with the same formalities, the same rounds, the same delays ; happy the poor parish if it ever reach the goal. I have counted in some cases as many as one hundred intermediate stations for a single affair which might have been settled in a moment by yes or no. This mechanism is certainly very ingenious, and may be profitable to those who work it ; but it must be allowed that it is too complicated ; and inseparable from that scourge of civilized and administered countries called *bureaucracy*."—p. 113.

Our own public departments in England afford instances of something of the sort, where *the board refers*, and *makes a minute*, and *refers to minute No. 9999*, until the subject is smothered under a mass of writings. Fortunately for us, we have comparatively few departments of government, and they have little to do ; and certainly the example of Belgium and France should not induce us to extend the sphere of government interference.

No part of M. Ducpetiaux's work is more important than that in which he shows that the necessary complement of liberty, the only substitute for the centralizing action of the state, is the fullest liberty of association. An individual cannot, by himself, obtain education, religious teaching, material prosperity; but by combination with his fellows he can provide all these things; and will do so better than the state can do it for him. Nor can the individual protect his own freedom of action; the rich would oppress the poor, the strong the weak; the state would tyrannize over all, were it not that individuals can band together to maintain their rights. Above all, the Church, that divine society on earth, requires freedom of association; indeed, save exemption from actual persecution, there is hardly anything else she requires: with freedom of association her hierarchical government will organize itself; her religious orders will extend; her religious and charitable societies will meet every want of man, physical and moral. There is hardly a surer test of the amount of actual freedom enjoyed by a nation than the extent to which the power of association is unfettered. In this respect we certainly stand high; with very few exceptions, men in these countries may combine together in any way, for any purpose: voluntary associations cannot, indeed, readily acquire a corporate existence; what the French law calls *la personnification civil*; but this difficulty which in France and Belgium renders it impossible, as we have before mentioned, for them to possess any property, and thus perpetuate their works, is in our country obviated by the system of trustees; which enables all such institutions practically to obtain and perpetuate a corporate existence.

M. Ducpetiaux concludes his work by calling on his countrymen to examine

“Whether the continual increase of the national expenditure is sufficiently compensated by the services it represents? And whether the free action of individuals and associations properly encouraged and enlightened, would not have rendered them, if not better, at least as well, and more economically? This is a question well worth examining fully, and answering. Let us pass in review all the interests of religion, morality, education, science, literature, arts, industry, agriculture, commerce, in fine all the interests which governments claim to regulate under the pretext of protection and progress; let us hold the balance with a steady

hand; and weighing well the pros and cons, answer sincerely whether the laws and regulations which have been made on these subjects, and the expenses they have entailed, have really attained the object proposed. All the world cries out for cheap government, without caring to adopt the means necessary to attain it. How is it to be attained? Simply by narrowing the functions of the State within the limits of the indispensable, and opening the widest field to individual and collective activity."—p. 158.

A distinguished Hungarian politician expresses the same ideas.

"The struggle is difficult, the day is dark, that which agitates the continent is not a struggle between two parties who contend for power, it is a struggle between two civilizations. Rome and Germany recommence their everlasting duel; once again the pagan idea and the Christian idea, despotism and freedom contend for the empire of the world; but however terrible may be the trial the issue is not doubtful. When a truth dawns upon the world, when the eyes of men are turned towards the rising light, the success is only a question of time. Passions grow old and change; parties grow weak; the truth never dies. No doubt, in a country where every particular organization has been destroyed, where the citizen has been accustomed to the leading strings of the state, where the individual has been deprived, so to speak, of the faculty of governing himself, it will take more than a day to change an old system. The tree which for half a century has been pruned, *a la française*, will not throw out free and vigorous branches in a night; we shall have long to wait for its friendly shade; but what matter! the truth will make its way and gain the minds of men; the state will in the end understand its real interest, and the change will be made; when the State ceases to weigh down the citizen, freedom will arise from the soil with a wondrous energy."*

Fortunately for us, this struggle against the centralizing despotism of the state has not to be fought by us. The old Catholic freedom of the middle ages, the freedom of the individual and of society, has survived amongst us; and has not been replaced by fresh revolutionary liberty, the tyranny of a majority. But we may profit by the example of others and learn to be on our guard against the insidious approaches of the tyranny of the state, to mistrust it even when it holds forth apparent advantages, to fear *Danaos, et dona ferentes*. For there is something

* Der Einfluss der herrschenden Ideen des 19 Jahrhunderts auf den Staat von Baron Jos Eötvös, Leipsic, 1854.

very attractive in the intervention of the state. It is so powerful, apparently, for good, and its hands are full of gifts, that it is too often the best intentioned men who call for its aid, and forget that when it gives, it can give to the people only what it has first taken from them. Do we not hear it repeated on every side by philanthropists; the state should provide education, the state should encourage literature, science, art; the state should aid this charitable institution or that? Now M. Ducpetiaux's work shows us what the condition of a state becomes which undertakes to do all these things. But besides this lesson it is well to remember three things which the experience of every European country proves to be universal in their truth. First, that whenever the state takes up any employment or duty, it checks and ultimately destroys all individual exertions in that direction. Secondly, that all state administration is more costly than that of private individuals or associations. Thirdly, that in return for any assistance or encouragement it gives, the state always acquires power and influence over the institutions it patronizes: in other words, that the surrender of at least a portion of liberty is the price of its favours.

Nowhere are wishes for the assistance and the intervention of government more frequently expressed than in Ireland. And very naturally so; an impoverished country, just recovering from the evil effects of centuries of war, oppression, and persecution, offers more scope for the beneficent action of government than most others: and hence we constantly hear the inaction of our government contrasted with the active and ubiquitous intervention of that of France; and aspirations uttered for the application of the latter system to Ireland. Nay, some have even gone so far as to wish for a despotism, were it only a kindly one; forgetting that freedom is the greatest gift of God to man; and that if we have not political freedom as a nation, we do possess personal freedom, which is even more important for the preservation of the dignity and for the ultimate welfare of men. How much we Irish owe of our progress as a nation, and above all how much our religion owes, not only to that system of personal liberty which England inherited from Catholic times, and which therefore we necessarily participated in, as soon as we had broken the fetters of the penal laws, but also to the absence of all government intervention for our benefit,

which is due to the hostility of administrations alien in nationality and religion to us, it is difficult to estimate. We have often reflected on this subject and endeavoured to realize what would have been the result of a different state of things; and perhaps our readers may follow with interest the same train of thought. Let us imagine that at the period of Catholic emancipation the government of these countries had been swayed by a man of enlarged and unprejudiced mind, and one who followed the French traditions of the duties of a kind and paternal government; he would, of course, still be an Englishman and a Protestant, but anxious to confer every benefit upon Ireland, and believing in the power and duty of government to do so. He would have instituted a department of public works for the construction of roads, canals, and harbours, and for the reclamation of waste lands at the expense of the state. Our country would have been improved: but every district would be an humble suitor at the government board for a share in the public expenditure; and the influence of the government would be felt throughout the land; for even those who wanted no favour for themselves would shrink from engaging the people of a district in any conflict with the government officials; since so doing would inflict such injury on them. The department of trade and manufactures would, in like manner, endeavour to develop the resources of our country and stimulate our trade and manufactures. In this it would probably fail, as government attempts to stimulate trade have mostly done; but it would certainly succeed in making traders and manufacturers dependent on government.

Subsidies would be allocated for the encouragement of art and the erection of public buildings in our various towns; and so every town in Ireland would send its suppliants to the ministerial bureau, for its share in the public funds. Government assistance would have been freely granted to all our valuable charities; but on condition of satisfying the government as to their administration and management: and private benevolence would have relaxed its efforts when a grant from the public funds might be hoped for. Such a government as we have imagined, would have sought to adjust the relations of landlord and tenant so as, while upholding the Protestant aristocracy of Ireland, to ensure to the tenant the possession of his land at a fair rent, and to encourage him to make improve-

ments. But, as to protect the weakness of the tenant, poor and dependent as he was, against the power of the landlord; it would be necessary not only to pass a law fixing the price of land, but to establish a governmental system of equitable inspection to enforce it;* all the tenants of Ireland would be dependent on the fair and equitable exercise of their authority by these officials: in other words, in every district of Ireland there would be a government officer whose power and influence would be infinitely greater than that of the most powerful landlord; an officer on whose fiat depended the very existence of the people. Such a government would have established a system of education for all classes, from the highest to the lowest, fair and equitable; and calculated to conciliate, as far as possible, the prejudices of all parties: but of course not essentially Catholic, but rather framed on the basis of what sincere Catholics of that day would have accepted as the minimum that would satisfy them. And this system, deficient as it must necessarily have been in Catholic earnestness, would, as it satisfied the necessities of Catholics, have effectually prevented the creation of any other, and placed the whole education of the people in the hands of government; whilst in conjunction with the government institutions for the cultivation of art and science, it afforded the only sphere for the employment of learning and talent, and therefore took the whole intellect of the country into the pay of government: until it would have been true of Ireland what M. Dupin said of France: "The University is nothing else than the government applied to the universal direction of all public instruction, the academies of towns as well as the colleges of cities, private schools as well as public colleges, country schools as well as the faculties of theology, of law, and of medicine. All built upon the fundamental axiom that public instruction and education belongs to the state. The University has the monopoly of education much as the

* A mere law to fix the rate of rent would be useless, since the landlord who can obtain a rack-rent from a needy tenant would easily find means to evade the law; just as a usurer used to obtain double the legal rate of interest from a needy borrower notwithstanding the law; and as the ten hours factory bill would be a dead letter if not enforced by a system of government inspectors.

Courts have the monopoly of justice, and the army that of public force." But further still ; a prudent and beneficent statesman, such as we have supposed, would have extended the fostering care of government to the religion of the great majority of the people. He would have been a Protestant, and therefore would never have thought of abolishing the Established Church in Ireland : but he would have undertaken to provide at the public expense for the support of the Catholic Church there also. He would have provided ample funds for the decent maintenance of our clergy, for their education, and for the building and maintenance of our churches ; and in return would have required only that amount of influence and control secured to such governments as thus support religion, by various concordats ;* thus the government might expect, what is allowed in some Protestant countries, a veto on the appointment of our bishops, a right to control their meetings and ordonnances, and their communications with Rome ; to investigate and check all appointments to and deprivations of benefices, and the regulations of churches and cemeteries ; every bishop who wished to increase the number of parishes in his diocese must apply to government for the necessary funds ; every priest who wanted to build a steeple must seek a subsidy ; for government endowments effectually check private efforts. All the thousand ramifications of evil in such a system can be better imagined than described ; for not only would it tend to foster a spirit of subserviency to the powers that be, but the very wisest and best and boldest would shrink from a contest with the government, conscious that a rupture would at one blow destroy the whole material fabric of the Church in Ireland, and not merely send us back to our old state of struggling poverty, but send us back weakened and enervated, having lost the habit of effort and self-reliance.†

* When Lord John Russell in 1857 proposed to move for an inquiry as to what privileges, influence, and control was granted to the government over the Catholic Church in foreign countries, and instances various concordats ; he was at once answered that concordats were concessions in return for benefits conferred, that the law in England gave Catholics no privileges, and therefore could claim no control.

† Absolute power can give to the Church only favours and repose,

7 And thus under the action of a fair and beneficent government, which adopted the principle of the universality of the state, (for we have not supposed the existence of any prejudice or want of good will towards Irishmen and Catholics), the whole Catholic people of Ireland, and as much of our church's integrity as were not guaranteed by its divine nature, would be held as it were in the hollow of the hand of the minister of the day, Protestant and English as that minister would be. Fortunately for us, Providence saved us the infliction of such benefits. Even enlightened statesmen, like Sir Robert Peel, were not above the prejudices of their day; and whilst the rights of Catholics were slowly conceded, they shared but little in the favours of government. The result to-day is, that our Church is the freest in the world, sufficiently endowed by the people, and wholly untrammelled by state control; some thirteen thousand free churches have been built, and religious and charitable institutions cover the land. Free Catholic educational establishments for all classes are rapidly rising. Noble public buildings and monuments to our great men, erected by the people, adorn our cities. Our railroads, some of the best in the world, are owned and governed by Irishmen. And if the evil effects of the relations that exist between landlord and tenants too often make us almost ready to accept a despotism in this respect, were it only equitable, the beneficent action of nature's laws has brought good out of evil, and the incumbered estates court has transferred one quarter of the land of Ireland back to the Catholic hands of her people; and every advance in wealth and independence achieved by the tenants makes them more capable of taking care of themselves in their transactions with their landlords. Above all, every step made has been a free one, the act of the people themselves, and a prelude to further advance; we are free and daily acquiring strength. As we look back over the events of the last thirty years, we see that the chief evils and difficulties we, as Catholics, have still to contend against, have arisen from the attempts, often well intended, of the

honours and privileges, but never rights or strength. So that when the struggle begins the Church enters into it, humanly speaking, without strength or rights.

Montalembert *Des intérêts Catholiques au 19, siècle*, p. 92.

government to confer benefits upon us. A well intended charities act clashed with the free exercise of episcopal jurisdiction, and became a stumbling-block and a difficulty. A generous minded statesman, Lord Derby, framed what was, for its day, a wonderfully liberal system of state-primary education, and its defects we have in vain endeavoured to amend; whilst its existence prevents our obtaining aid for free Catholic education, such as exists in England. Sir Robert Peel, with excellent intentions, founded the Queen's Colleges, which now constitute the only impediment to our obtaining legislative sanction for that Catholic university education with which our own free efforts have endowed us. Truly the benefits of freedom are innumerable and ever developing, and the best gifts of the state are bonds.

Yet we must not be supposed to confound freedom with anarchy, or liberty with licence. No, that is not freedom which does not respect the freedom of others, and hence no real freedom can exist without lawful authority exist to guard it, as Mr. Ducpetiaux says,—

“Society has equal need of authority and of freedom. For a long time these two principles have fought and repelled each other; the task of to-day is to reconcile them by showing their intimate connection and mutual dependence. For what is freedom for a human being? It is security in the possession and free exercise of his faculties, the exercise of the right inherent in him. What is authority? It is the protection of this exercise. What is justice as regards individuals and society? It is the union of individual freedom with the freedom of all. What is political justice? The guarantee of individual justice. All these rights and guarantees flow, so to speak, one from the other, are interwoven and form the complement of each other, and so harmonize together that one cannot be infringed without compromising all, by breaking the link which unites them. Outside this circle, and necessary connection all is arbitrary, or anarchical. The government which on any pretext ignores or violates individual or political freedom, may put forward the plea of necessity, and parade its good intention; it tends towards oppression and inevitably ends there; the authority of which it is the guardian loses its prestige; assailed by the resentments and passions excited against it, it becomes the object of a struggle in which the strongest and most adroit triumphs—on the other hand, where liberty rejects authority, she loses her balance, or rather her necessary support, she goes from excess to excess, and evokes from the abyss into which she flings herself, despotism to curb her with its iron hand and trample her under foot. Autho-

city then is deeply interested in protecting freedom, and freedom in respecting authority. Each has its limits which they cannot pass without injury to themselves, and without endangering order and progress, which their close alliance can alone preserve."

We have thus endeavoured briefly to give our readers a sketch of the work of M. Ducpetiaux. It is one of the best protests against the spirit of the French revolution which has appeared; that spirit of revived paganism which exalted and deified the state, and made it omnipotent and ubiquitous, which increased the power and attributes of the throne of Louis the Fourteenth, and then seated on it a tyrant majority of the people, which in the name of political liberty destroyed all personal freedom. This fatal error, the confusion of political liberty, or the power of the people, with personal freedom, has affected almost every country in Europe save our own; although enlightened men in Belgium and Germany are beginning to perceive the fatal mistakes into which the imitation of France had led them, and to endeavour to retrace their steps; may we profit by the example and avoid for the future, errors from which we have hitherto been exempt.

In the appendix to his work M. Ducpetiaux gives a curious comparative table, in parallel columns, of liberty in France and Belgium; we give it with a third column containing a similar statement for England and Ireland.

FRANCE.

Religious liberty.

France is still under the rule of State religions and concordats. The freedom of different religions is limited: they are all subjected to a control frequently arbitrary. The right to build any religious edifice, or assemble in one, to teach, to publish, to correspond, to form associations, to appoint to any ecclesiastical office; each of these acts

BELGIUM.

The Constitution consecrates the fullest liberty of religion and of the exercise of each religion. Belgians may embrace any religion according to their conscience. The erecting of religious buildings, teaching, publication, correspondence, nominations, associations in the religious sphere, are completely free; and the state cannot interfere in any way. No concordats, no state

ENGLAND AND IRELAND.

The Anglican church is the State religion, and is entirely under the control of the state. All other religions are perfectly free, and their exercise, organization, and government perfectly unshackled (save in the case of Catholics by a few nearly obsolete statutes, as that of superstitious uses, in England, and the ecclesiastical titles.) Erect-

require a separate permission from the civil power. Appeals to the lay authorities against ecclesiastics for what is called *abuse* of their religious functions, and all the old apparatus of what are still called the *Gallican liberties*, but which ought to be called the *Gallican slavery*, are in full operation as before 1789.

religions, no appeals of abuse. The state confines itself to granting fixed salaries to the ministers of different religions in consideration of their services to society, and in the case of the Catholic clergy, as an indemnity for the property of which they were despoiled by the French revolution.

ing and *endowing** of religious buildings, teaching, publication, association, assembling, and internal government of every religion is perfectly untrammelled.

Liberty of Association does not exist, as every meeting and every association is strictly subject under severe penalties, to obtaining a previous authorization; and to the control of the authorities.

Belgian citizens have the right of meeting and associating for any purpose, without any intervention of the authorities directly or indirectly, to regulate, limit, or inspect the exercise of this right.

British subjects have the right of meeting and associating for any purpose without any intervention of the authorities.

Liberty of teaching.—The monopoly of the University is in some respects diminished, but private teaching is far from free. No Professor or teacher can teach unless provided with a government diploma; he must besides make a declaration before the mayor, prefect, or Imperial procureur. The

Liberty of teaching exists without any conditions or limits. Any one, native or foreigner may open a school, give lectures, teach, catechise, preach; without any interference from the authorities unless he violate the common law. Private institutions are subject to no official control.†

Teaching and preaching is as free as in Belgium. The Universities retain some privileges: but in England all can obtain degrees by only passing the required examination in London. In England state assistance is given to all primary schools indifferently. In Ireland the state endows

* In this point we are better off than in Belgium, where no foundation which has not been incorporated by a special law can receive a legacy, or possess property: and, if incorporated, which is rarely the case, only on obtaining a special authorisation from the minister for each legacy or gift.

† All academic degrees are obtainable by merely passing the prescribed examinations. — *Translator.*

prefect can interpose his veto. The validity of his objection is decided without appeal by the council of the department.

For teaching the higher branches, a special authorization from the minister is required; and this authorization which may be arbitrarily refused, is always revocable. The government also exercises by its inspectors an active and incessant surveillance over all private institutions.

one set of primary schools and one University system exclusively.

Liberty of the Press.—

The press is handed over to the most perfectly arbitrary power. Newspapers are subject to the stamp, securities, and the authorization of the government which may be arbitrarily refused and arbitrarily withdrawn: their manager and editor must be approved of; they are ever trembling under the avertissement, suspension and suppression. All publications not exceeding a certain number of sheets are subject to nearly the same restrictions. No one can exercise the trade of a printer without a licence which may at any time be revoked. The law which makes the author, editor and printer equally liable and sub-

The press is entirely free and exempt from all conditions. Aliens as well as Belgians may found or edit a paper or a review, publish a pamphlet or work without even lodging a copy unless they wish to preserve their property in it. The trade of printer, editor, bookseller is like any other and enjoys the same freedom. The printer and editor of a work are not responsible if the author be known, prosecutions of the press are rare; and such on the part of government are almost unknown. The press is every day more looked upon as the lance of Achilles which heals the wounds it inflicts.

The press in England is free as in Belgium: the only limit being the security which publishers of newspapers are obliged to give to insure their responsibility in case of an action for libel or other criminal offence,

jects them to the same penalties, forms in reality a system of previous censorship, the more severe and oppressive as the number of printers is limited and their fear of ruin greater.

Liberty of labour, of trade, of commerce.—The legislation of the empire is generally in force, for licences, the obligation for workmen of obtaining a *livret*, the laws regarding apprenticeships, those against combinations or associations, the conditions imposed upon all trade and mercantile associations, and on the exercise of many professions and trades; the customs and octroi laws, those regulating the trade of bakers, butchers, and markets, the monopoly of tobacco, gunpowder, playing cards, &c., constitute together a system which although somewhat relaxed perpetuates all the old restrictions and trammels.

Provincial and Communal liberties.*

The Administration of the departments rests entirely with the pre-

Although the legislation left to Belgium as a fatal legacy by strangers has been much modified, too many traces of it are still left. Monopolies have however been abolished and the octroi abolished; custom duties have been lowered or abolished, especially with regard to raw materials; the trades of baker and butcher are completely free, and the apprenticeships are being given up; combinations are not unlawful, unless they infringe on the freedom of the labourer by oppressing a minority, or degenerate into acts of violence.

The autonomy of the provinces and communes exists in the fullest manner, and is subjected to such restrictions only

Labour, trade, and commerce are perfectly free: but labour is tramelled in England in seeking a market by the law of settlement: this does not exist in Ireland: combinations, whether of masters or workmen, are free and lawful, unless they have recourse to violence. All trades are free and open to all; no apprenticeship is required, no octroi exists: and no customs duties save for revenue.

It would be difficult to exaggerate the absolute autonomy of every county and parish; and the entire independence

* The commune is the parish or smallest local division in France and Belgium.

fects appointed by government; the *conseils généraux*, which are supposed to represent them, can only express wishes which are falsely called decisions. The prefectorial counsellors, who ought to constitute a species of permanent delegation, are merely the agents of the central power. The decree on administrative decentralization of 1852 only substituted in some cases the direct action of the prefect for that of the minister in some matters of detail, but without adding anything to the power of the *conseils généraux*.

The communes are subjected to a perfect tutelage, and treated like minors or idiots. The mayors, named by the central authority, absorb all power and act without the concurrence of the municipal councils which meet at rare intervals, and whose chief business is to vote the budget presented to them by the mayor. But even this right is delusive, for the administration can modify the budgets as it likes by inserting officially such expenses as it deems obligatory, and by striking out those which are optional. Apparently appointed by the law to regulate, decide and

as are required by the national unity and the interests of the community. This system, consecrated by the ancient traditions of the country, works well and leaves little to be wished for. It would however be possible, without inconvenience and with advantage, to restore to the provincial and communal authorities certain powers which are still exercised by the central authority by virtue of certain laws, decrees and regulations which are no longer in harmony with the spirit of our institutions.

of the central government, of all our institutions. Even Government Boards are always permanent appointments independent of political changes.

Corporate bodies, mayors, coroners, town commissioners, boards of guardians, &c., are all elected without any intervention of the Government. Grand juries, boards of magistrates, boards of ratepayers, are all appointed without any intervention of Government, and in part by election or indirect representation.

administer: the municipal councils in reality only express their wishes in regard to local affairs.

There exists also an administrative system of judicial tribunals, arbitrary, and centralized; which decides all suits relative to public works, purchases and contracts made with the communal and departmental administrations, &c.

Since the constitution of the year 8 (of the republic) no official of the government of the department, or of the Commune, from the highest functionary down to a garde-champetre, or rural policeman, can be cited before any tribunal for any act done in the exercise, or on the occasion of the exercise of their functions without a previous authorization from the Conseil d'état: this is the most absolute centralization employed for the perpetual fettering of justice.

Judges are nominally irremovable and independent; but in fact they depend entirely on the government, which names them, decides on their promotion, and can remove them at its plea-

In Belgium all such disputes are decided by the ordinary tribunals; there exists neither a conseil d'état nor administrative jurisdiction.

The constitution expressly provides that no previous authorization shall be required to proceed against public officials for official acts.

Judges are named for life out of a list of candidates presented by the provincial councils and courts of appeal, for the members of their courts; and the presidents and vice-pres-

As in Belgium all suits are determined by the ordinary courts, from whose jurisdiction none are exempt.

All officials are liable to be proceeded against in any court for official acts; the last nominal privilege, the writ of right in proceedings against the crown itself, has been abolished.

Judges are irremovable and are very rarely removed from one post to another, consequently they are wholly independent of the Government.

sure; and thus in a measure holds their fate in its hands.*

idents of the lower courts; by the senate and the cour de cassation for the members of this latter court. No judge can be removed except by his own consent and a fresh appointment

NOTICES OF BOOKS.

- I.—*Freemasonry*; Sketch of its Origin and early Progress; its Moral and Political tendency. A Lecture, delivered before the historical Society connected with the Catholic University. By James Burton Robertson, Esq., Professor of Modern History and Geography in that University. With appendix containing a synopsis of the Papal Bulls respecting secret Societies, by the Rev. Dr. Murray of Maynooth. Dublin: John Fowler. London: Burns and Lambert, 1862.

Catholicism is on principle and by its very character opposed to secret societies and to secret oaths. Truth is open and common to all, and claims no secret allegiance. All it requires is a public profession of faith. The Church has nothing to conceal; she desires nothing more than that all her doctrines and principles of action, and the duties and obligations she imposes on the faithful should be known and familiar to all the world. The frank and straightforward avowal of its ends, and publicity in all its acts, are the characteristics and charms of Truth. But secrecy and seclusion, and the pursuit of objects not common to all, and by means known but to the initiated and chosen few, have also a fascination of their own on ill-disciplined or curious minds. Freemasonry owes much of its popularity to its mysterious signs and rites and supposed

* The great engine in the hands of Government in France to keep the judges servile, is the immense system of promotion from the lowest to the highest post: hence for the Government not to promote a man is the heaviest of punishments.—*Translator*.

secrets, as well as to the boon companionship which it always seeks to encourage. A vast brotherhood bound by secret oaths, united for common objects, and spread over every country, supplies to those who are not of the faith the community of interest and feeling which every christian finds in the universal Church. In many ways the secret societies are infamous caricatures of the Catholic Church—in blasphemous rites and ceremonies—in sacraments—in their will-worship; in their orders and brotherhoods and high priesthood; in their excommunications and punishments they have perverted and profaned the Divine ordinances of the christian religion. Their feasts are orgies as dark as night and satanic in their sinfulness. But their influence only begins with religious and social corruption, it soon extends to public life. The political power of the secret societies is recognised to-day in Europe and feared by many a crowned head. They are influential by their numbers and by their organization; and they are dangerous because to so many their true character is unknown, and because they carefully conceal their ultimate aims under a loud profession of patriotism and love of liberty.

To trace the origin, to point out the true character, and ulterior designs of the secret societies is the purport of the able and opportune lecture to which we are desirous of directing the attention of our readers. The lecture was delivered before the historical society connected with the Catholic University by the Professor of modern history; we certainly owe a debt of gratitude to the Catholic University of Ireland for encouraging public spirit in its professors—a spirit which at the present moment cannot be better shown than in a determined warfare against an enemy so destructive to society and religion as the secret and pantheistic sects which are now exercising so fatal a sway in Europe. In the lecture before us Mr. Robertson treats solely of Freemasonry; and in a clear and able contrast of the masonic system and its vague and frivolous Deism with the Eleusinian mysteries and their salutary moral influence shows how hollow and absurd are the claims, which Freemasonry sets up, of descent from these celebrated mysteries of antiquity. He shows also how equally vain are the endeavours of another class of freemasons to deduce their order from the ancient Jews; “an impassable abyss,” he continues, “lies between the mono-

theism of the ancient Jews, and that vague, undefined, purely personal religion, called Deism, which, as we shall see, forms the basis of masonry." He then compares the patriarchal theism founded on Revelation with "modern deism which falsely styles itself the religion of nature," a religion "devoid not of sacrifice only, but of public prayer, and without the intervention of any priesthood, public or domestic. Its doctrinal system," he continues, "is so vague that some of its partisans have called in question even the immortality of the soul, and agree in nothing save in a belief of a supreme Being. So far from being prophetic of Christianity as was the elder religion of nature, deism sets itself up in opposition to Christ, and denies His Revelation. It is not even like the better elements in heathenism, a corruption of primitive Religion, but something directly antagonistic to it. In a word, it is what the great Bossuet long ago called it, 'a disguised or practical atheism.'" The learned author then proceeds to sketch the history of Freemasonry, and traces its first beginnings to the Masonic Lodges of the middle age, in which the architects held their sittings and framed statutes for their corporation. He shows how, in course of time, the masonic lodges admitted among their associates individuals totally unacquainted with the architectural art, and how, by degrees, objects other than those connected with their craft engaged the attention of the brethren. Certain ceremonies of initiation, the adoption of symbols characteristic of their calling, and a traditionary secret revealed only to the initiated, enhanced the dignity of the masonic Lodges and imparted mysteriousness to their proceedings. The mystery however, which enveloped such proceedings was common to all the trade-associations of the middle ages. The writer then shows how, in course of time, secret political societies were engrafted on the masonic lodges, which soon became convenient receptacles for carrying on political plots, how they incurred the suspicion of the governments of various countries, how they were formally interdicted and the penalties enacted against all disturbers of the public peace were applied against the members of this society, and how, finally, they incurred the condemnation of the church. The author then shows that the very principle on which Freemasonry is founded is incompatible with the nature and objects of Christian Revelation. In the first place the Catholic Church con-

demns all secret oaths; secondly, the oaths of the Freemason are not only secret, but, at the best, unnecessary; then another offence chargeable on the masonic, as on all other secret societies, is that in removing all individual responsibility it destroys human freedom. But a yet more serious charge Mr. Robertson brings against Freemasonry. "There are," he says, "some secret societies, whose professed aim is the removal of certain local grievances, or a violent overthrow of some particular government. But the Masonic Order pretends to be in possession of a secret to make men better and happier, than Christ, His Apostles, and His Church have made, or can make them. monstrous pretension! How is this esoteric teaching consistent with the full and final revelation of divine truths? If in the deep midnight of heathenism the sage had been justified in seeking in the mysteries of Eleusis for a keener apprehension of the truths of primitive religion, how does this justify the mason in the mid-day effulgence of Christianity, in telling mankind that he has a wonderful secret for advancing them in virtue and happiness—a secret unknown to the Incarnate God, and to the Church with which, as He promised, the Paraclete should abide forever? And even the Protestant who rejects the teaching of that unerring Church, if he admits Christianity to be a *final* Revelation, must scout the pretensions of a Society, that claims the possession of moral truths unknown to the Christian religion. The very pretensions of the mason are, thus, impious and absurd. He stands condemned on his own showing; and any inquiry into the doctrines and the workings of his order becomes utterly superfluous. But when, further, he obstinately withholds from the knowledge of the competent authority his marvellous remedies for the moral and social maladies of men, what is he but the charlatan who refuses to submit to the examination of a medical board his pretended wonderful cures?" The writer next points out the dates of the first Papal Bulls of condemnation—1738 to 1751—as periods of the rise and development of those irreligious and revolutionary principles, which reached their culminating point in 1790, and shows how clearly the Supreme Pontiffs discerned the gathering evil and power in these secret societies, and how they warned Europe of the dangers that menaced her—warnings happily not unheeded by the civil governments of the day. Mr. Robertson next enters into an examination

of the doctrines and constitution of Masonry, and with great mastery over his subject exposes the political and religious principles subversive alike of Church and State that animate the masonic order. We regret our space will not allow us to enter into detail and do justice to this most interesting portion of the subject, and more especially that we cannot follow the author into his examination of the various degrees and grades of the order. Suffice it to say that he shows how in its higher grades masonry throws off the mask and reveals its impious and blasphemous hatred against the Divine Founder of Christianity. The author then institutes a spirited and eloquent comparison between the social tenets and influences of masonry and those of the Catholic Church. Professor Robertson promises in the next lecture, to show how the Pantheistic sects in our own age, like the Saint Simonians, the Socialists, the Communists, and the Mazzinian portion of the Carbonari and their predecessors the Illuminati and the Jacobins of the atheistic clubs of 1793, grew out of masonry, what their history has been, and what moral and political influence they are now exercising over society in Europe. We hope the second lecture may be as able in the treatment of its subject as the first. For this lecture on Freemasonry is not only learned but interesting, not only full of research but philosophical in its spirit and method.

II.—*Hawaii: the Past, Present, and Future, of its Island-Kingdom; an Historical Account of the Sandwich Islands (Polynesia).* By Manby Hopkins, Hawaiian Consul-general, &c. With a Preface by the Bishop of Oxford. London: Longmans.

Mr. Hopkins, the Consul-general of Hawaii, has compiled a very full and interesting historical account of the Sandwich Islands, chiefly relating to the times since their discovery by Cook. There is a great singularity about the fortunes of the Hawaiian people, viewed as a chapter in the history of the human race. Shut out for ages from the knowledge of the rest of the world, we find them at first a simple and warlike race, with a curious mythology much connected with the volcanic character of their principal island. In the years which followed early on their discovery, a barbarous chieftain succeeds in reuniting the group under one dominion, and imparts to it much of the form of civilization. An English seaman aids in the process, and

becomes the ancestor of the queen, whose completely europeanised portrait is supplied in this volume. All at one bound, in 1819, the nation flings off its system of Paganism, simply by the influence of civilized ideas, and before missionaries of any form of Christianity had settled amongst them. Then American teachers establish in the islands a sort of Protestant Paraguay, a dreary theocracy of Puritanism, in which riding was prohibited by law on the Sabbath-day; in which the police could enter private houses and carry off spirituous liquors; and in which, with a harsh and narrow legislation like that of the New-England States in the days of Cotton Mather (however excellent the end in view might have been), moral offences seldom dealt with by human laws were attempted to be restrained by hard labour and manacles, unfairly commutable into a pecuniary fine. A short and reckless reaction into the license of the Pagan period followed. The introduction of the Catholic Church, which was at first forcibly put down by the native government, and afterwards restored under the protection of France, is an event in the rapid series of changes undergone in less than half a century by the islands, which would well repay attentive study. The hold which she immediately took upon the native mind; the wisdom and charity with which she tolerated what was harmless in native manners, which Puritanism had exchanged for a dull and repressive copy of European costume,—is as instructive, on a small scale, as the lessons to be learned from the noble history of the evangelisation of the Indians of Peru and Mexico. And finally, the frightful acceleration of that decay which has reduced the numbers of the Hawaiian race, like those of so many others under the influence of Anglo-Saxon immigration, seems but too likely to close the career of this interesting people almost before it has well begun the new phase into which it has been so recently brought. It is to this latter point that some of the most interesting details furnished by Mr. Hopkins refer. The natives themselves dreaded the settlement of white men among them as early as 1823, having already heard that in several countries where foreigners had intermingled with the natives, the latter had disappeared, and the progressive diminution of their numbers has fully justified their forebodings. It seems that at the time of the discovery in 1778, the Hawaiian population was about 200,000. At the time of Mr. Ellis's visit (1823), it was

estimated at from 130,000 to 150,000. In 1849 it had fallen to 80,000; in 1853 to 73,137; in 1860 to 69,800, including 2,716 foreigners. The Hawaiian race has therefore diminished to one-third in the last eighty years. It is believed that the progress of decay has been arrested, but the prevailing tone in which writers on the subject speak is of the gloomiest kind. It may readily be supposed that so remarkable and persistent a phenomenon is not to be traced to one cause alone. There is no doubt that it had commenced before the era of the discovery. Infanticide, for example, prevailed extensively; and even in 1823, Mr. Ellis believed that in the neighbourhood where he resided two-thirds of the children were destroyed. Communication with foreigners has introduced epidemics which the native constitution is unable to resist; and above all, the licentiousness arising from the same cause, and its attendant scourge, is a destructive element of frightful power. Even independently of these causes, population seems mysteriously to fall off; and early deaths, beyond what might be expected, contribute to the force of otherwise energetic causes hostile to increase. Finally emigration to California and elsewhere, and long whaling voyages, remove natives from the island to a greater extent than the population could well bear, even under healthier conditions. Something is being done by the native legislature to introduce sanitary regulations, which may check some of the worst of these evils; but unless they prove extremely operative, or unless the action of Catholicism, here no doubt very successful, though not working on such advantageous terms as it has done with some of the American races, arrest evils beyond the reach of political legislation, it is plain that the sudden civilisation of this very interesting race will disappear with itself in little more than one protracted lifetime. The foregoing remarks may suffice to indicate some of the most important points in this work, an analysis of which would exceed the limits of the present notice. It may be remarked, however, with reference to the native political organization, that one very curious feature of it is that a female always occupies the second place in the government, and, under the name of Premier, her authority is essential in all public acts. This custom, now thoroughly established, only originated in an arrangement made by the will of the first Kamehameha. The system of property which the same conqueror settled upon

previously admitted principles was completely feudal, the king being sole owner of land, and granting revokable portions of it to his followers on condition of military service. But in 1848 and 1849 changes were introduced, by which the king ceded most of the land to the chiefs and people, reserving government lands and a domain, and facilitating the acquisition of land, in fee simple, by industrious cultivators.

Note to page 64, line 14.

It is now stated in the newspapers that the intention of reorganizing the Irish Brigade has been abandoned.

Literary Notice.—Messrs. Simpkin, Marshall & Co. have in the Press a new work by the Author of the "Study of the Bible," entitled "The Destiny of the Human Race, a Scriptural Inquiry," which will probably be out in December next.

THE
DUBLIN REVIEW.

APRIL, 1863.

ART. I.—1. *L'Irlande Contemporaine par l'Abbé Perraud Prêtre de l'Oratoire de l'Immaculée Conception.* Paris. 1862.

2. *The Liberal Party in Ireland, its Present Condition and Prospects.* By a Roman Catholic. Dublin, 1862.

3. *Journal of the Statistical and Social Inquiry Society of Ireland.* Parts xxi, xxii. Dublin, 1862.

4. *University Education in Ireland.* Reprinted from the "*Evening Mail.*" Dublin, 1861.

5. *A Full and Revised Report of the Two Days Debate in the Dublin Corporation, on the Charter for the Catholic University.* Dublin, 1862.

6. *The Census of Ireland for the year 1861.* General abstracts showing by Counties and Provinces, I. The Number of Families in 1841, 1851 and 1861. II. The Number of Houses in 1841, 1851, 1861. III. The Number of Inhabitants in 1841, 1851, 1861. IV. The Religious Profession in 1861. Presented to both Houses of Parliament by Command of Her Majesty. Dublin, 1861.

ENGLISHMEN are pretty well acquainted with the geographical position of the large island to the west of them called Ireland, which in the theory of the Constitution is an integral part of the United Kingdom. If their knowledge in this respect be not precise, the fault does not lie with the Imperial Government, for never was there a more accurate work of scientific skill, than its ordnance survey of Ireland, accessible as we know to every one. Some Englishmen too have undoubtedly visited the Irish Highlands, the Giant's Causeway, the Lakes of Killarney, and

the county of Wicklow by way of Dublin, and have been thus enabled to form an idea of the natural features of the island; but with the social condition of its people, Englishmen are very imperfectly and to say the truth not very pleasantly acquainted. They have a few general notions upon the subject, derived partly from the comic drama and partly from articles in the newspaper press, under the influence of which, they believe that there is a large consumption of whiskey, much flourishing of sticks, much consequent breaking of heads, and a great effervescence of wit amongst the Irish people. It must also appear to the English, that the sheriffs of Irish counties, and the armed constabulary of the same are perpetually engaged in executing the process of ejection; that the carriage of threatening letters is a source of really appreciable income to the Irish post office; and that some one "of the most improving and respected landlords in the country" is always being shot for the encouragement of the others. It is generally known also that the population of Ireland has greatly diminished within the last twenty years, and is still on the decline. Men know too that Ireland is subject to periodic famine; and those who read any thing at all about the country cannot be ignorant that something of the kind is felt there now. But on the other hand we are told that no country is more favoured by nature, and further that no country in Europe is more rapidly or more steadily progressing than that same Ireland. Upon which materials if any conclusion at all be founded, it is, that the Irish are a strange people, that their ways are not English ways, that things will probably right themselves in time, but that meanwhile no Englishman knows what to think of the whole business. Still less do people understand the political condition of the Irish. They are set down by public opinion as indifferently well affected towards the British crown; and whether it be owing to the influence of the priests, to the influence of the institution called the Church Establishment, or to the influence of the sister institution called the Orange Society, certain it is, Irishmen cannot be allowed to arm as volunteers like the English, lest perhaps they should proclaim a republic, or at the very least foul of each other from pure combativeness. Little however as most men care to inform themselves accurately upon Irish politics, they cannot but have heard of priestly influence, and landlord influence, and

Castle influence as regulating or rather as distracting the concerns of the country; under all which influences when a competent number of Irishmen has been returned according to the forms of the Constitution to represent their island in the Imperial Parliament, the gentlemen so sent are of no weight in British councils, parliamentary leaders care almost as little for their votes as for their opinions, and at the utmost they serve to amuse the weariness of the House by hand to hand encounters with each other, or with Sir Robert Peel. Those who profess allegiance to a particular party are regarded as unruly members, and those who owe allegiance to none are dreaded as a general annoyance.

If we question the English press to know whether the Irish had ever attached themselves to a party in England, or whether an English party had ever attached itself to Ireland, we shall find a positive rivalry between the representatives of all parties, in the application to the Irish of every term of insult that can create or embitter resentment. In this rivalry the great Liberal party have been most successful, and to do them no more than justice, their insults have always been the best compounded, their blows the best delivered, their ridicule the most biting, and their pride of power the most humiliating which the Irish have been made to feel of late. To us who recollect a time when the body of the Irish nation was in almost perfect accord with the Liberal party, fought all its battles and to some extent at all events shared in its successes, the causes which have led to the gradual and now all but complete estrangement of the Irish from the English Liberals appear to be matter of anxious and perhaps of profitable study. Not that we do not understand how little the Liberal party as represented by the present government depends upon Irish support, or how greatly it is indebted to the personal qualities of its leader for the power which it continues to enjoy. Nor have we left out of consideration the existing confusion of boundaries between party and party, which makes the regular and disciplined action of devoted adherents less necessary to the working of a government than heretofore; but in estimating the permanent elements of strength upon which a political party ought to count, rather than upon the accidents of leadership or of current events, we do not see why so great an element of strength as Ireland, the third part of the United Kingdom, should be thrown away by that party

to which Ireland seems naturally to belong, or why if it be to be retained, the conditions of its retention should not be carefully and quietly examined. It would be hard to find out in what respect save that of population the Ireland of to-day differs from the Ireland which the late Lord Macaulay described as "in extent about one-fourth of the United Kingdom, in population certainly more than one-fourth, superior probably in internal fruitfulness to any area of equal size in Europe, possessed of a sea-board which holds out the greatest facilities for commerce, at least equal to any other country of the same extent in the world; an inexhaustible nursery of the finest soldiers, a country beyond all doubt of far higher consequence to the prosperity and greatness of the empire than all its far distant dependencies were they multiplied four or five times over, superior to Canada added to the W. Indies, and to these both conjoined with our possessions in Australasia, and with all the wide dominions of the Moguls."* The same reasons for union between the members of the Liberal party in both countries which existed at any time within our own recollection are in existence still; the principles which were the bond of union between all are as yet repudiated by none; until very lately, the Irish have rendered to the principles of their party, and to the party itself, all the service that was required of them; and no one can point to a single Irish complaint of which the English Liberals had promised redress in 1844 which does not remain unredressed in 1862.

The political condition of Ireland ought certainly to be as interesting to us as to the Abbé Perraud, the excellent and doubtless well intentioned French gentleman the title of whose laborious work upon Ireland appears at the head of our paper. Possibly many of his conclusions are sound and bottomed upon real statistics. But he and we must of necessity consider the Irish question from different points of view; he as a Frenchman, we as British subjects; he in a religious, and we just at present in a political light. As a christian clergyman he of course wishes no evil to his neighbour, but he would be more than Frenchman if Ireland's opportunity were not all the more welcome to him for England's necessity or even at England's expense. It is our

* Speech of the Right Hon. T. B. Macaulay on the State of Ireland, Feb. 19, 1844.—Hansard, Vol. lxxii, p. 1170.

duty on the contrary to reconcile the interests of both countries if not to establish their complete identity, and further to express our belief, that those interests can be made to harmonize in no other way, than by the complete union of the Irish and English Liberals.

It would be easy to state in some half-dozen lines the existing causes of disagreement, but as their growth has not been sudden, and as their roots strike rather deep into the past, we prefer to take up their history from a somewhat early period, and to follow it through a few sentences, to the present time. Were we to anticipate now, we should have to repeat presently, a thing which it is desirable to avoid as much as possible; and could we but succeed in making it as clear to the apprehension of others as it is to our own, in what way the Irish and English Liberals have come to be separated, we believe it would be a substantial service done to both sides, as the first step towards an arrangement of their differences. It has been the fashion of late, with those of the Irish Catholics who have been most alienated by whatever cause from the English Liberals—first to confound the entire Liberal party with that unquestionable great and historic section of it called the Whigs, and secondly to identify the modern Whigs with the authors of the great revolution. It is needless to say how much wider are the extension and comprehension of the word "Liberal," than that of the word "Whig," or how largely and variously liberal opinion is represented in parliament and even in the government itself by men who are not Whigs; and we therefore revert to the second historical mistake which imputes to the modern Whigs an absolute identity of feeling and of policy with the Whigs of the Revolution. It is not to be denied that the indiscretions of at least one eminent Statesman and his unfortunate appeals to some of the worst traditions of the Revolution, give colour to the belief that bad instincts run perhaps with the blood in certain families, and break out at intervals in spite of the long and strict courses of treatment to which they have been subjected by the practice of civil and religious liberty. But even if this be true it is not the less certain that the Irish nation in the darkest hour of her oppression contracted with the Whigs, the only then existing representatives of liberal opinions, that alliance which now seems on the eve of dissolution. From the period when that alliance was first entered into,

until the passing of the emancipation act the Whigs, it is not disputed, were the constant advocates of Catholic and necessarily therefore of Irish rights. The sincerity of their advocacy is not disputed that we know of, and as to its efficacy, it will not we believe be denied, that without the unanimous co-operation of the Liberal party, O'Connell never could have brought the Catholic question to an issue, nor the late Sir Robert Peel have been driven to a settlement. This is perhaps the place to notice a statement put forward by some who profess to lead opinion in Ireland, to the effect that the Irish Catholics are indebted not to the Whigs but to their opponents, for the measure of liberty and constitutional right, which they have enjoyed since 1829, as well as for other measures of justice, such as the enlargement of the grant to the college of Maynooth, and the first appointment of chaplains to the army. The fallacy of this statement is too apparent to require serious refutation, but at the same time it is only right that we should put forward what occurs to us, as giving colour to the honest persuasion of many. And first, it has been undoubtedly the misfortune of the Whigs upon more occasions than one, and especially upon Catholic questions, that the carriage of the measures which they had themselves not only brought to maturity, but which without them would never have been possible at all, should have been snatched from their hands and transferred to their opponents. It must be admitted in the second place, that whereas the Tories, or whatever else may be their proper designation, when they adopted the liberal programme, did so in order to contract it, the Liberals never did when in power make any serious effort to expand the measures so carried by their opponents, to the reasonable proportions which the Liberals had originally fixed for them. And thirdly, when the Liberals did propose and carry measures of reform applicable to Ireland, they not only conceived the measures in a narrow and halting spirit themselves, but permitted them to be still further narrowed and lamed by their antagonists, condescending in this to the dictation of their enemies rather than to the claims of their friends, and to a fear of Irish influence rather than to a sense of Irish services. We do not mean in the present paper to inquire whether the Liberals could have done otherwise, nor to apportion praise or blame to either side, but merely to account by undisputed facts for certain states of feeling,

because it is our conviction that one of the principal reasons why many men of the most liberal tendencies in England have withdrawn their attention from Irish questions altogether, is that they are unable to distinguish certain from doubtful facts, or the right end from the wrong end, by reason of the colouring, which passion and argument have put on both.

Resuming now what it is hardly right to call our narrative, of the alliance between the English Liberals and Irish Catholics, who for nearly every practical purpose are the Irish Liberals, we come to the period which beginning with Catholic Emancipation and ending with the life of O'Connell we assume as the second principal period of the alliance. The features of liberal policy, (for we are not now concerned to call them faults,) enumerated in the foregoing paragraph all belong to this second period. No sooner were Catholics admitted to Parliament than they at once, under the headship of O'Connell, took their place among the Liberals and continued to act with them, closely and steadily until the Reform Bill became law. After that date O'Connell and his followers, although giving to the Liberals all the parliamentary support that can be claimed from party men, began nevertheless to have a policy and course of action, national and religious, distinct from the general policy which they followed as members of the Liberal party. This must be referred in some measure to the state of the Church question in Ireland before the passing of the Temporalities Act; in some degree also to the limited measure of reform, which the Liberals were willing to extend to Ireland; and principally perhaps, to that settled rule of policy so often avowed by O'Connell, in pursuance of which it was his habit to insist upon much, but to compound for less. Other means of accounting for this line of action are not absent from our mind, but in view of our purpose to make the least use possible of any but admitted facts, we forbear all reference to more than one, and that is O'Connell's real or supposed knowledge of the temper and habits of his countrymen, and of the way in which their political power could alone be applied. Thus it was urged on his behalf that when aiming at those political ends which were common to him with the Liberals of England, he was yet obliged to present them to the Irish in a different shape; that he was obliged to warm their enthusiasm and to fix their attention, by the strongest exer-

cise of a personal influence which it would be impossible to separate from appeals to Religion and to Nationality; that he was the only man, who could wield the whole democracy of Ireland; and that he could not maintain his own power by a different course of action. It has been further urged that the disappointment caused in Ireland by what was considered the short-comings of the Liberal measures had the effect either of begetting political despondency and lassitude, or, what would be still more dangerous, of throwing the Irish into unconstitutional courses; and that however patient O'Connell himself might be, he was compelled not only to humour, but even to stimulate the impatience of his countrymen, with a view to its guidance and regulation afterwards. However this may be, it is certain, that he early adopted a double policy towards the Liberals, or at least towards the Whigs; a policy be it remembered for which we do not seek to hold him or them accountable, but which we desire simply to mention as a fact. That policy may shortly be described as one which gave to the Whigs a real support in Parliament, with, at times, unmeasured abuse and annoyance in the country. The Repeal debate in 1834, the address of both Houses to the Crown consequent thereon, and the answer of the Crown to the address may be regarded as closing the first stage in the second period in the alliance. It is quite possible that the result of the debate was satisfactory to O'Connell, as it is evident that the address and answer admitting the existence of grievances in Ireland, and pledging the Legislature to their removal, afforded ample leverage for future agitation. Still however the Irish members under his control gave a regular and not unfrequently a very needful support to the Liberal party. O'Connell all the while never ceased to prefer what might be called his salvage claim upon the part of Ireland against the Whigs. The Irish vote, he argued, had saved the cause of Reform from defeat, and it was no more than justice that as the Irish Liberals secured to the English Reformers all that they required, the latter should repay the Irish Liberals in kind. His demand, every one knows, was met with the previous question, when after some preparatory agitation, he began the second Repeal movement, during the vice-royalty of the late Lord Fortescue, then Lord Ebrington, and was encountered by the famous Whig declaration that no one abetting the Repeal movement should hold any office of trust, power,

or emolument at the disposal of Government. This declaration may be considered to mark the close of the second stage of this second period of the alliance. The Irish Liberals adhered very generally, and perhaps in spite of themselves, to O'Connell, who although recommencing the Repeal agitation did not as yet put forward Repeal as an Ultimatum, but ostentatiously proclaimed, that he was to be bought off by smaller measures, and allowed his following to continue in the general service of the party. From this time however the Liberals of England began to regard their Irish allies as men who aimed at objects foreign to the general cause of liberalism, impracticable in themselves, and if practicable dangerous to the State. The accession of the Conservatives to power in 1841, and the events which followed in Ireland, produced a great change in the temper of the Liberals, which seemed for a time to justify the calculations of the O'Connell policy, if we suppose that policy to be what he himself avowed it, namely, the attainment of substantial justice through the largest possible demands. While the Whigs remained in power, O'Connell had his Repeal agitation well in hand; but no sooner was the Conservative ministry firmly seated, than he let loose against it, the hitherto unknown strength of the Repeal movement, which now assumed proportions formidable even to himself. If the Liberals of England did not actually welcome the agitation, it would be too much to say that it was unwelcome to them, and even though we take them to have been abstracts of political virtue, it is not the less certain that they turned the agitation to the utmost possible account as damaging the enemy, and as proof that Ireland was ungovernable to any but themselves. Nor was this all: they now adopted the programme which O'Connell had abandoned for Repeal, and insisted upon applying to the Irish question, the solution with which, if you believe himself, he would have been more than satisfied. And as if still further to vindicate his policy the Conservative ministry under the new pressure of Repeal, munificently enlarged the parliamentary grant to the college of Maynooth and set on foot the well meant but luckless experiment of the Queen's Colleges. Nay more, we find Sir Robert Peel after the Repeal agitation was nearly overblown, in the last speech which he delivered as a minister of the crown, adopting the O'Connell programme short of Repeal, and bequeathing it as a policy

to his successors. The following were the words, spoken by Sir Robert Peel at the close of the debate upon the renewal of the Irish Arms Act, on the 29th June, 1846.

“ Speaking for myself I don’t hesitate to avow the opinion that there ought to be established a complete equality of municipal, civil and political rights as between Great Britain and Ireland. By complete equality I do not mean, because I know that is impossible, a technical and literal equality in everything. In these matters, as in others of more sacred import, it may be that the ‘letter killeth but the spirit giveth life,’ and I speak of the spirit and not of the letter in which our legislation in regard to franchise and privilege ought to be conducted. My meaning is that there should be a real and substantial equality of political and civil rights, so that no person viewing Ireland with an unbiassed eye, and comparing the civil franchise of Ireland with those of England or of Scotland shall be able to say with truth that a different rule has been adopted towards Ireland, and that on account of *suspicion, or distrust*, civil freedom is there curtailed or mutilated. That is what I mean by equality in legislating for Ireland in respect to civil franchise and political rights.”

While the O’Connell policy seemed thus to triumph or at all events to give promise of triumph in Parliament it had already begun to show symptoms of weakness, and dissolution in the country. If it be true [a thing we do not assert] that in O’Connell’s mind Repeal itself was not the object of the agitation but merely a part of its machinery, it was not so regarded by the bulk of his followers. However he may have been understood by his old allies the Whigs, or however he may have wished them to understand him, his words were taken at the letter by the Irish multitudes. If he believed that his influence was still sufficient to command their unlimited obedience, he soon discovered his mistake. To the multitude, Repeal was neither a phantom nor a pretence; they religiously believed in the possibility of its attainment, and the more resolute of the believers determined not only to persevere in the agitation themselves, but if possible to frustrate any attempt by O’Connell at a renewal of his alliance with the Whigs. The power of O’Connell it is true was still predominant in the country, and it would be a bold thing to say, that had he been five years younger, or had the famine not supervened, he might not have been able to overbear opposition and to carry out his plans. But it was otherwise ordered; his failing health and decaying energies forbade him to put any stop upon the

dissolution of his power, and when he died, there remained of his policy little more than a weak tradition; while that unity of Irish strength which he alone had known how to create and to use, seemed to have expired with himself. With his death ends the second period of the Liberal alliance. The third embraces the interval between that event and the present time.

Out of the decomposing remains of the Repeal organization there swarmed over the country clouds of political societies, small, and buzzing, quelled for a time by the great famine, but quickened again by the Continental revolutions of 1848. Then began to disappear that loyalty of sentiment, the cultivation of which amongst the Irish, has been too much neglected by English statesmen, but which O'Connell more especially after the accession of the Queen had promoted amongst his countrymen, while he educated them in constitutional agitation as understood by himself. There can be no doubt that O'Connell did train the people of Ireland to a loyalty of feeling as distinguished from loyalty of reason, or of duty, to the person of the Queen; but it is equally certain that this loyalty depending exclusively upon the O'Connell influence, withered up when that influence was removed and had no real existence at the period of the Queen's visit in 1849. But whatever was the state of the country, there was in Parliament a body of Irish reputed Liberals who though numerically strong, had now, for the first time however since 1829, become absolutely contemptible to their English allies. During the lifetime of O'Connell, his parliamentary following included men of not very dainty morals, and of fortunes the reverse of easy. Still his mastery held them together and made them formidable. When he was taken away they fell asunder, could be dealt with separately, had no common policy, and ceased to be of any general account. From the death of O'Connell to the present hour, the disorganization of the Liberal party in Ireland has been even on the increase; and the contempt which that disorganization could not fail to beget in the minds of English Liberals has been unsuccessful as yet in suggesting any kind of harmony or concert to their Irish brethren. Those however are comparatively remote causes of the estrangement which exists between the English and Irish Liberals, and we now come to others whose origin is more recent, and whose working is daily more active and conspicuous.

The first of these we take to be the refusal of the government of Lord John Russell in 1847, persevered in by successive Liberal governments since that period, to accept the legacy of Irish reform, which Sir Robert Peel bequeathed to them in his last ministerial utterances already quoted. This refusal was clearly embodied in an answer of Lord Clarendon then Lord Lieutenant of Ireland, to an address of the Catholic Prelates of that country, in which he discharges upon Time alone, the redress of all Irish grievances, and the reform of all Irish abuses. Adhering to the original plan of this paper we do not offer an opinion touching the morality or policy of this declaration, by the organ of a government, the head of which had likened the condition of Ireland since Emancipation to that of a prisoner into whose cell a gleam of light had been admitted, and who naturally struggled still not only for light but for enlargement. We merely state it as a fact suggesting to the consideration of all parties whether such a declaration was calculated to attract to the Liberal government the support of those whom the members of that government had taught to believe in grievances and to look to them for the redress of the same. A second and pregnant cause of disagreement referable also to this period, was the acceptance by the Liberal government of another and apparently a fatal bequest of Sir Robert Peel, the task namely of imposing upon the people of Ireland the system of University education, comprised in his scheme of provincial colleges which subsequently were incorporated with the Queen's university. We are not now to argue for or against that system; we have elsewhere very fully expressed our views upon the subject and to those views we must refer our readers. It is enough for us here to remind them that it is our present business to say, that this gift of the late Sir Robert Peel, with all its demerits has clung to the Liberal party, like the shirt of Nessus, a perpetual blister, which it is able neither to cool nor to shake off.

Out of the establishment of the Queen's Colleges grew the Synod of Thurles, and out of the Synod of Thurles the extension to Ireland of the Ecclesiastical Titles Act. We need not here state our opinion respecting the decrees of the venerable assembly at Thurles in the matter of the Queen's Colleges. Touching the policy of the Ecclesiastical Titles Act as applicable to Ireland, it need only be said that if it were intended thereby to punish the Irish

Bishops for the part taken by them in the Synod of Thurles, the punishment had no more relation to the proceedings of that body than have the penalties for bigamy to an action upon a bill of exchange. Our business however is with the result; and no one we believe will be found to question our statement of it, when we say that the passing of the Ecclesiastical Titles Act was the most serious cause of disagreement that had till then arisen between the Irish and the English Liberals, and that it has wrought most effectually to increase and perpetuate their mutual alienation. An attempt was next made to reconstruct the Liberal party in Ireland upon a plan of total severance from parties in England, and of active opposition to every government, which would not accede to certain conditions, the most prominent of which were a settlement of the Irish land laws, and the Repeal of the Ecclesiastical Titles Act. The duty of the "Independent Opposition" was to take advantage of the then sensitive balance of power, between the principal English parties, to pass perpetually from scale to scale, to make Whig and Tory kick the beam by turns, and to upset successive governments until one or another should come to terms with them. This plan broke down either from internal weakness, or from a want of virtue in those who had undertaken to carry it out. The result upon the Parliamentary representation of the Irish liberals was just to neutralize it. Some adhered to the government in spite of their constituencies; some by the regularity of their opposition votes came no longer to be accounted Liberals; and a few who might be properly classed as independent members, were of no account with either party. In course of time the personal qualities of the present head of the Liberal government, powerfully aided by circumstances, destroyed that nice balance of power between English parties, which could alone have given a reason of existence to the "Independent Opposition," had that organization still continued to exist; and now Lord Palmerston having, by the undoubted confidence of the English people, been relieved from dependence upon Irish support, seems to make an ostentatious contempt for Irish wishes and feelings a part of the settled policy of his government. We do not say that such is the policy, but we think it may be affirmed that such is the appearance which it wears.

So far back as the year 1857, an Irish writer described

in the following terms, the parliamentary representation of Ireland as disclosed by the general election just then concluded.

"It would be neither profitable nor pleasant to inquire just now into all the causes of the miserable disorganisation that has left Ireland dumb and neutral on the question of Reform. Certain it is that England and Scotland—after a fashion of their own perhaps, but emphatically and decisively—have declared for Reform. Ireland is the only portion of the kingdom that stands utterly disgraced. Ireland, to whom Reform is not an abstract principle, a point of honour, or a party motto, but a necessary condition of peace and progress, is the one member of the British Union to whom Reform must owe nothing in the present Parliament. Ireland, to whom Reform means free religion, free charity, free education, free votes—the right to prosper, the very right to live—Ireland alone is hostile or, at best, indifferent to Reform. The poor old idol, Conservatism, has been fished up from the slough into which popular contempt had dropt it, and now finds an altar in Ireland alone. Reform has a value and a significance in Ireland, different as we have stated from those of reform elsewhere. The same may be said of Conservatism. And, if in Ireland Reform have the meaning we ascribe to it, can there be any doubt as to the meaning of Conservatism? It means a more than Corsican vitality of hatred for the Irish and their religion; it means the treasured recollection of gone-by cruelty, and the sharp appetite for more; it means injury whenever possible, and insult always; it is Nero at a loss for men victims, in a solitude even of flies, but equally ready for practice with the rack or the bodkin; it is a pig on the highroad—in the way, even when running out of the way; obstructing although retreating; causing an occasional upset, and sometimes ridden over, but ever the same perverse, unmanageable, unteachable swine. Nay, we do this Conservatism too much honour; for there has been such a thing as an educated pig—a pig who could tell the hour of the day, and the day of the month, for the bribe of an acorn; but what genuine Irish Conservative could be trained through any instinct of his, to mark the place of his country in the nineteenth century? Peace, union, prosperity, education, progress—none of these are a bait for him. He hardly realizes the notion that ascendancy is over—that the penal laws have been actually repealed—that we have left the rebellion of '98 nearly sixty years behind—and that martial law, the cat, the triangle, and the pitch-cap are no longer part of our Constitution in Church and State. But Irish Conservatives cannot tell why, and are determined not to learn. And yet it is men like these that Irish constituencies, who could have done otherwise, have sent into Parliament—not statesmen who have taken the thing up for a purpose, like Disraeli and Sir John Packington, and even Mr. Walpole—but men who posi-

tively believe in it and love it. The one element of consolation in all this vileness is derived from the persuasion that Conservatism has reached the last degree of ridicule by becoming something merely Irish. It is Lambert Simnel qualifying for the scullery in England by an Irish coronation. But, in any case, ours is the shame, although the penalty may be remitted. Does the Maynooth grant stand? England alone is to be thanked. Does the National system of education yet exist? England alone protects it. Has the Catholic soldier the last sacraments in his agony? It is to Protestant England that he owes his salvation. Ireland has sent men to Parliament who, sooner than allow the soldier the services of a priest, would see him die in despair; and rather than that the 'wafer-god' should repose upon his tongue, would have him spend its last action in blasphemy. There undoubtedly are men, amongst us who still love to be called Conservatives, and who notwithstanding are liberals and reformers in practice, like Lord Stanley and others we could name in England; but Ireland has sent no such Conservatives to Parliament. We used to refer with pride to the election of liberal Protestants by a Catholic constituency: but here there is not a question between Catholic and Protestant. No man in his senses will connect Irish Orangeism with any form of religion. What has the Orangeman to do with the Synod of Dort or Confession of Augsburg? What does he know about the articles of religion or the Westminster Catechism? He believes in whiskey, powder, blood, Fermanagh juries, Sir William Verner, and Lord Roden—that is the full sweep and compass of his religion. Conservatism in Ireland is just a sicklier, but more malignant type of Orangeism. Smooth, civil-spoken, kid-gloved, and perfumed, it coats and preserves with a varnish of civilization all the instincts and passions of the savage life. Yet we find this Conservatism sharing, and thus destroying, the representation of Louth, Mayo, Leitrim, and Kilkenny. In other counties—such as Sligo, Carlow, and Dublin, and again in towns like Dublin, Belfast, Carlow, and New Ross—we meet it absolutely dominant, and in almost undisputed possession. It is a convenient resource to throw the blame on our disunion, as if disunion were, in fact, something distinct from ourselves—a deity, or demon to be propitiated, as if we could set everything right by a sacrifice to Atè. More or less of the fault may be with those who assume to guide opinion; but there must be something wrong everywhere, or it would be impossible that, under a constitutional government, and with education so generally diffused, the people could be absolutely at the disposal of a few pretenders. In one way or another, we are all accountable for the loss and the disgrace. It is to be hoped we may all profit by the lesson."—*Irish Quarterly Review*, xxvi. pp. 455-7.

This being the case in parliament, the condition of Irish politics there had a corresponding influence upon the state

of feeling in the country, and must be held accountable for two results, still in active operation, and each equally fatal to the existence of a liberal party in Ireland. They may be shortly stated as apathy and hostility. Under the influence of the former the registries were neglected, and still continue to be neglected wherever they are not watched for the express purpose of opposition to the government. This is accounted for by the natural carelessness of men to spend time or money upon the support of a government which will not condescend to their wishes in anything, even supposing the wishes themselves to be unreasonable, and the refusal of compliance to be sound policy. The active hostility of Catholics to the government was at first rather limited in extent, but its continuous increase is now evident to all. It has the advantage of a distinct and easy policy, namely, that of supporting, or at least of accepting any candidate for a place in parliament in preference to the government favourite. Under the combined operation, of apathy and hostility, every election in Ireland diminishes the number of liberal representatives, nor can any member or supporter of the present administration, how transcendent soever his qualities, how great soever his claims, or how unbounded soever his former popularity, obtain a seat in parliament from an Irish constituency.

Things were coming to this pass through mutual misconduct or mutual mistake, or else through absolute virtue on the one side and complete perversity upon the other, when the Italian revolution came in the right time to hasten and widen, if not to complete the separation between the Liberals of England and Ireland. The attachment of the Irish to their religion ought to be no secret in England, nor is it by any means to be wondered at, if the Irish mind should admit the persuasion that the British government is prompted to countenance the Italian revolutions, much more by the national hostility to the Roman religion than by a zeal for Italian liberty, or unity, or for any other of the ideas to vindicate which, the French armies crossed the Alps. The Irish have argued, however falsely, that a nation which has not now, and never had, any practical sympathy for Poland, is not attracted to the Italians by the mere merits of their cause; and they say that even were the Irish people naturally well affected towards the Italian revolution, the patronage extended to it by England would of itself be enough to put them on their guard. They say that some

stronger agency than an abstract love of liberty abroad must have operated upon the English mind to induce the adoption of what is, after all, a French adventure, for French profit, depending altogether upon the will of France, in strict accordance with French traditions, and which France will never suffer to be turned to English account, if France can help it.

Pronouncing no opinion upon the value of those conclusions, we can only say that they are shared by many a sound Protestant, who regrets that England has been led away from what he conceives to be her old, safe, honourable, and natural traditions, to untried ways and dangerous alliances. Many a God-fearing, Rome-detesting Englishman believes, that France is acting upon the too sensitive protestantism of England, to separate us from our oldest allies, and, to bring about while in strict alliance with us, that continental system upon the establishment of which the first Napoleon staked his Empire and lost it. Holding those ideas, and for other reasons of their own, which we do not pretend to enumerate and are not called upon to explain, the Irish have adopted the cause of the Pope, with even more of enthusiasm, and certainly with more of sacrifice than the English brought to what they deem the cause of Italy. It must have been this circumstance that has drawn upon everything Irish that deluge of abuse which has been daily rising and spreading for the last two years, and the ebb of which is not betokened by any sprig of olive or other message of peace that we have seen as yet. While the press, and more especially the Liberal press, was engaged in exasperating differences to the best of its great ability, the parliamentary and administrative policy of the government continued to be regarded by the Irish as systematically offensive to their feelings and resolutely set against their wishes. The *Dublin Evening Post*, which under many Liberal governments, had been the reputed organ of the Castle, and which, whether in the sunshine of favour or the chill of neglect, has never once faltered in its allegiance to party; the *Evening Post*, which for years has been importuning the Liberals of Ireland to expect everything, to forgive everything, to think no evil, and to believe all good; the *Evening Post*, which incurred the enmity of O'Connell by its opposition to Repeal, and forfeited half of its subscription list to the support of the Queen's Colleges—the *Evening Post* has been forced into sharp cries of distress

and remonstrance, addressed partly to Ireland and partly to England. We think it not amiss to reprint two or three articles which appeared in that journal, and which we cannot help regarding as very suggestive indeed, when we consider how slow to be stirred were the natures which have at length been moved into something positively like ill humour by the attitude and language of the English press and people. Apart from this circumstance, however, the articles in question seem to us to contain matter well worthy of consideration by the English Liberals, to whom the subject of their relations with Ireland has never been presented in such a light; who have never, perhaps, seen an Irish newspaper in their lives; and who, consequently, derive their knowledge of Irish politics from the exclusive reading of their favourite papers.

From the *Evening Post* of December 7th, 1861.

"The stage Irishman, twirling the conventional stick, whooping the conventional whoop, and swearing the established oaths, is not more undoubtingly accepted as the true and familiar type of Irish humour, than are the features of Irish politics, as taken from the English press—admitted, believed, and acted upon by the English people. The Irishman who in any of the English theatres should tender to a brother actor the right hand of fellowship without moistening the palm thereof, according to the manner of his country, would incur deserved reproach; but public taste would vindicate itself more sharply were the Irishman to speak a sentence without two bulls and at least one 'be jebbers' or one 'be gorra.' The nation at large, however, and its politics are a more fruitful source of enjoyment to the British public than are its individual representatives to the British play-goers. The latter are satisfied to be amused; the former require to be gratified; and the gratification is of a higher order than the amusement, because the infliction of pain is but too often the most exquisite of pleasures. It would serve no purpose to disguise the power and the success of the English press in giving pain. The power itself is a vulgar one, and much more commonly diffused in nature than the power of comforting and soothing. A moderate command of language—especially of bad language—a certain trick of composition, and a useful contempt for the Eighth Commandment, will not fail to recommend any Irish topic to the British reader. On the other hand, to represent the Irish people as rational and sober in any desire, would be as great a solecism as Silenus at a tea party; and to dress up an Irish grievance, however substantial, before an English public, would be no less an offence against decency and taste than for Atreus to stew his man-pie upon the stage. It is true there are

some peculiarities in Irish men and Irish politics too strong for English manners and English temper. Their speech is sometimes over-charged—they mix their metaphors—their imagination runs before their words; they have unreasonable opinions upon matters of religion and perhaps of education; they have a silly adherence to old friends and old prejudices; they will not be convinced that everything done is always intended for their good; and they have an obstinate conviction that some of their institutions are as mischievous as they are degrading. Nothing can be easier under these circumstances than to hit them where they are sore, and nothing can be more pleasant than to laugh at the weakness and ungainliness of their resentment. If such a course of treatment came from avowed enemies at the English press, or even in the Imperial Parliament, it might be understood. In party struggles, hard hitting may yet be fair hitting, and if a man be not able to take as well as give, he is too tender for the dust and sweat of the arena. But the Irish people are dealt with less mercifully, if anything, by the Liberal press and the Liberal politicians of England—on the strength of whose party they are borne—than by those who had been their enemies from the beginning. That the Irish are over sensitive is very likely—that they have weak points and tender spots is not, perhaps, to be disputed—that it is a delight to make them smart may pass for granted; but might it not be worth while to calculate the cost, and even to reform our expenditure in that item, if found excessive? The meeting, at the Rotundo, on Thursday evening, comes to hand as an example. In the city of Dublin, in the sixty-first year of the Union between Great Britain and Ireland, while a war is impending between a foreign country and England, the prospect of which ought to affect every quarter of the empire alike, it is found possible to hold a crowded and enthusiastic meeting, to express in language, however guarded, the sympathies of those assembled with the aggressor and the adversary. There is not perhaps, a town in Ireland, in which a meeting of the like character might not be collected. The extravagance of the proceedings is not our immediate concern. It is a case unquestionably for the Surgeon-general rather than for the Attorney-General, and will be sure to command more than a wholesome share of attention from the English press, to whose treatment the comic views of the meeting may be safely left. And yet, not twenty years ago, sedition, separation, or sympathy with an enemy would have had as little countenance in a Dublin meeting as in any other division of the kingdom. The people of Ireland were then a portion of a single Liberal party in the empire—its ardent supporter in the struggle, and scant partaker in the triumph. That party, so far as Ireland can be taken into account, is diminished, scattered, and all but destroyed, though the materials for its reorganization are still great and abundant. There is now no need to exaggerate the extent of Irish alienation at home, but, such as it is, that aliena-

tion is mainly the creature of the English press—slow of growth, but carefully nurtured. At home it may be powerless, but if the present difficulty in our relations with America should eventuate in war, the result will, in no small degree, be attributable to the hatred of England which the universal Irish emigration has carried with it to America. That ‘patriotic class of citizens,’ as they are called by a New York paper, was foremost in applauding the late insult to the British flag and to the law of nations. It is a well-known fact, and deplored by the Catholic clergy in Ireland, that the American citizens of Irish race, professing the national religion, bear no proportion to the number of the emigrants, their fathers; but it seems beyond all doubt that though they may have lost not only their religion but everything else that was distinctive of their race, they have preserved and intensified their aversion to the English name and Crown. And it is to aspects of the case like this that we would draw attention. The ruin of our party in Ireland is almost as much the concern of the Liberals of England as it is our own. But they cannot be conscious of the extent to which their organs are engaged in fostering national antipathy, and, as it has been said, making it racy of the soil in both countries. It is not the disaffected in Ireland who resent the language of the English Press; most probably they welcome it. They do so if they are wise. There are none so disgusted and offended as the loyal. The Liberal Press may be well-meaning, and, doubtless, believes in its own good intentions, but it cannot persevere in its accustomed language upon Irish affairs without coming to adopt and to cherish feelings somewhat similar to those which it too surely excites among ourselves.”

From the “*Evening Post*” of Saturday December 14, 1861,—

“Revenge is always costly, and reprisals are always excessive. If you spit into a man’s face it is ten to one he will take your life although he has to pay the forfeit with his own; and Bartholomew’s Eve was chosen by the Catholics of Paris for the great massacre, because it was the anniversary of a smaller, but equally detestable, massacre of Catholics by the Protestants of Bearn. In like manner have the Catholics of Birkenhead sought to punish the Liberal party in England for the course of injury and insult to which they conceive themselves to have been subjected, by that party, for some years past. It may be that the Liberals deserve the punishment, and it is very certain that the Catholics of Birkenhead have hurt themselves by the infliction of it. But this is human nature, notwithstanding; and after all it is a dry question of profit and loss between the two parties. If the Liberals, while prepared to do some justice to Catholics, insist upon seasoning that justice with humiliation at the cost of the support which they might

otherwise receive from Catholics, that is altogether their own affair. If the Catholics, on the other hand, are disposed to exchange the saucy protection of the Liberals for the enmity—to them apparently less odious—of the so called Conservatives, their conduct is perhaps, very chivalrous, but not worldly wise. If, however, the English Catholics only, were concerned, the English Liberals might gratify their taste at a comparatively trifling cost. In Ireland, the case is somewhat different, and if the English Liberals will prefer their gratification to the support which they have hitherto had from Ireland, they cannot expect to come off quite so cheaply. This, again, is human nature. The Irish Roman Catholics derive many solid advantages from their alliance with the English Liberals. They do not require to have these advantages rehearsed to them : but a considerable portion of them seem to have made up their minds not to accept those advantages, upon the conditions which their allies insist on attaching to them. The English Liberals, it may be presumed, regard those conditions neither as heavy nor unpleasant. The nature of the conditions themselves is well known. Provided the Irish will consent to adopt, without reasoning or qualification, whatever the English Liberals should consider for their benefit—provided they surrender all their own tastes and inclinations—provided they submit with proper meekness and docility to whatever instruction, however administered, they may receive from England—provided they regard the past services of the old Liberals as a perpetual licence to the new Liberals for insult and outrage—provided that gratitude shall be always identical with meanness—then will the Liberals of England extend to the Irish people a measure of the good things at their disposal. Can there be a sweeter yoke or a lighter burthen? Can any conditions be fairer? In consideration of this small submission—of this trifling homage—and of those few sacrifices, the Irish people shall have the honour of being accounted members of the great Liberal party—of taking part in the achievement of every success that is won for the Liberals of England, and of acting with perfect disinterestedness by reason of the knowledge that they shall have as little share as possible in the fruits of these successes. Perhaps the conditions are righteous, just, and honourable; but here again our fallen nature comes athwart our best interests. The conditions will not be accepted. Men will not stand being constantly insulted even by professing friends, and the least exacting will require some deference to their tastes, some humouring, even of their caprices, especially in matters in which they think their friends should not interfere too much. Men will think that advantages are dearly bought by dishonour, and no reasoning will convince them of the contrary. It is perfectly hopeless to go on dealing with the Irish people, as this journal has done for years, by representing to them the danger of a breach with their old friends, and of an alliance with their old enemies. They are perfectly

familiar with the prospect of a magisterial bench, crowded with Orangemen, and of the superior courts, scarcely better furnished either with learning or honesty. They are quite prepared to see justice become once more the scarlet hussy that she was, and to find her sinning with tyranny upon every high place in the land ; but it is human nature still that, even with this before them, they should resent indignity and assert what they believe to be their rights. And here again comes round the question of profit and loss. The people of this country have, we fear, made up their minds. We have argued for years against the course they seem disposed to take, in the measure of our strength and of our light. It now only remains to be seen whether the English Liberals have made up their minds too. We suggest to them no consideration of friendship, brotherhood, or good feeling. We take everything against them and against ourselves as strongly as we can. We take it for granted that their regard for the Irish Liberals—who, are in truth the Irish Roman Catholics—is as weak and as forced, as their dislike, and the expression of it is spontaneous. We take it for granted, on the other hand, that the feelings and wishes of the Irish Roman Catholics upon certain matters are altogether capricious and unaccountable. We assume that their love of perfect religious equality is as unreasonable as the love of the Siamese for the Betel-nut, and that their aversion to the temporalities of the Church Establishment is as senseless as the dislike of the turkey-cock to red. But, assuming all this, is the Church Establishment so precious in the eyes of the English Liberals—is the abuse of Catholic men and things in Ireland so valuable a privilege that the undivided support of the Irish Catholics, and the consequent triumph of liberal interests, are as nothing in the balance ? If that be so, the course of the English Liberals is intelligible to us, otherwise not. They have a right to make sacrifices as well as we ; but unless both parties can be brought to understand their own interests sufficiently well to arrange their differences in presence of the common enemy, they will save that enemy a vast amount of trouble by-and-by, and afford him an agreeable pastime in the interval.”

Under the date of 31st December, 1861, in the review of the year about to expire which it is customary with Newspapers to make upon its last day, we find in the “*Evening Post*,” this almost despairing reference to the subject of the foregoing extracts.

“The course of the year has not been unfaithful to itself in Ireland. The English Press of all parties has wrought zealously and with consistent morality, during the year, to disgust and alienate the public mind in Ireland. The Liberals of England, who have assumed the more especial protectorate of Italy, have preferred the

cause not merely of Italian unity, but of Italian scoundrelism, to the friendship and fellowship of the Irish people, who, with rare exceptions, are as earnest Catholics as they are consistent Liberals. Day by day have the English Liberals made their yoke weightier for their brethren in Ireland. Causes of complaint such as exist nowhere out of Ireland, and which elsewhere than in Ireland would, according to the morals of 1861, justify revolution and foreign invasion, have been passed over by the friends of Italy without remonstrance. Desires and ambitions which the Liberals of England would have in foreign nations deemed natural or at least excusable have been treated by them in Ireland as something approaching to treason. Gratifications which, whether wisely or not, have been given for the asking to Canadian or Australian Catholics have been refused to Irish Catholics, with circumstances of scorn and hatred which have already borne fruit in measure. The disorganization of the Liberal party in Ireland, already so far advanced in the year 1860, has steadily increased throughout the year 1861, and promises to go on until the evil shall have cured itself. Death has been not less busy than revolution in emptying thrones and high places, but the vacancies so made will not fail to be filled up; whereas the injury to public morals, the denial or perversion of principles, the immorality and servility of the press, and the diseases of opinion that have marked the outgoing year, will bequeath to coming years a labour of repair and reconstruction which it will require many of those coming years to complete, if indeed the task should ever be accomplished. And at this crisis of our history, if any expression of feeling from Ireland could prevail for any purpose with the holders of power in England, and with the Liberal press in that country, we should invite them, as they tender the existence of a Liberal party here, and the chances of reform both here and there, to deal far otherwise with Ireland in word and deed than they have done during the last year, and during many that have gone before. They need have no uneasiness upon the score of having left anything unsaid that could be capable of creating ill-will. They cannot hope to write any thing more stinging than they have already written. Should they vex their ingenuity to produce a new variety of insult, the probability is it would be tame in comparison with some of the older outrages. They never can succeed in pointing a more cruel epigram or in balancing a more wicked antithesis than many which might be culled from their past writings. None of them could hope to be more unjust or more insulting, nor could some of them expect to be more mendacious than heretofore. It will be easy for them all to estimate their gains under the old system; and, as a matter of pure experiment, it would be worth while to try the effect of a little correct information—of a corresponding accuracy in statement—of some forbearance—of some little humility—of even a slight improvement in temper, and of an occasional appeal to judgment, common sense, good feeling, and interest. Perseverance during

the ensuing year in a course like this, would earn for 1862 a character such as we do not expect it will deserve, but which, if deserved, would secure a speedy and solid triumph for reform and popular power in both islands."

We do not pretend to have followed accurately every nice point of controversy which arose between the English and Irish Liberals, within the last thirty years, nor to fix the date when every such point first made its appearance and was discussed. Nor can we hope to enlighten any one who is absolutely uninformed upon Irish politics, by the slight sketch which we have given of their course. Still less would it be possible to awaken any interest in the matters upon which we have touched, amongst those who now feel none. We assume however, that there are some who, although imperfectly acquainted with Irish politics, are nevertheless well affected towards the Irish themselves; and who, if they saw good reason would not be unwilling to know a little more of Ireland. These we have thought it well to bring forward by somewhat long stages, and with as few stoppages as possible, to the present condition of the Irish question. We also assume them to have kept up with current events sufficiently well, at any rate, to have contracted every one of the unfavourable ideas, (we do not presume to call them prejudices) respecting Irish matters to which expression has been so freely given by public men and by the public press in England, during the last few years. Further than this, we take them to be liberals in politics; to believe sincerely that the best interests of the empire are involved in the regulated progress of Liberal doctrines; and to have good sense withal to understand that the co-operation of Ireland is worth securing, and will conduce materially to the attainment of the end in view. Should any such person have followed, with moderate notice, even from the purely English point of view, the discussions upon Irish affairs which, from time to time, have engaged the attention of Parliament and the press, he will find that certain questions have pushed themselves prominently forward, and that upon the solution of those questions the adhesion of Ireland to the Liberal party will depend. The questions which have so evolved themselves are easily enumerated. They have reference 1st, to education, 2ndly, to the poor-laws, 3rdly, to the land laws, 4thly, to the relations of church and state in

Ireland, and, 5thly, to our foreign policy. We have stated these questions in what appears to us the order not merely of their urgency, but of the facility which they afford for solution, and of the chances therefore of reconciliation which they open to the divided Liberals. It is a step towards reconciliation, and the first as well as the most necessary, although perhaps not a short one, that people should know, with tolerable accuracy, what it is they want on both sides.

With a view, therefore, to clear the way for a negotiation, if such a thing be at all possible, it would be desirable and make things pleasant, that both parties should understand upon what points they are agreed, what principles they have in common, and how far they can act together. Having determined how far they are agreed, it not uncommonly happens that people find their differences less numerous and less real than they had supposed; but when at length the differences themselves have been fairly ascertained, it next becomes necessary to decide what differences are past adjustment, and if these be incompatible with general reconciliation to break up the conference; but if not, to put them aside, and to proceed to those which are capable of settlement. Having thus narrowed the discussion to what is in truth the only proper matter of debate, the parties will then have to fix in their respective minds the lowest point to which they will consent to reduce their claims; and this being done an arrangement is not absolutely hopeless.

Cicero, in his philosophical dialogues, like the sensible man that he was, always took care to make one of the interlocutors fix, at starting, the sense of words. If, therefore, we desire to ascertain in what particular doctrines and courses the English and Irish Liberals can agree it may be as well to determine, in the first instance, what we are to understand by the term "Liberal," as applied to a political party. We understand that man to be a Liberal, first, who is willing that his fellow subjects of every religion should enjoy an absolute equality of civil rights and privileges; secondly, who proposes, or who at least consents to confer political franchises upon the greatest number of his fellow subjects, who can with safety to the State be admitted to the working of the constitution; and thirdly, who gives his support or sympathy to that political connection which has applied these principles in a large way, as distinguished from other political connections, pro-

fessing to be guided by the same principles, but applying them in the most restricted measure. Whatever opinion English Liberals may entertain respecting the conduct and motives of their Irish brethren generally, they must necessarily admit, that touching the essential doctrines of liberalism, as we have ventured just now to enumerate them, there is no more difference of opinion between the English and the Irish Liberals, than between various sections of the English liberals themselves: and that upon questions of home policy, tending to the promotion of religious equality or to the extension of political franchises, the Irish Liberals will be found to act rather with the more advanced than with the more conservative portion of their English brethren. It is therefore apparent, and will, we presume be granted at once, that upon questions in relation to the matters just described and having regard to the United Kingdom or its dependencies, the Liberals of both countries can act in as complete accord and with the same cordiality as the Liberals of any one division of the empire can have amongst each other. The fact is so abundantly proved by the debates and votes in parliament, as well as by the files of the press in both countries, since the admission of Catholics to the legislature, that we believe no one entertains any doubt respecting the class of measures which English and Irish Liberals will unite to support.

Taking for granted therefore what will hardly be doubted, that upon questions of reform at home, English and Irish Liberals can act in complete harmony, we have next to face the consideration of those matters in which common action is impossible; and from the history of the last few years, it is abundantly apparent that the foreign policy of the present administration can have no support from the Irish Catholics, who are, as has been already said, for all practical purposes the Irish Liberals. It becomes the duty therefore of each party and more especially of the Irish Liberals to inquire whether the impossibility of united action upon foreign politics precludes the possibility of united action upon politics of any kind. The Irish have certainly the greatest stake in the solution of the question, because although the English under favour of circumstances at all events, may afford to dispense with Irish aid, the Irish are as nothing apart from the Liberals of Great Britain. This being so, it seems proper for the Irish Catholics to consider whether if they

reject the liberal alliance for incompatibility of temper, upon foreign politics, there exists anywhere a party whose foreign politics they can adopt, or which would not follow a line of foreign politics substantially the same, with that which offends them in the present government. They will have to question their consciences whether they believe that ministers in following their present line of Italian policy, do not act in obedience to the plainly expressed and almost unanimous although unenlightened and misguided will of Great Britain; and they will have further to inquire whether any government, be the taste and feelings of its individual members what they may, can govern in opposition to the public will. If they arrive at the conclusion to us seemingly inevitable that the policy of England, upon the Italian question, must for some time to come be what it is, under any government, the Irish Liberals will have to determine whether it will be possible for them to support any government; and should conscience answer in the negative, then will come the grave inquiry, whether, were they much stronger than they can hope to be, they could effect any thing in absolute isolation; and whether with their dwindling numbers, and diminishing influence, isolation is not in fact extinction. If however notwithstanding their belief, that the policy of all parties in England must be substantially the same in relation to the temporal power of the Pope, the Irish Liberals can settle it with their consciences to accord a preference to one party or the other, preliminary questions of a very serious and practical nature, will have to be determined and soon. There are said to be three stages in a lady's matrimonial prospects. She first asks herself, whom she will have: failing to settle this point, in due time she inquires with some concern who will have her: and unless some one should quiet her anxiety without loss of time she comes to the third stage when her inquiry is, will any body have her. Now it seems to us that the Irish Liberals might in prudence address themselves to the second question before dealing with the first, and that before playing the part of haughty and capricious beauties, endeavour to find out what party in the State would accept their affections if they were ready and willing to bestow them. A party might be found that we could name, willing to flirt with them, to make use of them, to talk nonsense to them, and finally to discard them; but a party with whom to ally themselves in real

earnest, and with whom to make real conditions, is a widely different thing. The Conservative party could not form any serious alliance with the Irish Catholics. Their Irish connections the most disreputable in the world, totally forbid it. Their own antecedents, their uniform policy at home, and their pledges hourly renewed make it impossible; and last of all public opinion in England would not tolerate it for a moment. With the Liberals on the contrary the alliance of the Irish Catholics notwithstanding all that has passed may possibly be renewed. The English Liberals are not, like their opponents, committed to the maintenance of Irish abuses; the most eminent of them have on solemn occasions given expression to opinions respecting those abuses never formally withdrawn and which might even now serve as a basis of negotiation; while many of the party stand absolutely committed to the extinction of these very abuses. Public opinion also in England is familiar with the union between Irish Catholics and British Liberals, and is not only tolerant of such a union but has come to look upon it as natural, and to regard any other combination as the contrary. But even with regard to Italian politics, it might not be amiss for the Irish Liberals to examine whether some beneficial action or control would not belong to them as effective members of the old alliance, and whether some condescension to the feelings and judgment of useful friends might not be safely attempted by a government which could not be expected to yield much to the demands of a few not very strong assailants. Lastly, upon this branch of the subject would it not be wise for the Irish friends of the temporal power of the Pope to review their past proceedings, and to see whether there be anything to reform in their parliamentary policy? The considerations hitherto presented by them to parliament and to the administration in favour of the Pope, or of the exiled Italian princes, have unquestionably been of the gravest character, and will probably have due weight with posterity. But in the present day the advocate who seeks to help a case like theirs by arguments founded upon public right, international law, faith of treaties, political morality, or the like, will take nothing by those "non-suit" points, for, so the tribunal of opinion will not fail to treat them. — The very language of his pleading will be scarce intelligible to the modern mind, without a gloss from the "Academy of Inscriptions," or from

some other college of equally laborious triflers. Of just as little avail is it to produce before Parliament, instances of proved cruelty or oppression, on the part of governments, whose general proceedings are favoured by opinion in England. How strong soever your evidence, you will be met with the general issue, and opinion will answer triumphantly, "not guilty." Amongst the considerations least often presented if at all to those in power on behalf of the independence of the Pope, are the only considerations not obsolete and unintelligible, those namely which are in some way founded upon policy; and upon those we shall ourselves venture to say a word, when speculating upon the way in which the English Liberals might be assisted in dealing with any proposal for reconciliation.

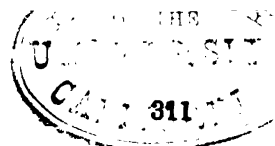
The reflections suggested to the Irish Liberals, by their general adhesion to liberal opinions upon questions of reform at home appear to be the very same that should engage the attention of the Liberal party in England. So long as the Irish Liberals believe in what we before stated to be the general principles of their party, is it altogether fair to insist upon their adhesion to a foreign policy which they cannot adopt, and which they do not believe to be in conformity with Liberal principles rightly understood? This question however belongs more properly to the second head of inquiry already presented to our Irish friends, namely whether the difference of opinion upon foreign politics between English and Irish be so vital, as not only to forbid union upon disputed points, but upon those also which have never been disputed. We have all along assumed that there was a radical difference of *principle* between English and Irish Liberals, upon matters of foreign policy; but it will turn out perhaps upon examination that we have assumed this too strongly against our own case, and that the difference between the two nations is not so much in relation to questions of principle as to questions of fact. We do not recollect to have seen or heard it broadly questioned by Irish authorities that where discontent did really, and universally exist amongst the citizens of any state, it was not the right of that state either by force of arms, or by the genuine and authentic expression of opinion to change its form of government. The speeches of the Irish members and the spirit of the Irish press, went rather to deny the existence in Italy of genuine discontent and of credibly expressed opinion. The Irish upon the

evidence before them, refused their belief to Neapolitan discontent, to Roman discontent, to Modenese discontent, to Florentine discontent, and so on. The Irish in the exercise of an undoubted right gave their belief to Lord Normanby, and M. de Rayneval, rather than to Mr. Gladstone and to M. About. Upon the credit of the witnesses in whom they could trust, and rejecting the evidence of those with whom they were dissatisfied, they believed that the discontent relied upon as an excuse for revolution in the several Italian States, was either altogether unreal or artificially stimulated, and that the expression of opinion in favour of a change of government was in every instance the result of corruption, intimidation and intrigue. The assistance given by the Irish to the Pope in money and men was founded upon the assumption whether supported by, or contrary to evidence, that the Pope's subjects were true to their allegiance, but that its expression was hindered by the foreign intrigue and intimidation just alluded to. As before, we offer no opinion respecting the soundness or enlightenment of this belief,—we do not here undertake to sustain it if right, or to find excuse for it if wrong,—but we think it may be safely submitted to the calm judgment of English Liberals, whether the decision if erroneous of their Irish brethren upon disputed facts and conflicting evidence could for one moment be admitted as accounting for the hard words or harder measures complained of by the Irish Liberals, and which can serve no other purpose than to confirm them in their supposed errors, and in any event to destroy the Liberal party in Ireland. Would it not be well too for the English Liberals to bear in mind that the Irish for whom they now consider no threat too haughty, no insult too coarse, and no ridicule too stinging, are the same men who in times gone by, fought, side by side with them, and, it may be added, principally *for* them, the battles of reform; and that if mutual services were to be stated in a debtor and creditor account, the carriage of the reform bill by the Irish vote would not be something of a set off, against the claims of the Liberals in the matter of Emancipation? It occurs to us very forcibly too, that were the Liberals compelled to choose between the success of their favourite policy in Italy, and the real attachment of the Irish people, not only to the Liberal party but to the British connection; the triumph of English policy as now understood, might not after all be

dearly purchased by the alienation of Ireland, and that Ireland loyal from "Connemara to the Hill of Howth" ought to be a more interesting programme to us all, than "Italy free from the Alps to the Adriatic." We submit however, and with very great humility for the earnest consideration of our brother Liberals, whether friendly intercourse with the Irish Catholics does really involve the sacrifice of their Italian sympathies; and whether although the English people may insist upon the continuance of our present policy in Italy, it may not welcome very freely a change of manners and of action towards Ireland. Would it not be possible to imagine a Liberal statesman of the strongest Italian leanings, who should nevertheless say to his Irish friends: "You need never expect to reconcile us to the temporal power of the Pope, but you have a perfect right to civil treatment and to fair play. Your Italian views are narrow but your English views are broad, and there is no reason why we should not understand each other. Although we both differ as to Italy, still as you stand my friend in England I must do the best I can for you in Ireland. It is not because I dislike abuses in one place that I love them in another. I have helped the Italians to get rid of some curious old institutions, but you have one in Ireland the like of which for absurdity has been pronounced by competent authority not to exist in Timbuctoo,—and if you would only be reasonable I do not say but that we might try a small application of our Italian policy at home—'*faire la guerre de Rome à l'intérieur*.' We have both been a trifle too mistrustful and too resentful, but a little explanation aided by our common interests, may enable us to agree on something and to be good friends in future." †

And lastly, before parting with the Italian question, or rather indeed with the Roman question, we cannot help venturing an opinion that it has not been viewed by Liberals in all its aspects; and that, although nothing is more natural than for the multitude to be carried far a-field of the general interests by religious sympathies or antipathies, the statesman should be a stranger to their influence. It certainly was no love for protestantism that induced Cardinal Richlien to take part with Gustavus Adolphus in the thirty years' war; nor was it the contrary feeling that induced England to ally herself with Austria time out of mind. These are aspects of the Roman ques-

tion worthy the close attention of any British statesman, however liberal, before he sets his hand to the subversion of the Pope's temporal power. We may not perhaps be surprised that many are insensible to the poetry of the Roman question, or perhaps that they may pass lightly over the points of international law and public morality which it involves; but there are other considerations of a purely domestic character belonging to this question which are altogether worthy of examination. We will not suppose him to have any particular interest in the bark of Peter as a bark; but if we take into account the valuable Irish venture that she always must have in her hold, his interest might not unnaturally be quickened to her risks. According to the late census returns for Ireland the Roman Catholic population of that island amounted in April 1861, to 4,490,583 persons out of a population of 5,764,543, of whom only 678,661 belong to the Church Establishment of the country; the remainder consisting of 586,563 Protestant Dissenters, 8,414 unclassified, and 322 Jews. In the province of Ulster, which has been popularly regarded as Protestant, the Catholics are more than twice as numerous as the members of the Established Church, are nearly double the number of the Presbyterians, and outnumber those united congregations by close upon 100,000. The Catholic Clergy of Ireland are supported by their people at a charge of certainly not less than £700,000 a year, excluding even the cost of church building, with the erection and endowment of schools, hospitals, colleges, convents, and the various other institutions that go to make up the Irish Catholic Church Establishment. The influence exercised by the Irish Catholic Clergy is sometimes exaggerated and sometimes questioned by the English press. As occasion suits, it is painted as all-powerful or as on the wane; but making allowance for exaggeration, ascending or descending, the influence of the Clergy over the people is very much what it has always been, and quite sufficiently great to make it an element of calculation. We leave out of view for the present the important and rapidly increasing Catholic population of nearly all our colonies, for a reason that will be apparent when we shall have occasion to refer to them. But when it is remembered that in the last resort the Pope has the patronage of the great yearly sum which we have mentioned as applied in support of the Irish Catholic Establishment, when



it is remembered that he inspires and can moderate the influence of more than three thousand Irish Priests; when it is remembered that he is kept accurately informed by the Irish Bishops concerning everything that passes in the country; when all this is called to mind and dispassionately weighed by a responsible minister, the question of the Pope's independence does seem to be affected by considerations of no subordinate importance, not discernible, it may be, to the crowd, but such as ought not to escape the eye of the politician.

We have thus far, according to our plan, presented those considerations which it seems to us might profitably detain the attention of Irish and English Liberals, first respecting the matters upon which the agreement of both is undoubted, and next regarding those upon which agreement seems impossible. We now come to look into the causes of complaint and difference that lie in the midst, and which are the proper subjects of accommodation and compromise. These as we before stated, are referable to four heads, namely, education, the laws for the relief of the poor, the land laws, and the Church establishment. To begin with the subject of education; we shall not in this place enter upon the arguments on either side of the debate regarding separate as opposed to mixed, or godless as compared to religious education. Upon this subject the opinions of the Dublin Review have been expressed in a manner not to be mistaken. Hitherto both parties have been unyielding, and neither the State nor the Liberal party nor education, seems to have benefitted by the struggle. As we have already said, this question is not one for argument, nor does the claim of the Irish people, or of any section of it, for education administered in a particular way occur to us as a question of expediency, but rather as a question of right. Not adverting here, therefore, to any argument bearing upon the relative merits or demerits of mixed or separate education, as more proper to be discussed elsewhere, we take up the complaints and arguments of those in Ireland who insist upon separate education as a matter of right, and we do so because we consider that this part of the controversy affords some chance of settlement. The claimants for separate education first say upon general grounds, that all Her Majesty's subjects in Ireland, and especially so notable a portion of them as the Irish Catholics, are entitled to consult their own judgment and their own

preferences in this matter of education, if civil equality amongst all classes is to be the practice as well as the theory of our government. They also affirm that the free choice of a system of education for his children is the civil right of every subject, and that the choice of a parent is not free when the State puts a large bounty upon one system of education, and places another under actual disabilities. Might it not be well for the English Liberals who have the settlement of this question in their hands, to inquire, in the first instance, would a claim founded upon this argument be just and reasonable *primâ facie*? Assuming that it is so, we proceed to state how it has been applied by the Irish Catholics to the circumstances of their own case, following the usual though not strictly accurate division of education into primary, intermediate, and superior. As far as Irish Catholics are concerned, the State has hitherto confined its interference to primary education, which it administers under the name of the National System, and to superior education which it furnishes to those requiring it through the University of Dublin and the Queen's University in Ireland. Concerning the first or National System of Education, the Irish complain that the State has not kept faith with them in its administration, inasmuch as certain of the fundamental rules to which they originally gave their adhesion have been altered, not only without their consent but against their will. If the complaint be true, will it not be for the English Liberals to consider whether the matter of it be not simply a wrong, the redress of which is a plain duty? The principal arguments however of the opponents of the National System go, not to its reform but to its withdrawal, and to the substitution for it of a different system. They assert that the education, or rather the instruction administered under the National Board is, in practice, separate instruction for the immense majority of Catholic children, although incumbered by futile and vexatious restrictions; and that by the substitution of a recognized system of separate instruction for the present *theory* of mixed instruction, nothing stronger or more revolutionary would be done than to acknowledge a state of things existing universally in three provinces and prevalent to a great extent in the fourth. They say further, that wherever there is more than a pretence of united education, it covers a tampering with the religious belief of the pupils, under favour of that change in the rules to which

reference has been already made. And lastly, even supposing the National Board to represent a system of generally and substantially united education, they maintain that it is the right of the Catholic body in Ireland to withdraw from that system, and they claim the same indulgence for their preference in this matter, that is granted to the English Catholics. We believe we have stated fairly the substance of their arguments and pretensions, without any indication of a leaning towards either side ; although the arguments, whatever be their real strength, have a plausible seeming and the pretensions are not apparently extravagant. There may be excellent answers wherewithal to meet them, but we put it to the English Liberals whether the only answer yet given either to the complaints or to the arguments, or to the pretensions of the Irish Catholic body, be not, however politely paraphrased, that they cannot be trusted to educate their own children as they like best, and that if this privilege be given to the English Catholics, it is because they are too few to be dangerous ?

Upon the question of university education the Irish Catholic people believe that they have a still stronger case against the government and against the Liberal party. The State, they say, has endowed for the members of the Established Church in Ireland, (about one-sixth of the population,) an university which, considering the number of its students, is, out of all proportion, the richest in the world. It has also endowed, for the common use of Protestants and Catholics an university to which the great majority of the latter, for reasons of their own, cannot resort. They say that if Protestant and Catholic are to stand on an equality, the last-named university, as common to each, will find its place on both sides of the equation, leaving the Protestant university, or Trinity College, unbalanced by any corresponding endowment on the Catholic side. But while claiming the absolute right to a similar endowment themselves, they not only profess themselves willing to forego it, but have actually, out of their own monies, endowed an university institution for which they now ask a charter and no more. In support of this claim they quote the analogy of Protestant Prussia and of Protestant America, both of which States either support or recognize Catholic universities. They also rely upon the example of Catholic Belgium, which supports one state university and recog-

nizes two free universities; but more than all, they rely upon the precedent established by England herself, in the recognition of the Catholic universities of Canada and Australia. Furthermore, in order to show that the desire of the Catholic body for such an institution is deliberate and general, they point to the fact that nearly all the municipal corporations or boards in Ireland have voted a memorial on its behalf to the executive; and they claim for those municipalities a high representative character, from the very nature of the municipal franchise, which requires for its exercise conditions far more special than those belonging to the parliamentary franchise. The facts relied on may be all inaccurate, and it may be quite possible to show that the alleged reasons if specious are nothing more; but we put it to the recollection and to the candour of the English Liberals, whether any other answer has been afforded to the facts and arguments of the Irish Catholics, than the allegation that they are not to be trusted, or perhaps to speak more closely, that their religion is not to be trusted. This assuredly, or nothing, is the meaning of what has been frequently stated in Parliament, that the Catholic Church represents two systems, one religious and the other political—the one as comparatively innocent as the other is absolutely dangerous, and that what might be allowed to the members of that Church as religionists, must be denied to them as politicians. The Irish Catholics affirm their persuasion that this is not the real motive for the refusal of the Liberal party not only to consult their wishes, but even to glance at their arguments. They say that if their religion were deemed so politically dangerous as has been stated, it would not have received the protection, the respect, and even the encouragement which it has met with in the colonies, and more especially in Canada. They express their belief that the Liberal government so deals with them not upon religious but on national grounds. The Canadian Catholics in the opinion of the Irish are conciliated because their country lies upon the frontier of a great and aggressive power. The Australian Catholics, it is said, are conciliated because they are part of the strength of a self-reliant and somewhat haughty commonwealth in partial dependence on the mother country; but the Irish Catholics are left out of the account and their wishes treated with contempt, because Ireland is too near and England too strong, and danger too remote to make conciliation worth the trouble.

Upon this state of facts the following considerations, we think, may not unnaturally suggest themselves to the Liberals of the empire, first:—whether the proper answer has been given to the Irish Catholics: secondly, whether the answer that has been given is not calculated to create in their minds the unfortunate impression just referred to; thirdly, whether some means should not be taken to remove that impression: fourthly, whether the case of Canada does not suggest the precise means: fifthly, whether any Liberal believes in his conscience that the question of Mr. Phelim O'Shaghnessy learning Greek from Professor Arnold and chemistry from Professor O'Sullivan, of the Catholic University, or Greek from Professor Nesbitt and Chemistry from Professor Blyth of the Queen's University, is intrinsically worth one florin to the public peace or public service: and lastly, whether Liberals in general do not look upon the whole business with very sufficient disgust, wish it well ended in some way or another, and feel disposed to be once more on good terms with their Irish friends.

The next question between Irish and English Liberals upon which accommodation seems comparatively easy, is that of the laws for the relief of the poor. Were the more irritating question of education in the least degree out of the way, we should have so little doubt concerning an adjustment of our differences upon the poor-law, that it does not occur to us as necessary to review the facts and arguments connected with that question, taking into account more especially the length to which our paper has already run. If the Irish and English Liberals, who have really so many principles in common upon this question, were to approach the discussion of it in that frame of mind, which could not fail to be induced by mutual concession upon other questions, taking care to resist the meddling and dictation of gentlemen who have no interest in the subject, save the very smallest and meanest interests of party, a profitable and friendly settlement would be near at hand. The other questions which we noticed as outstanding between the Irish and English liberals, namely, those regarding the tenure of land in Ireland, and those concerning the position of the Church Establishment in that country, are too large, too complicated, and too unripe to furnish many suggestions for immediate settlement. Considerations of a general character, applicable to those questions and favourable to conciliation, do, undoubtedly, present

themselves, but they apply equally well to all the other matters upon which we have ventured to speculate. We confine ourselves to a mere reference to the opinions formerly expressed by Liberal leaders in England because we have recently discussed the subject at length (see Vol. li. p. 308). Upon certain subjects an expression of opinion by a public man is deemed equivalent to a pledge that he will give effect to that opinion when occasion serves; and conformably to our plan, we might here state the non-fulfilment of those constructive pledges as the gravamen of the charges made by the Irish against the English Liberals. We however abstain from so doing. Neither have we thought it useful to refer to a topic with which the Irish Liberals must be sufficiently familiar;—that is to say, the injury which they inflict upon themselves and upon the country by their opposition to the only possible government that will favour the just claims of Irish Catholics to places of trust and profit in the public service. The argument of inconvenience has been ably urged in one of the tracts before us, and is quite convincing to our own judgment; but it is too easily met by considerations of honour, virtue, and public spirit; it raises too many troublesome issues and is too generally inoperative where feeling is concerned, to be worth discussion or enforcement here. The Liberals of each nation, having been immoderate in their estimate of each others' strength and virtue, have been proportionately estranged by disappointment, and it is absolutely necessary as a step to good fellowship that they should abate somewhat of their expectations and pretensions upon both sides. The English Liberals seem to have expected from the Irish a gratitude for their really transcendent services, such as does not in fact belong to our fallen nature, and a setting of faith above works which is not usual in the Catholic body. They expected, or seemed to expect that Irish gratitude should include not only a hearty recognition of past services, and a perfect willingness to repay them in kind as far as possible, but an acceptance of all future neglects, slights, and shortcomings; a pretty complete surrender of private judgment, tastes, and feelings; unalterable good temper under any provocation; and a faith such as not even the "Titles Act" could stir. They expected or seemed to expect, from the working of the great measure of 1829, an immediate and perfect transformation of the Irish character, from which all the defects ingrained by centuries of the worst government

known to history should disappear at once and give way to all the virtues and habits of freemen. And lastly, they seemed of late to encourage the idea if not the expectation that the Irish should relinquish all thought of political advancement and all assertion of political right in the exclusive pursuit of material prosperity. The Irish, on their side, were not disposed to check the play of their fancy or to set strict limits to their expectations. They too expected a measure of gratitude for their services, full, pressed down, and flowing over into the lap of the nation, making slight account or none of the difficulties which the most liberal minded statesmen must encounter in the political temper and religious feelings of the English people, whose servant and not whose master he considers himself and is. They expected to gain by bluster and intimidation what they conceived had been denied to reason and to patience, while their last and most delusive expectation was, that they could buy from their enemies by temporary service, what their friends had not given to long companionship, and that the irregular manœuvring of a few would achieve what had not been effected by numbers and by leadership.

For what remains, if any small sacrifice or yielding be necessary we would venture to remind the Liberals of England that these are easier to, and comport better with, strength and dignity than with weakness. We would invite them to consider whether without something, and that not a little in the way of concession, they can ever hope to cultivate in the Irish people that loyalty of feeling which does not as yet exist amongst them. We make bold to suggest that although the educated and professional classes may attach themselves to the constitution by interest, or from a scientific appreciation of its merit, and although the clergy may teach submission to authority from the pulpits and in their catechisms, this is not the loyalty which ought to bind the citizen to his institutions and the subject to his prince. We would ask those same Liberals concerning the most powerful body of men in Ireland, namely, the Catholic Clergy, whether by suspicion, by intemperance of language, by the denial to them of the place and dignity which they hold among their flocks, and by the purpose ostentatiously avowed of creating rival interests between laity and clergy, they have not driven into hostility a moral force whose adhesion would be worth more to the State than its armed force in Ireland

three times counted. And then recurring to the opinions formerly expressed by Liberal statesmen upon Irish matters civil and ecclesiastical, opinions upon which we here rely not as subjects of reproach but as land-marks and rallying points—the mind is instinctively drawn towards those favoured colonies with which Ireland would so gladly change place, because the policy which Liberal statesmen once advocated for her has been applied to them. In closing we commend to the study of our brother Liberals a few memorable words spoken by one whose authority they will not dispute, and upon which recent and even passing events have thrown a light which makes them read almost like prophecy. The words are Lord Elgin's.

"I think," he says, "the comparison of the results which have attended the connexion of England and Scotland, and England and Ireland, will go very far to show how little a nation gains which succeeds in forcing its foreign laws, foreign institutions, and foreign religion, upon a reluctant and high-spirited people. Oh, gentlemen, I fear, I greatly fear, that we have not yet read that most valuable but most painful lesson to its close, for rely upon it, that if ever a collision takes place between those two great branches of the Anglo Saxon family, which dwell on the opposite shores of the Atlantic, that calamity, the most grievous that can befall either country, will be attributable to the humiliations which in bye-gone times England has sought to impose upon Ireland."

For the liberals alone in England words such as these can have a meaning and a value, and if taken to heart, even now the lesson which they convey will not be lost; but it is greatly to be dreaded, that the language and policy of the British Liberals towards Ireland, during the last few years, if persevered in for a few years longer, will have the effect of so carrying forward the tradition of ill will, that reconciliation will cease to be possible, and the nations on opposite sides of the Channel, come once for all to look upon each other as natural enemies.

ART. II.—1. *Calendar of the Patent and Close Rolls of Chancery in Ireland, of the reigns of Henry VIII., Edward VI., Mary, and Elizabeth.* Vol. I. Edited by James Morrin, Clerk of Enrolments in Chancery. By authority of the Lords Commissioners of Her Majesty's Treasury, under the direction of the Master of the

Rolls of Ireland. Dublin : Alex. Thom and Sons, for Her Majesty's Stationery Office, 8vo., 1861, pp. 660.

2. *Calendar of the Patent and Close Rolls of Chancery in Ireland*, from the 18th to the 45th of Queen Elizabeth. Vol II. By James Morrin, Clerk of Enrolments in Chancery. By authority of the Lords Commissioners of Her Majesty's Treasury, under the direction of the Master of the Rolls of Ireland. Dublin. Printed for Her Majesty's Stationery Office, 1862, 8vo., pp. 767.
3. *Chancery Offices, Ireland, Commission*. Report of the Commissioners appointed to inquire into the duties of the Officers and Clerks of the Court of Chancery, Ireland, with Minutes of Evidence, &c. Presented to both Houses of Parliament, by command of Her Majesty. Dublin: Thom, 1859, folio, pp. 191.

THE Anglo-Normans, from their first settlement in Ireland at the close of the twelfth century, steadily pursued the policy of imposing the legal, juridical and fiscal institutions of their nation upon every portion of the island which came directly under the dominion of the English crown.

The receipts and disbursements of the king's Irish government, its legislative enactments, appointments of high officers of state, grants of privileges, titles, territories, and the multitudinous details coming within the cognizance of the law courts and offices found their appointed places of record on the respective vellum rolls, which thus embodied vouched and unimpeachable public accounts, and became also official registries of the property of the crown and its subjects in Ireland.

Although many Rolls and Records perished during the wars previous to the final reduction of Ireland, large numbers of them survived these commotions, and in the seventeenth and eighteenth centuries various personages of eminence endeavoured to provide public repositories for their secure preservation. Notwithstanding such laudable individual exertions, the Rolls, Records and public muniments of Ireland were allowed to remain in the irresponsible custody of ignorant and unprincipled clerks of the law courts by whom numbers of them were purloined; while others were cast into filthy receptacles, where vermin and damp destroyed parchments of priceless value, which might have elucidated obscure points in British history, or established claims, the assertion of which, in the absence of such evidences, has involved the nugatory expenditure of thousands and the ruin of many.

At length, in compliance with an address of the House of Commons in 1810, George III. issued a Commission directing steps to be taken for the preservation, arrangement and more convenient use of the Public Records of Ireland, great numbers of which at that time were admitted to be unarranged and undescribed, some exposed to erasure, alteration and embezzlement, others suffering from damp or incurring continual risk of destruction by fire. On the Continent such a task would have been confided to competent archivists and archæologists, presided over by a Minister of state; but, according to the then usual governmental system for Ireland, this commission was entrusted to judges and officials, engrossed with other public business, and unacquainted with ancient Records or historical documents. Fortunately, however, the commissioners obtained the assistance of the late James Hardiman, with other good Irish archivists, who efficiently collected scattered documents, made various excellent arrangements, prepared transcripts and calendars, some of which were printed and others passing through the press when these labours were abruptly terminated by the unexpected revocation of the commission in 1830. Since that period the subject was repeatedly brought under the notice of government, and in 1847 commissioners were appointed to investigate the state of the Irish Public Records, in consequence of whose report a bill to provide for the safe custody of these documents, was prepared and taken into consideration by the Treasury, but subsequently abandoned.

The condition of the Records was brought before the public prominently in 1854 by Mr. Gilbert, Secretary of the Irish Archæological Society, who in the preface to the first volume of his "*History of the City of Dublin*," published in that year, after commenting upon the difficulties and obstacles which a critically accurate historic investigator in Ireland is obliged to encounter in researches among unpublished original documents, added the following observations:

"It is however, to be hoped that Government will ere long, adopt measures for the publication of the ancient unpublished Anglo-Irish Public Records, numbers of which, containing important historic materials, are now mouldering to decay; while the unindexed and unclassified condition of those in better preservation renders their contents almost unavailable to literary investigators. These observations apply more especially to the statutes and enactments of the

early Anglo-Irish Parliaments, *upwards of twelve hundred of which still remain unpublished*, although the ancient legal institutes of England, Scotland, and Wales have been long since printed at the public expense. The most valuable illustrations of the history of the English government in Ireland are derivable from these Anglo-Irish Statutes."—*History of Dublin*, Vol. I. p. 14.

These statements attracted some attention in England and abroad, nevertheless a great portion of the public muniments of Ireland still remain under the control of clerks of the Dublin Four Courts, where, practically inaccessible, they lie covered with filth, becoming obliterated from damp, and so little known even to their paid keepers that at a recent inquiry into the Irish Court of Chancery, conclusive evidence was given that there was only one individual connected with these offices capable of deciphering any writing anterior to the reign of Queen Anne.

The Archivists of Ireland should, in our opinion have published a special Memoir on the state of the Anglo-Irish Legal Records, by circulating which among the learned of the world they might have exculpated themselves from apparent supineness and undoubtedly brought public opinion at home to demand the removal of such a blot on the civilization of the Empire.

In 1858 the condition of the records in the Rolls' Office, Dublin, came under the notice of the Commissioners appointed in that year to inquire into the Chancery Offices of Ireland, and in their Report to Parliament the documents at present under the control of the Master of the Rolls in Ireland are noticed as follows:

"The Public Records deposited in the Rolls office [Dublin] are of great antiquity and are extremely valuable; they contain the root of the title of a great portion of the property of the country, and to the antiquarian they are most interesting as developing much of its earlier history. They are so numerous that it would be impossible to enumerate them here [*sic*]. The earliest records commence with the reign of King John, and, with some interruptions, are brought down to the present time; suffice it to say, that they contain, amongst many other valuable records, the public and private statutes passed in the Irish Parliament, commencing in the reign of Henry VI, as also the grants of lands under the Acts of Settlement and Explanation, and under the Commission of Grace, in the reigns of Charles II. and James II; and the grants from the Commissioners of Forfeited Estates, in the reigns of William III. and Queen Anne. The earlier records, viz., those from the reign of King John (1199) to the reign of Queen Anne,

(1702) are written, some in Latin and some in Norman-French; the *Statutes of the Irish Parliament, up to the reign of Queen Anne are written exclusively in Norman French*; * from that period the Records are written in the English language. Those written in Latin and Norman French are written with abbreviations, *single letters constantly representing words of two or three syllables*, so that reading and translating them requires knowledge of a peculiar character, which is only to be acquired by a study of the Records themselves; and although a knowledge of the Latin and French languages is necessary as a groundwork for this study, yet a scholar of the present day cannot read or translate them."—"There is not any officer connected with the Enrolment Department who has acquired this knowledge; so far as they are concerned the ancient Records are sealed books."—Report, p. 15.

From the same report (p. 16) we learn, that "a large number of extremely valuable Records, formerly deposited in the Chief Remembrancer's Office of the Court of Exchequer were, on the abolition of that office, transferred to a temporary building, and *that no sufficient provision has been made for their safe keeping*." With reference to these invaluable Exchequer Records we are informed, (Report, p. 138) that the officers of that court "could not read the Rolls in their charge," and at p. 139 the "Chief Clerk of the Court of Chancery" deposed that:

"The business connected with ancient records is comparatively neglected in this country [Ireland.] *Parties come to the [Rolls] Office [Dublin] frequently in relation to historical inquiries, but we have not time to attend to them.*"

Such, according to an official report, is the condition of a large portion of the Public Records of Ireland, upon which constantly turn questions of high importance as to peerages, advowsons, royalties, admiralty rights, fisheries, lands, and many other hereditaments. The historic value of documents of this class was indicated as follows by a learned English archivist, the late Joseph Hunter:

"I regard the early Records as so many historical writings. Many of them are actually of the nature of annals and some of them may aspire to the character of historical treatises. The question, therefore, of the printing of them, is but the question whether certain ancient historical writings now existing in but a single copy, shall be given to the world. Call them chronicles, and I imagine few persons would be found to think that a nation's treasure was not well expended in diffusing

* See page 323 for observations on the italicised passages.

and perpetuating the information they contained ; and yet, how much superior in the points of information and authenticity are the Close and Patent Rolls to many of the chronicles ! How necessary is the information which they contain, to support or to correct the information given in the chronicles !”

The adoption in England of the plan for consolidating and printing, at the national cost, documents entirely historical and literary, furnished Ireland with an unanswerable claim for the aggregation, arrangement and calendaring of her Public Muniments, which, as already observed, in addition to their historic value, are of high importance in legal questions of certain classes.

The lawyers to whom the Chancery inquiry in Ireland was entrusted appear, from their published report, to have derived all their information upon the Rolls and Records from clerks in the Dublin law courts, and thus we may account for their having presented to Parliament, under their hands, a series of disgraceful blunders, from which they might have been saved had competent Irish scholars been consulted. Of these errors it may suffice here to notice the two which we have italicised in our quotation at p. 322, namely, that all the Statutes in Ireland were written in Norman French to the reign of Queen Anne ;* and the more startling assertion

* The “ Commissioners” are here in error by more than two centuries ! The practice of enrolling Statutes in French was disused in Ireland from A.D. 1496, as may be seen by Sir James Ware’s *Annals of Ireland*, 10, Henry VII. The entire absurdity of the above statement of the “ Commissioners” can only be appreciated by those who have consulted the elaborate Irish Statutes, including the Acts of Settlement and Explanation, passed long previous to the reign of Anne,—the mere idea that such were written in any language but English is ludicrous in the extreme. Of the second statement so authoritatively put forward by the “ Commissioners” above quoted, it may be observed, that a single letter was not used to represent an uncommon word of even one syllable, without an indicative mark of the contraction. On this point an eminent English palæographer, T. D. Hardy, accurately says : “ The most usual mode of abbreviating words is to retain some of the letters of which such words consist, and to substitute certain marks or symbols in place of those left out.... Several symbols have positive and fixed significations.” The profoundly learned Benedictines also tell us that “ dans les manuscrits la plupart des abbreviations anciennes sont marquées d’une ligne horizontale ou un peu courbe

that in old legal Records *one letter* constantly represents a word of three syllables,—a fact novel to students of mediæval brachygraphy, and which, if developed, would soon bring forth a plentiful crop of claimants to lands and titles.

On all questions connected with the ancient Public Records of Ireland, there are two bodies pre-eminently qualified to pronounce authoritatively—the Royal Irish Academy and the Irish Archæological Society. The former the recognized and chartered Governmental guardian of Irish history and antiquities;—the latter comprising in its governing body Irish Peers of the highest rank and known erudition, together with those eminent scholars whose profound and disinterested labours, during the past twenty years, have gained for the historic literature of Ireland a high position in the world of learning.

It was presumed that before commencing to print calendars of the Public Records of Ireland precautions would have been taken to ensure the creditable execution of so important a work; and we may here glance at the courses adopted under like circumstances in other countries. When William, King of the Netherlands, decided on the publication of the national muniments of the “Pays bas,” he issued a special ordinance inviting all the learned men conversant with the subject to repair to his Court, to consult there upon the plans most desirable to be adopted for effec-

sur le mot abrégé; celles des diplomes sont indiquées par d'autres figures.” The modes of abbreviating used by the scribes from the eleventh to the fifteenth century have been systematized and classed as follow, with great care and labour, by the “Archivistes Paléographes” of France: par sigles; par contraction; par suspension; par signes abrégatifs; par petites lettres supérieures; et par lettres abrégatives.

Instead of presuming to enlighten the public on ancient documents of which they were totally ignorant, the “Chancery Commissioners” might, with advantage to their own reputation on the subject of records, have followed the advice given by an Irish Master of the Rolls to the foreman of a not very intelligent jury, who inquired how a bill was to be ignored: “If you wish to find a *true bill*,” said Curran, “you will just write on the back of it—*Ignoramus for self and fellows!*” Such a bill will certainly be found against these “Commissioners,” in the many parts, both of the Old and New World, where, thanks to the press, these lines will meet the eyes of readers interested in new “Curiosities of Literature.”

tively carrying out the project. This ordinance, dated Brussels, 23rd December, 1826, gave the following gratifying and substantial assurance to "tous les savans nationaux des Pays bas:"

"Ils seront non seulement indemnisés de leurs travaux, mais ils recevront encore de Nous [Le Roy] des distinctions honorifiques ou toute autre récompense. Celui dont les vues après avoir été soumises à un examen spécial seront reconnues par Nous les meilleures, qui ayant d'ailleurs les capacités nécessaires, voudra se charger de la partie principale du travail, sera nommé par Nous, sur le pied à établir ultérieurement, Historiographe du Royaume."—"Signé Guillaume."

The course taken by M. Guizot, when a similar task in connection with the archives of France was entrusted to him, as Minister of Public Instruction, is exhibited by the following passages from the circular issued by him in 1834:

"Un comité central, a été institué près le Ministre de l'instruction publique, et chargé spécialement de diriger et de surveiller, sous ma présidence les détails d'une si vaste entreprise. J'ai sollicité la co-opération de toutes les Académies et Sociétés savantes organisées dans les Départments; j'ai choisi enfin, parmi les personnes les plus capables de me seconder dans ces travaux sur tous les points du Royaume.

"J'ai la ferme confiance," added Guizot, appealing to the learned of France, "que vous ne me refuserez point l'appui que je réclame de vous, et que bientôt, grace au concours de tous les hommes qui s'intéressent au progrès des études historiques, nous parviendrons à élever un monument digne de la France et des lumières de l'époque actuelle."

In England, Sir John Romilly, following, to some extent, the course successfully pursued on the Continent, confided the carrying out of the details of his plans for the most part to scholars of known character, of whom it may suffice to mention here Sir Francis Palgrave, Thomas Duffus Hardy, and Robert Lemon, whose names afforded a guarantee to the public for the proper execution of the work, so far as English history was concerned.

Without, however, any previous communication with competent authorities, incredible as it may appear, the serious task of editing and giving to the world calendars of an important class of the ancient Public Records of Ireland was entrusted to a clerk in one of the Dublin Law Courts, totally unknown in the world of letters, and who, as he

himself avers, has so far performed the work at "intervals snatched from the labours of official duties."*

The result may be readily conjectured. At great expense to the nation, two large volumes have already been printed, the character of which leaves us no alternative but to lay before the public an analysis of their contents; and, by emphatically protesting against their being received as the work of a recognised Irish archivist, we hope to save the historic literature of Ireland from being seriously prejudiced in the eyes of the learned world.

With this object we shall proceed to demonstrate that the prefaces to these two volumes, although purporting to be the result of lengthened original documentary researches, are in the main, abstracted verbatim, without acknowledgment, from previously published works: that the portions of the prefaces not so abstracted are replete with errors; that the annotations are of the same character with the prefaces; that the prefaces evince ignorance even of the nature of Patent and Close Rolls; that the Calendar or body of the work, as here edited, is in general unsatisfactory and defective for either historical or legal purposes; that the title-pages are incorrect, as the volumes do not include a single Close Roll; that, although now given to the world as an original work, portions of these Calendars were before printed, and the entire prepared for the press by the Irish Record Commission, more than thirty years ago.

We fully anticipate the incredulity with which the reader may at first receive our assertion that of the prefaces, occupying 123 pages of these two volumes, seven-eighths here given as the result of original labour and research, have been abstracted verbatim without the slightest

* Preface to Calendar of Patent and Close Rolls, Vol. i. p. xxx.

The learned Gerard protested in the following terms against the employment of any but archæologists of acknowledged competence upon the historic documents of Belgium:

"Si le Gouvernement chargeait d'autres personnes que les membres de la classe d'histoire, de la rédaction de cet important ouvrage, il ne resterait à ceux-ci, déclarés incapables par ce seul fait, d'autre ressource que de renoncer au titre d'Académicien, devenu ignominieux pour eux, et de regretter le temps qu'ils auraient jusqu'ici employé gratuitement et inutilement à l'étude de l'histoire Belge." *Memoire par M. le Baron de Reiffenberg sur la publication des monumens inédits de l'histoire Belge.*

acknowledgment from previously printed books; the remainder being composed of partly admitted quotations and inaccurate original observations.

The chief writers whose labours have been thus appropriated without any acknowledgment are Henry J. Mason; William Lynch; Sir W. Betham; Mr. Lascelles; James Hardiman; J. C. Erck; and Mr. Gilbert, author of the *History of the City of Dublin*, all well known in connection with Anglo-Irish Archivistic research.

To exhibit fully the almost incredible freedom with which these appropriations have been made, we shall place a few specimens in parallel columns, carefully selecting for this object only such portions as are now published in these prefaces as the original composition of the editor of the *Calendars*. Our first illustration shall be from the "*Essay on the Antiquity and Constitution of Parliaments in Ireland*," by Henry Joseph Monck Mason, LL.D., Dublin: 1820:

H. J. MASON, A.D. 1820.

"The extent of territory, under the influence of English dominations, materially varied at different times, and of consequence, the extent of country represented in the Irish Parliaments holden by the respective English Viceroy, was not always the same; I will however venture to assert and it is sufficient for the purpose to demonstrate, that representation in Irish Parliaments was at all times co-extensive, not merely with the English Pale, but with whatever portion of the Irish territory acknowledged a subjection to English dominion, and acquiesced in its legislation. This however has been perversely denied, and Sir John Davies is tempted to assert, that the parliament of 1613, was the first general representation of the people which was not confined to the Pale. The reason which induced Sir John Davies to

CALENDAR, A.D. 1862:

"The extent of territory under the influence of the English domination materially varied at different times; and, in consequence, the extent of country represented in the Irish parliaments, holden by the English Viceroy was not always the same; I may venture to presume, that representation in Irish parliaments was at all times co-extensive, not merely with the Pale, but with whatever portion of the Irish territory acknowledged a subjection to English dominion and acquiesced in its legislation. This however has been denied, and Sir John Davies is tempted to assert, that the Parliament of 1613, was the first general representation of the people, which was not 'confined to the Pale.' The reasons which induced Sir John Davies to rush at this conclusion was his anxiety to flatter the

gives this turn to his speech, was his inexcusable anxiety to flatter the vanity of James I., a prince exceedingly proud, and particularly vain of his government of Ireland. It afforded to him the greatest degree of gratification to be told that he was the father of a constitution in this country."—*Essay on Parliaments*, 1820, p. 22.

vanity of James I., a prince proud and vain of his government in Ireland. It afforded him the greatest degree of satisfaction, to be told that he was the founder of a constitution in this country."—*Calendar*, Vol. ii. p. xxx.

To the foregoing we may add the following specimens of the uses made of other portions of Mr. Mason's work :

H. J. MASON, A.D. 1820.

"The Pale, which was in its commencement very indistinctly, if at all, defined, became in the 15th century to be at once better known as the English part of the Island, and more accurately marked; until at length, an act of parliament was passed, (the 10, Hen. VII. c. 34), for making a ditch to enclose the four shires, to which the English dominion was, at this time nearly confined."—*Ib. Appendix xi.*

"In the 18th of this prince, we find two viceroys actually contending for authority, the one holding a Parliament at Naas, the other at Drogheda, and the king giving his assent to some of the enactments of each. This appears from the Close Roll, 19, Edw. IV."—*Ib.* p. 24.

CALENDAR, A.D. 1862.

"The Pale, which was in its commencement very indistinctly if at all defined, became in the fifteenth century better known as the English part of the Island, and more accurately marked, until at length an Act of Parliament was passed, (10, Henry VII., c. 34), for making a ditch to enclose the four shires to which the English dominion was at this time nearly confined."—*Vol. ii., p. xxxi.*

"In the 18th of Edward IV., two viceroys of the king actually contended for authority: the one holding a parliament at Naas, the other at Drogheda, and the king giving his assent to some of the enactments of each. This appears from the Close Roll of the 19, Edward IV."—*Ibid* xlviiii.

Among the writers who during the present century applied to the study of Anglo-Irish Records, the late William Lynch stands pre-eminent, for having combined profound erudition in this branch with refined and elegant philosophic criticism. Many of the best pages of the Calendars now before us have been, as may be seen from the following example, abstracted, without the slightest reference to Lynch, from his "View of the Legal Institutions, Here-

ditary Offices, and Feudal Baronies, established in Ireland during the reign of Henry II," London: 1830:

W. LYNCH, A.D. 1830.

"By letters patent under the great seal, and dated in 'full Parliament at Kilkenny,' the 11th of July, in the 19th year of his reign, King Edward certified (amongst other things) that at Easter 'in the 13th year of his reign, there were certain ordinances and statutes made in a Parliament held at Dublin.....to the honour of God and of Holy Church, the profit of his people, and the maintenance of his peace,' ...and that the statutes and ordinances so made and enacted..... were afterwards confirmed by a Parliament assembled at Kilkenny, all which ordinances and statutes therefore so made and ordained, the king hereby now accepts and ratifies for himself and his heirs, and for ever confirms.

"At that period there existed no statute rolls; and whatever copies of ancient statutes still remain are principally to be found amongst the records of the King's court, where such statutes were immediately sent for the guidance of the judges and their officers; as also amongst the archives of the ecclesiastical and lay corporations; namely, to the former that they might be promulgated in the cathedral and parochial churches by the archbishops, &c., as is expressly commanded by the statutes 2nd, Edw. II.; and to the latter that they should be read and published by mayors and other officers within their corporate liberties, as was directed in the instance of those

CALENDAR, A.D. 1832.

"By *letters patent* under the great seal, and dated in 'full Parliament at Kilkenny,' the 11th July, in the nineteenth year of his reign, King Edward certified that, at Easter in the thirteenth year of his reign, there were certain ordinances made in a parliament held at Dublin, 'to the honour of God and of Holy Church, the profit of his people, and the maintenance of his peace;' and that the statutes and ordinances so made and enacted were afterwards confirmed by a parliament held at Kilkenny; all which ordinances, therefore, so made and ordained, the King now accepts and for ever confirms.

"At that period there existed no statute Rolls, and whatever copies of ancient statutes still remain are principally to be found amongst the records of the law courts, where such statutes were immediately sent for guidance of the judges and their officers, as also amongst the archives of the ecclesiastical and lay corporations; to the former that they might be promulgated in the cathedral and parochial churches, by the archbishops, as is commanded by the statute of 2^d Edward II., and to the latter, that they should be read and published, by mayors and other officers within their corporate liberties, as was directed in the instance of those very statutes now under consider-

very statutes now under consideration. For this latter purpose a record was made of the statutes of the 13th Edw. II, by exemplification under the great seal, dated the 15th of May in that year, whereby the king recited and exemplified those statutes, and sent them to the Mayor and Bailiffs of Dublin, commanding them to cause the same to be read, published, and firmly maintained throughout their bailiwick. This exemplification was first however entered in the Chief Remembrancer's office, amongst the other ancient statutes there preserved, and the record then made is still extant in that department."—*View of Legal Institutions*, 1830, p. 54.

ation. For this latter purpose a record was made of the statutes of the 13th Edward II., by exemplification under the great seal, whereby the king recited and exemplified those statutes, and sent them to the mayor and bailiffs of Dublin commanding them to cause the same to be read, published and firmly maintained throughout their bailiwick. This exemplification was first, however, recorded in the Exchequer amongst the other ancient statutes there preserved."—*Calendar*, Vol. ii., p. xlvii.

Many passages verbatim from the same work as in the following instances, are given as original compositions in these prefaces, without any mention whatever of the source from which they have been derived:—

W. LYNCH, A.D. 1830.

"Chief Rememb. Roll, Dub. 9, E. 3. To this parliament also, was summoned the Bishop of Emly, and he absenting himself was amerced in the same sum [of 100 marks]; but on his petition the cause of absence was enquired into by inquisition, and it was found that on the Vigil of the Nativity of our Lord, next before the day of that Parliament, as the Bishop was riding towards the Church of Emly, his palfrey stumbled and threw him to the earth, whereby he was grievously wounded, and had three of the ribs on his right side fractured; in consequence during the whole time of that Parliament he lay

CALENDAR, A.D. 1862.

"We find on the Memoranda Roll of the 9th Edward III., that the Bishop of Emly was summoned to a parliament and absenting himself, was fined. On his petition, the cause of his absence was enquired into, and it was ascertained by inquisition, that on the Vigil of the Nativity, as the Bishop was riding towards the church, his palfrey stumbled and threw him on the earth, whereby he was grievously wounded, and had three of his ribs fractured; in consequence, during the whole time of the parliament, he lay so sick that his life was despaired of, and without peril of his body he could not approach the parlia-

so sick that his life was despaired of, and without peril of his body he could not approach the said Parliament; whereupon the King, having consideration of the Bishop's misfortune, and wishing to show him special grace, orders him to be exonerated and discharged from the fine."—p. 57.

"In the year 1351 a Parliament sat at Dublin, and several Statutes were there enacted.... Those statutes are enrolled, though like many others, they never have been published. By one of them the *English* Statute for regulating the fee of the Marshal is adopted and ordered to be followed in Ireland; and by another the *English* statute of labourers is accepted, and the same ordered to be sent by writ to each sheriff, seneschal, mayor, &c., for the purpose of being proclaimed and put in force."—*Ib.* p. 59.

"In the Primate's registry at Armagh, are entered two writs of parliamentary summons issued in the 36th and 41st year of this reign."—p. 60.

A volume entitled "*Dignities Feudal and Parliamentary*," published at Dublin, in 1830, by the late Sir William Betham, has been largely used to fill these prefaces, which however contain no reference either to this work or to its author; and various pages in the following style are given to the world as new original composition :

BETHAM, A.D. 1830.

"Matthew Paris states, that 'Henry the Second granted the laws of England to the people of Ireland, which were joyfully received by them all, and confirmed by the king, having first received their oaths for their ob-

ment; whereupon the King having consideration of the Bishop's misfortune, and wishing to show him special grace, ordered him to be exonerated and discharged from the fine."—*Vol.* ii., *Preface*, p. xlvii.

"In the year 1351 a Parliament sat at Dublin, and several Statutes were there enacted. Those Statutes are enrolled, though, like many others, they have never been published.

"By one the *English* Statute of Labourers is accepted, and the same ordered to be sent by writ to each sheriff, seneschal, and mayor, for the purpose of being proclaimed."—*Ib.*, *ib.*

"Two writs of Parliamentary Summons, issued in the thirty-sixth and forty-first years of the reign of Edward III., are now in the Primate's Registry in Armagh."—*Ib.*, *ib.* p. xlvii.

CALENDAR, A.D. 1862.

"Matthew Paris states, that 'Henry the Second granted the laws of England to the people of Ireland, which were joyfully received by them all, and confirmed by the King, having first received their oaths for their

servation of them.' It is probable that this was a grant to *all the Irish who chose to adopt it*; but as O'Connor, King of Connaught, O'Neill, King of Kinelowen, or Tyrone, O'Donel of Tyrconnell, and other Irish chiefs, became but vassal princes, 'reges sub eo ut homines sui,' paying to the English sovereign annual tribute in acknowledgment of his sovereignty, it is not probable that they would or could immediately change the laws and customs of their territories, *per saltum*; and we find that by a writ of 6 John, no one was to be impleaded for the chattels or even *the life*, of an Irishman, *until after Michaelmas term in that year*; therefore, if the boon was general, it must then have been considered forfeited by the frequent attempts made by the native Irish, to shake off the English yoke, after Henry's return to England. The writ of the 6th of John, however, seems to imply, that after fifteen days of Michaelmas, 1205, the benefits of the laws extended to all the Irish, as well as the English, although in the reigns of Henry the Third and his successors, the records show that *all the Irish* had not, during those periods, the benefit of the laws of England."—*Dignities, Feudal, &c.* 1830, p. 228-9.

A further view of the sources whence the best portions of these Prefaces have been derived, is afforded by the following, also verbatim from the same work of Sir W. Betham, without the slightest acknowledgment, and printed as original in the Calendars :

BETHAM, A.D. 1830.

"The earliest mention of a parliament by name, on the records

observation of them.' It is probable this was a grant to all the Irish who chose to adopt it; but as O'Connor King of Connaught, O'Neill, King of Kinelowen, or Tyrone, O'Donell, of Tyrconnell, and other Irish chiefs, became but vassal princes, 'reges sub eo ut homines sui,' paying to the English sovereign annual tribute in acknowledgment of his sovereignty, it is not probable that they would immediately change the laws or customs of their territories; and we find by a writ of the 6^o of King John, that no one was to be impleaded for the chattels, or even the life of an Irishman, until after Michaelmas term in that year; therefore, if the boon was general, it must then have been considered forfeited by the frequent attempts made by the native Irish to shake off the English yoke after Henry's return to England. The writ of the 6^o of John, however, seems to imply, that after Michaelmas, 1205, the benefit of the laws extended to all the Irish as well as the English, although in the reigns of Henry III. and his successors, the records show that the Irish had not, during those periods, the benefit of the laws of England."—*Calendar, Vol. ii, lii.*

CALNDAR, A.D. 1862.

"The earliest mention of a Parliament, by name, in the re-

of Ireland, is on the great Roll of the Pipe, of 10 to 12 Edward I....

"In the 13th year of Edward I. the following memorandum is enrolled in the Red Book of the Exchequer of Ireland, and is also to be found on the Close Roll of the same year, Claus. 13, Edw. I, m. 5, dorso. The first are declared to be statutes enacted by the king and his council, the latter enacted in the king's parliament, *id est*, the king's court of justice, which were transmitted to Ireland, to be there observed as the law, although parliaments, or assemblies called parliaments, were held previously in that country.

"An entry in the Black Book of the Church of the Holy Trinity, Dublin, of the year 1297, the 26th of king Edward the First, [is] of the first importance in showing the component parts of the parliament held in Dublin in that year."—*pp.* 258, 9, 61.

"The legal institutions of Ireland were avowedly formed on the English model; in other words, the *English laws* and customs were introduced into Ireland, with the English rule. The judges, in both countries, have ever laid it down, as an acknowledged and settled dictum, that a perfect identity of the common laws and legal customs of England has existed in all ages, among the Anglo-Irish, and those Irish who resided within the English Pale and were lieges of the king."—*p.* 225.

"Phillip le Bret, sheriff of Dublin, was allowed in his account twenty shillings, which he paid

cords of Ireland, is to be found in the great Roll of the Pipe, of 10^o to 12^o Edward I.

"In the Red Book of the Exchequer, and on the Close Roll of the 13^o Edward I, is the following memorandum:—'Quod die Veneris, &c. Rot Claus, 13 Ed. I, m. 5. The first are declared to be Statutes enacted by the King and his Council; the latter enacted in the King's Parliament, *id est*, the King's Court of Justice, which were transmitted to Ireland, to be observed there as the law, although Parliaments, or assemblies called Parliaments, were held previously in that country.

"In the Black Book of Christ's Church, of the 26th of Edward I, 1297, we find described the component parts of the Parliament held in Dublin in that year."—*Vol.* ii. p. liii.

"The legal institutions of Ireland were avowedly formed on the English model,—in other words, the English laws and customs were introduced into Ireland with the English rule. The judges, in both countries, have ever laid it down as an acknowledged and settled dictum, that a perfect identity of the common laws and legal customs of England has existed in all ages among the Anglo-Irish, and those Irish who resided within the Pale, and were lieges of the king."—*Ibid.* p. lii.

"Phillip De Bret, Sheriff of Dublin, was allowed in his account twenty shillings, which he

to various messengers employed to summon a parliament.”—*Dignities Feudal, &c.*, 1830, p. 290.

“In the Rolls Office, Dublin, is a membrane containing three statutes of the parliament held at York, 9, Edward III, transmitted for observation in Ireland,” *Ibid*, p. 292.

had paid various messengers employed to summon a parliament to meet at Dublin, in Hilary term, 2^o Edward III.”—*Calendar, Vol. ii.*, p. xlv.

“In the Rolls Office is a membrane containing three statutes of the parliament held at York, 9^o Edward III, transmitted for observation in Ireland.”—*Ibid*, xlv.

The following appropriation of the ideas and facts of Mr. Lascelles, editor of the “*Liber Munerum Publicorum Hiberniæ*,” without any reference to that gentleman or to his work, may perhaps be justified by a reasoning similar to that used in the “*Critic*,” by “*Puff*,” who, on being reminded that he had stolen the entire of a famous passage from “*Othello*,” declared it to be of “no consequence;” and added that “all that can be said is, that two people happened to hit on the same thought—and Shakespeare made use of it first—that’s all:”

LIBER MUNERUM, A.D. 1830.

“But the principal occasion of the disappearance of the records is not without its consolation; for it affords hope that all which are regretted are not irrevocably lost. It is this (and Prynne in his preface to Cotton’s Tower Records has some curious observations on a similar practice, which from time to time prevailed too much even in England):—The principal keepers of records have been often or commonly men of high office, or of great family and other influence. The Seymour family, the Leinster, the Downshire, the Orrery, &c., &c. have filled the offices of masters of the rolls of chancery, or of principal officer over that or some other record-treasury. In that office it was not unusual for a roll to be often sent for to their

CALENDAR, A.D. 1862.

“But the principal occasion of the disappearance of the records is not without its consolation, for it affords hope that all whose disappearance is regretted are not irrecoverably lost; it is this (and Prynne, in his preface to Cotton’s Tower Records has some curious observations on a similar practice, which from time to time prevailed to a great extent, even in England), it was not unusual for a Roll or record to be sent for to the private house of the Master or principal Keeper of Records, where it but too often remained.

private houses, where they but too often have remained. The late Primate of Ireland told me he had it from Lord Hertford, that there were in his private-evidence room certain records of Chancery. Probably similar discoveries might be made in the evidence rooms of the other great families who have held office particularly in that of the Marquis of Ormond."—*Vol. i. p. 2. col. 2.*

"We may hence account for the wealth of the Chandos Papers, and those in the possession, 100 years ago, of Sterne, the then Bishop of Clogher, so often mentioned in Bishop Nicholson's historical library. Of these, Madden and Sterne's collections were given to the college of T. C. D. where they may still be seen. And hence we may account for the Carew Papers at Lambeth, and many MSS. in the Cottonian, Harleian, and Lansdown collections of State Papers at the Museum; not to mention those at Oxford, brought there during the civil wars, when Charles I. carried on the government, and held Parliaments, in that city. Lord Orrery's library at Christ Church, Oxford, should contain some valuable manuscripts and records."—*Ib. p. 3, col. i.*

"It is very well known that in the private muniment-room of the late Lord Hertford, 'certain records of Chancery' were preserved.

"Similar discoveries might be made in the muniment-rooms of the other great families who have held office, particularly in that of the Marquis of Ormond." *Calendar, Vol. ii. p. viii.*

"We may thus account for the wealth of the Chandos Papers, and those in possession, more than a century since, of Sterne, then Bishop of Clogher, so often mentioned in Nicholson's Historical Library. Of these, Madden and Sterne's collections were given to the College of T. C. D., where they now remain: and hence we may account for the Carew MS. [*sic*] at Lambeth, and those at Oxford, brought there during the civil wars, when Charles the First carried on the government, and held Parliaments in that city, and those contained in Lord Orrery's Library at Christ Church."—*Calendar, Vol. i. p. xii.*

The late James Hardiman, justly deserved to be styled the founder of the modern accurate school of Anglo-Irish documentary learning. Of his acquirements as an historian and archivist a lasting monument is extant in his admirable edition of the famous "Statute of Kilkenny," the original French text of which with an English version, copious notes and illustrative documents was published under his care in 1843, by the Irish Archæological Society

with the following title: "A Statute of the fortieth year of King Edward III. enacted in a parliament held in Kilkenny, A.D. 1367, before Lionel, Duke of Clarence, Lord Lieutenant of Ireland, now first printed from a manuscript in the library of his Grace the Archbishop of Canterbury, at Lambeth." Of the portions of this work transferred verbatim into the Prefaces to the "Calendars," without any mention of Hardiman, the following may serve as examples:

HARDIMAN, A.D. 1843.

"In an old book of reference, A.D. 1634, preserved in the Rolls' Office, Dublin, I find the following entry: 'Rotul, 13^o Ed. III. A Parliament roll in My Lo. Pry-mate's hands.' If he returned this roll, it has been since lost, for it is not at present to be found there. From this entry, however, it may be inferred, that other rolls might have been likewise borrowed; and perhaps, among them, that containing the original inrolment of the Statute of Kilkenny. For in a treatise 'Of the first Establishment of English Laws, and Parliaments in the Kingdom of Ireland, October 11th, 1611, written by James Ussher, afterwards Archbishop of Armagh,' it is stated, that 'The Acts of the Parliament holden at Kilkenny, the first Thursday in Lent, 40th Edw. III., are to be seen among the Rolls of Chancery, and are commonly known by the name of the Statutes of Kilkenny.'"—page xix.

"Amongst the numerous Irish records lost by time and accident, the Statute of Kilkenny has also disappeared; for the oldest Statute Roll now extant, is one of the fifth year of Henry VI., A.D. 1426. Bishop Nicholson, in

CALENDAR, A.D. 1862.

"In an old book of reference of the date of Charles I., preserved in the Rolls' Office, it is stated that a Parliament Roll of the 13^o of Edward the Third, was in the Lord Primate's hands. This Roll is not now to be found. From this we may presume that other records have been abstracted. We read in Archbishop Usher's treatise of the first establishment of English laws and Parliaments in Ireland, that the 'Acts of the Parliament holden at Kilkenny, the first Thursday in Lent, 40^o Edward III., are to be found among the Rolls of Chancery, and are commonly known as the 'Statutes of Kilkenny.'"—*Vol. ii. Preface, p. ix.*

"Amongst the numerous records lost by time and accident the latter Statutes have also disappeared; for the oldest Statute Roll now to be found is one of the 5th of Henry VI., A.D. 1426; and Bishop Nicholson, in his

his Irish Historical Library, states, that 'the Statute of Kilkenny is, and long has been, lost out of the Parliamentary Records of this Kingdom;' and it does not satisfactorily appear, that it has been seen by any writer on Irish affairs since the days of Ussher, Davies and Ware. Mr. Plowden, one of our latest historians, has stated, that in his time it was 'preserved in the Castle of Dublin.' But this was mere conjecture, which the writer from personal research can negative. After diligent search, however, they have not been found in the place alluded to, or in any other repository in Ireland.

"See Serjeant Mayart's answer to Sir Richard Bolton's Declaration, in *Hibernica*, where it is stated, that many of the ancient records of Ireland, in troublesome times, were transmitted into England; and those which remained in Ireland were put up together in one place, in the times of rebellion; and after taken out by the officers of the several courts, but not duly sorted."—*Ib.* pages xviii, xix.

'Historical Library,' states 'that this Statute has long been lost out of the Parliamentary records of the kingdom.'

"Plowden states that in his time it was 'preserved in the Castle of Dublin;' but it is not now to be found amongst the records of that depository.

"Serjeant Mayart states that 'many of the ancient records of Ireland, in troublesome times, were transmitted to England; and those which remained in Ireland were put together in one place in times of rebellion, and after taken out by the officers of the several courts, but not duly sorted.'"—*Calendar*, Vol. ii, p. ix.

Another extract from the same work of Hardiman will illustrate how the *original* observations and conclusions in these "Prefaces" have been derived. In the following instance the point was not seen of the italics by which the acute Hardiman indicated that Bishop Nicholson seriously erred in designating Sir George Carew the *writer* instead of the collector of the "Carew Manuscripts," and also in ascribing to him the authorship of the work entitled "*Pacata Hibernia*:" a history of the wars which he carried on in Munster against the Irish during the closing years of the reign of Elizabeth:

HARDIMAN, A.D. 1843.

"This passage written nearly 200 years ago, by [Serjeant Mayart] one of the highest legal authorities of the time, is valuable as regards the records of this Country. In it we discover the reason, why several records relating to Ireland, are now to be found in London, viz. in the Tower, the Chapter-house at Westminster and other repositories there; in all which places they are totally useless..... Though useless there they might prove useful at home, if only for historical purposes; and, therefore, and as they belong to Ireland, they ought to be restored.

"The Irish charge Sir George Carew with having taken away and destroyed many of their ancient records. His *collection* in the Lambeth Library has been thus strangely described by Bishop Nicholson. 'This great and learned Nobleman wrote other books (besides *Pacata Hib.*) relating to the affairs of Ireland; *forty-two volumes whereof*, are in the Archbishop of Canterbury's Library at Lambeth.'"—*Statute of Kilkenny*, 1843, p. xix.

Of Irish historical works produced within the last ten years, we believe that none can be pointed out as exhibiting a larger amount of original research among unpublished ancient Anglo-Irish legal records than the volumes of Mr. Gilbert upon the History of the City of Dublin, the value of which was publicly recognized by the Royal Irish Academy awarding their prize gold medal to the author. Of the unacknowledged use made in the Prefaces to the *Calendar*s of this gentleman's labours we subjoin some instances:

GILBERT, A.D. 1854.

"An illustration of the existence of serfdom in Ireland at the

CALENDAR, A.D. 1862.

"Thus we know that numerous records relating to Ireland are now to be found in various repositories in London, where they are totally useless. Those records, though useless in London, would prove useful at home, if only for historical purposes; and, as they belong to Ireland, they ought to be restored.

"Sir George Carew has been charged with having taken away and destroyed some of the ancient Irish records, and his collection in the Lambeth Library is thus described by Nicholson: 'This great Nobleman wrote other books besides the '*Pacata Hibernia*,' relating to the affairs of Ireland, forty-two volumes whereof are in the Archbishop's library at Lambeth.'"—*Vol.* ii. p. ix.

CALENDAR, A.D. 1862.

"Proceedings by the ancient writ *de nativis* are to be found

commencement of the fourteenth century is furnished by a proceeding recorded on a Memorandum Roll of the 31st year of Edward I, from which it appears that the prior of the Convent of the Holy Trinity, Dublin, claimed William Mac Kilkeran as his serf ('nativum suum'), alleging that Friar William de Grane, a former Prior was seized of Moriartagh MacGilkeran, his great grandfather, as of fee, and in right of his church, in the time of peace, during the reign of Henry III, taking *Marchet*, such as giving his sons and daughters in marriage; that Moriartagh had a son Dermot, who had a son named Ririth, who also had a son Ririth, and said William; and Ririth junior had Simon, who acknowledged himself to be the serf of the Prior, in whose favor judgment was accordingly given."

—*Hist. of Dublin*, Vol. i, pp. 103-4

"The Manuscripts which Sir James Ware had collected with great trouble and expense were brought to England by Lord Clarendon in the reign of James II., and afterwards sold to the Duke of Chandos, who was vainly solicited by Swift in 1734 to restore them to Ireland. On the Duke's death the documents passed to Dean Milles, who bequeathed them to the British Museum, where they now form the principal portion of the collection known as the Clarendon Manuscripts."—*ib.* p. 5.

"In 1695, after the Williamite Legislature had passed an enactment annulling all the proceedings of the Irish Parliament of James II, the Lord Deputy,

on our Rolls: thus, the Prior of Christ Church, Dublin, brought his writ against one William, whom he claimed to be his *native* or *vilain*; and he pleaded that his predecessor was seized of this William's great grandfather, as of fee, in right of his church, and by taking *merchate* (*merichetum*) on the marriage of his sons and daughters and *tallia*ges by high and low, at his will, and other *villanous services*: the defendant pleaded, with considerable specialty, but judgment was pronounced for the Prior."—*Calendar*, Vol. ii, xli.

"The Manuscripts which Sir James Ware (author of the 'Annals of Ireland') had collected with great trouble and expense, were brought to England by Lord Clarendon in the reign of James II., and afterwards sold to the Duke of Chandos. On the Duke's death the documents passed to Dean Milles who bequeathed them to the British Museum, where they now form the principal portion of the collection known as the 'Clarendon Manuscripts.'—*Calendar*, Vol. ii, xix.

"In 1697, after the Legislature had passed an enactment annulling all the proceedings of the Irish Parliament of James II; the Lord Deputy, Henry

Henry Lord Capel, and the Privy Council assembled in the Council Chamber on the 2nd of October, and the Act having been read, the Clerk of the Crown, the Clerk of the House of Lords, the Deputy Clerk of the House of Commons, and the Deputy Clerk of the Rolls, who attended by order, brought in all the records, rolls, journals, and other papers in their custody relating to the Jacobite acts. The door of the Council Chamber was then set open, and the Lord Mayor, Aldermen, Sheriffs, and Commons of the City of Dublin, with many other persons, being present, the records, journals and other papers were publicly cancelled and burnt.

"Government continued to use the Council Chamber in Essex Street, till it was destroyed in 1711 by an accidental fire, which consumed many of the Privy Council Books, the Strafford and Grosse Surveys of Ireland, a large portion of the Down Survey, with a mass of other valuable documents deposited in the Office of the Surveyor-General, which, as already noticed, was located in this building."—*Hist. of Dublin*, Vol. ii, p. 150.

In the wholesale transfer of these passages the correction of the date from 1697 to 1695 in the errata to Mr. Gilbert's second volume was apparently overlooked, and thus the Calendar represents Lord Capel, who died in May 1696, to have appeared publicly at Dublin, in October, 1697—seventeen months after his decease!

The French writers of the latter part of the seventeenth century unanimously agreed to regard the works of the ancients as legitimate prey, but at the same time they declared stealing from a contemporary to be a disreputable offence:

Lord Capel, and the Privy Council, assembled in the Council Chamber on the 2nd October, and the Act having been read, the Clerk of the Crown and the Deputy Keeper of the Rolls, who attended by order, brought in all the records, rolls, journals, and other papers in their custody relating to the Acts of James the Second. The door of the Council Chamber was then set open, and the Lord Mayor, Aldermen, Sheriffs, and Commons of the City of Dublin, with many other persons, being present, the records, journals, and other papers were publicly cancelled and burned."—*Calendar*, Vol. i, p. xvii.

"In the year 1711, a number of the volumes of the Maps of the Down Survey, taken by Sir William Petty, in the years 1655 and 1656, by order of Government, were totally destroyed by a fire which took place in a house in Essex-street, where the Surveyor-General's office was then kept."—*Calendar*, Vol. i., xvii.

"Prendre des Anciens et faire son profit de ce qu'ils ont écrit," wrote Le Vayer, "c'est comme pirater au delà de la ligne; mais voler ceux de son siècle, en s'appropriant leurs pensées et leur productions, c'est tirer la laine aux coins des rues, c'est ôter les manteaux sur le Pont Neuf!"

The Prefaces to these Calendars, however, exhibit a remarkable impartiality in the wholesale appropriation of the labours of both ancients and moderns. Of the abstractions from old writers we have an illustration in the following, put forward as entirely original, and without any mention of the work by Sir John Davies, entitled, "A Discoverie of the true causes why Ireland was never entirely subdued" till the reign of James I. first published at London, in 1612, and frequently reprinted:

DAVIES, A. D. 1612.

"That the meere Irish were reputed *Aliens* appeareth by sundrie records; wherein iudgement is demanded, if they shall be answered in Actions brought by them: and likewise, by the Charters of Denization, which in all ages were purchased by them.

"In the common plea Rolles of 28 Edward the third (which are yet preserved in Breminghams Tower) this case is adiudged. *Simon Neal* brought an action of trespassse against William Newlagh for breaking his Close in *Clondalkin*, in the County of *Dublin*; the Defendant doth plead, that the plaintiff is *Hibernicus & non de Quinque sanguinibus*; and demandeth iudgement, if he shall be answered. The Plaintiffe replieth; *Quod ipse est de quinque sanguinibus (viz.) De les Oneiles de Ulton, qui per Concessionem progenitorum Domini Regis; Libertatibus Anglicis gaudere debent & utuntur & pro liberis hominibus reputantur.* The Defendant reioyneth that the

CALENDAR, A. D. 1862.

"That the mere Irish were reputed *aliens*, appears by several records and charters of denization.

"On the Plea Roll of the 28th Edward III, we find the following interesting record. *Simon Neal* brought an action of trespass against William Newlagh for breaking his close at *Clondalkin*; the defendant pleaded that the plaintiff 'est *Hibernicus et non de quinque sanguinibus*', and prayed judgment. The plaintiff replied, *quod ipse est de quinque sanguinibus, viz., de les O'Neiles de Ulton (Ulster), qui per concessionem progenitorum Domini Regis, libertatibus Anglicis gaudere debent et utuntur, et pro liberis hominibus reputantur.*

"The defendant rejoined that the plaintiff is not of the O'Neils

Plaintiffe is not of the Oneales of Ulster, Nec de quinque sanguinibus. And thereupon they are at yssue. Which being found for the Plaintiffe, he had iudgement to recouer him damages against the Defendant.

"By this record it appeareth that fve principal blouds, or Septs, of the Irishry, were by speciall grace enfranchised and enabled to take benefit of the Lawes of England; And that the Nation of *O'Neales* in Ulster, was one of the fve.

"And in the like case, 3 of *Edward* the second, among the Plea Rolles in Bretingham's Tower: All the 5 Septs or blouds, Qui gaudeant lege Anglicana quoad breuia portanda, are expressed, namely; Oneil de Ultonia; O'Melaghlin de Midia; O'Connogher de Connacia; O'Brien de Thotmonia; and Mac Morrough de Lagenia."—*Discoverie why Ireland was never entirely subdued*, 4to. 1612, p. 102-4.

It might have been supposed that these "Calendars" should bring to light information new and interesting on the Rolls which form the subject of the work; the reader will, however, be disappointed to find that all the pages of the Preface to the first volume (xxx to xxxv) which purport to be original descriptions of the Irish Records, have been taken entirely, in the following mode, from a printed Report addressed by George Hatchell, Clerk of enrolments, to Robert Wogan, Deputy Keeper of the Rolls, and dated Rolls Office, Dublin, 6th March, 1843; but in these Calendars we find not even a remote reference to Mr. Hatchell's Report:

HATCHELL, A.D. 1843.

"The Patent Rolls of Chancery commence in the reign of Edward I., and are continued down to the present time. Upon these Rolls are contained the en-

of Ulster, — nec de quinque sanguinibus; issue was joined, which, being found for the plaintiff, he had judgment to recover his damages.

"By this record it appears that five principal bloods or septs of the Irish were by special grace enfranchised and enabled to take the benefit of the English Laws, and that the nation of the O'Neils was one of the five.

"On the Flea Roll of the 3^d of Edward II, all the septs or bloods, 'qui gaudeant lege Anglicana quoad brevia portanda, are expressed; namely, O'Neil de Ultonia, &c. O'Melaghlin de Midia, O'Connogher de Connacia, O'Brien de Thotmonia, and Mac Murrough de Lagenia." *Calendar*, Vol. ii. p. xxxix.

CALNDAR, A.D. 1861.

"The Patent Rolls of Chancery commence in the reign of Edward I., and are continued down to the present time. Upon these Rolls are contained the en-

rolments. of. grants in fee or perpetuity for lives and years ; of Crown lands, Abbey lands, and escheated lands ; patents of creations of honour ; grants of Charters of incorporation and liberties ; grants of offices, denizations, ferries, and fisheries ; patents for inventions, and specifications thereof ; licences, and pardons of alienation ; presentations ; promotions to bishoprics and deaneries ; special licences ; grants of wardship ; commissions ; inquisitions *post mortem* and on attainder ; orders of Council ; depositions of witnesses in *perpetuam res memoriam* ; deeds ; conveyances ; grants in *custodiam* ; grants of manors and all their appurtenances, and of fairs and markets ; surrenders of lands and offices to the Crown ; summonses to Parliament ; bonds ; obligations ; replevins ; pardons ; letters of attorney ; licences for officers to treat with the Irish ; treaties ; Popes' bulls ; proclamations ; letters of protection ; writs of *amoveas manus*, of possessions taken by the Crown ; writs of ouster le main ; deeds and conveyances ; King's letters ; wills ; orders of Council ; &c."—*Hatchell's Report*, p. 1.

"The Parliament Rolls, comprising both the public and private Statutes passed in the Irish Parliament, commence in the reign of Hen. VI. They include the reigns of Hen. VI., Ed. IV., Ric. III., Hen. VII., Hen. VIII., Philip and Mary, Eliz., and James I., and comprise forty-five Rolls. They are without any calendar or index to the 11th, James I. From this period to 1715, the public and private

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rolments of grants in fee or perpetuity, for lives and years ; of Crown lands, Abbey lands, and escheated lands, patents of creations of honour ; grants of Charters of incorporation and liberties ; grants of offices, denizations, ferries, and fisheries ; patents for inventions, and specifications ; licences and pardons of alienations ; presentations ; promotions to bishoprics and deaneries ; special licences ; grants of wardships ; commissions ; inquisitions *post mortem* and on attainder ; orders of Council ; depositions of witness [*sic*] in *perpetuam rei memoriam* ; deeds ; conveyances, grants in *custodiam* ; grants of Manors and all their appurtenances, and of fairs and markets ; surrenders of lands and offices to the Crown ; summonses to Parliament ; bonds ; obligations ; replevins ; pardons ; letters of attorney ; licences for officers to treat with the Irish ; treaties ; Papal bulls ; proclamations ; letters of protection ; writs of *amoveas manus* of possessions taken by the Crown ; writs of *ouster le main* ; deeds and conveyances ; King's letters ; wills ; &c."—*Calendar*, Vol. i, p. xxx.

"The Statute Rolls, comprising both the public and private Statutes passed in the Irish Parliament, commence in the reign of Henry VI. They include the reigns of Henry VI., Edward IV., Richard III., Henry VII., Henry VIII., Philip and Mary, Elizabeth, and James I., and comprise forty-five Rolls. They are without any calendar or index to the 11th, James I. From this period to 1715, the

Acts being promiscuously enrolled together on the same series of Rolls, an imperfect Calendar was at that time made, of both kinds of Acts; but from 1715 to 1800, inclusive, when our Parliament ceased, the private Acts being enrolled separately, there was a regular catalogue and index made to those private Acts (but to the entire exclusion of all the public Acts), which is in good order.

"The Statute Rolls, prior to 10th Hen. VII., are all in Norman French, and as there are printed Statutes long prior to the oldest Parliamentary Roll appearing here, some of the more ancient of those Rolls must have been lost."—*Hatchell's Report*, 1843, p. 2.

public and private Acts being promiscuously enrolled together on the same series of Rolls, an imperfect Calendar was at that time made, of both kinds of Acts; but from 1715 to 1800, inclusive, when our Parliament ceased, the private Acts being enrolled separately, there was a regular catalogue and index made to those private Acts (but to the entire exclusion of all the public Acts), which is in good order. The Statute Rolls, prior to 10th Henry VII., are all in Norman French, the then legal as well as general language of the Court; and as there are printed Statutes long prior to the oldest Parliamentary Roll appearing here, some of the more ancient of those Rolls must have been lost."—*Calendar*, Vol. i, p. xxxi.

From the above cited Report of Mr. Hatchell have been appropriated in like manner all the descriptions given in the "Preface" to the first volume of the Calendar of the Pipe, Memoranda, Recognizance, Cromwellian, Convert, Roman Catholic, and Palatine Rolls, Letters of Guardianship, Fiant, Inquisitions, &c.

The mode adopted in these Prefaces to supply from others the total deficiency of original research, even among the Rolls which form the subject of the Calendars, is further illustrated in the following entirely unacknowledged appropriation from Mr. Lascelles' introduction to the "*Liber Munerum Publicorum Hiberniæ*:"

LASCELLES, A.D. 1830.

"In the Irish repositories the wonder is, that so many records are extant, and in such preservation. It is not that there are so few, but that there are any at all. Of the Rolls of Parliament, none such are now extant in Ireland, if any ever existed; what in the returns are called Parliament rolls, are in fact

CALNDAR, A.D. 1862.

"The wonder is, that in the Irish repositories so many records are extant, and in such preservation: none of the Rolls of Parliament are now to be found in Ireland, if ever any existed; what we have been accustomed to call Parliament Rolls are in fact Statute Rolls. Of these, with the exception of one mem-

Statute rolls. Of these, with the exception of one membrane containing the exemplification of three Statutes enacted at York 3, Edw. III., all the Statute rolls of Ireland are missing, down to the 5th of Hen. VI. Of the reign of Hen. VII. there are but three Statute rolls; viz. for the 8th, 10th, and 24th years; but four, viz., of the 7th, 25th, 28th, and 33rd of Hen. VIII.; of Philip and Mary but one Statute roll, viz. of the 3rd and 4th, Phil. and Mary; Of Elizabeth but three, viz. of the 7th 11th, 27th and 28th; Of James I. but one Statute roll, viz. of the 1st of the reign; Of Charles I., but five, viz. one of the 10th, and 16th, and three of the 15th year of the reign; of Charles II., but seven, from the 13th to the 18th of that reign, (1660-1666). But this is accounted for, as no Parliament sat in Ireland after the year 1666, until the 4th of William and Mary: Of which year only there remains any Statute roll, viz. one of the 4th; of William only, four, viz. one of the 7th and three of the 9th. After which the Statute rolls are in regular series....Of Edward I. but three patent rolls are extant, viz. one of the 1st and two of the 31st of the reign; that is, the rolls of 32 entire years are missing. Of Edw. II. the Patent rolls are missing of the 1st, 6th, 7th, 8th, 12th, 15th, 16th, 17th, and 19th years of the reign. Of Edw. III. are missing the Patent rolls for the first seven years of the reign; also of the 10th, 12th, 13th, 14th, 15th, 16th; from the 21st to the 25th,

brane, containing the exemplification of three statutes enacted at York, in the third of Edward III., all the Statute Rolls of Ireland are missing down to the 5th of Henry VI. Of the reign of Henry VII. there are but three Statute Rolls, viz., for the 8th, 10th, and 24th years; but four, viz., of the 7th, 25th, 28th, 33th, of Henry VIII. Of Philip and Mary, but one Statute Roll, viz., of the 3rd, and 4th; of Elizabeth, but three, viz., of the 7th, 11th, 27th, 28th; of James I., but one Statute Roll, viz., of the 6th of his reign; of Charles I., but five, viz., one of the 10th and 16th, and three of the 15th year of his reign; Of Charles II., but seven, from the 13th to the 18th of that reign. But this is accounted for, as no Parliament assembled in Ireland, after the year 1666 until the fourth of William and Mary, of which year there remains only one Statute Roll; of William, only four, viz., one of the 7th and three of the 9th year; after which the Statute Rolls are in regular series. Of Edward I. but three Patent Rolls are extant, viz., one of the 1st and two of the 31st of the reign; that is, the rolls of thirty-two years are missing. Of Edward II. the Patent Rolls are missing of the 1st, 6th, 7th, 8th, 12th, 15th, 16th, 17th, and 19th years of the reign. Of Edward III. the Patent rolls are missing for the first seven years of the reign; also of the 10th, 12th, 13th, 14th, 15th, 16th; from the 21st to the 25th, both inclusive; of the 27th, 28th, and 31st; all the rolls from the 34th

both inclusively ; of the 27th, 28th, and 31st; all the rolls from the 34th to the 41st, both inclusively; also of the 43rd, 44th, 45th, 47th, 50th: in all 34 years are missing of this reign. Of Ric. II. there is no Patent roll extant of the 3rd, 4th, 6th, 7th, 11th, 14th, and 17th years, nor any of the four last years of the reign: in all 11 years. Half of his reign are missing. Of Hen. VI. are missing the Patent rolls for the 6th, 7th, 8th, from the 15th to the 24th both inclusively; the 26th, 27th: in all for 17 years; that is, for more than half of the reign. Of Edw. IV. who reigned 23 years, there are extant Patent rolls of the 1st, 7th, 15th, 16th, 21st, 22nd only; that is, the rolls of 17 years; are missing. Of Henry VII., who also reigned 23 years, the *Patent* rolls for the first nine years are missing; also for the 11th, 12th, 13th, 16th, 18th, 19th, 20th, 22nd, 23rd; in all for 18 years, more than three-fourths of the reign. Of Hen. VIII., who reigned 37 years, the Patent rolls for 20 years are missing, viz. for the four first years; for 15 whole years between the 6th, and 22nd of the reign, and also for the 26th year. After this the Patent rolls are preserved in almost a regular series, with the following exceptions: of the reign of Elizabeth there is no Patent roll for the 15th year; Of Charles I. the third part of the roll for the 11th year, *an.* 1635, has been lost or mislaid for many years. From 1644 to 1655 there is a chasm very obviously to be accounted for. Cromwell's rolls commence in 1655;

to the 41st, both inclusive; also of the 43rd, 44th, 45th, 47th and 50th; in all thirty-four years, are missing of this reign. Of Richard II. there is no Patent Roll extant of the 3rd, 4th, 6th, 7th, 11th, 14th, and 17th years, nor any of the last four years of the reign; in all eleven years. Of Henry VI., the Patent Rolls are missing of the 6th, 7th, 8th, from the 15th to the 24th, both inclusive; the 26th, 27th; in all for seventeen years. Of Edward IV., who reigned twenty-three years, there are extant Patent Rolls of the 1st, 7th, 15th, 16th, 21st, 22nd only. Of Henry VII., who reigned twenty three years, the Patent Rolls for the first nine years are missing; also for the 11th, 12th, 13th, 16th, 18th, 19th, 20th, 22nd, 23rd, in all for eighteen years; more than three-fourths of the reign. Of Henry VIII., who reigned thirty-seven years, the Patent Rolls for twenty years are missing, viz., for the first four years, for fifteen years between the sixth and twenty-second of the reign, and also for the twenty-sixth year. After this, the Patent Rolls are preserved in almost a regular series, with the following exceptions: of the reign of Elizabeth there is no Patent Roll of the fifteenth year; of Charles I., the third part of the Roll for the tenth year, 1635, has been lost or mislaid for many years. From 1644 to 1655, there is a chasm very obviously accounted for. Cromwell's Rolls commence in 1655, from which time, or from the restoration, with the exception of a portion of the reign of James II., the Patent Rolls are

from which time, or from the Restoration, with the exception of the interregnum of James II. the Patent rolls are all preserved in a regular series."—*Calendar, Vol. ii, pp. vi-vii.*

Liber Munerum, Vol. i, p. 2.

The work from which the foregoing extensive unacknowledged appropriation has been made is censured in the Preface to the "Calendar" (Vol. i, p. xxvi) as defective, irregular, and unmethodical in its arrangement. Mr. Lascelles might thus well sympathise with poor John Dennis, who on hearing the new stage thunder, which he had invented for his own luckless play, used to promote the success of a rival drama, arose in the pit and exclaimed with an oath—"See how these fellows use me; they will not let my play run, and yet they steal my thunder!"

We are above assured that the Patent Roll of the fifteenth year of Elizabeth, is the only one deficient in the reign of that Queen; yet the first Volume of the "Calendar" (p. 554) avers that the Patent Roll of her seventeenth year "is not now to be found." Further to perplex us, the passage above italicised from the second Volume of the "Calendar" is entirely contradicted at p. 551, of the first Volume, where we read that the Patent Roll of the fifteenth of Elizabeth is still extant, and find there enumerated sixteen articles stated to be extracted from this document, which, in the foregoing quotation is declared not to be in existence!

We may here observe that Lascelles, when enumerating the Patent Rolls of Ireland, was not aware that there were extant, in the Westminster Chapter House, four rolls containing certified transcripts of all the Irish Letters Patent of a certain class, from the Coronation of Henry V. to the twelfth year of Henry VI: "Transcripta omnium Litterarum Patentium Debitorum et Compotorum ac Annuitatum, sub testimonio Locatenentium Hiberniæ, aut Justiciariorum, tempore Regis Henrici quinti, et ab anno primo ad annum duodecimum Regis Henrici sexti." These rolls, consisting of the original writ of Henry VI., under the Privy Seal A.D. 1434, with the returns made to it by "Thomas Straunge, miles, Thesaurarius Domini Regis terræ suæ Hiberniæ, et Barones de Scaccario Hiberniæ," preeminently deserved notice in any detailed account of the Patent Rolls of Ireland, but as they were

unknown to the writers whose labours have been appropriated in the "Prefaces," we look in vain for any reference to them in the Calendars before us.

Of the other writers laid under heavy contribution to fill the pages of the Prefaces we may mention Walter Harris and the late John Caillard Erck. From p. 148-9 of "Harris' Hibernica," Dublin, 1747, have been transferred verbatim the apparently *original* accounts of Irish writers, rolls and records, at pp. vii. xi. xii., and xiii. of the first volume of the Calendar. The following may suffice to exemplify the extent to which the "Calendars" are indebted to Erck's "Repertory of the Inrolments on the Patent Rolls of Chancery in Ireland, commencing with the reign of James I," Dublin: 1846:

ERCK, A.D. 1846.

"Amid the vast heap of records and muniments which is to be found in the public archives of the country, none justly stand in higher estimation, than the Patent Rolls of Chancery; whether considered, in respect to the antiquity, utility, or variety of the documents with which they abound. To give effect to the royal pleasure, when signified under the sign manual or by Privy signet, in favour of any individual, or body politic or corporate—letters patent, specifying the inducement, and defining the nature, extent and tenure of the grant, with the conditions and penalties annexed, were directed to issue under the great seal of the kingdom.

"The inrolment of these instruments was not required by law, until the statute of Charles rendered it imperative—yet in times, antecedent thereto; it was no unusual thing to insert, in the patent, a clause nullifying the grant, unless inrolled within a given time—and, even in the absence of such provision, the

CALENDAR, A.D. 1861.

"Amid the vast accumulation of records and muniments which is to be found in the archives of this country, none justly stand in higher estimation than the Patent Rolls of Chancery, whether considered in respect to the antiquity, utility, or variety of the documents with which they abound. To give effect to the royal pleasure, when signified under the sign manual, or by Privy signet, in favour of any individual or body politic or corporate, letters patent, specifying the inducement, and defining the nature, extent, and tenure of the grant, with the conditions and penalties annexed, were directed to issue under the great seal of the kingdom.

"The enrolment of these instruments was not required by law until the Statute of Charles rendered it imperative; yet, in times antecedent thereto, it was no unusual thing to insert in the Patent, a clause nullifying the grant, unless enrolled within a given time; and even in the absence of such pro-

Patentees themselves had recourse, in most instances to this precaution, for their own security, and to avoid the inconvenience, if not loss, resulting from neglect; for it sometimes occurred, that the King was deceived, in granting to one subject, what had been previously passed away from the crown, in favour of another—no record existing of the previous grant.

"This class of records, although commencing with a roll of the tenth year of King Edward the first, contains grants made by King Henry the second,—by John, as well when Earl of Morton, as when king—by King Henry the third—and King Edward the first. With the exception of the reigns of the first three Edwards, in which many chasms exist, the series of the Patent Rolls forms almost one continuous and unbroken chain down to the present time, with an hiatus here and there; covering a period of time which of itself speaks the antiquity of these documents—and, as regards the utility and variety of them, whether the labours of the antiquarian, the objects of the historian, the pursuits of the legal practitioner, or the purposes of general inquiry, are to be served; these may be best explained, by enumerating the character of the documents which are of most frequent recurrence.

"To explore these sources of information, and unfold their contents, is the object, as far as it extends, of the present work."—*Repertory of the Inrolments on the Patent Rolls*, (1846,) pages iii.-v.

vision, the Patentees themselves had recourse, in most instances, to this precaution, for their own security, and to avoid the inconvenience, if not loss, resulting from neglect; for it sometimes occurred that the king was deceived in granting to one subject what had been previously passed away from the Crown in favour of another, no record existing of the previous grant.

"The Patent Rolls, although commencing with a Roll of the tenth year of King Edward I., contain grants made by King Henry II., by John, as well when Earl of Morton as when king; by King Henry III. and King Edward I. With the exception of the reigns of the first three Edwards, in which some chasms exist, and a chasm in the reign of Henry VIII., during the first twenty years of whose reign there is but one Roll (of the sixth) remaining, the series forms almost one continuous and unbroken chain down to the present time..... Those records cover a period of time which, of itself, speaks their antiquity; and, as regards the utility and variety of them, whether the labours of the antiquary, the objects of the historian, the pursuits of the legal practitioner, or the purposes of general inquiry are to be served; they may be best explained by the enumeration of the character of the documents which have been previously detailed.

"To explore these stores of information and unfold their contents is the object, as far as it extends, of the present work."—*Calendar*, Vol. i. p. xxxvii-iii.

Erck hoped that the publication of the "Repertory," on which he bestowed much time and care would demonstrate the importance of completing the works begun by the Irish Record Commission, and induce Government to take the matter in hand. Death, however, carried him off before the issue of the second part of the "Repertory," and the results of his painful labours are now given to the world as if he had never existed :

"He sleeps now where the thistles blow,—
Strange anti-climax to his hopes,
Twenty golden years ago!"

The foregoing constitute but a small portion of the specimens which might be given of the vast extent of unscrupulous plagiarisms with which these Prefaces abound—extending even to reprinting as original matter (Vol. i, p. xxv.) the *advertisement* of the "Liber Munerum," and (Vol. i, p. xii.) Messrs. Longmans' *prospectus* of the "Chronicles and Memorials of Great Britain," together with whole passages from the Introduction to the edition of the "Book of Common Prayer" published in 1849, by the Ecclesiastical History Society. Perhaps the most ludicrous portions of the Prefaces are those (Vol. ii. pp. xii. to xvi;) professing to treat of manuscripts in the Gaelic language—quite out of place in such a work—and mainly transferred, but with the addition of various typographical errors, from Irish Archæological Journals, and from the Lectures of the late Professor O'Curry, 8vo., Dublin: 1861; pp. 646-647.

The following illustrations of the originality of the penultimate passages of the "Prefaces" could not be omitted without injustice to the boldness of the appropriations:

TRESHAM, A. D. 1826.

"The very decayed state of many of these ancient Rolls has interposed difficulties in the execution of the work, but corresponding exertion has been made, as it was thought desirable to rescue as much as possible of these our earliest Records from oblivion.—Si successus sæpe, labor certe nunquam, defuit.—
EDWARD TRESHAM. *Rotulorum Patentium et Clausorum Can-*

CALENDAR, A. D. 1861.

"The decayed state of many of these rolls interposed difficulties in the execution of the work, but corresponding exertion has been made, as it was thought desirable to rescue as much as possible of these *our* early records from oblivion—Si successus sæpe, labor certe nunquam deficit." [*sic*—Vol. i, p. xliv.

cellariæ Hiberniæ Calendarium,
1828, Vol. i. par. i, p. xi.

LASCELLES, A.D. 1826.

"Upon the whole I have endeavoured to establish a storehouse of facts and documents for the use of the statesman, the lawyer, the churchman, the peer and commoner, the antiquary, as well as the ordinary man of business. Nor will it be found, I trust, unworthy the regard of the philosophical scholar and historian."—*Liber Munerum Publicorum Hiberniæ*, Vol. i, Introduction, p. 3.

The ensuing adaptation of Erck's dedication of his "Repertory" to Viscount Morpeth, will be seen to have no claim to originality beyond the elimination of the name of that nobleman, now Earl of Carlisle, and Lord Lieutenant of Ireland:

ERCK, 1846.

"The work, which was conceived and commenced during your Lordship's administration of Irish affairs, has for its object to rescue some part of the most important of our national muniments from the comparative oblivion and obscurity, which, by reason of the difficulty of access, the labour of research, and the expense of official *constats*, they now lie involved—and, whatever light it may throw on our public records, in directing either the pursuits of the historian, the antiquarian, or of the legal practitioners, it is to your Lordship [Morpeth] they must feel themselves principally indebted for the encouragement afforded, and the facility of access accorded to me, in extricating and evolving their contents from the rubbish of technical phrases, wordy parentheses, and the legal forms

CALENDAR, A.D. 1862.

"The information afforded by these records is no less varied than important. They serve as a storehouse of facts and documents for the use of the statesman, the lawyer and the antiquary; nor will they be found, I trust, unworthy the regard of the scholar and the historian."—Vol. ii. Preface, p. lxxviii.

CALENDAR, 1861.

"This work, therefore, undertaken by *their Lordships*' [of the Treasury] authority, under the direction of the Master of the Rolls, has for its object to rescue some parts of the most important of our national muniments from the comparative oblivion and obscurity in which, by reason of the difficulty of access and the labour of research, they now lie involved; to facilitate the researches of persons engaged in historical investigation and enquiry, and whatever light it may throw on our public records, in directing either the pursuits of the historian, the antiquary, or of the legal practitioner, it is to the Government they must feel themselves indebted for the encouragement afforded in extricating and evolving their contents from technical phrases; wordy parentheses

of diction.”—*A Repertory of the* and legal forms of diction.”—*Inrolments on the Patent Rolls of Calendar; Vol. i. p. xliii. Chancery in Ireland. 1846. p. i.*

It would be difficult to adopt any order in noticing the slender thread of original matter with which the pieces from various works have been strung together in these “Prefaces,” without regard to sequence, digestion, or arrangement:

“But so transfus’d, as oil and water flow,
They always float above—this sinks below.”

To detail fully the numerous and complicated errors with which even those few original lines abound would occupy a very large amount of space, we shall therefore merely adduce some specimens which admit of analyzation within a reasonable compass.

The “Down Survey” of Ireland made A.D. 1654-8, was according to the “Calendar” (ii, xvi.) carried to France by James the second (1690) and never returned; yet in the Preface to Vol. i. (xviii.) numbers of its volumes are stated to have been destroyed by fire at Dublin in 1711! The truth is that the famous mapped Survey, on which are grounded the titles of half the Irish land-owners, was never removed from Ireland, and is now preserved in the Dublin Custom House.

At page ix. of Vol. ii. we read—

“The original of Vallancey’s Green Book, compiled by authority of the late Irish Record Commissioners, is now in my library.”

The amount of errors here aggregated will be seen when we mention that Vallancey compiled the “Green Book,” for his own use, before the end of the last century, many years previous to the formation, in 1810, of the Record Commission, by which it was purchased in 1813, after the compiler’s decease, as appears from the following entry in their Report of that year:

“A book known by the name of Vallancey’s Green Book, or Irish Historical Library, purchased by the Secretary, at the instance of Government, and with the approbation of the Board, was laid on the table: whereupon the Board ordered, that the Secretary [W. S. Mason] should take charge of the said Manuscript Book, and make an entry of same in the Catalogue of the MSS. &c., belonging to the Board.”—*Report of Commissioners on the Public Records of Ireland, 1810-15, p. 485.*

The original Manuscript book here referred to, bearing

the autograph of Vallancey, and the official attestation of William S. Mason, has for many years been the property of the Royal Irish Academy, in whose Library, at Dublin, it may be seen.

At page ix. of Vol. ii. the compiler of the Preface claims the discovery in London, "of a valuable collection of Irish MSS. stowed away in sacks, labelled 'Baga Hiberniæ,' the contents of which," he observes, "were previously, I believe, unknown. I there found," he adds, "among other interesting original letters, one from 'Silken Thomas,' whilst a prisoner in the Tower, directed to his servant Brian," &c.

The document here referred to as "*discovered*" was printed in full in 1834, at p. 402 of the first volume of the State Papers, published under the authority of His Majesty's Commission, and specially noted there as preserved in "Bag Ireland," in the Chapter House. It will also be found in Moore's History of Ireland, (1840,) Vol. iii, p. 272, and in Lord Kildare's work on the "Earls of Kildare," (1858,) pp. 175-6. The same State Papers, (Vol. i, p. 169) show that the raid of the O'Byrnes upon Dublin occurred in 1533 and not at the period of 1475 as stated in the Calendar, (Vol. ii., p. xxiv.) The original establishment of an University in Ireland is assigned (Vol. ii. p. lxix) to the reign of Edward III. instead of to that of Edward II. Dr. Boate, who died in 1649 is said (ii. xxxiv.) to have written a work in 1652! Three persons, we are assured, (ii. lxx.) were burned for witchcraft in the early part of the fourteenth century at Kilkenny, although the local contemporary chroniclers specially mention that but *one* suffered at the stake. Sir Roland Fitz Eustace, Baron of Portlester, is divided into two personages, and spoken of at p. xxvii. of vol. ii. as "Lord Portlester and Sir Rowland Eustace!" Devereux is given the title of "Earl of Ulster" (ii. lxiv.) which he never before received. The submission of Shane O'Neill, who died in 1567, is placed (ii. lxxiv.) under the year 1602. Sir Conyers Clifford is named *Clifton* (ii. lxvii.); but perhaps the most curious and novel piece of information in connection with the legal history of Ireland is the statement at p. xv. of Vol. i. that in the Reign of Henry VIII. the Law Courts of Dublin were held "*in the Castle wall*!"

The mode in which the few acknowledged quotations are referred to may be judged from the following citations for

statements occupying a page (ii. xlii.) in double columns of the smallest type :

“‘Notes and Queries.’—Hist. England, Vol. II. p. 65.”

A specific assertion at p. viii. of Vol. ii. that the Librarian at Armagh is “bound by oath to exclude every one of the public from the valuable documents” in his custody, is utterly incorrect, as may be seen by referring to the Irish Statute of 13-14 Geo. III. cap. 40, section iv.

The charge of illiberality insinuated (at page xvi. of the second volume) against the custodians of the Library of Trinity College, Dublin, will be repudiated with indignation, as both unfounded and unjustifiable, by every respectable scholar, conversant with the institution, or with the services rendered by its learned Librarian, the Rev. J. H. Todd, to solid Irish historic literature.

Passing over innumerable errors on historic and literary points in the Prefaces, we shall turn to those portions which refer to records relative to which we might naturally expect to find here precise and reliable information. At page li. of Vol. ii. we read :

“It is certain that the Statutes, whether printed or unedited, do not go higher than the early part of Edward II. (1307-1327.”

The inaccuracy of this will be seen when we mention that a Statute passed in Ireland, A.D. 1268-9 is preserved on the Plea Roll of the fifty-third year of Henry III. (No. 5.-277; even a preceding page of the same volume of the present Calendar (ii, p. 19) refers to an Act or ordinance of a Parliament held in Ireland A.D. 1295. This great incorrectness on so important a point as the age of the surviving Statutes of Ireland, furnishes a portentous commentary on the statement made by the compiler of these Prefaces at p. 139 of the Chancery Commissioners’ Report, already quoted, that he “has had for a long time in contemplation the printing of our unpublished Statutes,” and which perhaps may now be passing through the press, at the public expense, as companion volumes to the “Calendars.”

We shall next point out a series of errors relative to the “Fiants” so called from their preamble, which was as follows: “*Fiant Literæ Patentes Domini Regis, in debita formâ, tenore verborum sequentium.*” These documents, which the “Calendars” incorrectly designate “*Fiats*,” are noticed as follows, at p. iii. of the second volume :

“From the beginning of the reign of Henry the Eighth to the

end of the reign of Elizabeth, 6,625 Royal Fiats or Warrants reached the Rolls' Office for *enrolment* and preservation. Very few of those were then, or at all, as *they should have been, copied on the Roll; and they remain to this day uncalendared*, and to the public almost wholly unknown, a monument of the indisposition which has hitherto prevailed to bring to modern light the contents of our precious archives. I trust the time will arrive when a favourable opportunity and other propitious circumstances will enable me to unfold their invaluable contents to the public, and to remove the reproach arising from their comparative oblivion."

This account of the condition of the "Fiants," although emanating from their official and paid custodians, is wholly incorrect, as Calendars of them from the reign of Henry VIII. were prepared, at public expense, more than thirty years ago, with much care and labour.*

Another allegation in the above passage indicates ignorance even of the precise nature of the documents styled "Fiants," now lying in the Rolls' Office, Dublin.

"Fiants," we may observe, were instruments under the

* In the tabular digest of the Sub-Commissioners' returns to the Committee of observation, made pursuant to orders of the Irish Record Commission dated 17th March, 1817, and 19th May, 1819, we find the following entries under the head of "Actual result and present state of the works," "Arrangement of Fiants from 21st Hen. VIII., to the present period, into reigns completed." "Catalogue to Fiants, formed as far as 16th James I." (p. 49.)

The detailed Report, dated 24th December, 1829, of "Works in progress by the Irish Record Commission," signed "William Shaw Mason, Sec. Com. Pub. Rec." states (p. 2) "that the comparison of the un-enrolled Fiants with the Repertory thereof has been made, and the Repertory itself completed; adding that "a fair transcript thereof for depositing in the Rolls' Offices is in progress, with an index of persons." The Report of 1829 further mentions the completion of the collation of the Repertory with 120 files, consisting of 7440 Fiants of Edward VI, Elizabeth, and James I; that 502 pages were fairly transcribed, 460 pages executed of indices of persons and places, and that the files of unenrolled Fiants of Henry VIII. and Elizabeth were arranged and labelled.—*Notes of Proceedings of Irish Record Commissioners, 25th March, 1829, page 24.*

The Report of these Commissioners for 1830 further records the collation and completion of their Repertory with 68 files, consisting of 2042 unenrolled Fiants of the reign of James I.; also that the assortment of the Fiants of the preceding reigns, up to Henry VIII. inclusive had been perfected.

royal, or occasionally the vice-regal, hand, on the model of which were prepared Letters Patent from the Crown under the great seal. The Patents and "Fiants" were thus duplicate instruments; the "Fiants" were not intended to be engrossed on the Patent Rolls, but to be "entered of record" in books, a distinct and less solemn, yet secure evidence. Letters Patent were handed to those to whom they had been granted, but the "Fiants" were retained in the office, and on proof of the loss of a patent, patent roll, or enrolment in the Exchequer, an original Fiant was admitted in evidence as a record of the highest authority.

To exemplify the multitudinous errors, unfounded assertions, and incorrect conclusions pervading this work, we shall analyze the statements in these Calendars relative to declaratory act passed in the Parliament of Ireland in the tenth year of Henry VII., A.D. 1495. On this subject the first passage is as follows:

"In the reign of Henry VII., Ireland was a scene of tumult and violence. At this period, in the town of Trim, in a strong castle, the records of the country, for security, were deposited. They were seized on by O'Neill, and *utterly destroyed*; and thus the documents serving for evidence to constitute the title of the Crown to property perished."—*Calendar, Vol. i, p. xiii.*

A few lines further down (p. xiv.) we are assured that on this occasion "it was a mere chance that suffered a few, such as the Patent, Plea, Close, Statute, and Memoranda Rolls to escape."

There is no evidence that any documents were deposited in the Treasury of Trim at this period, except those specially referred to in the Statute of 10 Henry VII., cap. 15, as connected with the King's titles to the Earldoms of March and Ulster and the Lordships of Trim and Connaught. This Statute does not ascribe the destruction of these records to O'Neill, but, on the contrary, avers that they were "taken and embesilled by divers persons of malice prepense." Had they been "utterly destroyed" by O'Neill the Parliamentary Lawyers of Henry VII. in Ireland, would not have ordered, as appears from the same Statute, Proclamation to be made that "whatsoever person have any of the said Rolls, Records, or Inquisitions or knoweth where they be, and do not deliver them, or show where they be to our Sovereigne Lord's Counsaile, within the

said land within two months next after the said Proclamation, that then they and every of them, that shall so offend this present Act, be deemed felons attainted.”*

Any observations on the law of property or title, put forward under special judicial approval, might naturally be regarded as meriting attention; yet we are at a loss to account for the object of the following passages on the Statute of the 10th year of Henry VII. declaratory of the Crown's title to lands, the records of which had been embezzled, as above mentioned:

“This Statute is a Parliamentary assertion of the rights of the Crown; it sets forth that the records were stolen from Trim, and destroyed, and provides a remedy therefor; *but what provision was made for those holding immediately from the Crown by Patent? who, in the absence of those records, could prove a title to his ancestral possessions?*”—*Calendar, Vol. i. xiv.*

These interrogatories might be construed into implying that the Crown, after the embezzlement of the Records, intended to violate private rights by seizing on the entire lands referred to, through the authority of Parliamentary investiture, with the collusion of the Lords and Commons of Ireland. Such a view, however, cannot be supported, we believe, by the production of even one instance of a subject holding under the Crown of England, having been dispossessed by virtue of this act. The irrelevancy of the above italicized queries in the Calendar will be apparent, when it is remembered that each landholder retained his own evidences; and that both Common and Statute law required the King's title to be of record under the great seal. To substitute such title, purloined from the Treasury of Trim, the declaratory act referred to was passed, which, analogous to the long subsequent Acts of Settlement and Explanation, constituted the Crown a trustee for every individual having interests within a defined territory, thus eminently securing its subjects instead of disturbing them, as the above cited passage in the Calendar would insinuate.

“Was this the cause, two centuries later, of Lord Strafford issuing that famous ‘Commission for Defective Titles,’ by which every proprietor in the West was dispossessed, unless he could show,

* Statutes passed in Ireland Vol. I. (1786) p. 52.

in writing, a clear, indisputable, indefeasible title from the Crown? But how few records remained will be found in the fact, that when the same Lord Strafford sought to find the title of his patron, Charles the First, to the entire province of Connaught, upon an inquiry held at Galway, he produced in evidence this Statute of 10th Henry VII. to show the loss of the records and to maintain the title of the Crown in their absence,"—*Calendar, Vol. i, xiv.*

The inaccuracies here on a comparatively modern period, are nearly equal in number with the lines. "Two centuries later" than 1495 would have been 1695, sixty years subsequent to 1635 the time intended to be indicated. The *cause* of the inquisition on "Defective Titles" was not the loss of records but the expectation of augmenting the King's revenue, and of effecting a new "Plantation." The Commission was issued by Charles I, *not* by Lord Strafford, a peer not then in existence; nor did the proceeding embrace the "entire province of Connaught." Proprietors who could not produce records were *not* "dispossessed," but permitted to remedy defective titles, having been publicly assured that it was the King's resolution to "question no man's Patent that had been granted formerly upon good considerations, and was of itself valid in law," and that "his great seal was his public faith and should be kept sacred in all things." The title of the Crown to portions of Connaught was *not* first found on an "inquiry held at Galway," but by the Jury of Roscommon in 1635. The King's title was *not* maintained on this occasion by the production of the Statute of 10, Henry VII, in the "absence of records," but by exemplifications of muniments from the Tower of London, sent over under the great seal by the famous Coke, and by sundry records in the Irish Exchequer, as may be seen from the "Brief of His Majesty's title," in this matter, A.D. 1635. The statement that then but "few records remained," is disproved by the following observations in a letter from the Lord Deputy of Ireland to Coke in 1634, on this subject: -

"Few days pass us upon the commission of defective titles, but that some patent or other starts which not any of his Majesty's Officers on this side knew of before. So that we can judge of nothing upon any sure ground till the party be heard."

Having thus, to a limited extent, exhibited the character of the "Prefaces," we shall next proceed to consider the

value of the illustrative notes and commentaries to be found in the body of the Calendars.

The important manuscript known as "Crede Mihi" is said in a note at page 28 of the second volume of the Calendar to be "preserved in Marsh's Library," whereas this exquisitely written little tome is a part of the muniments of the See of Dublin, and, as such, now in the custody of Archbishop Whately.

The following incomprehensible note appears at page 211 of vol. 2, as a commentary on the word "onions" in the text:

"Soap or tallow."

A territory styled "Briffium," never before heard of, is mentioned at page 93 of the same volume; and further on (477) we find the following strange names appended to a Government document of 1586:

"Jo Armaham. O'Gormanston. O'Delvin."

No such signatures are to be found on the original which, however, contains the autographs of Joannes Armacanus, John Long, Archbishop of Armagh; Christopher Preston, first Viscount Gormanstown, and Christopher Nugent, ninth baron of Delvin, whose names have been deciphered into the above strange forms.

A full examination of the expositions given in these Calendars of obsolete English law terms would require us, in the words of an old epigrammatist, to

"tell of Fourching, Vouchers, and Counterpleas,
Of Withernams, Essoins, and Champarty."

A single specimen will suffice to illustrate the errors on these points, without entering further into Dry-as-dustian legal commentaries:

"Meskenningham—an unjust citation into court."

Calendar, Vol. i, p. 425.

The term "Miskeningham," which will be found in the charters of the City of London from Henry I, and Henry III, signified the fine paid for changing or amending a plea or count: the word *Miskening* means literally mis-counting or mis-pleading, for liberty to rectify which was paid the fine styled Miskeningham.*

* *Privilegia Londini*, 8vo. London: 1723, p. 36; *Liber Albus*, translated by H. T. Riley, 1861, p. 115.

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The etymological portions of the Commentaries are perhaps the most note-worthy ; they assure us that the term "Dicker" of hides, commonly used by butchers and tanners, is derived from *dekas*, the latter, according to the Calendar, (vol. ii, p. 179.) being the Greek numeral for ten !

"Coshery," the composition paid of old in Ireland for exemption from supplying victualse to a chieftain and his followers, is lucidly explained as follows:—

"*Cois a-re* cess or rent, for the King, received by receiving him in coshery."—*Calendar*, Vol. i, p. 45.

Further indisputable evidence of erudition appears in the following :

"Tanistry seems to be derived from *Thanis*, and is a law or custom in some parts of Ireland."—*Calendar*, Vol. ii, p. 260.

Every Irish scholar knows that the English word Tanistry is derived from the Gaelic *Tanaisteacht* meaning successorship ; the eldest son of a chief in ancient Ireland being usually recognised as his presumptive heir and successor, was styled in Gaelic *Tanaiste*, that is minor or second. Tanistry was declared illegal in the first years of the seventeenth century, and its existence in Ireland at the present day, as stated in the above extract from the Calendars, is a novel and startling piece of intelligence, which no doubt, will receive due attention from Her Majesty's Law Officers.

Among a series of depositions of witnesses at Waterford in 1587, relative to a marriage, we read the following passage in the second volume of the Calendar :

"Margaret O'Brenagh of Killaspuck, in the county of Kilkenny widow, states that she saw her aunte, Helene Brenagh, wife of Richard Toben, come to witness's house, after the marriage, to ask help of her husband, Piers Brenagh, to be given to McThomas with her daughter, who gave her then a colp."—*Vol. ii*, p. 508.

Colp is the ordinary Gaelic word used in Munster to designate the number of sheep which can graze on a certain extent of pasturage. Nothing is more common in the South of Ireland, than for Gaelic speaking farmers, under circumstances similar to those above mentioned, to arrange how many *colps* shall be the marriage portions of their children. A note, however, on the above passage in the Calendar avers as follows that *Colp* means a wax-candle !—

"Colp, Colpe.—A small wax candle, à copo de cerò. We read in *Hovenden* [Hoveden] that when the King of Scots came to the English Court, as long as he stayed there he had every day, de liberatione triginta sol et duodecum [duodecim] vassellos [Wastellos] dominicos, et quadraginta [quadraginta] grossos longos Colpones de dominica caudela Regis."—*Vil* ii, p. 508.

The above note has been appropriated, without acknowledgment from Du Cange, but with the inaccuracies which we have italicised, supplying the correct words in brackets. The entire passage, compressed by Du Cange, will be found at page 738 of Savile's edition of Hoveden (Frankfort, 1601) where that writer describes the reception of William King of Scotland, by Richard Cœur de Lion in 1194, the arrangements on which occasion are here cited in the Calendar to illustrate the internal economy of an Irish farm-house four centuries later; and to show that a wax candle—"coupon de cire"—was given as a marriage portion by Pierce Brenagh of Killaspuck in the County of Kilkenny!

The climax, however, appears to have been attained at page 273 of the second volume, where we encounter the following explanation of the name "Cahernamarte:"

"Cahernemort. The City of the Dead: hodie Westport."

We might here exclaim as Pantagruel did to the Limosin pedant who professed "escorier la cuticule de la vernacule Gallicque." "Que dyable de language est cecy? le croy que il nous forge icy quelque language diabolicque; il veult contrefaire la langue des Parisians; mais il ne faict que escorcher le latin!"* The full value of the above etymology will be appreciated after a perusal of the following lines published many years ago, by the greatest of Gaelic scholars and topographers:

"*Cathair-na-Mart*, i. e. the stone fort of the bees. This was the name of an ancient stone fort of a circular form, and also of a castle built by O'Malley on the margin of the bay of Westport. The town of Westport is still always called *Cathair na mart* in Irish by the people of Connaught and Munster. The stones of the ancient *Cathair* [or fort] were removed some years since, but its site is still pointed out by the natives within the Marquis of Sligo's demesne."—*Annals of the Kingdom of Ireland*, by John O'Donovan, *M.R.I.A.*, vol. iii, p. 1803. Dublin: 1848.

* "Comment Pantagruel encontra ung Limosin qui contrefaisoyt le language François." Pantagruel, liure ii., chap. vi. Œuvres de Rabelais, Paris: 1837, p. 74.

The word *Mart*, on which the Calendars have raised an imaginary Nekropolis, is, we may observe, the common Gaelic term for beeves or kine, and of ordinary occurrence in old Irish documents. The first entry in the Irish list of the annual tribute paid in ancient times by the people of Munster to their King is—"Tri cèat mart a Muscraidhi"—three hundred beeves from the men of Muskerry. In the sixteenth century the word had become Anglicised *Marte*, and deeds of that period abound with references to "fatte martes."

In the compositions of the English Government with the native Irish Chiefs, in the reign of Henry VIII., we frequently find such entries as the following, in the agreement in 1544 between the King and O'Donell, preserved in the Lambeth Library: "Dominus O'Donell, in signum amoris et benevolentiae, ad sui Regis Christianissimi, aut ejus Deputati in Hibernia, coquinam, singulis annis, centum boves sive *martas*, more suæ patriæ, pollicetur ac promittit;" and in a covenant made by the English Government with the head of the Clan O'Reilly in 1558, the latter bound himself to observe all the stipulations, under a penalty of one thousand *martes*, in the following terms: "ac si deliquerit in aliquo premissorum solvet Dominæ Reginæ mille *martas*," Hibernicè *mîle mart*.

We can well conceive the admiration with which conscientiously laborious investigators must regard a system which, under legal patronage, and at the Nation's expense, can pronounce the ancient Celtic law of Tausistry to be still in operation in Ireland;—by a single line change a flock of sheep into a wax candle, and transmute a common-place stone bullock-pen, into a "City of the dead;" in the words of the "Dunciad:"

"—all flesh is nothing in his sight;
Beeves, at his touch, at once to jelly turn,
And the huge boar is shrunk into an urn."

Reasonable limits preclude us from doing fuller justice to the Prefaces and annotations, and we now come to the consideration of the body of the work itself, purporting to be a "Calendar of the Patent and Close Rolls of Henry VIII., Edward VI., Mary, and Elizabeth." Here naturally, at first arises the question as to the language in which were written the original documents thus calendared or catalogued. On this important point the only

information given us is to be found in the following lines, some of which will be perceived to coincide remarkably with the language used by Mr. Erck in the Preface to his "Repertory," published in 1846, as already noticed:

CALENDAR, A.D. 1861.

"It [the first volume of the Calendars] purports to contain an abstract of every instrument on the Rolls; *condensed and translated into English*; all abbreviations and contractions have been rejected; all technical phraseology discarded. The purport of each document has been minutely and accurately analyzed; *the substance of every important clause and provision extracted, and the names of every person and place in each accurately specified*, with a view of rendering accessible to the public the original MSS., obscured as they now are in *obsolete languages and modes of expression*; written in antiquated and nearly unknown character, obscure and frequently illegible, *rendered more embarrassing by abbreviations, which frequently leave the number, gender, or tense of a word difficult of ascertainment*; and which might, if not in time rescued from oblivion, ultimately share the fate of the memorials of Babylon or Nineveh, and like the Rosetta stone, depend for interpretation upon the chance discovery of some ingenious student."—*Vol. i. p. xliii.*

ERCK, A.D. 1846.

"The plan of the first part of the work, now submitted to the public, purports to contain a full abstract of every instrument on the roll—all the articles have been translated into English—all abbreviations and contractions of words, rejected—all technical phraseology discarded—and nothing, but the subject matter of the grant, retained; showing the inducement, nature of the donation, tenure, conditions, and penalties annexed if any."—*A Repertory of the Inrolments on the Patent Rolls of Chancery in Ireland, commencing with the reign of King James I.; edited by J. C. Erck, L. L. D. Vol. i., part i. Dublin: 1846, p. vi.*

The following passage on the same subject is not the only one in the Calendars taken verbatim from Mr. Robert Lemon's Preface to the "State Papers," published under authority of her Majesty's Commission, London: 1830:

CALENDAR, A.D. 1862.

"I have ventured to *preserve the ancient orthography, but to reject the abbreviations* which abound in the letters of many of the writers of the period—a period when not only orthography was so unsettled, but grammatical rules were violated in the holograph letters of the most eminent, and of those who affected the greatest learning, it is often impossible to discriminate between the design and the error of the clerk. To *translate and condense* those mouldering memorials of a by-gone age, accumulated during centuries, when time and accident have in many instances rendered them almost illegible, has been my arduous task."—*Vol. ii. p. lxxix.*

R. LEMON, A.D. 1830.

"It was determined to *preserve the ancient orthography, but to reject the abbreviations* which abound in the letters of many of the writers of that period."....."At a period when not only orthography was so unsettled, but the plainest grammatical rules were perpetually violated, even in the holograph letters of the most eminent men, and of those who affected the greatest scholarship it is often impossible to discriminate between the design and the error of the Clerk."—*State Papers, Vol. i, part 1., Preface, p. xxii.*

The instruments on the Rolls are above stated to have been condensed and *translated into* English in these Calendars, and reference is made to the obscurities of the number, gender, and tenses of words. The passage quoted from the second volume states that the ancient orthography has been preserved, and also mentions the translation and condensation of these materials. We may thus divine for ourselves whether the abstracts have been made from Latin, French, or Gaelic—"obscure in number, gender, and tense"—but how, in these *translations* from "obsolete languages" into English, the ancient orthography, as above stated, has been preserved, must, in the words of the Preface, be left to the "chance discovery of some ingenious student." The same mythical personage may perhaps also discover the object proposed to be attained in prefixing to these volumes, three large coloured fac-similes of documents, without indicating either where the originals are preserved, or why they were specially selected for engraving—two of the three being neither Patent nor Close Rolls.

We may, however, without undue temerity aver, that there can be but one opinion among scholars as to the value

and accuracy of translations of records emanating from a source which publicly declares that a stone bullock-pen in Irish, signifies in English "a city of the dead."

Before proceeding further we shall give a short explanation of the documents styled "Patent Rolls" and "Close Rolls" with which ordinary readers could scarcely be expected to be conversant, when the following passage from the preface to the Calendars evinces unmistakable ignorance on these subjects :

"The Patent Rolls (*Patentes*) were those open grants from the Crown, for they were open to the inspection of all, and so called patent. The Close Rolls (*Clauses*) were so called, because they contained writs from the Crown, sealed and directed to the officers by whom they were received, and to whom alone they were open ; as also royal letters obligations, recognizances, deeds."—*Vol. i, p. xxvii.*

We may here state that the name of Letters Patent—"Literæ Patentes,"—was applied to charters, deeds or instruments written upon open (*patentes*) sheets of parchment, bearing pendant at bottom the great seal of the sovereign by whom they were issued, and to all of whose subjects in general they were addressed.

Letters Close—"Literæ clausæ"—were used to convey royal mandates, letters and writs of a less public nature, folded and sealed on the outside, whence the designation of "closed" letters in contradistinction to the open or "patent" letters:—so, under the French monarchy, the king's letters were either "*Lettres Patentes*" or "*Lettres de cachet*."

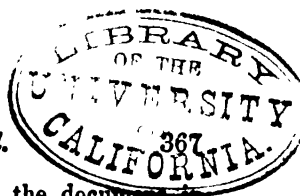
"When," says Hunter, "the practice arose in the reign of John, of enrolling copies of those letters for the purpose of presentation and future reference, and perhaps for the further purpose of being a check upon the forgery of instruments of such great importance, they were entered on two distinct Rolls, now called the Patent Rolls and the Close Rolls," or, we may add, "*Rotuli Literarum Patentium*" and "*Rotuli Literarum Clausarum*."

It will thus be seen that the above six lines from the Calendars of 1861, descriptive of the documents which form the material of the work contain four grave errors—1. Patent Rolls were not "open grants" but merely the *enrolments* or copies of such grants. 2. Close Rolls were never styled "*clauses*" till so named in these Calendars. 3. Close Rolls did not contain "sealed" writs from the crown, but

only abstracts of such documents: indeed, it would be utterly impracticable to *roll* up, as here mentioned, a number of parchments, each bearing an impression in wax of a Great Seal. 4. *Close Letters*, confounded in this Calendar with *Close Rolls*, were not, as above stated, accessible and directed solely to "officers;" but, on the contrary, "*Literæ Clausæ*, were commonly addressed to any individuals to whom the sovereigns desired to transmit their orders on either public or domestic matters.

The plan adopted in these Calendars of publishing translated abstracts of ancient records has long been exploded as objectionable and unsatisfactory. The frequently used arguments above reproduced in favour of this system have been conclusively disposed of by the highest authorities; and on this point we may here cite the observations of Mr. T. D. Hardy, in his Introduction to his Calendar of the *Close Rolls* in the Tower of London, a work, to the value and accuracy of which we feel pleasure in bearing testimony, from practical experience. Having correctly observed that actual trial has proved that documents of moderate length can be copied in much less time than would necessarily be occupied in making abstracts of them, an expert writer being able to transcribe very nearly as fast as he can decipher, Mr. Hardy with indisputable authority, adds:

"Whereas for the purpose of abstracting it, he [the writer] must indispensably read the document through, next, he must make himself familiar with its various points and bearings, and then he will have to consider the most concise and explicit way of forming the abstract. Added to all this, there is a difficulty, not so slight as it may appear, in reducing into a more compendious form matter that has already undergone the process of curtailment, and which by re-abridgment would be subjected to the danger of omitting some expression which possibly might alter the purport or embarrass the sense of the whole instrument. In being furnished with a transcript of the documents themselves, the Reader can suffer no disappointment; for it often happens that what is deemed worthless by some, may be held by others to be of the greatest value; nor can he have any anxiety to see the originals, instigated by the possibility of discovering some different reading, or other matter which had escaped the notice and proper attention of the abstracter. So important, indeed, has it been thought for every document to be printed in the most correct manner, that in many instances obliterations of whole sentences have been retained (though marked as effaced in the original) as essential to the meaning, it being impos-



sible without them thoroughly to understand the documents in which they occur, as the scribe appears frequently to have erased words fatal to the sense, forgetting at the moment the structure of the sentence; and, consequently, unless the effacement or obliteration had been retained, the instrument must have appeared to be incapable of rational construction; whereas, by exhibiting it to the Reader whole and entire, he is enabled to ascertain its real meaning. For these reasons it has been deemed expedient to give a complete and literal transcript: in short, as close a *fac simile* of the originals as modern types would admit....In no case whatever," says Mr. Hardy, "has the liberty been taken of altering or amending a word when wrong from either clerical or grammatical error, such inaccuracies being denoted by an underline, to indicate that such error did not escape attention."

The most conclusive mode of testing the accuracy of the entries in the Calendars would be by collating them with the original Rolls of which they are alleged to be abstracts; but such a course is precluded by the official intimation quoted at page 322 that the *paid* keepers of the documents "*have not time to attend to*" *historical inquiries*. Relying, however, on independent sources, we shall examine the Calendars in their principal departments—grants of lands and other hereditaments; of offices; and of pardons.

In many instances we find merely the name of the individual to whom the grant was made, the particulars of the lands being entirely omitted—leaving such entries almost valueless. The comparatively limited number of grants of lands and hereditaments registered in these volumes demonstrates conclusively that either the Calendars are very incomplete or the Patent Rolls themselves incredibly defective in their contents; and here we look in vain for various important Irish grants, passed during the reigns of Henry VIII, Edward VI, Mary, and Elizabeth. Of these omissions we annex some specimens, premising that among them we do not include any grant passed in a year of which the Patent Roll is alleged to be not forthcoming; to each grant we append the day of the month with the year of the reign, in which it was made, but our limits preclude the addition here of the services, rents, and other details, embodied in the instruments:

- 1537 To Pierce Butler, Earl of Ossory and Ormond, and James, Lord Butler, thirty-three Manors, viz., 6 in Kilkenny; 9 in Tipperary; 6 in Carlow; 1 in Wexford; 1 in Waterford; 4 in Kildare; 4 in Dublin, and 2 in Meath; 3 October, 29, Henry VIII.

- 1542 To Sir A. St. Leger—the possessions of the Monastery of Graine, Co. Carlow ; 4th May, 34 Hen. VIII.
- 1543 To Provost and Burgesses of Clonmel—the Monastery of Friars Minors, Clonmel ; 9 March, 38, Hen. VIII.
- 1544 To Sir E. Butler, Baron of Dunboyne, the Monastery of Fidert Cross, Tipperary ; 16 Jany, 36, Hen. VIII.
- 1549 To John Travers—the manors of Hollywood, Rathmore and others in Leinster ; 13 Nov. 3 Edward VI.
- 1552 To Nicholas Bagnall, Marshal of Ireland, the College of Newry, the lordship of Mourne, the manors of Carlingford and Cowley, in Down and Louth ; 2 April, 6, Edward VI.
- 1555 To Gerald, Earl of Kildare—his ancestral estates in Ireland ; 1 May, 1 and 2, Philip and Mary.
- 1568 To Sir Edward Butler,—the Monastery of Baltinglass ; 24 May, 10, Elizabeth.
- 1568 To Sir Luke Dillon—the moiety of the manor of Castleknock. Co. Dublin ; 20 August, 10 Elizabeth.
- 1569 To Robert Dillon—the possessions of the Priory of St. John, Kilkenny ; 2 March, 11, Elizabeth.
- 1570 To Sir N. White—the manor of Leixlip, Co. Kildare ; 11 June, 12, Elizabeth.
- 1571 To John Whitney—the castle and Lordship of Syan, Queen's Co. ; 1 March, 13, Elizabeth.
- 1574 To Calvatio O'More, the Manor of Ballina, Co. Kildare ; 3 August, 16, Elizabeth.
- 1577 To Sir Cormac Mac Teige, Mac Carty—possessions of the Preceptory of Morne, Co. Cork ; 6 October, 19, Elizabeth.
- 1578 To William O'Carroll—the territory of Ely O'Carroll, King's Co. ; 1 August, 20, Elizabeth.
- 1578 To the Mayor and Bailiffs of Galway—the customs of Galway, and the possessions of the Monastery of Colles Victorix ; 21 Sept. 20, Elizabeth.
- 1579 To Christopher Nugent, Baron of Delvin—the possessions of the Priory of Foure, Co. Westmeath ; 20 July, 21, Elizabeth.
- 1583 To Gerald, Earl of Kildare—the possessions of the Monastery of Down ; 6 December, 26, Elizabeth.
- 1586 To Donald O'Madden—the Lordship of Longford, Co. Galway ; 11 June, 28, Elizabeth.
- 1586 To Cuconacht Mac Guire—the whole County of Fermanagh, 17 Jany, 28, Elizabeth.
- 1587 To Con Mac Neill óg John—the Lordship of Castlereagh, Co. Down, at an annual rent of 250 cows to be delivered at Newry ; 30 March, 29, Elizabeth.
- 1588 To Sir Henry Harrington—the lands of Kilrothery &c., Co. Wicklow ; 26 Nov. 30, Elizabeth.

- 1588 To Hugh Worth—the territory of Kinalmeaky, Co. Cork; 30 Sept. 30, Elizabeth.
- 1588 To Sir George Bouchier—the castle and loch of Loch-gur and 12,880 acres, Co. Limerick; 12 Nov. 30, Elizabeth.
- 1588 To Hugh Cuffe—CastleneKille and lands, Co. Cork; 18 Nov. 30, Elizabeth.
- 1590 To Edward Sutton—possessions of the Priory of Thome, Co. Tipperary; 6 June, 32, Elizabeth.
- 1590 To Ros bán Mac Brian Mac Mahon—chief rents of Bally-lekebally lands, Co. Monaghan; 20 Nov. 33, Elizabeth.
- 1591 To Robert Bostock—the possessions of St. Mary's Abbey, Co. Dublin; 3 March, 33, Elizabeth.
- 1592 To John Lee—the moiety of the Manor of Castleknock, Co. Dublin; 26 March, 34, Elizabeth.
- 1598 To Sir John Proby—the wardship and marriage of Ellen Fagan, daughter and heiress of Thomas Fagan; also the wardship and marriage of Walter Ussher, son and heir of John Ussher, at an annual rent to the Crown of £18 6 0 for the former, and ten shillings for the latter; 18 December, 41, Elizabeth.
- 1599 To Pierce Edmonds—the wardship and marriage of Patrick Scurlock, son and heir of Martin Scurlock, of Rathredin, King's Co. at an annual rent to the Crown of £10 19 6; 21 August, 41, Elizabeth.

The preceding constitute but a very small portion of the grants omitted in the Calendars, although passed under the Great Seal, and embodying information of most important nature to investigators of almost every class. It appears scarcely credible that Patents, passing through the Chancery of Ireland, could have been delivered to their respective grantees without having been enrolled or entered of record; some of them being of great importance, as that of the whole County of Fermanagh in 1586; the grant of upwards of twelve thousand acres in Limerick to Bouchier in 1588; while the patents noted in our above list as omitted in these Calendars under 1537 and 1555, are the documents under which, to-day, the two high Peers of Ireland, the Duke of Leinster and the Marquis of Ormond, derive their ancient titles and family estates.

We have also to reprehend the omissions in these Calendars of details of the privileges and services of Crown tenants; matters of high legal import as distinguishing rights of great Barons and Parliamentary Peers. Such omissions preclude an accurate view of the progress of English law and customs in Ireland, and seriously preju-

dice historic, legal and genealogical investigators, who in the absence of these particulars are unable to trace cases where the non fulfilment of peculiar obligations led to forfeitures, and loss or compositions with the Crown, for subsequent re-grants of estates.

The style in which the grants of offices are here calendared is equally unsatisfactory. The mere dates of important official appointments in Ireland having been long before the world in printed books, it was superfluous to reproduce them, unless accompanied by the Patents detailing the extent and nature of the offices conferred. This would have afforded accurate information on the state of the revenue and expenditure at various periods; on the powers of heads of departments, and on the juridical and general history of the country, by exhibiting the class of records to be consulted in inquiries on special subjects. Among the important Patents which should have appeared in these Calendars but of which we find no entries in the volumes before us, we may mention the following: Creation of the office of Ulster King at arms, principal Herald of Ireland, 1552; establishment of the Athlone Pursuivant, 1552; the transfer of the See of Dublin to Archbishop Hugh Curwen by Philip and Mary, 1555, the elaborate document issued by Elizabeth on her accession in 1559 authorising the proclamation of a general pardon in Ireland; the grant of 1574 by which the Queen of England recognised Aodh, the son of Manus O'Donell, as Chief of the territory of Tirconnell; Her Majesty's Letters Patent delivered into the Chancery of Ireland, 18 September, 1585, for the "dividing the parts of Ulster not yet reduced into Shire ground," establishing six counties in the North; the Commission of 10th of July, 1591, and its return, delivered into Chancery on the third of the following month, specifying the limits fixed upon for the county of Tyrone, with the allotment and division of that county; the very important document of 1601, detailing particulars of the exchange and coinage of the new standard in Ireland. The omission of the latter is the more reprehensible as the place which it should have occupied (vol. ii. 578-582,) is filled with matter extending to five pages, frequently before printed, although no intimation of this fact is given to the reader.

The three following extracts will serve to illustrate the useless mode in which important appointments several

times before printed have been again calendared in these volumes:

- 1558-9 "Appointment of Thomas, Earl of Sussex, to the office of Lord Deputy of Ireland,—July 3."—*Vol. i, p. 418.*
 1574 "Grant of the office of Deputy General of Ireland to Sir Henry Sydney.—August 5."—*Ib. p. 555.*
 1574 "Appointment of the Earl of Essex to the office of Earl Marshal of Ireland.—Mar. 9."—*Ib. 55-6.*

The above few lines are given in these Calendars to represent letters patent of the most elaborate character, written in Latin, containing numerous clauses of the highest interest, illustrating regal and vice-regal prerogatives; the state of the English government in Ireland, the exact nature of the offices conferred, and descending so far into details as to prescribe minutely even the fashion and blason of the baton of the Queen's Marshal in Ireland.

A great part of these Calendars is occupied with entries of pardons, but the reasons for which they were granted are seldom given, and many pages are filled with such useless entries as the following:—

- 1544 "Pardon of Donaghe Shillerie, otherwise Cavanaghe, otherwise O'Byrne, of Inn Iscorthie, horseboy, Dec. 7, 35."—*Vol. i., p. 103.*
 1552 "Pardon of Ferdoroghe O' Brenane, John O'Brenane, Dermot O'Brenane, Patrick M'Donoghe Boy O'Brenane, Donald O'Ferroll O'Brenane, William M'Shane O'Hennons, Donoghe M'Teige Teige M'Donyll O'Brenane, William M'Shane O'Brenane, Finne M'Shane O'Costogine, David M'Gillepatricke, Gillernow M'Teige, Donogh M'William, and John O'Brenane, Kerns, Mar. 21, 6."—*Ib. ib. 273.*
 1553 4 "Pardon of Moriortagh Rowe O'Dowylle, otherwise Twooe O'Maline, Maurice, otherwise Moriortaghe Oge M'Donaghe M'Henry Edale, Melaghlin M'Donaghe M'Henry Edale, Donald bane M'Art Rowe, John O'Mollyne, Rory M'Shane O'Dowile, Edward Dowe, Hugh Dowe, M'Donnell M'Shane Glasse, Thady O'Hee, M'Gilpadricke O'Hee, and Thady More M'Donoghe M'Teige M'Dermot O'Egeyre—*No date.*"—*Ib. ib. 325.*
 1558-9 "Pardon of Teige M'Dermot, Sherehee M'Morihirtagh, Gilpadrick M'Morihertagh, M'Dermot, Fardorogh M'Davey, and Dermot M'Teige, of Leix, Kerns, Decr. 16, 1."—*Ib. ib. 397.*
 1558-9 "Pardon of the Archbishop of Dublin.—Dec. 15, 1."—*Ib. ib.*

- 1558-9 "Pardon of Sir John Power, Lord Baron de le Power.—Dec. 16. 1^o."—*Ib. ib.*
- 1602 "Pardon of Donogh M'Donnell M'Gillpatrick Clanteres, Shane M'Donnell M'Gillpatrick Clanteres,—O'Bergin,—O'Brohie,—O'Kellie,—M'Gilpatrick,—M'Teige,—O'Birnie,—Roche,—Egerton,—Fleming,—and others.—Dublin, March 4, 45."—*Vol. ii*, p. 634.

Similar valueless entries of "pardons" occupy frequently from six to seventeen consecutive pages of these Calendars, as in vol. i. pp. 158 to 163; 172 to 188; 199 to 208; 210 to 214; 273 to 280.

Had the precise nature of each pardon been accurately specified, such information might have furnished important links of the highest value to historical investigators as well as to enquirers into pedigrees, lands, and titles.

The reader may thus estimate the amount of value to be attached to the statement (vol. i. p. xliii.) that the "purport of each document has been minutely and accurately analyzed, the substance of every important clause and provision extracted, and the names of every person and place of each accurately specified."

The desire to economize space and the public funds cannot, with truth, be pleaded for the curtailment by which the entries in these Calendars have been, as we have shown, virtually rendered useless, for a large number of pages purporting to be illustrative original documents, have been taken verbatim from common printed books, in general without any acknowledgment. Thus the late Dr. John O'Donovan's Irish version and English translation of a covenant between Mac Geoghegan and Fox, A.D. 1526, is most inappropriately placed under the year 1600, filling three pages in Gaelic and English (vol. ii. 572 to 574) without mention of its translator, O'Donovan, or of the "Irish Archæological Society" in whose "Miscellany" it was printed in 1846, p. 191. In a similar manner four pages of the same volume of the Calendars (60 to 64) are entirely occupied by documents relative to the obsolete Dublin local impost, styled "Tolboll," totally out of place in calendars of Patent Rolls, and printed fully by Dr. Aquilla Smith, in the "Miscellany" already mentioned, pp. 33 to 41. The elaborate schedules compiled and published by Mr. Erek in 1846 ("Repertory," pp. 81-2, 169-170.) of Sir Walter Raleigh's Irish possessions are reprinted as the result of new research, in p. 324 to 327 of the

second volume of the Calendar; pp. 325, 515, and 630 of which are also composed of republications from the Calendar of Patent Rolls of James I. printed in 1830, pages 66, 58, 565.

The following figures will exemplify the vast extent to which documents and abstracts of records printed in the Calendars of 1861-2, as the result of *new and original* investigations, have been appropriated *verbatim and without acknowledgment*, from the printed "Reports of the Commissioners appointed to inquire into the Municipal Corporations in Ireland: presented to both Houses of Parliament. 1835:"

Calendar Volume I—pp. 78, 355-7, 423, 523: reprinted without acknowledgment from the above Reports, pp. 573, 805, 810, 621, 451.

Calendar, Volume II—pp. 86 87, 96-99, 110-112, 180-182, 212, 306, 310, 455-456, 825: also taken verbatim from same Reports pp. 69, 105-106, 557, 558, 75, 76, 479, 579, 584, 455, 456, 213.

Equally preposterous with the foregoing appropriations, is the title of "Calendars of Patent and Close Rolls" given to these Volumes, which do not contain either abstract or notice of any *Close* Roll, and in which every roll described is headed "Patent Roll!"

The rapidity with which these Calendars were executed was very remarkable:

"Nec pluteum cædit, nec demorsos sapit ungues."

The first Volume, bearing date May, 1861, was completed in an incredibly short period. The second volume, containing printed matter sufficient to fill about 1200 pages similar to ours, came before the public in May, 1862, thus succeeding the first within the time barely requisite for the mere printing. Literary history records a few rare instances of marvellous celerity in the composition of imaginative and poetical works, when

'Wit a diamond brought •
Which cut his bright way through.'

But we believe that no other specimen can be adduced of the compilation of any analytical catalogue of documents, "heavy with the dulness of the past," having been completed with a rapidity remotely approaching to that with which these Calendars are alleged to have been executed, "at intervals snatched from the labours of official duties."

The justice of our remarks on this point will be admitted when we mention that the ancient and obscure records given in these volumes as having been separately deciphered, translated, and epitomized in the most careful manner, amount to the enormous number of 5291 !*

Why the country should have been taxed for this alleged new examination and epitomizing appears inexplicable, for all the Rolls included in these two Volumes were translated and Calendared more than thirty years ago, under the superintendence of James Hardiman, for the

* "The number of the Patent Rolls and of the articles entered upon them alleged to have been newly analyzed in the Calendars of 1861-2 are as follow—the figures within brackets denoting the numbers of the articles—Henry VIII. 24 rolls, [1142]; Edward VI. 8 rolls [1096]; Mary, one roll [97]; Phillip and Mary, 7 rolls [369]; Elizabeth, 47 rolls [2508]; in all 87 rolls containing 5212 entries, which, with 79 entries from Fiantes (Vol. i. pp. 557-70) make a total number, as above, of 5291 entries, of which 3792 are contained in the first and 1499 in the second volume of the Calendars."

The details of the preparation of the Calendars of Patent and Close Rolls under the late Irish Record Commission are given as follows in the published Reports of that body:

In March, 1816, these Commissioners officially reported that a Calendar to the Patent and Close Rolls in the Rolls' Office had been prepared from their commencement to the 43rd year of the reign of Elizabeth, and that considerable progress had been made in its final revision for press, (6th Annual Report, 1816, p. 2.) In March 1817, the 7th Annual Report, p. 8, states that "the Calendar to the Patent and Close Rolls formerly in the Bermingham Tower repository has been nearly completed and considerable progress made in the collation thereof by Mr. Hardiman." The eighth Annual Report in March, 1818, p. 12, records the completion of the formation of the Calendar and progress made in its collation and final revision for press. In January, 1819, the Commissioners reported, p. 42, that "the Calendar to the Patent and Close Rolls in the Rolls' office has been already brought down to the commencement of James I." In the Supplement to the same Report, p. 48, we find the following given as the present state of the work:

"Arrangements of Patent and Close Rolls from 31 Edward I, to the present time in Chronological order, completed. Catalogue to same, giving accurate descriptions of each Roll, completed. Calendar of Contents of same to the end of the reign of Elizabeth, containing upwards of 12000 pages completed; and considerable progress made in the revision of same for printing. Indexes nominum and locorum to same, containing 5412 pages completed."

Irish Record Commission, at the cost of the nation, as may be seen from the note on the opposite page. The Irish Record Commissioners' Calendar of Patent and Close Rolls to the end of the reign of Henry VII, published in 1828, contained an announcement that the second part of the volume, comprising the reigns of Henry VIII, Edward VI, Philip and Mary, and Elizabeth, was then in press. The printing of this Calendar, commencing with Henry VIII, was actually executed in 1830, to the end of the reign of Edward VI, *including every roll contained from p. 1 to p. 299 of the first Volume of the newly-produced Calendar*: but as the latter makes no reference whatever to that of 1830, parallel specimens are here appended of the entries with which they both commence:

CALENDAR, A.D. 1830.

"Patent Roll, 5 and 6 Henry VIII.

I.—1. Grant from the King to Edward Becke, otherwise Beke, of Manchester.—To trade freely throughout Ireland, during his life, exempt from payment of the King's customs, tolls, &c. Ap. 5th....II—1. Grant of the office of Second Justice of the Chief Place to John Barnewell, knt. Lord of Trymlesteston. 2 Jan. Pat. Office. III.—1 General Pardon to Christopher Ussher of Dublin, merchant, the King's Collector and Customer, and Matilda Darcy his wife.—13 Jan. IV.—2. General Pardon to William Brent, abbot of the Monastery of St. Thomas the martyr, near Dublin, and his convent. V.—3. Grant from the King, for a certain sum of money, to Edward Plunket, knt, lord of Donsany, Meath Co., five Marks of Annual rent, issuing out of Crossdrome and Castell Cor, in the King's hands, by reason of the minority of John Plunket, son and heir of Ed-
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CALENDAR, A.D. 1861.

"Patent Roll, 5, 6 Henry VIII
1514-5.

Membrane I—License to Edward Becke, otherwise Beke, of Manchester, to trade freely throughout Ireland, during his life, exempt from payment of the King's customs or tolls.—Ap. 5. 5°. 2. Grant to John Barnewell, knight, Lord of Trymlesteston, of the office of Second Justice of the Chief Place; To hold during pleasure, with a Salary of 40 marks.—Jan. 2, 5°. 3. Pardon of Christopher Ussher, of Dublin, merchant, the King's collector and customer, and Matilda Darcy his wife.—Jan. 13. Membrane 2.—4. Pardon of William Brent, Abbot of the monastery of St. Thomas the Martyr, near Dublin, and his convent.—Jan. ... Membrane 3. 5. Grant, for a certain sum of money, to Edward Plunket, knight, Lord of Donsany, of five marks annually, issuing out of Crossdrome and Castell Cor, in the county of Meath, in the

mund Plunket, late lord of Kyllen, dead, so long as same shall remain in the King's hands.—Without account. 4 April.

VI. 3. Grant of the office of Justice of Ireland to William Preston, viscount and lord of Gormaneston. — 13 Ap. — Pat. Off.

Dorso. VII.—1. Award by the Lords and Council, that Henry Duff and others of Drogheda, shall have a certain ship and goods, lawfully taken by them as a prize.—4 Aug. 6th.”—*Calendar of 1830, page 1.*

King's hands, by reason of the minority of John Plunket, son and heir of Edmund Plunket, late Lord of Kyllen, deceased ; so long as the lands shall remain in the King's hands.—Without account.—April 4. 6. Grant of the office of Justice of Ireland to William Preston, Viscount and Lord of Gormanston. — April 13.

Dorso. 7. Award of the Lords and Council, directing that Henry Duff and others, inhabitants of Drogheda, shall have a certain ship and goods, well and lawfully taken by them, as a prize.—Aug. 4, 6^o.”—*Calendar of 1861, Vol. i. p. 1.*

The remainder of the Calendar of 1830, including all the Rolls of which abstracts are given in the *new* Calendars from the beginning of the reign of Mary to the end of that of Elizabeth was not printed, in consequence of the breaking up of the Irish Record Commission and the manuscript of it extending to upwards of 12,000 pages, with indices occupying 5412 pages, continues, as public property, no doubt, in safe and responsible custody.

Whether the unacknowledged appropriation of the compilation of 1830 is the key to the wonderfully rapid execution of the Calendars of 1861-2 ; why a defective and inaccurate work like the latter should have been preferred to that executed under so eminent a scholar as Hardiman ; and why the public funds should have been expended to produce in an imperfect and comparatively valueless mode, that which had been at the cost of the Nation previously compiled in a superior and satisfactory form, and even partly printed, are questions which will, it is presumed, receive attention when our pages come before those interested in such matters.

Our notice of these Calendars would be incomplete, did we not mention that they have been formally and publicly commended by the Lord Chancellor of Ireland ; the Master of the Rolls of Ireland ; the “Ulster King of Arms,” as well as by some of the most noted lawyers in Ireland, whose

opinions are given to the world in a pamphlet issued with the Calendars, entitled "Selection from letters received in reference to the Calendar of Patent Rolls." The Master of the Rolls of Ireland writes, that the "important duty of preparing the Calendar" has been "discharged entirely to his satisfaction." The Lord Chancellor of Ireland in a letter, printed at page 4 of the pamphlet referred to, declares that the "publication does great credit to the labour of the Editor;" that "the preface is interesting and instructive;" that he is "convinced of the value of such publications to the lawyer and the historian;" and that the "very careful manner in which the work appears to have been completed has conferred an important benefit on the public, and more especially on those who may be engaged with Irish history!" Sir J. B. Burke, "Ulster King of Arms," in a letter dated "Record Tower, Dublin Castle," designates the work "an admirable Calendar," "a great boon," and "an invaluable contribution"—apparently overlooking the entire omission from it of any entry of the Patent by which, as mentioned at p. 370, he holds the office of principal Herald of Ireland, and under which he annually receives from the public exchequer a salary of forty marks, and a suit of clothes!

The system adopted in the Calendars of giving short translated abstracts of records, which as shewn at p. 366 has been long condemned by the most competent authorities, is however, highly praised in a letter, printed at page 5 of the pamphlet referred to, and there set down as written by "Gerald Fitzgibbon, Esq., Queen's Counsel, Master in Chancery." This letter contains the following passages, addressed to the editor of the Calendars:

"The plan of the book is simple and clear, and the execution is very creditable. I would suggest an addition to this valuable work which, as long as you live may be of comparatively minor utility, but may hereafter be found of the highest importance, and that is, a key to *those ancient records, which, it is well known, no other living person can read as you can.* A copious alphabet, with a full list of all the contractions, would be a valuable bequest to future times; and the present heads of our legal body would confer a great and lasting benefit on their successors, and the public of future ages, by now securing the performance of this work by one so competent and so *exclusively fit for the task as you are.*"

Readers may decide for themselves whether ignorance of the subject or keen satire is at the bottom of this epistle.

Every man of even ordinary education knows that numbers of profound and accomplished palæographers exist on the Continent and in Great Britain, and that in this branch of learning some of the Archæologists of Ireland hold an eminent and recognized place. Eighty-two names appear on the official "*Liste des Archivistes*" in France for the year 1862, and, of these, twenty-five are of the class designated "*Archivistes paléographes*."

Another of the legal dramatis personæ in this "*Comedy of Errors*" is the "*Right Hon. James Whiteside, Queen's Counsel, Doctor of Laws, and Member of Parliament*," who, by his recent performance on the stage of a public hall in Dublin, has demonstrated to the world his entire want of a correct knowledge either of British or Irish general history—or even of that of the University which he represents in the House of Commons.

This noted member of the Bar, in the authorized edition of his treatise on the Parliament of Ireland, published by the Booksellers to the University of Dublin, for the "*Committee of the Young Men's Christian Association, in connection with the United [Established] Church of England and Ireland*," holds up these Calendars to the admiration of all "*Christian young men*" as models of "*patient ability*," further assuring such ingenuous youths, that the preface "*points out the yet unexampled [sic] sources whence much additional light might be cast on the Irish Parliaments of the Pale!*"*

* "*The Life and Death of the Irish Parliament, a Lecture by the Right Hon. James Whiteside, Q.C., L.L.D. M.P.*" Dublin: Hodges and Smith, Booksellers to the University, 1863, p. 14.

To point out the principal of the innumerable evidences of astounding ignorance of accurate historic materials by which this production is characterized, would far exceed our present limits: two illustrations may however be given of the author's nescience of common historical facts connected with the legal profession to which he belongs. Page 13, of his above cited work, contains a distinct statement that the ancient Irish had no laws "*save their own free will*." A conclusive contradiction to this is supplied by a passage written nearly a century ago, by a Provost of the University of Dublin. After mentioning that, notwithstanding the opinions expressed by superficial writers, that the old Irish had neither written laws nor settled jurisprudence, Dr. Thomas Leland, in his *History of Ireland, 1773*, demonstrated from the existing manu-

The study of ancient muniments having long ceased to form part of *legal* education, the elucidation of the contents of records has become recognised as a distinct branch of learning, demanding peculiar aptitude and laborious application to acquire knowledge on such remote points, as

scripts of the ancient Gaelic laws, that a very elaborate and extensive code formerly existed among the natives. These laws, wrote Dr. Leland, "not only provide against murder, rapes, adultery, theft, robbery; but such crimes as are not generally cognizable by human tribunals, such as slander, tale-bearing, or disrespect to superiors.....The property and security of woods, the regulation of water-courses, but above all, the property of bees, on which depended the principal beverage of the people, were guarded by a number of minute institutions, which breathe a spirit of equity and humanity." We are not to wonder that a people, accustomed to the refinements found in their own laws, should be pronounced of all others the greatest lovers of justice. "This," added Dr. Leland, "is the honourable testimony of Sir John Davies and Lord Coke: with shame we must confess that they were not taught this love of justice by the first English settlers."—*History of Ireland, by T. Leland, T.C.D. Dublin, 1773, vol. i. pp. xxiv, xxxvi.* The strong opinions expressed by the chief scholars of Europe on the importance of these old laws, which, according to Mr. Whiteside, *never existed*, induced Government in 1852 to appoint a Commission for the special object of making a complete collection of the ancient legal institutes of Ireland. This Commission has carried on its labours within the precincts of that University of which the author of the above statement is a Parliamentary representative; and according to the return made to Parliament by the Rev. Charles Graves, Secretary to the Commission, dated from Trinity College, Dublin, in 1857, the mere transcript of the original Gaelic of these ancient laws amounted then to 5142 folio pages! To this proof of Mr. Whiteside's knowledge of ancient Irish laws, an illustration may be added of his intimate acquaintance with the history of eminent lawyers who figured in Ireland. At p. 59 of his work, already quoted, on the Irish Parliament, he writes of Sir John Davies, Attorney General to James I., "Although he had much in his power, *he took not one acre of land in Ireland to himself.*" The inaccuracy of this assertion will be seen when we mention that of the lands "planted" in Ulster, during the reign of James I, Sir John Davies received 1500 acres, called Lisgowely, in the precinct of Clinawly: 2000 acres called Gavelagh and Clonaghmore, in the precinct of the Omy; and 500 acres called Cornechino, in the precinct of Orior; the details of these lands will be found in the Survey of Ulster, made by N. Pyn-

the respective characteristics of the formula and effect of each document included in the class styled "diplomatique;" the language, writing, orthography and brachygraphy of various centuries; the styles of different monarchs in the charters and letters; the tests of the authenticity of dated or undated documents; the peculiarities and bearings of medieval, legal and municipal regulations; the characters and legends of seals or details of "*l'art sphragistique*," with innumerable other minute specialties, in which no assistance is derivable either from modern law or from profound classical knowledge. To the foregoing acquirements the qualified Irish archivist must superadd an acquaintance substantial and minute with the histories, social institutes and existing documents of that Celtic people which so long occupied the greater part of the land of Ireland; the various meanings and obsolete or current applications of words, names or denominations borrowed from their tongue, and the amount of value to be attached to writers in various languages who have hitherto touched on any portions of these subjects. There is no road to such acquirements but long, laborious application; and the few real proficient in them can appreciate the full truth of the axiom of the French sage—"Le genie n'est qu'une plus grande aptitude à la patience."

That some high legal functionaries should have compromised their learning and sagacity by publicly delivering their commendations of such a work as these Calendars, while exciting special wonder, demonstrates the value of the advice conveyed in the following lines written more than three centuries ago, by a learned Lord Chancellor of England on the mishaps of a serjeant of the law who was induced to overstep his own special department:

"Wyse men alway, affirme and say, that best is for a man
Diligently for to apply, the business that he can;
And in no wyse, to enterpryse an other faculte.

nar, by commission under the great seal of Ireland, dated 28th November, 1618. Of the transformations effected by Mr. Whiteside in his performance, a striking instance appears at p. 21, where Henry Castide, described by Froissart as "a squire of England, an honest man, and a wise," is metamorphosed into "*one Doctor Bastide*,"—for the instruction of the Young Men's Christian Association!

A man of lawe, that never sawe the wayes to buy and sell,
Weening to ryse by marchandyse, I wish to speed him well !
When a hatter will go smatter in philosophie,
Or a pedlar ware a meddler in theologie.
All that ensue such craftes newe, they drive so far a cast,
That evermore, they do, therefore, beshrewe themselves at last.
In any wyse, I would advyse, and counsaile every man,
His owne crafte use, all new refuse, and lightly let them gone."

The Master of the Rolls in Ireland, the judge of questions of literary property in that country, occupies a strange position before the world in this matter, since his name appears on the title pages of these volumes as the patron and promoter of a work in which the law of copyright, and even the first principles of literary honesty have been violated, as we have shown, by an unprecedented extent of unscrupulous plagiarism and unjustifiable appropriation.

We have here, indeed, a remarkable testimony to the wisdom of the ancients embodied in the above verses. By venturing beyond his own department of modern law, an upright and preeminently equitable Judge, engrossed with the weighty business of the Irish Rolls' Court, has been unwittingly misled into having his name put forth as patron and approver of a series of gigantic infringements upon mental property, the rights of which he has hitherto upheld with all the authority of his office, and in a manner becoming the son of an accomplished scholar, who, it is believed, felt prouder of the commendations bestowed by Edmund Burke upon his writings, than of the title of Baron of the Irish Exchequer.

It must, however, in justice be stated, that the eminent personages misled in this affair, were not exclusively Irish. Of the three Chancery Commissioners who presented to Parliament the series of blunders on the records noted at p. 323, one was an English official of high rank, specially despatched from London to supervise the enquiry at Dublin. How seriously compromised even the highest authority on English records may be in dealing with public muniments peculiar to Ireland, is unanswerably evidenced by the fact, that Sir John Romilly, Master of the Rolls and President of the Record business of England, has, by his "flattering commendation," promoted and encouraged the publication of these Calendars, as is distinctly stated in the first page of the Preface to the Second Volume!

That a first step, however tardy, taken by the Treasury towards improving the discreditable condition of the Public Records of Ireland should have produced such fruit, is regretted by those who appreciate the beneficial results which might have arisen from the laudable intentions thus frustrated through causes, it should in truth be observed, beyond their Lordships' immediate control.

Public justice demands that Government should discontinue the issue in the present discreditable form of these Calendars, abstracted without acknowledgment from the labours of others. The only question appears to be whether it might be more desirable to cancel them entirely, or to publish a supplement exhibiting accurately the portions which have been appropriated from other books, giving tables of the numerous errata, and supplying, from a collation of the original rolls, the many important and serious deficiencies in these volumes. Certain it is, that such a supplement would be the most conclusive exposé of the miserable results of audacious charlatanism.

In dismissing these "Calendars" we reiterate in the most emphatic terms, addressed to the whole literary world, interested in historic learning, that the archivists of Ireland repudiate all connection with this compilation, inasmuch as they have been ignored in every step of a work, which, to the heavy detriment of the public, has been committed, through apathy or nescience, to shallow and pretentious incompetency.

To point out the steps which should be taken to preclude the repetition of mistakes such as the publication of these Calendars, leads to a wider field, and necessarily involves a consideration of the course proper to be adopted with reference to the Public Records of Ireland, the condition of which, as exhibited in the commencement of the present paper, is, we may observe, almost identical with that in which analogous documents in England stood in the early part of the present century.* Down to the year

* The invaluable records of the Exchequer of Ireland are admitted (see p. 322) to be neither in responsible custody, nor in a secure repository. To the state of the archives of the King's Bench the following reference was made in 1857, by the present Attorney General for Ireland. "Mr. Thomas O'Hagan, Q. C., said he was not an archæologist himself, but, in his professional capacity, he had an opportunity of seeing some of the most valuable materials for Irish

1839 the national muniments of England were dispersed in fifty-six repositories in widely different parts of London, many of them entirely unfitted for the safe custody of documents, damp, ill-ventilated, offensive ; never cleaned, aired or warmed. At Somerset Place, the Exchequer Records lay in filthy wet vaults, two stories under ground, inaccessible except with candles, and in the actual charge of an inferior workman. Queen's Bench Records, covered with dirt and soot, were stowed in the roof above the Augmentation office, and the officer or investigator had to ascend a ladder, and search by candle-light. To obtain access to any of these Records, searchers had to make numerous applications and to pay heavy fees to the nominal Keepers, who for the most part, neither gave regular attendance, nor provided any convenience for those who had occasion to consult them. Sir Francis Palgrave, by great exertions, brought these numerous establishments under one system, and united the contents of the different depositories in the Public Record Office established in London, pursuant to the Act for keeping safely the Public Records, passed in 1839, in which has been aggregated every instrument coming under the denomination of a "Public Record," which the Act defined to comprehend all rolls, records, writs, books, proceedings decrees, bills, warrants, accounts, papers and documents whatsoever, of a public nature belonging to Her Majesty. The documents dispersed in the fifty-six Repositories having been consolidated, under proper officers, literary inquirers are allowed to make searches without payment of fees ; the issue of Calendars has been commenced, and the public obtain the fullest assistance in the production and use of the Records.

Turning to Ireland we find that in 1817, the Imperial Parliament passed an act (57, George III, chapter 62) for the concentration and arrangement of Irish public records. This act commenced with declaring that, after the expiration of existing interests, the offices of Surveyor General of Crown Lands ; Keeper of Records in the Bermingham Tower at Dublin ;* Keeper of the

history crumbling away under the dome of the Four Courts [Dublin.]—*Report of Excursion of Ethnological Section of British Association*, Dublin : 1859.

* These Records consist mainly of Plea Rolls ; Rolls of the Pipe ; the archives of the Parliament of Ireland ; the documents of the Irish

Records of Parliament ; and Clerk of the Paper-office, should be abolished and not "granted to any person or persons whomsoever;" all records, maps, books, and

State Paper Office, together with collections made under the late Irish Record Commission. The office of Keeper of these Tower Records was a sinecure held, for life, under patent dated 29th November, 1805, at the period of its abolition, by Phillip Henry Stanhope, fourth Earl of Stanhope. By undertaking to act gratuitously as Lord Stanhope's deputy, a late Ulster king of arms, succeeded in locating himself in this Tower, having, it is said, ejected by personal violence the late William Shaw Mason, Secretary of the Irish Record Commission. Under the Statute above quoted these Records should have been removed to a Public Record Office ; but at the time of this intrusion, attention was not called to the serious impropriety of allowing original Rolls and Documents the property and evidences of the public to come under the hands of a herald, who, as Ulster king of arms, is a professional genealogist, receiving fees for constructing pedigrees and making out cases for titles. Great injustice was thus often silently but most effectively inflicted upon individuals. Parties having once engaged, or purchased, the professional interests of the Ulster king of arms, as a pedigree agent or herald, consequently insured all the advantages derivable from a monopoly or non-production in evidence, of the Tower Records in his custody. It is needless here to enlarge on the intolerable nature of such a system, since, in consequence of the obscurity in which the Tower Records have hitherto been retained, it was impossible to demand by the usual legal course any specific document, of the actual existence of which positive or direct proof is unattainable, from the want of arrangements similar to those established for the public in the General Record Office in London. Lord Brougham protested against an Ulster king of arms being believed on oath before the House of Lords, and designated him to that august assemblage, as a person whose business was to "wear a motley coat ; walk in processions, and superintend funerals." It would appear that his Lordship's knowledge of the nature of the office was based on a Commission bearing date 5th of June, 1684, to the Ulster king of arms of that day, and which defined this office to consist in "taking knowledge of and registering the descents, matches, and issue of the nobility and gentry of the kingdom of Ireland, as also in preventing and reforming usurpations, disorders, and abuses in the bearing and using of arms and titles of honour, as also in the regular and undue using of velvet palls, or supporters, at any funeral whatsoever." The small importance originally attached to this office is shown by the official "Establishment of Ireland, Civil and Military," signed by Charles II, 1684,

papers, connected with the offices were, under this act, ordered to be transferred to a Repository to be appointed "for the preserving and securing of the Records of Ire-

in which the Ulster king of arms is set down for an annual salary of £26 13 4, while the State Trumpeter and Kettle-drum performers were paid each £70 per annum. In the schedule of the officers and servants attending the House of Peers in Ireland, from 1719 to 1729, the name of the Ulster king of arms is put at the foot, three degrees below the "Fire Maker to the House of Lords," a position acquired apparently by the low quarrels in these times for fees between the "Ulster king" and the herald-painters and undertakers of funerals in Dublin. One of these Dublin undertakers, named Aaron Crossly, carried on a long dispute with William Hawkins, Ulster king of arms, who sought to oppress him by virtue of his employment under the House of Lords; but several of the Peers protested against this protection being taken advantage of by their servant, whose errors in heraldry were exposed by Crossly; proving, that among other mistakes, the Ulster king had blazoned the arms of the see of Ossory "as if one half of the Bishop were dead and the other half living"! The fee to the Ulster king of arms for introducing a Baron or Bishop into his place in the House of Peers of Ireland was fixed at £1 17 6; and in 1750 it appears that, in point of rank and emolument, the Ulster king of arms was, so far as the Peers were concerned, placed on a level with a "second class door-keeper to the House of Lords," the salary of £53 6 8 being allowed to each. The House of Lords of Ireland, in 1789, passed a formal resolution declaring that, after careful examination, they had concluded that the entries in the books of the Ulster king's office were "very incorrect;" and that, moreover, several of the Irish Peers had paid for entries which had not been made. Such facts show the grounds on which Sir W. Blackstone founded the opinion which he delivered as follows, in the seventh chapter of the third book of his famous "Commentaries on the Laws of England:—" "The marshalling upon coat armour, which was formerly the pride and study of all the best families in the kingdom, is now greatly disregarded, and has fallen into the hands of certain officers and attendants upon this court [of heraldry] called heralds, who consider it only as a matter of lucre, and not of justice, whereby such falsity and confusion have crept into their records, which ought to be the standing evidence of families, descents, and coat armour, that though formerly some credit has been placed to their testimony, now even their common seal will not be received as evidence in any court of justice in the kingdom." When such a vile or venal state of heraldic morality existed in England, under the surveillance of a regular "College of Heralds," one may conjecture the extent to

land," and the Government of Ireland was, by the same authority, invested with full power to take the requisite measures for the safe custody, preservation, and arrange-

which the Ulster kings of arms as principal and uncontrolled heralds for all Ireland, were led into fabrications and perversions as a matter of "lucre and not of justice." The Ulster king of arms in 1800, was a member of the House of Commons of Ireland, and although he is alleged to have advanced the price of his vote, by opposing the Union at first, before he came into terms with Lord Castlereagh, yet the annuity granted him, nominally in consideration of his loss of emoluments consequent on that measure, could not be brought up beyond £290 19 5: while at the same time Mrs. Taylor, Keeper of the Parliament House, was granted a pension of £877 18 9, together with an annuity of £472 18 11 for her under-housekeeper, Mary Foster! The Irish Archæological Society in its Transactions for 1843, have given evidences of what the Council of that learned body stigmatize as the "bare-faced fabrications of names, personages, events, and ancient armorial bearings," embodied in pedigrees, disposed of for money "by William Hawkins, Esq., Ulster king of arms and Principal Herald of all Ireland, *under the seal of his Office.*" Further disclosures of this nature, nearer to our own time, will be found in the correspondence between C. J. O'Donel, Esq., Barrister at Law, and Sir William Betham, Ulster king of arms, published at Dublin in 1850, in which Mr. O'Donel protested against the undue interference with Records in the Dublin Tower which he publicly declared had not been kept free from interpolations and corruptions. Mr. O'Donel's statements, which have never been disproved, were supported by reference to a pedigree then recently issued, abounding with "scandalous fabrications," signed sealed, and authenticated by the Ulster king at arms, and to which even the attestation and signature of the Lord Lieutenant of Ireland, of the day, had been, by some means, obtained. On the death of Lord Stanhope, in 1855, the office of Keeper of the Records in the Dublin Tower finally expired, and according to law, could "not be granted to any person or persons whomsoever," and in compliance with the Act of Parliament these muniments should have been removed to a Public Record Office. An illustration of the obscurity hitherto involving all matters connected with Public Records of Ireland, is found in that well-known, laborious, and in the main, accurate publication, Thom's Official Directory of Great Britain and Ireland at p. 830 of which, for 1863, the present Ulster king of arms is entered as "Keeper of the Dublin Tower Records," an office which, as above shown, cannot legally exist; nor in any case could

ment of these, and of "*all other records relating to Ireland.*" An Act of 1822 (3 George IV, chapter 56), moving in the same direction, abolished the Irish offices of Teller of the Exchequer, Auditor General, Clerk of the Pells, and Muster Master General, and provided that their records should also be removed to a public general Repository.

No actual immediate movement was made under this legislation, and the first practical step towards concentrating the records resulted from the act of 1829 (10 George IV. chapter 50) consolidating and amending the laws relating to the management of the land revenue of the Crown in Ireland.

This concentration of portions of the public muniments of Ireland was commenced in 1831, under the supervision of Mr. W. H. Hardinge, who with the approbation of the Treasury, removed to the western wing of the Dublin Custom House, six of the nine classes included in the Acts, viz.: the Records of the Surveyor General, Auditor General, Vice Treasurer, Teller of the Exchequer, Clerk of the Pells, and Muster Master General, together with the records of the 1688 forfeitures. The records of the office of the First-fruits and Twentieth parts, Commissioners of Imprest accounts, Excise, Customs, Post-office, with a variety of smaller Collections have since that year been removed to this Repository, and the arrangements, classification, and registration of the entire mass of documents have been accomplished in a style eliciting the highest commendations from the most competent authorities* in England and Ireland, and demonstrating the great benefit which would have accrued to the country had the entire of the other Irish public muniments been concentrated under the same zealous, skilful, and indefatigable laborious head.

the Public at this time of day, submit to have muniments, the property of the country, deposited anywhere but in a Public Record Office, free from all professional influences or agency; and so arranged and calendared that, as in London, any individual may obtain the fullest assistance in their production and use.

* See the "*History of the Survey of Ireland, commonly called the 'Down Survey,'*" by T. A. Larcom, F.R.S., M.R.I.A. Dublin: For the Irish Archæological Society, 1851." "*Notes of Materials for the History of Public departments,*" by F. S. Thomas, London: 1846. "*Fasti Ecclesiæ Hibernicæ,*" by H. Cotton, D.C.L., 1846.

The majority of otherwise educated people are not aware that Ireland is anomalously situated with regard to titles to public and private property, as, owing to former events in that kingdom, the Irish Public Records constitute the principal, if not the only, legal evidence of original settlement and continued subsequent enjoyment of all real property in Ireland, whether ecclesiastical, lay, or corporate, as well as of the origin, nature, variations, and extent of the Crown's hereditary revenues. In corroboration of these remarks it will suffice to cite here the unquestionable authority of General Sir Thomas Larcom, the present Under-Secretary for Ireland, who, in his valuable work on the history of the "Down Survey," mentions one class of muniments which, in his own words, are "the legal record of the title on which half the land in Ireland is held."

These features are as important to Great Britain as to Ireland in matters of property; it should also be remembered that the Irish Public Records are the chief memorials of the English race in Ireland, and, in an historical point of view, they are absolutely requisite for the elucidation of many highly important points of the annals of the British Empire.

Although well aware of the hitherto not ungrounded impression prevailing among scholars in Ireland, that they have but little to expect from the guardians in London of the Imperial finances,* we must here, in justice, express our conviction that had not individual interests and sordid motives combined up to the present, to withhold from the light all accurate and impartial information on portions of the Public legal Records of Ireland, we should not to-day have to lay their wretched condition before the authorities who, with honourable enlightenment, have liberally opened the national purse not only for the execution in England of desirable labours in this direction, but also to have examined and calendared every document extant abroad connected with the history of Great Britain.

* The amount of justice hitherto exhibited to Ireland in the administration of the grants of the Imperial Parliament for the publication of chronicles, memorials, and calendars of documents *nominally* for Great Britain and Ireland may be estimated from the fact that of the *fifty* large volumes thus already published, at the

A full consideration of this subject, in all its bearings, cannot fail to demonstrate that the only satisfactory and really economical course to be adopted is one analogous to that taken so successfully in England—namely to concentrate all the Public Records of Ireland, both metropolitan and provincial, in one general Repository at Dublin, under the management of archivists qualified to render them available in cases of justice, and competent, in their own departments, to maintain for this part of the empire a character for accurate and precise documentary learning.

By adopting a proper departmental collocation, preserving the official origin of each class, a systematic and sound foundation might be laid for producing calendars of their

general national expense, under the Master of the Rolls in England, *not one* was committed to the editorial care of any scholar in Ireland; and the only *one* of these productions bearing upon Ireland, is a Calendar of Irish State Papers, in London. The little reform contemplated in this system appears from the last official list of the numerous books in progress, under the same arrangement, which includes only *two* volumes entrusted to editors in Ireland, but at the same time measures have been taken, necessarily at heavy cost, under this grant, to despatch scholars to decipher, translate, and prepare for publication documents connected with English history, in Paris, Lille, Vienna, Barcelona, Simancas, as well as in other parts of Europe. Such is the injustice inflicted under this "Imperial measure" upon those learned scholars in Ireland who have acquired for Irish historic literature the high position which it now admittedly holds, having produced, at great personal sacrifice, works, with which but few of the volumes issued under the Master of the Rolls in England can stand comparison in point of accuracy, erudition, and perfect mastery of the subject matter. Of all the publishing bodies of these kingdoms, says a late writer in Blackwood's Edinburgh Magazine, the Irish Archæological Society is "the most learned." The labour and the merit of producing such "wonderfully learned editions" as those printed by this Irish Society, are, adds the same author, "almost beyond practical appreciation."—*Blackwood*, vol. xc., page 458; xci., pages 319-325. Of the publications in England, under the Master of the Rolls, a learned writer in *Fraser's Magazine* (lxvi., 130-133) observes that "the details and execution of this design have been hardly equal to the plan itself;" and points out instances in which some of the editors in England have mistranslated the simplest phraseology in almost every page; thus producing works, "not such," he justly adds, "as should appear under the authority of Government."

contents in a manner appropriate to each class and useful to the public in historical and legal inquiries. "Without calendars and indices," says a high English authority, "the Public Records are as a sealed book and comparatively useless."

This arrangement might be made sufficiently expansive to absorb periodically the records of various public offices, thus relieving them from obstacles to their current every day business, and enabling Government to simplify and economize those departments and courts, where the merely nominal custody of ancient records by those, who, as has been shown, are avowedly ignorant of their contents, and unable to answer any inquiries in connection with them, is at present made a source of unproductive expense to the public.

Such a Record Repository might clearly be established under the Statute of 1817, which, as already mentioned, authorizes the Government of Ireland, in plain words, to take measures for the proper care, arrangement, and aggregation of *all the Public Records of Ireland*; but should any perverse petty legal technicalities be raised by individual interests to mar the carrying out of a work so beneficial to the country at large, the Legislature can readily find means, as previously in England, to dispose of such obstacles.

In taking leave of the subject, for the present, we trust that we may not be considered to have been entirely unsuccessful in our essay to accomplish the objects which impelled us to enter upon this task, namely, to do justice to labourers whose works have been unfairly appropriated : to vindicate the real historic literature of Ireland : to arrest the mis-direction of a well-intentioned national expenditure ; to indicate the proper steps to be taken to remedy the present neglected and precarious condition of the great body of the Irish Public Records ; and to let the world see the true obstacles which impede the production of accurate and solid historical works in this part of the Empire.

- ART. III.—1. *Averroes et L'Averroïsme.* Essai Historique Par Ernest Renan, Membre de l'Institut, Michel Lévy Frères Editeurs, Paris, 1861.
2. *Manual d'Histoire Comparée de la Philosophie et de la Religion.* Par J. H. Scholten. Prof. de Theologie a l'Université de Leyde. Traduit du Hollandais. Par A. Reville, 1861.
3. *History of Civilization in England*, by Henry Thomas Buckle. London: Parker, Son and Bourn. 1861.
4. *The Westminster Review.* New Series, No. XLV., January, 1863.
5. *Philosophie und Theologie.* Eine Streitschrift von Johannes von Kuhn, Doctor der Philosophie und Theologie und ordentlicher Professor der Theologie an der Universität Tübingen. Tübingen, 1860.

THE days of the Reformation are drawing to their close. The evil is consummated. The debateable borderland, which, in the sixteenth century, lay between the need of a true reformation felt in the inmost heart of society and the pride which perverted to evil the divine inspirations, has long since been passed. Evil principles have settled down and hardened themselves into accepted modes and habits of thought and action. The irreligious mind of Europe has at last, after many failures, succeeded in constructing for itself a Philosophy in which it proposes to find intellectual satisfaction. Starting with universal doubt as its basis, taking experimental investigation as its method, modern Intellectualism has resulted in nothing higher than the Materialistic Pantheism of Comte or the Philosophic Rationalism of Germany. It looks down with a sublime and contemptuous indifference, not only upon christian philosophy based on revelation, but on all systems of religion as equally futile and superstitious. It says of itself, in the words of Mephistophiles in Faust, "Ich bin der Geist der stets verneint." Such is the ultimate result of the moral and intellectual perversion of the European mind in the sixteenth century. The nineteenth century has little in common with the Lutheran age. More refined in manners, purer in its outward deportment as well as in its interior life, European society is less open now to religious impulses than in the age when

the stirring intellect and vigorous voice of the German Reformer not only agitated every thoughtful mind, but set nation against nation, until in the name of religion, Europe was baptized in blood. We by no means overlook the political character which, for purposes of their own, the European governments imparted to the reformation, and which gave consistency and success to a movement which would otherwise have perished in the throes of its birth. But anterior to its political character and beneath its political trappings there was in the Reformation an intellectual awakening from the dead sleep of the foregoing age, a vigorous protest against the prevailing Pagan tendency of the time, which rightly directed might have caused the Reformation to anticipate the work of the Council of Trent. The result of this fatal triumph of the Reformation was to break with the traditions of the past, and to unsettle the foundations of society.

Not only was a daring spirit of critical inquiry awakened, but a new principle was introduced into ethics and religion in the right conferred on the individual mind of constituting itself the supreme measure of human actions and the sole criterion of truth. The prominence thus given to the individual undoubtedly stimulated the development of intellectual power and quickened into life slumbering thoughts; new energies were awakened, investigations were pushed into all provinces of knowledge, and most important discoveries were made. Individuality became the characteristic of the age. The individual was all in all—society nothing. Private opinion superseded traditional faith. Authority suffered. Law and public order, weakened at first by the pride and self-will of the individual, were finally trampled under foot by the infuriated multitudes, emancipated from the old principle of obedience and the long habit of restraint. Men rushed to arms to vindicate an opinion hastily adopted or passionately pursued. Europe became the battle-field of rival creeds. Cities were sacked, provinces laid waste, and kingdoms rent in two by opposing factions. Blood flowed like water in the long years of these fratricidal wars. Religious phrenzy bordered on insanity. The most extravagant and the most grotesque—the most licentious and the most blasphemous opinions were paraded in the sacred name of religion. Everywhere the fires of persecution were lighted. The axe and the gallows took the place of the sacred

councils and of the supreme authority of the church in the decision of points of doctrine or of practice. Kings in their wrong-headedness or in their hostility set the Papal authority at defiance. Exhausted at last by loss of blood, that part of Europe which was cursed by these new opinions laid down arms and proclaimed a truce. In our own country, indeed, it was only in the first half of the present century that the civil rights of the Catholics were at length tardily recognized.

Morality as well as civil government and religion suffered by the self-assertion of the individual mind and its emancipation from the control of the church. The immutable laws of morality were altered to suit individual opinion,* and the consequence of this secularization, so to speak, of the moral law was the general disregard which soon sprang up, according to Luther's own testimony, of the elementary principles of the gospel. Men who under the dominion of the old faith were temperate, modest, and self-restrained, became, under the influence of the new lights, licentious, passionate, and abandoned. Full of tumults and riotous, they filled whole provinces with outrages which were a disgrace to human nature. Lust and blood-thirstiness were the signs of their

* Such an alteration, for instance, in the laws of morality, was the permission granted by Luther to the Landgrave of Hesse to commit polygamy. In answer to his application for such leave and licence the whole of the theologians assembled at Wittemberg to frame a reply.

"Your Highness," they state among other things, "we cannot publicly introduce or give our sanction as by a law, to a permission for marrying a plurality of wives. We implore your highness to reflect upon the danger in which that man would be placed who should be convicted of having introduced into Germany a law such as this....Your highness is of a frail constitution...may it please your highness to examine seriously the various considerations involved in this matter; the scandal, the labours, the cares, the grief and weakness, which, as has been shown to you, are involved in it. If however, your highness is utterly determined upon marrying a second wife, we are of opinion that it ought to be done secretly. Signed and sealed at Wittemberg, after the feast of St. Nicholas, in the year 1539—Martin Luther, Philip Melancthon, Martin Bucer, Antony Corrin, Adam John Lening, Justin Winfent, Dyonisius Melanther."

presence in the cities given up to their rule. "Luther," says M. Audin in his description of the revolt of the reformer's disciples at Wittemberg, and of the abominable atrocities committed by Carlstadt and Munzer, "was now undergoing the penalty of his revolt against authority; around him he saw nothing but deception, doubt, and scepticism." Suabia, Thuringia, Alsace, in a word all the Western part of the German Empire was in a state of fearful commotion. By degrees, the undying hatred of the poor against the rich aroused itself. "Lollards, Beghards, a whole host of Apocalyptic visionaries," writes M. Michelet in his life of Luther, "put themselves in motion. The rallying point, at a later period of the insurrection, was, the necessity of a second baptism; but from the very commencement throughout, the aim was a fierce war against established order, against order of every description; a war against property,—it was the robbery of the poor man; a war against science, it broke up all natural equality.....The peasantry of the Black Forest were the first to rise, and their example was immediately followed by the people of Heilbron, of Frankfort, Baden, and Spire; thence the conflagration spread itself to Alsace, where it assumed a character more terrible than in any other direction. We next see its progress in the Palatinate, in Hesse, in Bavaria."—"The peasants," according to another authority, "after the capture of Weinsberg, resolved to give no quarter whatever to any prince, count, baron, noble, knight, priest, or monk, in a word, to none of the men who live in idleness! They accordingly massacred all the nobles who fell into their hands, in order, they said to avenge the death of their brethren in Swabia. They destroyed a great number of convents; in Franconia alone two hundred and ninety-three monasteries were pillaged and burned... When they despoiled a castle or monastery, they never failed to go in the first instance to the cellar and clear off all the wine, they then divided among themselves the church ornaments and sacerdotal vestments."—Haarer (*Peter Cimitus*) apud Freher III. 242. For an account of the immoralities committed, see Luther's *Tischreden*.

But science as well as society suffered from its secularization, as results but too clearly have shown. The independent and unrestricted course accorded to the human mind, excited in the onset its speculative activity to the

highest, but the absence of faith to control and regulate soon betrayed it into the wildest vagaries. Like an untended plant in too rich a soil, it perished from its own rank luxuriance. Philosophy, experience itself teaches, has more need of faith than faith has of philosophy. If we follow the course of philosophy from the revival of letters, down to the present day, we shall be at no loss to discover the root of its chief errors in that great principle which Modern Intellectualism so highly honours—the emancipation of human reason from the control of faith. The secularization of science by blocking up all the broad highways of true knowledge which the church was founded to point out, was the most conspicuous cause of the infidelity in the Deistical writers of the 17th and 18th centuries in England, of the wretched materialism of France in the last age, of the Rationalistic and Pantheistic philosophy of Germany in our own day. If science, free in its own peculiar department, yet subordinate in its great conclusions to the truths already established by revelation, had always been cultivated in harmony with religion, the creeping in of the small beginnings of error would have been effectually checked, and the human mind would never have been plunged into the frightful abysses it has too often reached. The scoffing Rationalism and the hard Materialism of the last century, its bitter gibes and jeers, its bold and open blasphemies have been transformed by modern Intellectualism into simple negation. Scientific men and the intellectual leaders of the age regard the Christian faith as a superstition beneath their notice, although, for the most part, they still observe a decorous silence on the subject of revelation. This change is in part to be accounted for by the reaction which followed the violent outbreak of the last century—in part by the exhaustion of false philosophy itself, and it is also partly due to the general improvement in the tone and manners of society in the present day. But another cause which contributed in no small degree to this change, was the great Catholic School of writers which arose in defence of Christianity. These eminent apologists in various countries, by the keenness of their logic, by their profound and comprehensive views, and the fixedness of their principles, drove the philosophy of Rationalism out of the field. But now, since these philosophical defenders of orthodoxy have passed away, modern Intellectualism grows less guarded in its

utterances. It differs in its tactics from those pursued in the last century; it does not seek to carry the Christian citadel by storm, but to undermine its foundations by slow and systematic approaches. It digs deep and distant trenches and throws up earth-works of its own to defend its position or to conceal its covert advance. It is surprising how far the enemy has stolen unawares upon our position. What hold unchristian theories have on the mind of Europe, and what influence they exercise upon the government of public affairs may be safely inferred from the growing success of the two great principles of modern times—secularization of the State and of the School—of society and science. However disguised in terms to suit the weakness of novices, Catholic or otherwise, these principles may be, their fundamental error still remains, and, on slight consideration, their grave import and danger will be at once apparent. Secularization of the State means divorce from the Church, means disturbance of the harmony which God established between the temporal and spiritual orders in the government of the world. The State, independent of the Church, introduces, as experience has amply shown, laws and customs not only not in conformity with the divine precepts, but too often framed or imported in the bitterest spirit of hostility. Such principles, infused into the body politic, soon energize in the life of a nation. They exercise a baneful effect upon the conscience of the individual, as well as upon society at large. Faith is weakened and public reverence lessened by the non-recognition of religion by the state, all community of interests is interrupted and common action broken. The separation of Church and State, or the enslavement of the Church by the State, lies at the root of much of the evil—the revolutionary commotions and the religious indifference—which is now afflicting Europe.

The arguments in favour of the separation of Church and State advanced by Lamennais in the "*Avenir*" were chiefly based on the advantages which would accrue to the church in the freer development of its own resources, in liberty of action, and in power of self-government. In an age like ours, it was contended, when the State for the most part is hostile to religion, the independence of the Church would be a simple gain. The independent Church would have the indisputable right of holding what

synods it chose, of entering into free communication with Rome, of nominating its own bishops, and appointing priests to its own parishes. The clergy were exhorted to fling up their miserable pittance, which made them dependent on an irreligious state, and alienated them from the affections of their flocks, whereas, if they displayed a noble-minded disinterestedness and threw themselves on the generosity and Catholic sentiment of the country, such a confidence would beget respect and draw closer the bonds between priest and people. This theory, urged with all the eloquence which Abbé Lamennais and the writers in the "Avenir" were so capable of, found no favour in Rome, and the condemnation of this theory was the occasion of the unhappy apostacy of Lamennais. It was wrong in principle, and would have failed in practice, as far at least, as regards the maintenance of the clergy in France. In many parts of the country the people would have nobly supported the priests, but in many other parts, and in the large cities where infidelity predominated, many of the priests would have been reduced to beggary and starvation, and many of the churches would have been closed. Yet even if the church by its separation from the state had in some respects been a gainer, such a gain could only have been accomplished by a sacrifice of duty, for the church is bound to do nothing to the detriment of the state and to the public well-being of society. The withdrawal of the church from its union with the state would have broken down a barrier against the advance of infidelity, and lessened the influence of religion in the management of public affairs. The separation of institutions which, by the condition of their existence ought to be conjoined, can never be carried out without inflicting mutual injury and loss. Such an unnatural severance would be sure to create a permanent antagonism between Church and State. Christian society from its cradle to its grave—man, from his baptism to his burial—is indissolubly bound up with the Church and with the State. The ill effect of such a feud between two institutions both from God—though under different conditions and with far different powers—would soon make itself felt in every relationship of life, social, political and religious. Far better for the church to endure the hostility of the state, than to be a party to such a separation, and to be the guilty accomplice of evils against which she must ever protest.

In the discussion of this theory we may call experience to our assistance. Under the most favourable auspices a scheme of separation of church and state was carried out in Belgium. Acting on the advice and under the influence of Lamennais, the Belgian clergy entered into a compact with the Liberals that the church should be separated from the state. Perfect freedom was guaranteed to religion, and tolerance of all opinions, however perverse and erroneous was established. The results of this unfortunate compromise are but too plainly visible in the political condition of that Catholic country. Nowhere are the doctrines of the church more frequently or more fiercely dragged into political discussion, nowhere is the clergy more vilified or abused than by the Belgian Liberals. On every occasion of political excitement the Press teems with the most revolting attacks against all that is held most sacred by the large majority of the country. No weapon of offence is neglected. No tale is too scandalous to be repeated by these cowardly assailants. The same warfare and a like animosity prevail in the Chambers. Under such circumstances we are not surprised that the state is only too glad of an excuse for encroaching on the rights and liberties of the Catholic church. At the same time, the state so ready to cripple the activities of the Catholic church, never fails to afford toleration and encouragement to the infidel party in its audacious attempt to undermine the national faith. The two government universities, by the terms of the compact, secular like the state itself, are, equally with the state, openly hostile to religion. Not satisfied with simply circulating to their heart's content the principles of Modern Rationalism authorized in the halls of these state universities, the attacks are ostentatiously levelled by the salaried teachers of infidelity against Christianity itself. In one instance, too notorious to be passed over, the Catholic minister, de Decker, removed or silenced the professor—not because in a Catholic country he had offended against Christianity, but because his theme was calculated to wound the susceptibilities of some of his hearers. But the Belgian minister was a Catholic liberal, and Catholic liberals, all the world over, have faint hearts and mincing tongues—nay, have souls which they dare not call their own or God's in the presence of the great apostles of modern enlightenment. What in Belgium, we make bold to ask, has the church gained

by separation from the state? Where is the promised immunity from politico-religious discussions—where the stipulated neutrality? No traces of it are to be found in the unchristian character of the school and of the state. The Catholic church has gained ground in Belgium, nevertheless, it may be alleged in counter argument,—of course she has, not in consequence though, but in spite of the obstacles which her separation from the state has thrown in her way. It is the nature of the Catholic church to triumph under difficulties. We shall, later on in these pages, have something to say on the present triumphs of the Catholic church—political, intellectual, and religious, but just now we have to do with the gains of her adversary; and the separation of church and state, the secularization of the school and of society, is a triumph to the principles and to the pride of modern Intellectualism. Another argument, of quite a different kind, of a character as mistrustful and cowardly as that of Lamennais was bold and sanguine, is sometimes brought forward to prove that the separation of church and state is beneficial to the church. A train of reasoning however, such as we allude to, which takes for granted the weakness of the church and the proneness of churchmen to corruption, betrays not only an ignorance of the past history of the church in the world, but a timid and unhopeful spirit totally unable to conceive the future destiny of the church or its power of successfully coping with the difficulties of the day. Far from wishing the church to shrink from public conflict with the world, we, on our side, would urge her ever onwards—on to the outposts of civilization and into the thickest of the fight, until she were master again in the citadel of human thought and action. But let us see what can be said on behalf of the policy of isolation—the retirement, so to speak, of the church from public life. It is urged, then, that such withdrawal of the church from the active interests of the world would lead her back to the primitive ways of apostolic poverty, and preserve her from the dangers and corruptions incidental to secular conflicts and alliances. The monk in his cell, the priest in his parish, the bishop in his diocese, and the Pope, divested of temporal power, each devoted exclusively to the business of religion, would afford, we are told, a spectacle of disinterestedness and self-denial which it would be quite delightful

for men in the world to contemplate. Passing over the fallacy of the argument which assumes that the business of life and the business of religion are separate, and supposing it were possible to exclude the secular interests and conflicts, together with their incidental temptations and dangers, from the cell and the parish, from the episcopal see and from the chair of St. Peter itself, would such exclusion be wise—would it be just, or in other words would it be pleasing to God? Is it not the mission of the church to mingle in the conflicts of the world; to guide, to warn, —aye, and to console, where consolation is most needed? Are not the interests of the day her own interests? Is there anything done or suffered in this wide world which does not affect the salvation of souls? Shall the church alone in timid isolation stand aloof from active life?—No! where the fight is thickest she must take her stand. In the marvellous teeming world of letters, where the busy brain of man is weaving the tangled web of good and evil for the preservation or destruction of numberless millions, the church must take her part, despite the temptations she may incur from the fascinations and the pride of intellectual life. She must sanction the discoveries of science by her presence and approval, or correct its errors by her inspired faith; but does she incur no danger from a pursuit which is so flattering to the self-assertion of human reason? Shall she shrink from taking her seat in the university halls of the world, and from plunging into the mysteries of the false philosophies and religions of the age out of fear of contamination? Such pusillanimity were worse than if the physician were to forsake the fever hospital when the malady was at its highest. The church must mingle with the world, because its interests are intimately wrapped up with her own. She must gain experience and knowledge, (and these great gifts do not come by the way of isolation) so that she may learn the burden that lies on the human heart, and the temptations that most beguile in order to the more effectual discharge of her ministry of souls. The church moreover has a public as well as a private duty to perform, for which experience and knowledge of men are necessary. She is bound to bear her share in the government of the world, for whose moral well-being she is responsible. In all those great assemblies where the public business of the world is carried on, where the fate of nations is often decided, the presence of the

church with her eternal principles and her immovable front is now more than ever needed. What if corruption should creep on in the track of power, and the consecrated finger of the churchman should clutch, like Wolsey's, too eagerly after gold, then, like Wolsey, he must repent. It would be cowardice in the foremost sentinel of Christianity to forsake his post at the most advanced gate of civilization on account of its accompanying danger. In the long sweep of time, since the church first emerged from the catacombs, she has ever taken her place in the battle of life; sometimes here or there she has sunk in the conflict, or sometimes here or there corruptions, incidental to the warfare she was waging, have cumulated upon her; but the Divine Hand has ever raised her from her stagnation and sent her forth vigorous again to the combat. But if she have suffered losses how great her gains have been! Hers was the plastic hand which moulded European society. She turned aside the Goth and the Vandal, and tamed the noble barbarian. In no forced or voluntary isolation, but in the van of the activities of life she pursued the path of progress and civilized the world. She manumitted the serf. She stepped in between the rude baron and his victim. In the sacred name of liberty she confronted kings in the pride of their power, and taught the rulers of the world the wisdom of moderation and the art of good government. By affording the right of refuge to the persecuted, and even to criminals, she checked the rage of cruelty and mitigated the severity of barbarous laws. What a gain furthermore, to society and civilization were not her monastic institutions with their civil rights and recognized position in the commonwealth! To them we are indebted for the preservation of the great memorials of the old civilization which broke up because it could not assimilate itself to the christian principles which the church was commissioned to teach to the world. What wealth of literature, what treasures of art, which the Past had bequeathed to the Present, would not have perished had it not have been for the fostering care of the mother of modern civilization! Throughout the long ages of their connection, what traditions of holiness, what precepts of wisdom has not the Church kept up in the State! And when the disastrous storm of the sixteenth century swept over the world, and tore provinces and whole kingdoms from the unity of the faith, and when man, in the pride and licence of a new-

found liberty, secularized the state and secularized science, and proclaimed as a first principle the complete independence of human thought in every department of life, the Church manfully gathered together her forces, and where she could not overcome the evil, she still exercised, by her presence in the world, her silent influence for the best interests of civilization. None as yet were so reckless as to break wholly with the traditions of the Past. The consummation of such an evil, commenced by the reformation, was a work of time. But the time came slowly but surely. The state, rendered independent of, or tyrannizing over, the church, soon became absolute, and absolutism is only another phase of the Revolution. But the absolute State was soon converted into an instrument of destruction in the hands of the godless school, which is the other principle of Modern Intellectualism we have yet to consider. But before passing on to this consideration, let us in simple faith reiterate the question—why the Church, wise with the experience of eighteen hundred years, should retire from her position in the world—from the front ranks in every department of life? Has the Church faith in the wisdom of the age or in the purity of its guiding influences? Secularization of the state and, as a logical consequence, abandonment of the temporal power by the Pope, is the war-cry of modern Enlightenment; and every instinct of catholicism, throughout the whole length and breadth of the world, answers that cry with a direct defiance. Catholicism and Modern Intellectualism differ not only in the manner of expression or the mode of viewing things, but on first principles; and between them the only issue is war. But for children of the church to counsel her to withdraw from the world lest her purity should be contaminated in the conflict—lest mingling with the world she should love too well the ways of the world—lest pride, avarice, ambition should choke in her breast the virtues she was commissioned to teach, shows a want of faith in the destinies of the church as great as that which befel Peter in the bark. In both instances the presence of Christ is forgotten. What shallowness of view, what miserable faint-heartedness in Catholics to desire that the church should flinch from the performance of the active duties of life, out of fear of incurring their incidental dangers! Isolation is not safety, neither is it the part of wisdom. Let the church enjoy power, for power is her

inheritance. Her mission is to teach man, in every relationship of life, public or private. To withdraw herself, therefore, from any sphere of activity is a sacrifice of duty. There is nothing too minute or mighty that concerns the welfare of man for religion to deal with. The churchman should stand shoulder to shoulder with the good and true everywhere in the conflicts of life. The cowl of the monk ought to be seen in the assemblies of the learned, and the voice of the prelate be heard in the affairs of the state, while the Vicar of Christ upon earth must, in his temporal capacity, be ever at the least on an equal footing with King or Kaiser. Union between the two orders, which God has created for the salvation of souls and the preservation of society, is of the first importance for the attainment of those ends—put aside what God has joined together, and you not only risk the salvation of souls, but endanger the existence of society itself.

Secularization of the School is the other great instrument which Modern Intellectualism makes use of, as a lever, to upset the old christian foundations of society. The separation of the state from the church, or the subjection of the church by the state, and the emancipation of civil society from the bonds of religion, would be of little value or of no long duration, were Rationalistic principles forbidden entrance into the schools. The triumph of the godless principle in education is a conspicuous sign of the successful march of modern ideas. Its overthrow or partial check even is, on the other hand, a Catholic victory. Montalembert and the Catholic party achieved a signal success in breaking up the monopoly of the infidel university in Paris in 1850, and in obtaining liberty of instruction and the right of founding Catholic schools; but the whole governmental system of education in France still remains completely secular and openly hostile to religion. Rénan, the advanced and avowed Rationalist, still occupies his chair in the university of Paris. His historical essays and his philosophical disquisitions may be taken as a fair sample of the character and quality of the French literature of the present day. Acute and self-sufficient, he affects, as writers of his stamp and figure mostly do, extreme candour and impartiality in the pursuit of knowledge, yet beneath this mask, contempt for the christian faith and philosophy is ill concealed. In historical criticism, in philosophy, in science, deductions are drawn or discoveries made which

are at once proclaimed by their writers as completely overthrowing a whole range of revealed truth, or contradicting in full and in its front the Mosaic narrative, or even as reducing the hope and faith of the Christian to a myth or a dream. Now, it is the exceptional character and position of the Jewish people which is set aside, now, the descent of man from one pair is denied, and now, the after life of the individual soul is called in question. But the more recognized fashion of Modern Philosophy is to avoid even the approach or possibility of controversy, by treating the truths of revelation as already long since condemned by the intelligence of the age, and by regarding them as subjects fit only for the contemplation of man before his intellect had arrived at maturity. Man, it is acknowledged, owes a debt of gratitude to religion, because in a barbarous age it supplied a want which nothing else could have satisfied so well. But now he owes to faith no more love or allegiance than the grown-up man does to the tales he heard in the nursery or to the song which his mother sang to him in his cradle. Unfortunately, the literature of France to-day takes its stamp and character from such second and third-rate writers; their power lies in their numbers and in the multitude of their readers.

But, unhappily, it is only too true that there have not been wanting men of genius also and originality, who have laboured to raise up in the place of Christianity an infidel system of philosophy. Cousin by his pantheistic doctrines, and Comte by his "*Philosophie Positive*," have created two great schools of irreligious thought in France. In the reign of Louis Philippe, Cousin was the most bitter opponent of the liberty of instruction and of the Catholic reaction, and during the whole of that corrupt period his pantheistic writings were diffused far and wide, and entered with too fatal a facility into many an unsuspecting mind. In his last philosophical work, "*Le Vrai, le Beau, et le Bien*," which was the prelude to his conversion, principles and sentiments are contained, so true and noble, as to be quoted with approval in the French pulpit. Since his recent conversion he has withdrawn altogether from metaphysical speculations, yet he has not had the courage or the good faith publicly to disavow and to withdraw from circulation his well-known and pernicious writings.

The materialism of Comte is widely diffused among the more intellectual classes. It has been especially well received in the schools of science, where its worst expositions are readily endorsed. The most debased system of philosophy is the most welcome to the modern scientific mind of France, and this disposition is in itself an evidence how readily science, emancipated from the control of faith, falls into error, and how apt it is, when left to follow its own independent course, to ally itself with the grossest form of infidelity. Yet even in the domain of science, where alone infidelity can boast of intellectual preeminence, the irreligious school has not been allowed undisputed sway. Ever since the days of Detruyen and Récamier, when the dispute on the divinity of our Lord, in the medical lecture halls, rose to such high words that Récamier was called upon to maintain the Christian dogma at the point of the sword, men have never been wanting, even in the 'Académie des Sciences,' to combine with scientific knowledge the faith of the Christian. Baron de Cauchy, the greatest master in mathematics since Laplace, was a devout Catholic, and so also were Vinet, the mechanician, and Quatremain de Quincey, the great archæologist. Cuvier, the naturalist, was likewise on the Christian side; these writers are, to say the least, as distinguished for their scientific attainments as those of the infidel school, such as Arago, St. Hilaire, and Lamarck who first broached the theory that man was descended from the ape. Again, the great Orientalists, such as Abel Remusat, Silvestre de Sacy, St. Martin the Armenian scholar, and others, were, for the most part, Christian. Nevertheless it is not to be denied that in spite of some noble exceptions, the scientific mind of France, during the present century, has been profoundly anti-christian, and its influence has deeply infected the current literature of the country.

As a set-off, however, against the dense swarm of rationalistic writers, and the still denser mass of immoral productions which have perverted the literature of France to its core, it must be remembered that in the higher walks of literature, the greatest intellects and the most original thinkers, with the exception of Cousin and Comte, which France has produced in the present age, have, for the most part, been ranged on the side of Christianity. In the "*Genie du Christianisme*," Chateaubriand, by the vividness and fervour of his faith, and the boldness with which he dis-

sected the evils under which France was suffering, was the first to fix public attention on the Catholic church, as the only salvation possible for society after the frightful shocks and revolutions it had undergone. De Maistre and de Bonald; men of far greater original powers of mind, and Lamennais before his fall, and his disciples, Montalembert, Lacordaire, and Gerbet, have not only triumphantly vindicated Christian philosophy and ethics against all opponents but have imparted greater depth and fixedness to the modern school of Catholic thought. It is not necessary here to speak of the intellectual activities of the Catholic church, nor of the influence which her great divines and preachers exercise over the mind of society. It is enough to know that such a powerful influence together with the labours of publicists, such as De Broglie, and church historians such as Abbé Jäger, keep intact and advance, in the teeth of the Rationalism of the day, the old traditions and public principles of the Catholic church. In addition to the great school of Catholic writers, such men as Villemain, and Cousin, since his conversion, and the Protestant historian Guizot, are striking witnesses that the highest intellectual power recoils from the abyss towards which lesser minds are blindly rushing.

In his admirable work, *The Christian Church and Society* (in 1861), Guizot, piercing beneath the disturbed surface of things, shows that the real import of the movement which is taking place in the European mind is the final conflict between the natural and the supernatural principles. In the Catholic church he recognizes the chief stronghold of the supernatural idea. Her existence is a public recognition of God in the world. Against this public recognition of the supernatural principle the whole force and antagonism of the natural man are brought to bear. In science, philosophy, and politics the natural principle, taking form in infidelity and the revolution, incessantly strives for mastery: "All the attacks," says this eminent writer, "of which Christianity is at the present day the object, however they may differ in their nature and degree, proceed from one point and tend to the same end,—a denial of the supernatural in the destinies of man and of the world, the abolition of the miraculous element in the Christian religion as in every other in its history, as in its dogmas. Materialists, pantheists, rationalists, sceptics, scholastic critics, some openly,

others with reserve, all think and speak under the dominion of this idea,—that the world and man, moral and physical nature, are uniformly governed by general, permanent, and necessary laws, the course of which no special will has ever interfered with, or ever will interfere with, to suspend or modify.” The Protestant historian, moreover, with very great breadth of view and very deep insight into remoter motives, sees in the united attack of so many different forces on the temporal power of the Pope, only another manifestation and outward sign of the desire to root out the supernatural principle from the hearts and consciences of men.

Guizot, with his calm, philosophic, and reverent intellect, is a favourable specimen of the higher class of mind in France at the present day, as Renan is of the lower school of rash, pretentious, and shallow thinkers.

But in tracing the effects of the secularization of the School, or in other words, in estimating the character of the literature of a country, we must be careful not to draw our conclusions from a few isolated writers, however great may be their genius. The great intellectual power of the Catholic apologists of the last generation, whose names are familiar to us all, is beyond doubt or cavil; and yet, because the circle of their readers was comparatively limited, they did not stamp with their own character the literature of the day. That literature, as far at least as its influence is concerned, with which we alone have now to do, is not the literature which is written but the literature which is read. The “*scribere legenda*,” which Pliny cites as an evidence of the favour of the gods is, at any rate, a test, not always of the worth indeed, but always of the influence of the writer. Genius has the capacity in itself of setting its seal upon what it touches, but if the material it has to stamp shall be wanting to its hands, it can leave no impression behind. In some such way, it appears to us, that the excellent Catholic literature of France fails to leave its broad mark on the age; for what, when compared with the enormous circulation which unchristian and immoral writings enjoy, is the extent and influence of Catholic literature? In this disposition of the public mind, more perhaps than in anything else, are to be seen the fatal workings of the secular system of education and its natural results—science pursuing its independent and unrestricted course, and society, under such godless influ-

ence and tuition, approaching to the brink of infidelity. In estimating the strength and depth of evil principles imbedded in the French mind, we have not left out of count the intellectual activities of the Catholic church, nor the rapid and wonderful progress she has made, in snatching from her great antagonist the territories which for so long a time it has usurped. The very existence of the Catholic church, far more the extension of her boundaries, shows the divine vitality of her nature, and inspires every heart with a confidence that never wavers, not only in her ultimate success but in her approaching triumphs. This hope of her approaching triumphs not only in France, but over the mind of Europe, is not snatched out of the air, but springs from the evidence which is visible to all—the close and intimate union of priest and bishop with Rome, the increase of holiness and the fixedness of principle in the church when outside of her all is shifting and unstable as sand.

We could not quit the soil of France which we have been examining, and which, though choked with deadly herbs and weeds of ill culture and long growth, is yet full of promise of a better yield, without protesting against the faint-heartedness—mother of despair—which is ever crying out about the failure of the Catholic church and its powerlessness to stem the tide of modern irreligion.

In leaving France and crossing over the Rhine, we enter the classic land of Rationalism. In Germany the secular principle in education has long had full sway, and its inevitable results are shown in a philosophy which has become a by-word in the world. The German mind, exhausted by its metaphysical speculations, and its fruitless search after truth on forbidden ways, has, in recent times, recoiled altogether from philosophical studies. All its activity is now devoted to the physical sciences and to politics. In both it takes as its guide the false principle of rationalistic inquiry—experiment, founded on universal scepticism. In both pursuits it has gone far astray. Germany ever since 1848 has made great progress in the positive sciences, but all its newly-acquired knowledge has been applied to the support of materialism. The political revolution is visibly deepening in the German mind, and throwing out roots in a not unfavourable soil. Vogt, the revolutionary politician in the Frankfort parliament, a man of great scientific attainments and a materialist in

religion, may be taken as a type of the modern development of the German mind. Its chief study is science, its politics are the revolution, and its religion is materialism. The Leipsic book-fair annually exhibits the products of such false development as its chief intellectual wares. Almost the entire publishing trade is in unchristian hands. The press too, with a few vigorous exceptions, and some local journals of small importance, derives its chief inspirations from Jews and infidels. In the presence of such a development it will be a matter of surprise to none to find that there is not a single Catholic university throughout the whole of Germany. The mixed system of education prevails wherever the Catholic population predominates; but where Protestants form the majority an exclusively Protestant system of education is maintained. The Catholics of Prussia have recently petitioned for admission into the royal university of Königsberg, but their petition has been rejected. In most of the universities, however, the notorious sceptic, the covert rationalist, and the Catholic professor, teach in the same halls, and handle from conflicting points of view the great problems of history, the methods and discoveries of science, and the deepest questions of metaphysics. Some of the universities, like Tübingen and Halle, have gained an unenviable reputation and have been justly regarded as the forcing-houses of infidelity. Others, like Bonn, and Munich, and Breslau, enjoy a better name; but even in these the State Protestant or Catholic, leaves the Catholic chairs vacant for years, or fills them with men whose Catholicism is of the weakest: and worse still, professors in the theological faculty, as is now the case in Breslau, are retained in their chairs although they have been suspended by their bishop. The same scandal occurred at the university of Bonn, where Hermes, and Broun, and Acterfeldt were allowed to retain their professorships after their opinions had been formally condemned, and they had refused to submit to ecclesiastical authority. Incipient heresy, or semi-rationalism is invariably encouraged, while a reputation for ultramontaniam is enough to destroy the prospects of any Catholic in a German university.* An exception, perhaps, may be made in favour of

* The Students of the University of Bonn have formed an organi-

the university of Vienna, where distinguished Catholics, like Phillipp and Arndt, neglected at Munich, have been welcomed by the academic authorities, although in their new sphere of action they, too, have had much to contend against from the evil influences which were raised against them, and the bad spirit which prevailed among the students as well as among their own colleagues. At the great meeting of the Catholics of Germany, recently held at Aix-la-Chapelle, it was unanimously resolved to found a Catholic university as a protection against the false intellectualism of the age, and where faith and philosophy should no more be divorced.

In Germany as in France, in spite of the secular system in the higher branches of education, the intellectual activity of Catholicism is making great progress. The "*Politische Blätter*," of Munich, long distinguished for its sound political views and for its devotion to the church, and by the masterly way in which it sometimes handles philosophical subjects, has perhaps done more than any other publication of the kind in Europe, to hold in check the spread of erroneous opinions and dangerous theories in politics, literature, and religion. Its own principles are clearly defined, and it has never hesitated to speak at the right moment and in the boldest manner.

The "*Tübinger Quartal Schrift*" is also an evidence of the sound growth of Catholic periodical literature. The "*Pius Verein*" and "*Bonifacius Verein*" and similar societies have done much to encourage the publication of sound Catholic works, and to strengthen the Catholic cause in the field of letters, as well as to make the Catholics of Germany act in unison, and show a bold and unbroken front in the face of an active and vigilant enemy. Much cannot be said in favour of the support which Protestantism is here and there giving to the cause of christianity. In spite of the efforts which the Gerlach party in

zation which has for its object to obtain complete religious equality as guaranteed by the laws of the land, in all the German Universities. They have invited all the Members of the other Universities, and the learned bodies, to join them in this demand for perfect legal equality. Honour to Bonn for its courage in taking the first step against this wide-spread evil, this violation of the rights of Catholics in Prussia.

Berlin, and the Protestant divine Hengstenberg and his Review, are making to revive the better principle in Protestantism, it is fast lapsing into decay from its own internal weakness, and will soon be numbered among the evils of the past. The children of its own begetting, rationalism, deism and infidelity, are impatiently waiting to enter upon their long-delayed inheritance. Perhaps the most distinguishing characteristic, as it is the most obnoxious feature in the present state of Germany, is the junction of the fanatical hatred of the Jew against Christianity with the hard, cold scepticism of the Rationalist. This union inspires an intense hatred against the Catholic church, and is nowhere more manifest than in political life and in the persevering attacks of the daily press on all that is dear to Catholicism at home and abroad. The temporal power of the Pope has no fiercer enemy than the rationalistic Jew of Germany, and the godless system of education no warmer friend. Rationalistic in religion and revolutionary in politics, the disciples of modern enlightenment in Germany, are at once an evidence and a condemnation of the secular system in the state and in the school.

We have already referred to the triumphs which the principle of the independence of the human mind from the control of faith has achieved in Belgium, and have indicated the progress which philosophic and political Rationalism is making in France and Germany, but shall do no more now than simply allude to Italy, the actual battle-field of contending principles, where the lawlessness of revolution is asserting itself in theory and in fact, against the duty of submission to constituted authorities and established rights. If we examine the aims of the revolution ever so cursorily we shall be at no loss to detect its principles. The first aim of the revolution is the overthrow of the temporal power of the Papacy and the destruction of independent and sovereign states. The second is the unity of Italy under one sceptre; the third object is to make the state instead of the church supreme over the consciences of men; and the fourth is the secularization of the school. These aims involve principles subversive of the first foundations of all social order, of the laws of political morality, of the first elements of all religion, and of faith itself. These principles, to which the present revolutionary movement owes its birth, were imported into Italy, as we have on former occasions in these pages endeavoured to

show, by the Voltairian literature of France, and by the introduction of a semi-rationalistic method in the teaching of not a few of the universities of Italy. Italy owes no debt of gratitude to the first or second empire. Under the first Napoleon she was indoctrinated with the ideas, philosophic and political, of '89, and the successful carrying out of those ideas, in the Italy of to-day, is due to the arms and policy of the second Bonaparte.

Of Spain and Portugal we must not speak in one breath. Portugal is in a state of intellectual and religious collapse. It is the refuge of the revolution. It has drunk the cup to the dregs. But Spain is nobly struggling to free itself from the meshes and snares which, through a long series of years the Revolution—that embodiment of evil principles intellectual, political and religious—has wound round its limbs and laid for its feet. The resuscitation of Spain from its moral torpor is an encouragement to Europe and an evidence of the vitality of Catholic principles.

The same spirit which characterizes the advanced and irreligious thinkers and writers on the continent is manifest also at home. A like claim is urged on behalf of human reason to complete independence in the pursuit of all knowledge, to perfect freedom of thought on all subjects, human or divine. Such unrestricted liberty in all speculative inquiries is made a boast of, and is fast becoming as much a matter of national pride as personal liberty. Since the Tractarian movement ceased, Oxford has become a German school of Rationalism. Thence Rationalistic opinions have spread into the current literature, and made themselves at home in the English mind. The publication of the "Essays and Reviews" was merely a gathering up into a concise form, of opinions and principles of criticism which were already widely diffused and seriously held. England was startled from its propriety on the first appearance of this work, not by the nature of its views, but because of the quarter whence it came. Ministers of the gospel, it was supposed, ought to be the last to cast doubt on the truths of revelation. Mere laymen might advance what they chose; faith was no part of their business; but unbelief in benefited clergymen was looked upon as rank treachery. Separation from the Catholic church and the absence of those principles, which the Catholic faith enforces in all speculative and scientific inquiries, is driving English thought fast into the ranks of the rationalist. In

spite of the old traditions of faith and habitual reverence for the revealed word of God, which have clung so long to the English mind, it is but too apparent that the intellectual leaders of the country, both in political principles and in philosophic speculations, are content to be the servile copyists of French revolutionary ideas and of a false German philosophy.

Even from the hasty incursions we have made into the territories of Rationalism in the leading countries of Europe, the conclusion seems inevitable, that the belief that the Divine Will has anything to do with public concerns is as much out of date, as that Revelation is the only key to the knowledge of the mysteries of our being. This substitution of man's will for God's will—of human reason for faith in the government of the world and in the philosophy of the day, is the great difficulty which the church has to contend against in its efforts not only for the keeping of the faith, but for the preservation of society itself. Far superior to the three preceding ages in decency of manners, in propriety of taste, and in refinement of language, yet is our epoch, in its intellectual character, far less under the influence of religious motives than was the day when the controversies of Luther were attacking the Vatican, and rending nearly the half of Europe from the centre of faith. Human reason has broken itself against the iron bars of its cage, and self-blinded by wilfully gazing at "an excess of light," it has fallen hopelessly back into its prison-house. False philosophy, more especially in Germany, has exhausted itself, and has returned to the point whence it started—declaring that since it has discovered nothing, nothing can be known. The product of all its labours is unfaith. It evinces no hate, no hostility, but satisfied with its own false method of procedure, it pays no heed to the startling fact that a godless system of philosophy leads, not to knowledge but to ignorance—to ignorance of all the mighty problems of life which have agitated the human mind from the earliest ages, and which Christian philosophy alone was able to interpret. It threatens now to plunge its disciples back into a worse than pagan darkness; for there was twilight on the pagan horizon—the light of the past, or of the coming Sun which was to illumine the world, but there is no light, or promise of light, in the impenetrable gloom of modern philosophy. The European intellect, with all the

strength of its stirring activity, has thrown itself upon the study of nature, and seeks in the contemplation of the laws of the universe, to discover its composition and the secrets of its origin. It believes only as much of the mysteries of the Creation as the chisel and hammer of the geologist can prove, or the distilling-pot of the chemist can disclose.

On the character and mould of modern civilization the opinions of men are divided. The Catholic church declares that faith in revelation and submission to the Divine Will in the conclusions of science and in principles of government, as in all other matters, are of the essence of civilization; whereas the apostles of modern enlightenment hold the opinion that all advance in knowledge and progress in society depend simply upon the unfettered freedom of the will and of the intellect of man. Between such conflicting principles the gulf is immeasurable. They each start from different points and arrive at different conclusions. In all intermediate steps and stages a like divergence appears. In the progress of knowledge, in its order or disturbance, in the doubts and difficulties that beset and darken its path, counsel is drawn from different sources. And the ultimate appeal is different; in the one case it appeals for judgment to the truths revealed by God, in the other to probabilities proposed by human reason. The position, therefore, which the Church now occupies in the world, differs materially from that which she enjoyed in the middle ages, or in the Lutheran period which is now drawing to a close. No more can she appeal to the public opinion of the nations, for the European conscience is perverted; she can no longer turn to the traditions of ages, for the links of those traditions have been broken by schism, heresy, and unbelief; she can no longer adjudge all causes by the divine authority vested in herself, because her authority is disputed or denied by nearly one half of the nations of Europe. The warfare she has to encounter is also of a different character. The combat is keener and closer—the issue more vital, yet it provokes the warmer passions less, because the battle-field is removed to higher and colder regions, and the fight has to be fought out on the hard and frozen heights of intellectual pride. Modern Intellectualism in these days and in our own country boasts of its unimpassioned character, of its immunity from prejudice, of its fair and candid spirit of inquiry; but if science,

in its researches, abstains to-day from the hostility which characterized it in the Voltairian age, it is only because it pays no homage and owes no worship but to itself. It does not at all follow that, because science is impartial and candid in its endeavour to discover truth, or because its methods have now been so perfected, that therefore it should be exempt from falling into error. And if it fall into error, will science be less absolute than of yore; less obstinate in maintaining its own conclusions at all hazards? How often has not time, the great teacher, falsified the results of science, and upset its most cherished conclusions? What is the history of science but a history of exploded errors? The scientific truths of yesterday are the falsehoods of to-day. Cuvier relates that in his youth pious men were troubled in their minds because science had declared the flood to be a physical impossibility, since there was not water enough in the heavens, or in the bosom of the earth to produce the deluge described in Holy Writ. But in the lapse of a few years science discovered its supposed facts to be illusions, and that the waters in the clouds alone, were sufficient to submerge the earth up to its highest mountain-tops. Science may err again in our day, and, left to its own vagaries, deny the descent of the human race from a single pair, or uphold the theory of *spontaneous generation* or of *gradual development* from inorganic matter; but is science to be allowed, as many in these days contend, unrestricted licence in its pursuits, to own no master, to obey no law higher than its own supposed laws? And what are these "laws" on which so overweening a stress is laid, but deductions drawn by the reason of man, and what are scientific truths but apparent truths?—Are then these fallible judgments of the human mind to be set against the dogmas and declarations of the infallible church? We have no fear of science and its results. The God of nature is the God of Revelation. But we do fear the pride of knowledge which arrogates to itself the mastership over all things, human or divine. Since the introduction of the Baconian philosophy science has made marvellous conquests, yet notwithstanding its occasional aberrations and revolts, it has, on the whole, been hitherto compelled to bear witness to the truth of the Mosaic Scriptures. Science is not the master but the servant of Revelation. Its true position is one of subordination to that master-science which God has given to man in the Revelation of

Himself. But Modern Intellectualism rebels against the limits and conditions assigned to its pursuit of knowledge, it seeks universal empire and complete supremacy. But this claim of unrestricted and independent action so arrogantly set up by many modern champions of the first principles of Rationalism is denied to human reason by the Catholic church. Sooner than remove by one jot the land-marks and the limits which she has set up between faith and reason, the church has allowed men to march out in platoons and battalions from her camp into the territories of free and unrestricted inquiry; and what rest have they found in these dreary wastes? We need only look to the exhausted and barren scepticism of German philosophy for an answer. Lethargy is not rest, apathy is not peace. Has the German mind, once so keen in its speculative activity, made such progress as to warrant us in England to pick up and polish for our use the worn-out instruments of its fruitless and impious researches? Is the actual phase of the irreligious mind in Europe indicative of real progress? Is it progress at all, or is it retrogression, is it light or darkness, is it civilization or a foretouch of the disrupting force of intellectual anarchy and moral decay? Can there be a doubt in the minds of Catholics, or is a defence of Rationalism under any form possible for them? It is easy for Catholic writers to swim with the tide; it is easy among Rationalists to bandy rationalistic arguments; it is easy to sneer at the unscientific character of ecclesiastical learning, and to lament that the mind of the Church, preoccupied with other concerns, is unable to keep abreast with the requirements and discoveries of the age: it is easy, moreover, but is it wise, or just, or lawful in such writers to affect to dismiss with a contemptuous wave of the hand, as incompetent to grapple with the enlarged questions of the day, such profound philosophic thinkers as de Bonald, de Maistre, Donoso Cortes, and F. Schlegel? Such a judgment betrays not only an ignorance of the nature and scope of their principles, but a grievous want of deference to well-established Catholic opinion.

Are not then the principles of Catholic philosophy true for all times, and does not the difference only lie in their application to the varying needs of the day? And what force is there in the demand which has in our days been made that the church shall shift her position in regard to science, and surrender her lordship over all branches of

knowledge? The church is in possession of revealed truth and has something to say on the conclusions of science, or upon its supposed discoveries, since she knows that no veritable scientific fact dug up out of the bowels of the earth, or gathered from more minute observations of the Simian tribe in the forests of Africa, can really come into collision with truths which have come to her by the way of Divine revelation. The church is the divine depository of faith, and cannot suffer any check from, or make any concession to, reason, which is human and open to error. There can, with safety, be no divorce between science and religion; the connection is too intimate and necessary to be severed, and the plea of enabling science to give an independent support to religion has no bottom. In an age like ours there is no warrant for the hope that science, pursuing a path of its own, altogether independent of the conclusions of the higher sciences of theology and psychology, may not often fall into error, and end, as has happened before now, in similar inquiries under like conditions, in emancipating itself entirely from the control of faith. The closer and the more manfully the difficulties of science are to be grappled with, the more needful is the light which God has given in revelation for the guidance of man in the discrimination of truth and error. Modern Intellectualism outside the Catholic church has carried the principle of independent and unrestricted inquiry unto its full extremity, and has, as we see every day, especially in Germany, made reason supreme over all things in heaven and earth. In Catholic Germany, the relation of faith to reason has of late been rightly adjusted, and the true position of philosophy and science to religion triumphantly vindicated. As the worsted side of the argument has been introduced amongst ourselves in an English dress, the existence of a victorious counter-argument, which has already made itself heard and felt, ought not to remain unknown to our readers, we hope therefore on a future occasion to bring under their notice this singular controversy in Catholic Germany, the course of which we will now only indicate as briefly as possible.

At the close of the year 1860 Professor Clemens, an eminent Catholic writer, in the chair of philosophy in the university of Münster, took as the thesis of his lectures the proposition that philosophy is the handmaid of theology. This proposition was vehemently assailed by a distinguished

Divine in the Catholic theological faculty of the university of Tübingen, in the preface to his theological lectures which were then just being published. This preface was extracted by the writer, Professor Kuhn, and circulated in the form of a pamphlet. Such a philosophical and theological controversy between two eminent Catholic disputants excited a great sensation in Germany. Dr. Kuhn already bore the character of a somewhat unguarded and reckless thinker. Professor Clemens was noted for his learning, and for the soundness of his philosophical principles. Dr. Kuhn was a divine, Professor Clemens a layman. The teacher in philosophy circumscribed the independence of his own science and subjected its speculations to the control of theology: the doctor in theology asserted the absolute independence of philosophy in its own domain and denied to theology the right of protruding its conclusions beyond its own sphere. Theology, he contends, has no more right to interfere with philosophy than philosophy has to meddle with theology. In its own domain either science is independent of the other and free to pursue unquestioned and unrestrictedly its own course.

It is to the credit of the Catholic spirit of Germany that no sooner were theories unsound or open to suspicion, like those of Dr. Kuhn, broached, than they met at once with spirited refutation or rebuke, and a like spirit is alive in the Catholic body in England.

Catholic faith is safe in the keeping of the church. Men of intellect too, able to keep stride with the advance of knowledge are not wanting to her. She can well afford to dispense with the proffered alliance of semi-rationalism or with the aid of its indirect assistance. There are great men capable of vindicating the intellectual cause of the church in the world, without compromising her faith. But the triumphs of the church over a hostile world are not due only to the keen vision which faith gives to the intellect, and its steadying effect upon the mind. There are many causes, of course, at work to account for the present triumphs of religion, but perhaps the chief of them is the increased holiness of vocations in the present day. Never since the early christian ages were vocations to the ecclesiastic state and to the religious life more pure and disinterested than now; and never since the days of the great martyrs were the priesthood more united in faith and more universally obedient.

to Rome; never was the Episcopate more edifying, and never were the monastic orders of both sexes, in most countries, more holy and self-denying than they are under the glorious Pontificate of Pius the Ninth. And yet at no period was the world so attractive as now. Never did it offer such fascinations for the mind, such luxurious enjoyment for the body. What material greatness on every side! what advance in the arts that make life smooth and pleasant! The very elements are made subservient to our wants, promote our intercourse, and anticipate our impatience. The steamship, the railway, the electric wire, are luxuries so common to all, that we almost cease to think of the marvellous force they represent. Science is the common servant; nothing that can add to the ease or pleasure of life is too mighty or minute for her to place at our disposal. By her aid we have dispelled the utter darkness of the winter nights and made good the unfruitfulness of the winter season. For us she unites the ends of the earth, and brings to the daily service of the north the produce of the tropics. The luxuries of the last generation are become the necessities of this. At no period was wealth so widely diffused, comfort so general. Broad-cloth is the common wear, and good wheaten bread the staple food in the meanest cottage. If, according to the promise of the Gospel, the poor always we shall have with us, yet we contrive, lest the sight should vex our eyes, to keep carefully out of the way the gaunt face and the bare foot of poverty. And not only is the power over nature greater in this age than it ever was, but a practical application is given to this power to the increase of the material enjoyments of life. And if death still retains its victory and keeps its sting, yet science has gone far to rob disease of its worst pains and to make pleasant the passage of man from the cradle to the grave. But the world is not only rich in material enjoyments—what intellectual pleasures has she not in store for us! What wealth of literature, gathered from all the corners of the earth! The masterpieces of ancient greatness, when the intellect of man was at its highest, down to the latest glories of the genius of our own day—all the poetry, the philosophy, the romance, of all the ages—are placed so easily and so pleasantly within our reach. Ours is all that can satisfy the understanding, fascinate the imagination, or dazzle the memory. And then in the world of to-day, what brilliant society

awaits us!—what refinement of manners, what cultivated taste, what extended knowledge! Travellers, laden with the intellectual or artistic spoils of various countries and distant parts of the globe, gratify, every day, with the grace and modesty habitual to modern society, our natural curiosity, and eager thirst after knowledge. A veil is thrown over all that is guilty or gross; for the fashion of the day has set its face against the open immorality common to the society of the last century, and reserves for its votaries only the fascinations which insensibly beguile and silently lead astray. But on its glittering surface society seldom presented so attractive and harmless an appearance; nothing is seen calculated to revolt, but everything to win the mind to an enjoyable life of cultivated ease. And again, what paths of ambition does not the world to-day open up to the energetic and gifted intellect! What prospects of power and usefulness, and how wide a sphere of action does it not offer to successful talent! What universal admiration, what genuine worship is bestowed on success in public life or in the great republic of letters! Successful genius is a welcome guest in every society, an open sesame to every circle. Not one nation alone, but all the nations are influenced by the power of one man of genius. When he speaks, Europe listens, for the destinies of many peoples are influenced by his words. How often is he not the builder up or destroyer of a world-wide happiness, the master of peace and war? To turn from the prospect or hope of such a career, not to enter noble fields of intellectual activity and future renown, to leave the race before the goal is won is no common effort of self-denial! Yet all the pursuits which the world most prizes; all its enjoyments, gains, and glories, all hope of name and fame, are relinquished, day by day, by those who were but now in our midst, in obedience to the call of God. What a singular contrast do not the triumphs of the world offer to the triumphs of a religious vocation! The ways of the church are not the paths which lead to preferment and renown. Men who enter the ecclesiastical state or the religious life will not win the homage of the world, although by the force of their genius they may compel it sometimes to listen against its will. Neither is riches, nor luxurious ease, nor fastidious intellectual enjoyment their portion. The life of the priest to-day is laborious and obscure, and full of perpetual self-denial, the very virtues

are his by his choice which are most opposite to the character and temper of the times. Never was lover so much in love with his mistress as this age is in love with itself; and yet multitudes, the pick and choice of men and women, in every country and from every rank in society, are quitting the world and changing the character of the age, by devoting themselves as priests and monks or nuns, to a life of poverty, obscurity, and labour. This is a real triumph of the Catholic church over the world and over the spirit of the age. These pure and disinterested vocations are the secret of her success. To them is owing the holiness of the Priesthood, the marvellous unity of the Episcopate and the strength of the Holy See. The subject of religious vocation is one worthy of the study of those who are outside the church, if they wish to penetrate the mystery of her life. Statesmen, in every country, in their conflicts with the Church must take this moral phenomenon into account. Emperors and kings, when to-day in France or Italy they have attempted to coerce or corrupt the clergy, have turned aside before its power. It is the salt of the earth—the seed of the hope of Europe, the safeguard of society. It is the joy and confidence of Pope Pius in the midst of his enemies. It is a mark of God's singular favour towards the church in the present day.

To those who know the moral power of the church, of which the vocations we are describing form one element, the revival of Catholicism throughout the whole of this stirring century is no matter of surprise. She has pushed out her strength in all the departments of life—social, intellectual and religious, and pressed hard upon her enemies. The false religions in Europe are breaking up. Men are pulling down the vain idols of their own making and erecting in their stead a new religion—self-deification—the worship of the human will and intellect. All, who have any reverence for revelation and cling to the supernatural principle, regard, with Guizot, the Catholic church as its best defence and its sure home. All the old halting-places between infidelity and Catholicism are being broken up before our eyes. Men outside the church know the power of Catholicism and fear it. They dare not meet us face to face, and hear what we have to say for ourselves. We are strong in argument; they are weak. We are patient; they are impatient. We are cool and confident; they are disturbed and angry. They are dissatisfied with their very victories;

we are hopeful in defeat. Where we are numerically weak they gag our mouths; when we stand with them on an equality they stop their ears. They are unconscious of their own weakness; we know our superiority. When we act our actions are misinterpreted; and when we defend ourselves our defence is met by subterfuges, by falsehood, or by force. We confess we are often worsted, insulted, trampled under foot, but it is by sheer numerical superiority, or by brute force, not by force of reasoning or weight of evidence. Truth when beaten bides her time and waits for victory; but error, when baffled, grows frantic, invents calumnies or makes grimaces; so that lookers on laugh at its impotent rage. Falsehood will not prevail for ever; brute force has never yet, in the long-run, proved a match for moral power; it is this which makes us so confident when the very centre of Catholicism is threatened with violence. It is in vain that conspirators lay their heads together against the Vicar of Christ. Do they not already see, even now, that the temporal power of the Pope is triumphant, since it has gathered to its side all in Europe who value honour, justice, and truth? Its enemies must not console themselves with the hope that they will escape ultimate punishment because the same species of guilt which has cast one criminal into a gaol has exalted another upon a throne.

“*Ille crucem pretium sceleris tulit, hic diadema.*”

But however either may fare, for the nonce, both the crowned and the disgraced enemy of the Pope will sooner or later have to rue the day they laid violent hands on the possessions of the church. In the pride of his self-sufficient intellect the Rationalist may sneer at the faith of the Catholic, and urge the revolution on to the destruction of that power which meets him at every turn, with its steadfast truth and controlling force. Because he cannot understand the Church, its presence fills him with a mysterious dread. In her he sees his future master and trembles. Not all the Rationalism in Europe, not all the revolutionary fury, not that Italy—coerced and cowardly—on the one side, nor that other Italy, still thirsting for its old Pagan domination—hankering after the flesh-pots of Egypt—not the timidity of the good nor the daring of the bad, can snatch from the Papacy its power nor trample out its divine vitality. Time alone ought to have taught its

enemies the lesson which Catholics know by faith : That turned aside by no error, daunted by no enemy, the Church for ever keeps to the old paths shaped out for her by the Divine Hand, and alone goes on through all the ages, unchanged and invincible.

ART. IV.—1. *Rapport sur l'enseignement supérieur en Prusse présenté en Mars 1845, a M. Nothomb, Ministre de l'intérieur, par Charles Loomans.* Brussels, 1860. Report on University Education in Prussia, &c.

2 *Loi sur l'enseignement supérieure en Belgique, promulgué 27 Septembre, 1835.* Brussels, Bulletin des Lois.
Law on University Education in Belgium, &c.

3 *Loi sur l'Université en France, 10 Mai, 1806.* Bulletin des Lois, Paris. Law founding French University, &c.

4 *University of London Royal Charter. April 9, 1858.*

IN our former article on education we traced the connection, in these countries, of the state with education in its different branches, primary, middle, and superior; and examined briefly the organization of University education amongst us; with the changes necessary to adapt it to the wants of the age and the just claims of the Catholics. But the length to which our observations on the preceding branches of the subject had extended, precluded us from then examining this question in detail; and we promised our readers to return to it and endeavour thoroughly to examine its details. That promise we now hasten to fulfil, trusting that others may be induced to bring further study to the subject, and to complete our deficiencies and supply our short comings. In the debate on education which took place in the House of Commons last session, Mr. Whiteside enquired, whether the Catholics had well considered what they meant when they asked for a Charter for their University; and had reflected on what guarantees they should give the State, and what share of control they must allow the government in the direction of its

studies and management : he added, that he had listened in vain for any such information, in the speeches of the Catholic members who had addressed the House. That was not the occasion for entering on the subject, for the debate was on primary and middle education ; but we hope to be able to convince Mr. Whiteside and those interested in educational questions in England, that the Catholics have well studied the question ; that they understand the organization of University education, both at home and abroad, that they have well weighed their demands and the practical modes of obtaining them ; and that those demands are as capable of realization in practice, as they are just in principle.

Before we enter on the subject of University Education in the different countries we propose to examine, it will be well to take a brief retrospect of the origin of such institutions, and the original meaning and rise of Academic degrees. This is remarkably well given in the able Report of Mr. Loomans to the Belgian Minister which we have placed at the head of our article. The history of Universities embraces a period of more than seven centuries, and that history, and their gradual growth must be studied to understand their nature and organization. It has often been disputed to whom the institution or foundation of this or that university should be attributed ; but in truth those who have written thus have been misled by the ideas of later ages, when all institutions were the creation of some distinct authority ; and have mistaken sanction and confirmation for creation. The early universities were the growth of circumstances—were self-created by learning itself. “No doubt,” says M. Dupin,

“There were in Paris, from the time of Charlemagne, public schools, but that is not what was afterwards called the University of Paris. Of her may be said : *prolem sine matre natam*. It is only from the twelfth century that it is possible to distinguish the germ of a real institution in the *free and spontaneous association* of all the teachers of Paris, who before taught separately theology, law, medicine and arts ; and whose union began to form a *general body of study*. It was this union of studies—this voluntary association of the learned teachers of the capital to which was given, in the reign of Philip Augustus, the name of the University of Paris. Throughout all the vicissitudes of its formation and the different phases of its existence, the University, which was famous from the commencement, became the object of an immense number of

immunities and privileges, both of Popes and Kings, who loaded it with their favours, and whose adopted daughter it became.' 'Such' continues Mr. Loomans, 'was the origin of the oldest University: association was the foundation of the organization of the mediæval Universities. What are the essential characters of this organization? They are three: the Universities enjoy free interior government, they are protected by the civil authority, and controlled (*surveillée*) by the religious authority. The prerogative of self-government the University of Paris owed no doubt to the nature of its origin. The Universities established later owed it to their privileges.'"—*Rapport*. p. 6.

This self-government they all possessed, and it was confirmed to them and sanctioned by the civil power, by royal charter, which constituted them corporations, and gave them exclusive jurisdiction over their members, even in criminal cases. But there was another quality which the civil power could not, according to the opinion of those ages, give to the Universities; the *power and right of teaching*. That was within the exclusive jurisdiction of the Church, and therefore we never find claimed in royal charters the right of controlling and licensing teaching. This is very well put by Mr. Loomans: (p. 9.)

"So far we have seen the share of the civil power in the organization of the Universities. But according to the public law of the middle ages the power of a Sovereign was not itself sufficient to give to a University a perfectly legal character; for, along side, we might even say, above the temporal power, there was then another authority to which belonged the lawful control and direction of all the moral and religious interests of society; in this system, it belonged to the civil power to raise the Universities to the rank of privileged corporations, but it did not depend on it to recognize them as teaching bodies. In this respect they depended rather on the religious authority. It is then, in virtue of the general attributes of religious authority and by the application of the principles which governed the State and the Church, that from their origin the Universities were subordinate to the Sovereign Pontiff. In the course of time and as University organization became subject to fixed rules, it was generally received in Europe, that to exist legally, academic institutions required the double authorization of the civil power and of the religious authority. Nor do we know of

* They all possessed this power of self-government, see for Padua, Vienna, Ingoldstadt, Meiners Geschichte der Universitäten, t. i. p. 63, quoted by Loomans and Bulæus, t. ii. p. 673. The same is true of Oxford and Cambridge, see Huber.

any University anterior to the Reformation which was not confirmed by the Pope." *

"I have just said that it was principally as a teaching body that the Universities were subject to the authority of the Popes; what proves this are the regulations relative to Academic degrees. In Paris it is the Chancellors of Notre Dame and of St. Genevieve who confer the licenses on the recommendation of the faculties. The chancellors are named by the episcopal chapter, in presence of the Bishop,† 'The institution of the doctorate being derived from the Holy See, it must be granted and confirmed by the Pope.‡ Here is another passage doubly important, because it treats at once of the origin and object of academic degrees: *et quidem quantum ad admissionem magistrorum ad Cathedram, seu ut dicebant majores nostri, ad regentiam et scholas, constat opus fuisse licentiam docendi a cancellario aut ab episcopo Parisiensi vel a decano San-Genovesiano obtinere*;§ and as Boulay remarks: *nec erat statutum illud novum, cum objectum est a magistris initio hujus seculi (duodecim) Petro Abailardo quod nec romani pontificis, nec Ecclesie auctoritate commendatus legere publico præsumpserat.*'|| These quotations prove two things: the first is, that 'the licenses have their source in the Holy See:' the second, that they have for object and end to grant the right of publicly teaching in the University.—United by their constitution to the hierarchy of the Church, the Universities recognized in her the only authority from whom they were to receive orders, and who had a right to regulate their teaching."—p. 11.

* Bull of Alexander III, on licenses (Meiners, vol. i, p. 73.) Innocent III. confirmed the Statutes of Paris in 1209. Gregory IX. reformed the University of Paris, (Bulæus, vol. iii. p. 140.) Bull of Gregory IX, on licenses. (Bul. vol. i. p. 385.) In the Catholic states of Germany the confirmation by the Popes was practised in the 18th century. * (Loomans, p. 10.) That the English and all the Universities derived great part of their sanction and privileges from the authority of the Popes, is admitted by Protestant writers. See Huber, in his work on the English Universities, and Wood, quoted by Mgr. Woodlock, Rector of the Irish Catholic University, in his discourse of the 5th Nov. 1862: but they do not always clearly state, though it may be deduced from them, as we shall show, that it was the *faculty of teaching* which was derived from Pontifical authority.

† Bull of Gregory 9th, (Bulæus vol. i. p. 585.)

‡ Bulæus, vol. i, p. 389.

§ To understand fully this passage it is necessary to recollect that the title of *magister* gave only a *jus consortii* with the teaching body, whilst the *Licentia et doctoratus* conferred the right of teaching.

|| Bulæus, vol. ii, p. 669.

Huber also, the German Protestant, in his work on the English Universities recognises the fact, that the licence to teach was derived from ecclesiastical authority ; he says, " The Master's degree (*Magistratus, Doctoratus, regentia*) implied the right of opening a school oneself, and was originally dependent on the licence of the *Diocesan chancellor*."—" For instance Edward II. requested of the Pope (vid. Wood, A.D. 1317.) that the English Universities, as the University of Paris, might have the power of lecturing (*legendi*) in every part of the world. No party thought of denying that the Papal See was the last and supreme authority concerning the studies, belief, discipline and ecclesiastical jurisdiction of the Universities."—(Huber quoted by Dr. Woodlock.) As a necessary consequence the ecclesiastical authority had the right of revising and sanctioning all books used in teaching ;* not that it ever undertook to assign the limits and regulate the extent of academic teaching ; but only to preserve its purity both as to faith and morals ; the Universities regulated their own scheme of studies, the ecclesiastical authorities watched over its orthodoxy, both as to teachers and books.

We have thus examined briefly the principles which presided over the establishment of the Catholic Universities in the middle ages ; because we purpose to treat not merely of the relations of the state with our Catholic University in Ireland, and its organization in relation to the State ; but of the principles which must influence its organization in reference to the Catholic people of Ireland and their ecclesiastical superiors. The State, which is of another religion, or rather of no religion, has no concern with anything save the literary results of its teaching ; but it is a Catholic University for a Catholic people ; and the eternal principles which regulated the relations of the Catholic Universities of the middle ages in regard to religion and morality apply with undiminished force to it in its internal organization, and in its relations to that Catholic people and their ecclesiastical superiors.

* " No book shall be taught in the School or College of Paris which has not been first visited by the doctors and approved by the councils. Bull of Gregory XI, (Bul. vol. ii. p. 386.) Gregory the 11th sent his decretals to the Universities of Paris and Bologna and directed them to be taught, (1234)." Loomans, p. 11.

With the Reformation came a great change in the constitution of the Universities in Protestant countries ; they became directly dependent, as teaching bodies, on the secular authorities. Yet this change was one more of practice than of principle. In point of fact the sovereigns of all the Protestant States assumed that they were invested with the ecclesiastical authority formerly exercised by the Pope ; and it was in virtue of this authority that they undertook to regulate teaching. This hardly requires proof, as regards England, where Henry VIII. and his successors looked upon themselves as heads of the Church, in exactly the same sense as the Pope had been ; and, if we mistake not, Charles the first once made a formal visitation of Oxford in this capacity. It was the same in Germany. One of the first Protestant Universities founded was that of Königsberg, founded in 1544 by Albert Duke of Prussia. "We have," says he in the deed of foundation, "confided the government of our churches to pastors instructed in the true doctrine of the gospel—and we have established with the aid of God our University of Königsberg." And in a subsequent deed of 1557, "We grant by these presents to our University all the rights and privileges that emperors kings and popes have hitherto granted to Universities."—(Ap: Loomans.) Such was also the case with regard to the other German Protestant Universities, as our author shews. But with regard to all the Universities, both those Catholic ones founded in the middle ages whose power of teaching was derived from the Popes ; and those Protestant ones founded after the Reformation, in which this power was derived from temporal sovereigns ; there gradually became attached to the possession of their degrees certain civil privileges, very various in different countries ; and these privileges were always acknowledged to be derived from the secular authority ; although in the earlier ages almost invariably, if not invariably, attached necessarily to the possession of the degree. Hence the origin of the civil value of degrees ; that value which is now claimed by the Catholics of Ireland for the degrees of their University : and which is totally distinct from the right of teaching. Catholics admit the right of the State to require the possession of a certain amount of knowledge for the acquisition of certain privileges ; they can never admit the right of the State to control their teaching. That right as regards religion

and morality they recognize in the Church : in all else they claim for themselves absolute freedom.

We have thus very briefly sketched the origin of Universities, and the principles which presided over the foundation of the early Catholic ones, and which must still form the foundation of that Catholic one now rising in Ireland : let us now examine the state of University organization in different countries. In our former article we sketched the English system ; we will now examine that of France.

The great peculiarity of the French system of government, that which has distinguished it for centuries, is its centralization, and the almost omnipotent power which it gives to the State. There has been revived in its full force the old pagan idea of the supremacy of the State ; individual rights must always give way before it : the State must act for the greater welfare of all, and all must submit themselves to its guidance : the bodies, the intellects, the souls of its subjects it must care for ; and they must accept its care : the State is the judge of what is good for their material interest ; is bound to provide them with sound education and with true religion ; and all these they must accept at its hands, nor venture to seek in any contraband way. It is true the Catholic religion is not easily bound in the trammels of State control ; yet the Gallican system brought it as nearly as possible into the condition of a department of State ; and to this day French Statesmen look upon its administration as a department of government. This work of establishing the Universal supremacy of the State begun by her kings was perfected in France by her revolutionary rulers.

“ The French nation wished for Unity ; and it was her kings gave it to her : it became the symbol of the public interest and the common good. Hence the greatness of her destinies ; hence her influence over the minds of nations ; hence that veneration or rather worship of authority : but hence also that arbitrary and violent will ; that omnipotence of the State ; that unbridled despotism which respects no liberty,—despotism the more dangerous as its aim was the common good, its support popular sentiment. Let us not however mistake ; the royal power did not overthrow the institutions of the State and the Church in a single day. The revolution which took place in the political constitution of France was neither sudden nor violent : it was the work of time ; the doctrine of the omnipotence of the State cannot be traced to a certain date ; it gradually

penetrated the habits of France : Louis the 14th applied it to the Church, but did not succeed in getting it accepted by her. The French revolution seized on the inheritance of the monarchy ; it openly proclaimed the unlimited authority of the State. Unity, equality, the common weal, which had been the levers used by the monarch, formed the strength of the revolution ; the royal power had perverted these principles till it degenerated into despotism ; the sovereign people passionately strained them and inaugurated, in the name of the public interest, the most fearful of all tyrannies. According to the idea of the revolution the State is all that is most elevated and majestic. All power is given it upon earth ; its power has no limit, its rights are unbounded. Must religion be suppressed, it shall be ; the family dissolved, it shall be ; liberty immolated, the sacrifice shall be made. If we examine the annals of that time, we find written on every page the unlimited and absolute right of the State. Was it not in the name of the State that the revolution committed all its excesses ? Was it not in the name of the State that it violated every liberty, individual liberty, the right of property, liberty of conscience, liberty of worship ? Was it not in the name of the State that it decreed the civil constitution of the clergy, the National Church, and the republican teaching ? The aggrandisement of the central government, the centralization of authority was partly realised under Louis the 14th ; it received its full application during the French Revolution. It is these traditions of the past which still weigh on religion and education in France, which form the strength of the University system, and which give to the French University a species of popularity.”—(Loomans, p. 28.)

This brief sketch of the principles which have prevailed in France for nearly two hundred years was necessary for us to appreciate the French University system. The French University was created by the law of the 10th May 1806, and has subsisted, unchanged in the main, ever since. It consists of one central body or council, differently composed at different times, which regulates all public education in France ; whose examiners alone confer all degrees. Under it is a complete system of State education, from the highest to the lowest ; organized, governed, regulated and supported by the government, forming a complete hierarchy of teaching from the University schools of Paris, through the Academies, of which there is one in each department, the lyceums, &c. down to the primary schools. As M. Dupin has said, “ The University has been well defined as nothing else than the government applied to the universal direction of public instruction, to the Colleges of the towns as to those of the State ; to private institutions as to colleges ;

to the country schools, as to the faculties of theology, law, and medicine. The University has been founded on the basis, that teaching and public education belong to the State." At first, no other teaching was permitted than that of the State institutions; gradually, private or free institutions were allowed to exist, subject to the control of the council of instruction. In 1850, what was called freedom of instruction, that is the right of other teaching institutions than those of the state to exist, subject to certain restrictions of authorization, inspection, &c, was granted as regards 'primary education' (schools) and 'secondary' (colleges) by the law of the 15th of March of that year: prepared under the ministry of M. de Falloux, by a commission of which M. Thiers was president and M. de Montalembert and the Bishop of Orleans were members: but "superior education" (that of the various faculties) was left unchanged, and is still entirely subject to the University monopoly.* The whole, therefore, of the university teaching of France is in the hands of the State, and all degrees are granted by the board of examiners (*Jurys d'examen*) appointed by the government, (i. e. by the minister of public instruction,) and which *now* consist exclusively of members of the government teaching bodies. There is, however, one very remarkable liberty retained with regard to obtaining degrees. No certificate of having passed through any course is required from the candidate who presents himself for a degree, and he may present himself before any board of examiners, of which several sit throughout France.† Thus, if the aspirant to a degree can acquire the necessary knowledge out of the State colleges, as for instance, by private tuition, and can overcome the prejudices of the examiners against one who has shunned the teaching of their body, he may obtain his degree without entering the State University. It consecrates the abstract principle that a degree should be only a test of knowledge; and that is all. The next question is, for what purposes is the possession of a degree (*diplôme Universitaire*) necessary in France? The answer is, for the pursuit of almost any avocation which re-

* A draft bill on the subject was prepared but deferred; and finally absolutely shelved by the creation of the empire.

† This is a provision of the law of 1850.

quires education. For the practice of law or medicine the diploma of those faculties is, of course, necessary: and the common degree of *bachelier en lettres* is required by every young man who wishes to enter into any public employment, either in the army or navy, financial administration, &c., in fact, for everything. Such is the complete system of the French University; a body essentially different from anything known by a similar name elsewhere. The advocates of freedom of education in France, amongst whom the Catholics have ever been most prominent, have continually struggled for two reforms in the system; the system itself, however objectionable, was felt to be impregnable. The first was, to insure that the council general of education and the councils of the various provincial academies, instead of being composed of mere nominees of government, should consist, at least in part, of independent members representing the various sections of the community, and the various systems of education: the second was that along side the State institutions, individuals and voluntary societies should be at liberty to establish and support such educational institutions as they might wish. These two reforms, even if fully attained, would, of course, be far from constituting full freedom of education, or anything like a system which would for a moment be tolerated in England: but, for government-oppressed France, they constituted a great improvement.* The system established by the law of the 15th of March, 1850, which is still nominally in force in France, granted in part these two reforms, which had so long been contended for. By it the *conseil superieur d'instruction publique*, which, as we have explained, regulates all education in France,† was ordered to consist

* Some Irish Catholics whose attention has been too much attracted by the struggles for some limitation to the State despotism in France, seem to think that her system can form a precedent for us; or that Ireland, whose educational system is wholly free, should voluntarily accept what the Catholics of France hail as a mitigation of the trammels of the State.

† An abstract from M. Simon's work, "*la Liberté*," will give some idea of the extent to which teaching is regulated in the State Colleges in France.

"There are some State Colleges in which the Professors are obliged to fill up every day two sheets of notes; the Censors every

of twenty-eight members. The Minister of Public Instruction as president ; one Archbishop or Bishop, elected by his colleagues, one minister of the Reformed Church, elected by the consistories, one minister of the Confession of Augsburg, elected by the consistories, one member of the central Jewish consistory elected by his colleagues, three conseillers d'état elected by their colleagues, three members of the Cours de Cassation elected by their colleagues, three members of the Institute of France elected in a general meeting of the Institute, eight members named by the President of the Republic in a council of Ministers, and chosen from the old members of the conseil de l'Université, three members of independent or free-teaching institutions named by the President, on the proposition of the Minister of Public Instruction. The local councils were constituted in a somewhat similar manner, the Catholic bishop and a Protestant minister, where there are Protestants, a Jewish rabbi where there are Jews, being always ex-officio members: the *jury d'examen*s, or boards of examiners, were to be constituted in a similar mixed manner, and the programmes of examinations to be fixed by the conseil supérieur. Thus was the first reform, the independence of the councils, effected ; as regards the second, the law authorized any properly qualified persons to open primary or middle schools ; and their students could of course obtain the universally necessary degree of bachelier-en-lettres, for which no professional learning is required : but, as we have mentioned, all professional teaching of medicine, law, &c. remained the strict monopoly of the State.* Such

day abridge sixty sheets of notes ; the heads of twenty Colleges send every eight days to the Rector the abridgment of the notes of the week ; and the sixteen Rectors transmit these remarkable documents to the Minister, who by this means is able to ascertain the interesting fact whether master Peter or Paul at Brest or at Marseilles has learned his lesson well or written a proper theme."—vol. ii, chap. i. p. 138.

* We have used the past tense in speaking of the laws regulating education in France ; for unfortunately, although the law remains unrepealed, under the Imperial government, almost every clause of it is violated and openly changed by Imperial *Arrêts*. The central council and the eighty-six departmental councils which were independent have been abolished and replaced by a central council and

is the French system of University education ; one founded entirely on the supremacy of the State. Its great evil, in a literary point of view, has been found to be its tendency to cramp and formalize learning, and to promote superficial knowledge and *cram* amongst the students : this arises from the councils regulating all the courses of studies, and prescribing exactly not only what every professor is to teach, but how he is to teach it : it becomes the sole object of the professor to satisfy the requirements of the government regulations, and enable his pupils to pass the legal examinations ; the sole aim of the student to obtain his legal diploma ; hence a universal reign of what we call *cram* and what the Germans appropriately denominate *brod studium* : the professor never ventures to initiate a new line of teaching, the student never gives his time to profound study of one branch, which might endanger his passing in all : and year by year the council enlarges the subjects of examination and substitutes a smattering of all subjects for a knowledge of any. The same evils, as we shall see later, have been found to arise in Belgium from the same causes ; the courses to be followed and the examinations to be passed for each degree being laid down by law.

Let us now take a glance at University organization in Prussia, a country in which learning undoubtedly flourishes to a high degree. As we have seen in our brief retrospect of the history of Universities, the government in Protestant countries, and particularly in Prussia, assumed to itself the 'supremacy over religion formerly allowed to the Catholic Church. It therefore represented both the

twenty-three provincial rectors, without council, all appointed *durante beneplacito* by the Emperor ; and thus the first reform is abolished : whilst the free colleges are menaced with arbitrary destruction at any moment, as happened to the Jesuit College at St. Etienne, which was closed by the government in 1853, without any of the proceedings required by law. It is of course unnecessary to add that the nomination of Professors rests with the government, and is most arbitrarily exercised. M. de la Prade, professor at Lyons, was in 1861 deprived of his office for having published a poem respecting the morality of the present age ; and this year the Emperor's physician was summarily placed at the head of the school of medicine in Paris. Such are the effects of government nomination of professors and examiners : let us take warning.

King and the Pope of the mediæval Universities : avoiding the error into which France fell, and imitating the example of the Catholic ages, it left to the Universities their internal freedom and self-government, in a literary point of view. The existing government of Prussia retains the entire direction of Education—of the village school, the College, and the University; the Prussian *landrecht* calls the schools “government institutions;” even theology comes under its rule; but with a difference in regard to the Catholic and Protestant Churches; the State is the head of the Protestant Church, and therefore directly appoints its Professors and prescribes their teaching; with regard to the faculties of Catholic theology, the professors must be approved by the bishop: and the archbishops of Cologne and Breslau have the superintendence of Catholic theological teaching in the two Universities respectively in which it exists, viz. Bonn and Breslau.* But with regard to their internal organization and the regulation of their studies, the Prussian Universities differ wholly from the French: instead of one University organized by fixed and uniform rules, there exist six, subject indeed to the Minister of Public Instruction, but having each their own independence, their own organization, and administration, and, so to speak, their separate life. Each is a corporation, has jurisdiction over its own students; has its own senate and its own faculties; determines its own courses of study, its own examinations, and grants its own degrees. As we shall see later, the Academic degree in Prussia is a purely literary honour—a stamp of learning, bearing with it little or no civil advantages, and is conferred by the Universities themselves, wholly independently of the government. The government is represented in each University by two royal commissioners or curators; they have the financial direction of the administration (the funds are all supplied by the government); they are to see to the observance of all disciplinary regulations; and to watch over the morality of the teaching

* The Prussian sovereigns have always exercised the right of determining Protestant orthodoxy; see for details Mr. Looman's book. With regard to Catholic theology, the right of the authorities of the Catholic Church to watch over it is fully admitted in theory, although the Minister of Instruction often endeavours to tamper with it in detail.

given, "but without interfering in questions of science or method;" they inspect the programme of studies. (Circular of 18 Nov. 1819 ap. Loomans.) The professors are named by the King, on the proposition by the faculties of a list of three: The government of the Universities is vested in the Rector and Senate, composed of the ex-rector, and four professors, and the deans of faculties; both these latter classes of members are elected by the professors; the rector is elected by the professors and approved by the Minister. Besides the ordinary (or regular) and extraordinary professors, the faculties confer after an examination determined by themselves, the title of professor *agregé*, (German *Professor adjunct*) which gives the right of teaching and receiving voluntary fees, but no salary. With regard to degrees, the Prussian system distinguishes between the scientific degree in law, medicine, philosophy, (or what is called the scientific examination) and the practical examination, by which is acquired the permission to practise certain professions or hold certain employments. The conferring of the former is left entirely to the different Universities; its value depends on public estimation; although, as we shall see, it carries with it great advantages even in a legal point of view. The chief practical examinations are as follows: for entering the legal career or taking part in the administration of justice, the candidate must produce a certificate from a University that he has attended its course of studies with diligence for three years: he must pass an examination in law before a body of lawyers, the degree of doctor in law exempting from a portion of the examination. To enter the civil service, candidates must present an University certificate as above, and must then pass the examination appointed for each branch and grade. To be appointed professor in a State College the candidate must present a University certificate of having followed the philosophic course* for three years, and must pass an examination, oral and written, before a board of examiners (die wissenschaftliche Prüfungs-commission); those who have taken the degree of doctor in letters are exempted from the written examinations. To practise medicine the student must attend during four years the course of medicine in some University and obtain the

* Somewhat equivalent to our arts course.

degree of doctor in medicine ; he must then follow a course of practical medicine (in the hospitals) either at Berlin, Königsberg, Breslau, or Cologne, and then pass an examination before the central board of medical examiners (ober examinations-Commission.)

Such is the Prussian system ; of which the chief characteristics are the great freedom left to the Universities under the nominal control of the government and the freedom of emulation in teaching, not only between the different Universities, of which Prussia has six for a population of sixteen millions, but in each University between the regular or salaried professors and the professors adjunct or free teachers. Its success in a literary point of view has been most marked ; the fame of the Prussian Universities stands high in Europe ; and literary men of the greatest distinction, have arisen in all, even the smallest. As Mr. Loomans says, "the foundation of the Prussian organization is the esprit de corps which keeps up the emulation between the different Universities ; and the competition which keeps up the standard in each. To form an idea of the emulation, we should rather call it the rivalry, which exists between the German Universities, one must be in the midst of that German society so occupied with the interests of science. The Universities have acquired a consideration and an influence which are surprising. Not only are they at the head of education, but they rule all scientific and literary movement. This situation is the principal cause of their prosperity ; placed, as it were, under the eyes of the entire nation, they naturally seek to conciliate the sympathies of all."—p. 21.

Let us now examine the Belgian University organization. Belgium inherited from her French masters and from the legislation of Joseph the second the idea of a State education ; but her Constitution of 1830 solemnly consecrated the principle of the absolute freedom of teaching : to reconcile these two ideas she has adopted the system of having at once a governmental and a legally-recognised voluntary system of education. The State supports and regulates two Universities, those of Ghent and Liège, in which no religious teaching is given ; (Belgium has no State religion,) but its legislation recognizes the fact that the immense majority of the citizens are Catholics ; and the law equally recognizes two other Universities supported by voluntary contributions ; that of

Brussels which emphatically professes no religion, and is in fact free-thinking, and that of Louvain which is Catholic; over the organization and teaching of these two latter the government has no control whatever; and it contributes nothing directly to their support: there are however a large number of scholarships (*bourses*), given by the government, the holders of which have the right of pursuing their studies in any University they like; thus *teaching* is perfectly free in Belgium. With regard to degrees the Universities each possess and exercise the power of granting them, as purely literary distinctions, independently of any governmental sanction; thus the University of Louvain confers degrees in theology, and both it and Brussels confer degrees in arts on such persons, chiefly foreigners, as wish for them only as literary honours: degrees for legal purposes in Belgium are obtained by simply passing the requisite examination before the public board of examiners, *jury d'examen*, (whose constitution we shall state later,) it not being requisite to follow any particular course of study: but the certificates of any of the four Universities exempt from certain branches of the examination. The constitution of the *jurys d'examen*, or boards of examiners, is the cardinal point of the Belgian system. There are two sorts of *jurys*, the *jury combiné* and the *jury central*. There are constituted each year one *jury central* and two *jurys combinés*: each *jury combiné* consists of an even number of examiners, one half being professors of one of the State Universities, and the other half professors of one of the free Universities: it is presided over by a president, appointed by the government, who is a person not connected with any teaching body: in this system the Universities are joined in a different way each year; thus one year Ghent and Louvain furnish one *jury combiné*, Liege and Brussels another; the next year Liege goes with Louvain and Ghent with Brussels. The *jury central* consists of 4, 6, or 8 members named by the Minister from out of the professors of the four Universities and the members of other teaching institutions; and is presided over by a president unconnected with teaching. Aspirants for degrees or certificates may present themselves before any one of these *jurys* as all equally grant them: in practice those educated at any of the Universities present themselves before the *jury* composed of one half of their own professors; and the examiners on each subject must

consist of an equal number of professors of their own and of the other University, and the students are examined, first by their own professors, and then by those of the other University; the president moderating, as we would say, and regulating the time, &c.

The degrees required for the practice of the various professions, &c. in Belgium are; to practise as a lawyer or *avocat*, or be a magistrate, doctor of laws; to practise medicine, doctor of medicine; to practise as an apothecary, diploma of *pharmacien*; to practise as a notary, diploma of *candidat notaire*; other degrees, as doctor of philosophy or science, or doctor of political and administrative science are also useful: all these are obtained by passing the appointed examination before the *jury* or board of examiners. The Belgian system has now for nearly thirty years given satisfaction to the country: it is perfectly fair and just to the different educational establishments and the different parties in the State: in a literary point of view its success has not been as great as that of the Prussian system; it partakes in some, although in a lesser degree, of the evils we have mentioned as resulting from the French system; but on this point we cannot do better than give the words of so competent an authority as Mr. Loomans.

“What immense progress our free Universities have made since 1834! Nevertheless a serious reproach is made against our system. It has been alleged to lead to a decline in learning; and some, after drawing a very unflattering picture of the state of public education in Belgium, say; this is the result of free education. It is not necessary to defend our country against the reproach of obscurantism; she is conscious of the progress she has made. The law regulating the composition of the jury d'examen is generally looked upon as the key-stone of our University system; and this is true in the sense that in our actual circumstances the composition of the jury is the principal guarantee of the Universities; but it seems to us inaccurate to consider the law of the jury as the principal means of improving the class of studies. It is one, no doubt, but not the most efficacious. Yet more: to change the composition of the jury without changing the University organization seems to us to be going backwards. It is in the interior organization of the Universities that the defect pointed out some time since by the minister of the interior, exists. Let us examine what this defect is, and point out some of the steps to be taken to remedy it. University teaching has for mission not only to make lawyers and doctors, it has a higher aim; to it is confided the intellectual

destinies of the country, and it is responsible for them. Our Universities must rise to the height to which the German ones have attained; they must occupy a distinguished place in the literary world. In this point of view the Belgian Universities do all that they can; but sooner or later they will feel the evil effects of the law on superior instruction. Science, instead of enjoying a little freedom, and producing large and varied developments, is ill at ease under the yoke of the programmes of examinations. Professors, situated as they are, cannot fail to lose some of their devotion to science. The majority of the students have not a scientific spirit; their studies are generally confined to a knowledge of abridgments and a superficial gloss of learning, which the Germans familiarly call *brod-studium*. The subjects for examination are too numerous; it is a general defect of the law of 1835 to favour what may be called *polymathy*. It is a common sense truth, that it is better to study well one subject than to acquire a smattering of many. I might extend these observations to all the branches of study.—Why do the regulations concerning examinations force the professors to follow ever the same track? By increasing beyond measure the subjects of examination, the law obliges the examiners to come to a tacit agreement amongst themselves as to the course of examination. Thus it is understood now-a-days that the examination on the history of philosophy shall comprise only ancient philosophy; that on Greek, shall consist in being able to translate one or two books of Homer. This is what our system of examinations has brought us to. On the one hand the law increases the number of subjects and puts them all on the same footing; on the other the professors are obliged to subdivide their teaching, to sacrifice method, and to neglect at least in part even important branches of study. What is gained in extension, is lost in depth: quantity carries it against quality. Abridgments of routine take the place of solid study and improved method. Diminish, on the contrary, the subjects of examination, and introduce the principle of special branches of study, you will have a right to require from the students a solid knowledge of certain subjects; and the professors will not have to shape their whole teaching for the examinations.”—p. 50-57-83.

This very succinct, yet we believe accurate, account of the systems of France, Prussia, and Belgium may we think be of use in suggesting to us both what we may with advantage adopt, and what we should avoid. Of course no foreign system is perfectly adaptable to our country, with its peculiar traditions of individual freedom and reliance on voluntary action: one thing we think is certain; that the French system, founded as it is entirely on the omnipotence of the State, is antagonistic to every principle of

our constitution, every national tradition of these countries. From the three instances we have examined, it may be learned that the less there is of legal interference with and regulation of the different Universities the better will it be for the interests of science and literature; that learning flourishes most in a country where there are separate independent Universities, each granting degrees; and that if it be necessary for the government to establish general public examinations, these should be as large and comprehensive as possible; giving the greatest possible latitude in the choice of subjects to the students from different institutions; and directed rather to ascertain that each College has educated its students up to a sufficiently high standard in its own line; than to measure all with the same test.*

To apply then our conclusions to the organization of University education in Ireland; with regard to education nothing remains to be done: Trinity College, the Catholic University, and the Queen's Colleges† amply supply our wants in this respect: the only question to be settled is the conferring of legal degrees.

Two systems, as we mentioned in our last paper, are practicable: to grant a separate charter to the Catholic University; and leave the three Universities separate; remodelling of course the Queen's Colleges to remedy their radical defects; or to institute one general examining University for Ireland on the principle of the London University. The latter seems to be the system most in favour in England at present; (although the example of France and Belgium shews that it is attended with very considerable danger to the progress of learning,) and we shall therefore examine it first, although ourselves strongly in favour of the other alternative for reasons we will explain later.

The plan to be examined then is the institution of one examining University for Ireland, holding the place of

* This has been most admirably done in the examinations for the Indian service; and the merits of the system, as a test of real knowledge and capacity, not of cram, are explained in the report, drawn up we believe by the late Lord Macaulay.

† We do not of course concede the necessity of the Queen's Colleges, but a College for Presbyterians would be required.

the *jury's d'examen* in France and Belgium, and that of the various *prüfungs-commissionen* in Prussia, and granting all legal degrees on a simple examination.

The one principle which is essential, is, that there must be but one such body for all Ireland; if the various Universities are not each to grant legal degrees, none must grant them: this is but even justice and is indispensable: it involves the merging in the one University of the present Queen's University (about which of course there can be no difficulty,) and also of the Dublin University. We shall, we know, at first excite indignant surprise, when we suggest the necessity, in this scheme, of the Dublin University (or as it is commonly, though erroneously called Trinity College,) giving up its separate privilege of granting degrees; yet we believe a careful and dispassionate examination will entirely remove this feeling. In the first place it must be observed, that Dublin University though in practice greatly confounded with its only College, that "Of the holy and undivided Trinity near Dublin," is essentially and really distinct from the College.

Sir James Ware in his annals of Ireland (chap. 32,) says:—

"In Easter holidays 1590, Adam Loftus Lord Archbishop of Dublin and Lord Chancellor of Ireland with others of the clergy met the mayor and aldermen and commons of the city at the Tholsel, where he made a speech to them, setting forth how advantageous it would be to have a nursery of learning founded here; and how kindly Her Majesty would take it if they would bestow that old decayed monastery of All Hallows (which her father King Henry the 8th had at the dissolution of the monasteries given them) for the erecting of such a structure; whereupon the mayor, aldermen and commons unanimously granted his request."

Within a week after Henry Ussher, afterwards Archbishop of Armagh, went to England to the Queen and obtained a licence for the foundation of a *college*. The license of mortmain (according to Ware) 29 Dec. 1590; first stone laid 13 March, 1591; charter granted by Elizabeth, 30th March 1592. The words of the charter are explicit, as founding a college to lead afterwards to a University. "*Unum Collegium mater Universitatis* pro educatione et institutione juvenum et studentium in artibus et facultatibus, perpetuis futuris temporibus duraturum, et quod erit et vocabitur *Collegium sanctæ et individuæ Trinitatis juxta Dublinium*

Regina Elizabetha fundatum.” The endowments were all granted to Trinity College, not to the University of Dublin, and the College officers were and are distinct from the University officers. Taylor, History of the University of Dublin, says, (p. 44-5) “Soon after the Restoration it was thought that the University might be rendered more extensively useful in diffusing the knowledge of the liberal arts through Ireland, by the endowment of another College upon its foundation; *a provision was even made for that purpose in the Act of Settlement, 1662*, ‘provided also and be it enacted by the authority aforesaid that the Lord Lieutenant or other chief governor or governors of the kingdom of Ireland for the time being by and with the consent of the privy council, shall have full power to erect *another College to be of the University of Dublin*, to be called the King’s College.” The royal commission of 1851-3, in their report (p. 8) state that the University of Dublin and Trinity College are distinct bodies, and in the provost of Trinity’s evidence, as given in same report, the following passages occur :

“Is there any College in, or connected with the University of Dublin besides Trinity College? Ans: There is not *now* any College in the University besides Trinity College. In 1617 a hall called Trinity Hall was established by the authority of the provost and senior fellows, which, in 1660, was converted into a hall for medical students, and ultimately became the College of Physicians. Ques: Is there any provision for founding other Colleges to be so connected? Ans: There is no provision in the charter or statutes for founding other Colleges. The clause which declares Trinity College to be *Mater Universitatis* has been supposed to imply the founding of other Colleges in the University. The possibility of future Colleges and halls being founded *in the University* is however alluded to in the Charter of James I, and in certain Acts of Parliament, although no provision is made for their foundation. (14-15, Car. II, c. l. sect. 219.) In the Act of Settlement (continues the provost) that the Lord Lieutenant &c., (see above); another allusion (continues the provost) to the possibility of a College being founded in the University occurs in the Act 33, Geo. III. cap. 21, sec. 7. ‘that it shall and may be lawful for Papists, or persons professing the Papist or Roman Catholic religion, to hold or take degrees or any professorship in, or be masters or fellows of any College to be hereafter founded in this kingdom (provided that such College *shall be a member of the University of Dublin*, and shall not be founded exclusively for the education of Papists or persons professing the Roman Catholic Religion, &c.); or to hold any office or

place of trust, or be a member of any such body corporate except the *College of the Holy and undivided Trinity near Dublin &c.* Ques: To what extent is the government of the University of Dublin vested in any other body than the provost and senior fellows of Trinity College? Ans.: The visitors have independent power and an appellate jurisdiction, superior to that of the provost and senior fellows in cases of appeals made to them; and in certain cases not provided for in the statutes, the decrees of the provost and senior fellows require the sanction of the visitors, in order to have the force and validity of statutes. The chancellor has also special jurisdiction in case the visitors disagree. The senate of the University has also a certain limited power in the public conferring of degrees. Ques.: Is there in theory or practice, any distinction made between Trinity College and the University of Dublin? Ans.: In practice the University as distinguished from the College is usually considered to consist of the chancellor or vice-chancellor, and the whole body of graduates, viz., the M.A.s and doctors in the six faculties: but this body, as distinguished from the College, has no corporate existence by any charter or statute, nor has it a common seal. (This answer is given under date 3rd Nov. 1851, but the Crown, by letters patent, dated 24th July 1851, charters and incorporates under a common seal, the chancellor, doctors, and masters of the *University of Dublin*, and gives them power to hold lands, &c., see p. 9. Dub. Univ. Cal. 1861.) Two annual convocations of the University, as distinguished from the College are ordinarily held each year. Ques.: Enumerate the officers of the University as distinct from the officers of the College. Ans.: The officers of the University as distinct from those of the College, are the chancellor, vice-chancellor, proctors, and (if we may so consider them) the burgesses or representatives in Parliament.* To the above quotation we will only add the address to George IV. 17th August, 1821. 'We, your Majesty's most faithful and devoted subjects, the provost and fellows and scholars, of the College of the Holy and Undivided Trinity of Queen Elizabeth, near Dublin, and the vice-chancellor and University of Dublin, &c.'**

These extracts clearly prove that the University of Dublin was intended from its foundation to be distinct from its eldest College, that of the Holy Trinity; that the Crown which founded it and the legislature which sanctioned it distinctly contemplated the erection of other Colleges, which should have an equal share in that University, which was intended for all Ireland; nay, that the legislature expressly contemplated the creation of such Colleges,

* For the above extracts we are indebted to Professor Kavanagh, of the Catholic University.

as integral portions of the University, every office in which might be held by Roman Catholics; and every member of which might be a Roman Catholic; the only condition retained in deference to expiring religious prejudices being that such a College should not be exclusively for the education of Roman Catholics: *Trinity College* was to be retained exclusively for the members of the Established Church; the college of *Dublin University* was to be freely open to the Catholics.

And in this re-organization of Dublin University, in compliance with the aim of its creation; what would *Trinity College* give up?—Not its Autonomy; not its endowments: not its exclusively Church of England character; not its connection with the State Church; its right of granting theological degrees for that Church: and literary degrees bearing with them all the weight its character for scholarship gives; most probably not its parliamentary representation: the only concession it would have to make is, that its students seeking legal degrees, other than those in theology, should meet in a common examination hall the students of other Colleges (and they have proved in many a competitive examination they fear no rivals) and that instead of being the solitary College of a nominal University, it should become the oldest and most important College of a national University. And what in like manner would the other Colleges yield up? We need hardly speak of the Queen's Colleges, at least with their present government;—the mere creatures of the State, depending wholly on the fiat of the Lord Lieutenant, they have little to lose: but they would rather gain than lose: they would retain their internal organization, and their superabundant scholarships, and would become also integral parts of a National University, instead of being the only Colleges of a nominal one. And our Catholic University;—would it lose its rank? No: like that of Louvain, it would be in its internal aspect a University in itself; with its own autonomy; its own constitution, its own revenues, the liberal gift of the Irish people: its own course of studies; its own degrees in theology, in canon and civil law, in philosophy; the one change being that its students would meet all the other Irish students in the examinations for legal degrees. There would be in this nothing that Catholics could object to; no alien teaching; and what we regard with almost as much aversion, no

state formalism of education ; the teaching would be Catholic ; the examination neutral. In such a system, if the examinations were well organized ; if taking the double lesson afforded us by the Prussian and Belgian systems, the different Colleges were left the greatest freedom and scope in framing their courses of studies and all danger of cramping and formalising teaching by too extensive and detailed a plan of examination avoided ; there would be much that would be good ; a generous emulation would be excited between the different Colleges, not only with regard to the position of their students at the public examination, but with regard to their courses of studies : and the students of different religions would meet where they can meet with advantage, on a common ground not of enforced negativism of teaching, but of general results.

In such a scheme of an Irish University as we are discussing, of course the government would be vested in a Senate and Chancellor, named in the first instance by the Crown, and in whose nomination the Crown would always take a large share, combined in after years, as in the case of London, with election by the convocation. The great question to be determined would be what elements should be represented in such a senate : and on this point we cannot have a better example than that of the French law of 1850, in its provisions with regard to the *conseil supérieur*, which we have described before. The elements to be taken into account seem to us to be these : first the Protestants of the established Church, who would naturally be represented by members clerical and lay of their College of the Holy Trinity ; secondly, the Catholics both ecclesiastically and secularly : ecclesiastically to watch over the interests of the faith ; and guard against the introduction of any subject into the common examination, which involved a question of faith or morals ;* one bishop, probably the Archbishop of Dublin, as resident, whose negative on these subjects should be respected by his colleagues, would adequately discharge this function : secularly, the

* Such, for instance, as an examination on Mosheim's Ecclesiastical History, Paley's Moral Philosophy, or Whateley's Proofs of Christianity : the best way is to lay down no text-book : but merely examine on the subject ; and admit all opinions equally.

Catholic Body should send their leading intellects, and their College the Catholic University be officially represented on the senate: intellectually the Queen Colleges should of course not be absent: and if it be true, as Sir Robert Kane thinks, that there is a considerable portion of the Catholic body who hold that the State is the only fitting guardian of their interests, intellectual and religious, and who wish to separate themselves from those who look to the heads of their Church for religious direction, and to their own free action for their literary guardianship; these State worshipers, or to use an old word, Erastians, should of course have a representation distinct from that of the independent Catholics. The Presbyterians should also have their members of the senate, both lay and ecclesiastical. We do not mention the Dissenters, as there is no body of them in Ireland sufficiently numerous to claim a distinct place; although distinguished Dissenters would no doubt find their place in the senate. To sum up then, the necessary or representative members of the senate: these should be 1st. Church of England, the Archbishop of Dublin, the provost and two fellows of Trinity College; 2d. Catholic, the Archbishop of Dublin, (or other bishop) the rector and two fellows of the Catholic University; 3d, Presbyterian, one minister deputed by the synod and three leading lay Presbyterians: and 4th might be sent, three members of the Queen's College, as representing state education: these members would amount to only sixteen, and would leave plenty of room for the Crown to include the other chiefs of learning and literature in the country: then the medical profession should of course have its chosen men, the law the same. The principles to be laid down in the charter for the guidance of the senate would be very simple: that the University should never undertake to teach or to control teaching; that no subject of examination should ever trench on religious questions; or any candidate for its honours be disqualified for holding any peculiar opinions; and that the remonstrance on this head of the ecclesiastical members of the senate should be invariably respected.

Such in its principles, of course details may be modified in a hundred ways, should be a University to embrace men of all religions in Ireland: and we believe Catholics would have no objection to share in such a University. But it must be carefully borne in mind that it must be a Univer-

sity for all Ireland, and the only one : we can never consent that there shall be separate Universities for others and not for us : that our University, founded, endowed, supported by ourselves, shall graciously be permitted to enter as a junior College a State University framed for State Colleges ; and be obliged to model its teaching to fit the examinations of such a body : the Queen's University is the expression of the Queen's Colleges and such let it remain ; we will join a free National University, or we will vindicate the right recognition of our own.

The other alternative then, for satisfying the legitimate claims of the Catholics of Ireland, is the recognition by the state of the degrees of their own University. This is the mode which we believe to be best calculated both to satisfy the Catholics, and to promote the interests of learning. One central system of examination has always a tendency to promote formalism and *cram* ; and literature has been found to flourish most in countries where separate Universities follow each their own course in generous emulation. Nor would there be the slightest danger in Ireland of the standard of learning for degrees ever falling low in the separate Universities : this has been said to be the case in Scotland ; but there several small Universities existed each giving the same species of education and drawing its students from the same body ; and therefore tempted to attract students by laxity of examination : but in Ireland there would be only three Universities each drawing its students almost entirely from a different body ; Trinity College from the Established Church, the Catholic University from the Catholics, the Queen's University from the Presbyterians and Dissenters ; and rivalling each other in literary reputation and the success of their students at competitive examinations, at the bar, and in the medical profession. Let us then examine what would be the practical way of granting a charter to the Catholic University ; and answer Mr. Whiteside's question, what control would be given to the State over its government and teaching. The answer to this question is simple : over its *teaching* none ; over its *examinations* the fullest : the State has a right to ascertain that the man who obtains the degree of bachelor of arts has the proper amount of knowledge ; as to what course of studies he has followed ; whether he has learned the metaphysics of the schoolmen or studied only the inductive mode of philosophising of

Bacon; whether he has read English History in Lingard or in Hume, concerns not the State. But to understand this fully we must here as in the case of Trinity College distinguish between the College and the University.* The former, the College, is wholly independent of the State; created by the Catholics, in the exercise of their freedom, endowed, supported by them, for their own use, and the education of their own children in the way sanctioned by their Church, and which they chose; it is governed by them: it asks nothing from the State, not even a name; and is and remains wholly free. But the University to be created by the crown and to which is granted the power of granting degrees, would stand on a different footing: the State grants it this power and it is responsible to the State for the exercise of this delegated power. This distinction is most essential, and is in accordance with all precedent: the charters of the Universities of Canada, Australia and India, give the power of framing examinations and granting degrees to their respective senates; but do not undertake to regulate the organization and studies of the different Educational Institutions.

The charter then would be granted in the usual form to the chancellor and senate of the University to be erected "for the purpose of ascertaining by means of examination, the persons who have acquired proficiency in literature, science, and art, by the pursuit of such (regular and liberal) course of education, and of rewarding them by academical degrees and certificates of proficiency as evidence of their respective attainments, and marks of honour proportioned thereunto," (Charters of London University), and empowering them from "time to time to make and alter any bye-laws and regulations touching the examination for degrees and the granting of the same—and to appoint and remove all examiners of the said University" (ibid); their duty would be a purely intellectual one; with the College they would have nothing to do, save to settle when its certificates

* We use the words here as expressing respectively the educational and teaching institution; and the body in which is vested the power of granting degrees. University in its full and original signification means also the former: but has come amongst us to express the latter as distinguished from the former function.

should be received as part qualifications for degrees. There are two modes in which this body might be constituted: what may be called the Prussian mode; by which the actual self-governing organization of the University as a teaching body (or as we have called it the College) should be adopted and recognised as the senate; and the government be represented on it by certain officers, analogous to the German royal curators: or by the appointment of a separate senate for the University (formed of course in part of the Collegiate authorities) which would probably according to precedent be nominated by the crown in the first instance; with a certain degree of election by convocation later. The former would in many respects be the most natural, since, as in the case of Trinity College, the University would be one with a single College and the government of the University would then naturally rest in the authorities of the College: it involves however the question of the organization of the government of the existing Catholic University; a question which we intend to treat before we conclude this paper: the latter has the advantage of leaving the great Catholic educational institution wholly free and unconnected with the State, and would be considered perhaps more consonant with late precedents in these countries. In either case certain principles must be observed in the constitution of the senate or governing body of the University; even in the case that it were, as in London, nominated by the Crown, these principles must be distinctly laid down and observed: they are two, that it must be Catholic; and that its functions are purely intellectual. It is to be a Catholic University for Catholics alone; its government must be wholly Catholic and must respect those rules of jurisdiction on religious subjects which Catholics believe in: hence it must consist of two distinct elements the religious and the secular: the religious element must of course be vested in the hands of the proper authorities; for it must ever be remembered that Catholics acknowledge a distinct authority in all religious questions; a board of the most religious laymen, though they were all saints, cannot speak with any authority, or guarantee to Catholics the religious purity of the teaching they preside over; one bishop, *virtute officii* (as the lawyers well express it) is a competent authority and a sufficient safeguard; the competent religious authority then, that is the bishops of the

Catholic Church in Ireland, must be represented on the senate: but it is not enough that one or many bishops should have seats in the senate; their attributes and the extent of their power must be distinctly laid down. This is not a question of influence, or of persuasion; this is a question of jurisdiction; they would sit on the senate in a specific capacity, as the legal guardians of purity of faith and morals; and in that capacity, their power must be complete; on an intellectual question, as for instance the extent to which classics or mathematics should be studied, their secular colleagues may be far more competent to judge; on some questions they alone are competent to speak. This was well explained by the bishop of Langres in the debate on the French law of 1850 when he said:—

“You have decided that there shall be a *conseil superieur* of public instruction in France, you have decided that four Catholic bishops shall form part of it: you are now considering their powers (‘attributions’) and as these touch even doctrines, I speak not of human science, but of religious doctrines, I will speak frankly, for there must be no ambiguity on so important a matter; and the bishops would not enter the council; their colleagues would not send them there, if the limits of their power were not clearly admitted and recognised. I understand that the bishops enter the council for the maintenance of that doctrine and teaching of which they may not change an iota, because it is a sacred deposit of which they must one day render an account, *despositum custodi*;—I believe that when the bishops declare that such or such a book is hostile to the faith, violence could not, should not, be done to their conscience. Such are the conditions under which I promise my vote to the law. Such are my hopes; if these hopes be not realised, the position in the council of the bishops would be not only dangerous, but untenable.”—(Discussion sur la loi de 1850. Paris, Lecofre.)

We could add nothing to this clear statement by one of the brightest ornaments of the French episcopate, of the position necessarily occupied in such a body by the bishops who sit there as the official guardians of the faith: we shall return to this subject; but we will here only observe that in this view of their official position and powers, the number of bishops on the senate is immaterial: one representing the body of the episcopate, and whose authority should be recognized in the constitution of the senate, would be enough:* probably however three would be a

* Practically the authority of which we speak is nearly what is

convenient number ; these must be members *ex officio* and their power and jurisdiction clearly laid down. The secular element is next to be considered : the first observation is that its duties are purely intellectual and such must be its qualifications ; it is not a board to administer trust funds ; or regulate buildings ; it is a senate to regulate education and degrees : it is not to represent the rank, or the wealth, or the respectability of the Irish Catholics ; but their intellect and learning.

A glance at the list of the Senate of London University, will illustrate our meaning. The first six names (those which chiefly represent rank) are : the Duke of Devonshire, well known for his literary acquirements who graduated second wrangler at Cambridge ; Earl Granville, a distinguished graduate of Oxford ; Bishops Maltby and Thirlwal, world renowned as classical scholars and historians, T. B. Macaulay the historian, and Lord Monteagle of Brandon ; whilst the rest exclusively represent intellect, being made up of such men as Sir Philip Crampton, Brande, Faraday, Grote, and Hallam, &c. We have no lack of men in the Catholic body distinguished for their learning and talents, and of such men must our senate be composed.*

Assuming then that the lay element of the senate is to be emphatically intellectual, and to represent all the Catholic intellect of Ireland, we shall perceive that it would

known to the English law as that of a visitor ; thus the nomination of the Archbishop of Armagh, for instance, as visitor with full powers would amount to giving him this power. Thus in the Catholic University of Quebec in the charter granted by the Queen, she appointed her "trusty and well beloved" the Catholic Archbishop of Quebec sole visitor of the University ; and he is empowered to annul any statute or act of the rector or senate.

* "Et certe magis convenit ut leges condantur studiosorum a doctoribus diu in academiis regendis versatis, quam ab illis qui quamvis aut doctrina alia aut dignitate sæculari aut ecclesiastica præfulgeant tamen cœcutiunt in his quæ non norunt, et suis persuasionibus intrincant omnem studiorum ordinem. And truly it is more fitting that laws for students be framed by learned men, long versed in ruling Colleges, than by those who though they excel in other knowledge or in secular, or ecclesiastical dignity, yet are as it were blind in that which they know not, and by their persuasions confound all the order of studies."—Bulæus, t. ii. p. 664.

naturally and fittingly consist of two elements, one drawn from the College of the University, or the teaching body; the others from the body of learning and intellect in the country outside its walls. The danger of having the members selected exclusively from the teaching body is, the probability of such a course tending to narrow, and stereotype the character of the body: any body of men are liable to become wedded to their own ways, to be averse to change, and to think what has been should continue to be: it is always well for such men to meet with others outside their body and so modify and enlarge their views. It may be objected, that in none of the old Universities is there an admixture of foreign elements: but on the other hand it must be recollected, that in none does the governing consist exclusively of the teaching element, and that of only one College. The difference of collision between different Colleges; the various intermixture of heads of houses, of fellows, and of professors create and continue that intellectual movement life and variety which would not be found in the teaching body of one College. We may illustrate what we mean by the instance of the medical faculty. That faculty consists in the Catholic University of some of the cleverest men in the profession; in time it will form a distinguished school of men; but it will be all the better for them to meet in the senate of their University with other distinguished men of their own profession; men, it may be in after years, who have been educated in that school and have left its walls to attain to eminence elsewhere; men in a word who will fill as it were the fellowships of the profession. The intellectual element of the senate should then be formed of two parts: representatives of the teaching body of the College, and men of literary eminence from elsewhere: of the rector and deans of faculties to represent the teaching body, and of men distinguished in literature, science and arts, outside that body; of the most distinguished Catholics of the legal and medical professions; and literary men who have gone through an honourable University career and are known and respected in the world of letters; but it must be distinctly understood that wealth and rank alone confer no right to sit in what is the senate of the republic of letters. To sum up then, the senate might consist of the Chancellor; an office which would most fittingly be filled, *ex officio*, by a Catholic Archbishop, and in him might

properly be vested full visitorial and controlling powers in all questions of faith and morals ; which, as we have said, are the inalienable attribute of the episcopal authority ; and which are in a great degree analogous to the powers generally exercised in old Universities by the Chancellor : of course it is necessary to add that he should always exercise power in concert with his episcopal colleagues : two or more other bishops should also form part of the senate, that the views of the episcopacy might always be fully represented even on questions on which they would not speak with absolute and conclusive authority ; next would come the rector and five deans of faculties of the University and the remainder of a certain number of distinguished men. But to ensure the life and vitality of the University, to create and perpetuate its *esprit de corps* and ensure it in after ages faithful guardians and supporters, it is essential that it should ultimately have a convocation of its graduates ; and that that convocation should have a voice in the filling up of the vacancies in the non official members of the senate ; probably in this respect the example of London might be followed with advantage, where on every second vacancy convocation nominates three persons out of whom the crown appoints one.

We have thus considered what should be the constitution of a senate to regulate all questions of degrees, constituted in some degree independently of the present Catholic University, and exercising no control, save with regard to degrees, over it. We now return to the mode of simply investing the University itself with the power of granting degrees ; merely deputing government curators to see that the standard was sufficiently high. We have reserved this question to the last, because it involves another of immense importance to Catholics ; but in which the State has only an indirect concern, and that only on the supposition that it delegates the granting of degrees wholly to the existing University ; it is, what is to be finally and for all time the constitution and government of the Catholic University. This question we wish to examine wholly as Catholics, and assuming that it is to continue a free Catholic institution wholly unconnected with the State. It has been founded by the authority of an apostolic brief directed to the bishops of Ireland, authorizing and directing them to found a Catholic University, and giving them the fullest powers to do so. The

cætus episcoporum then stands, with a delegated authority, exactly in the same relation to the University as the Holy See formerly stood to the different Universities it founded, as Paris, Glasgow, &c.: but as the Holy See, though supreme in authority, did not in any instance retain in its own hands the internal control and daily management of a University, so neither does the authority vested in the Irish episcopate involve the necessity for them personally to execute the government of the University. From the first they have shown that they so understood the matter; for the first step they took in the Synod of Thurles was to appoint a Committee consisting of eight bishops, eight priests, and eight laymen, "to take steps to found and organize a Catholic University." That committee discharged its duty; it founded the University and appointed the first rector; then its duty was done: it was chosen with a view to its fitness to organize the material interests of the University, it did not profess to be a learned body fitted to guide a literary corps. Since that date the cætus episcoporum, the founding authority of the University, have administered it by a committee of their own body; and that administration has brought it to its present eminently successful position: none could be better calculated for the early stage of its existence: the first government of a nascent colony must be vested in few hands; a body must exist before it have a constitution; a University must be formed before it can be autonomous. But the question of the ultimate constitution of our Irish University and of its government still remains. If we look to continental examples, we shall find that the Papal founders of Universities endowed them with a constitution and made them self-governing: subject of course, to the controlling power of the competent ecclesiastical authorities and the visitorial power of the Holy See. One great example exists in modern times of a different system being pursued, and it is worthy of the most careful study. The ancient University of Louvain, founded by the authority of the Holy See, was governed like all its sisters of old time; the modern one is governed directly by the episcopate of Belgium, who exercise that government through the rector appointed by them.—Whence this difference? The reason is easily found, and is well known. The government of Belgium had, under Joseph II., the French, and the Orange dynasty, claimed a direct intervention in, and con-

trol over all corporations and public institutions, whether for charity, education, or any other purpose; this system still continues: and it is impossible to constitute any body not controlled by the government for the management of a University. It was well known to be impossible to obtain for the University an act of incorporation (*la personnification civile*)* without which it could not legally exist; or hold any, the smallest property; nor could the difficulty be got over by our mode of investing the property and government in trustees, under a trust deed; all trusts being declared to be illegal by the code Napoleon, which is the law of Belgium,† consequently there was no possible means of constituting a body, and the way of evading the law usual in Belgium was adopted; namely, that of treating the whole concern as the property of an individual; and to this day the whole property of the University of Louvain is, in the eye of the law, which would otherwise seize it, the private property of the bishop. This one reason was all-sufficient; but it was also felt and known that any attempt to organize a University body would at once cause the intervention of Government, which would patronize and regulate it, and probably make use of lax and erastian Catholics to manage it. All free action was impossible, and the bishops adopted the only possible course: and to this day the rector and

* The attempt was made at what was supposed a favourable time in 1841, when the bishops *petitioned for it but in vain*. (*Discussion de la loi de 1842*, p. 438. Brussels, Lesigne.)

† The law is so strict, that if any trust even though not declared can be shown to attach to a legacy it is void: property can be left in trust only to the recognized legal bodies, as the bureaux de bienfaisance, &c, which are all subject to the government control: the only power left to the testators is that they may associate *their relatives* with the legal body in the administration of the trust. So far is this carried, that in 1845 a canon of Louvain, having left a sum of money to found an almshouse for blind women, *to be administered by the parish priests of Louvain*: the legacy was claimed by the legal board of hospitals, and their claim was with great difficulty defeated. The only mode therefore, by which property can be left in Belgium for institutions other than those under legal control is, by its being made the private property of an individual with a secret trust in favour of the charity: and thus all the property of the convents, schools, orphanages, &c., is, in each diocese, the legal property of the bishop, who takes care before his death to transfer it to his vicar-general, or some other person who does the same.

all the professors are simply the salaried servants of the bishops, as owners of the establishment. But as it was felt by the Belgian bishops that the episcopal body, as such, although it contained men most eminent in literature, was not calculated to direct a learned body, they simply chose the best rector they could find,* and confided the whole organization and government to him; retaining of course the supervision and approval of all his acts. And such continues the government of Louvain; the rector, aided by the counsels of the faculties, proposes to the body of bishops. And excellently has this institution worked and honourable is its position; yet certain evils, which might have been foreseen, have actually resulted from the system necessarily adopted. In the first place, funds have not come in as freely as from the well-known generosity of the Belgian people, and what they have done elsewhere, might be expected. The annual sum expended by the bishops on the University is about £8,000, and such it has remained: no special foundations for individual professorships, fellowships, or scholarships have been made by individuals; in great part from the legal difficulties; but also from there being no University body of which they would form part or whose existence or needs excite sympathy: all subscriptions go into the common, unknown fund, and are administered by the bishops, with a view to the common needs: but we all know that men who will readily give £5,000 to found a special professorship whose holder will have a definite position in a known corporation, would with difficulty be induced to give £50 to be merged in a fund of indefinite destination: hence the University of Louvain has little growth except in the number of its students. Secondly, as the bishops do not themselves undertake the scientific management of the University, and there is no senate; the entire scientific government practically rests in the professors of the various faculties: hence a system once adopted remains for ever; the teaching of jurisprudence, for instance, follows the same track from year to year: the traditions of teaching become even more confirmed and unchangeable; there is not that life or development which so peculiarly distinguishes the open teaching of the

* Mgr. de Ram, who has worthily ruled it from its foundation to the present day.

German Universities: and the great contending schools of jurisprudence, the historic and the philosophic, which have done so much for the science, could never have arisen together in Louvain: as the various improvements in the London University examinations in medicine, which have been introduced by the senate, where sit so many heads of the profession not connected with any college, would never have been introduced had the examinations been settled by the professors alone who taught the course in University College. But far more important is the lack of an esprit de corps amongst its members, if we may so call its past and present students; in fact they are not members of the University, and that is the whole point. It is not as the old Universities were, a great corporation, with a corporate life and spirit: it is not as old Louvain was, *Corpus Universitatis* composed of *Rector Magnificus, Magistri et scholares*: it is simply a teaching institute, the property of the bishops, in which a number of professors who hold office during pleasure, teach the scholars who frequent it, pay their fees for some years, and then go away, and have no further connection with it, save those feelings of attachment which all feel for the place where they have been brought up; but in which neither professor nor graduate have any fixed or definite position. Hence there is not that bond of unity, that undying connection between the graduate and the central body—in a word, that esprit de corps which exists in the English Universities: no one in Belgium would ever dream of suggesting that any of the Universities should ever send a representative to the legislature, for they are not coherent bodies. In England, the Universities are the great bulwarks of the Established Church, because they are essentially Church of England institutions, and their graduates, dispersed throughout the land, retain their connection with the University, and their esprit de corps; and are, before all things, Oxford and Cambridge men: but the ablest men of the Catholic party in Belgium state with regret that the graduates of Louvain form no such united body. Such are the defects attendant on the system which was *necessarily* adopted in Louvain; and which we think, render it undesirable that the example should be followed in Ireland: but these reasons apply with much greater force to our country, from our system of publicity and repre-

sentation, we are a people jealous of authorities, accustomed to take part in the administration of all our public institutions, of our charities, and of our Colleges: anxious always to see a recognized law and constitution, not an unlimited power. To the Belgians, accustomed to see always the action of government, the bishops naturally appear as the absolute rulers of a great Catholic institution: the Catholics of Ireland, whilst yielding the most absolute obedience to every exercise of the authority of the bishop, (for episcopal authority, in all that is subject to it, is at once a law and a constitution,) are accustomed to see secular interests looked after by seculars. Now our laws throw no obstacles in the way of organizing the Catholic University of Ireland in whatever method may be most desirable: in whomsoever the government be vested, and with whatsoever limitations, there will be no difficulty in framing a trust deed to insure its continuance. We will then assume for the moment, that it is to have such a constitution, in essentials, as the old Catholic Universities had, with all the necessary guarantees for the preservation of the purity of faith and morals; and all provisions for the free exercise of Catholic ecclesiastical authority: and we shall endeavour to ascertain what principle should guide the framing of its constitution. We are not now speaking of that constitution in any relation to a Protestant State (although this point may easily be met) but simply in relation to the Catholic people of Ireland for whom that University exists.

The first great point to be clearly understood is the connection of the religious element with education: or rather the relation in which the ecclesiastical authorities, the depositories and guardians of religion, stand to the management of education. There is, not unfrequently, a certain ambiguity in the language used on this point, and hence arise apparent contradictions. It is often said, and said truly, that all education must be subject to religion: that the care and superintendence of the bishops, the guardians of religion and morality, must extend to all education; and that they cannot abdicate that care with regard to any part of it. On the other hand, the assertion of Sir Robert Kane, that "Roman Catholic ecclesiastical authorities consider that education in its widest sense, secular as well as religious, is by divine ordination, vested in their body—laymen can exercise no

control even as to secular studies,"* has been repeatedly contradicted by ecclesiastics of the highest authority: and the remark made that in purely secular questions of education the bishops claimed no divinely conferred authority. What then is the answer to these difficulties? A careful examination of all the recognized authorities will show that it is contained in the common formula often repeated but not always fully appreciated: the authority of the bishops extends to all that relates to faith or morals,† and to nothing else. Are there then some branches of education which have a relation to faith and morals and others which have no such relation? No: this is the error of those who endeavour to divide education into religious and secular; as we have shown in our former article, all education is connected with religion. Does then the authority of the bishops extend to every branch of education in *every respect*? No. Only as it relates to faith and morals. This distinction which may not perhaps at first be seen, will be made clear by a couple of examples. Of course the teaching of religion and morality itself belongs wholly to the Church; every other branch of education has a double aspect, one secular, one religious: the interpretation of the New Testament in everything which touches even indirectly upon faith, is of ecclesiastical competence: but a purely critical question, as to the dialect in which it was written, or the locality of some of the places named, would be a secular one, on which a bishop could not pronounce *ex cathedrâ*. Take an example from the opposite end of the scale of sciences. Mathematics are not a question of faith: but the professor who, in teaching mathematics should inculcate the error that mathematical demonstration was the only one producing certainty; a doctrine which would attack the evidence of faith; would rightly incur ecclesiastical censure. This distinction was well shown in the case of Galileo: Copernicus had taught

* Transactions of Social Science Asso. 1861, p. 324. We have quoted the words of Sir R. Kane's paper, because the *vivâ voce* discussion is very inaccurately reported. Major O'Reilly's statement in reply to Sir R. Kane on this point, is quite inaccurately given.

† We use the word bishops as expressing practically the legitimate ecclesiastical authority, and implying, of course the superior authority of the head of bishops, the Holy See.

the doctrine of the earth's motion without censure, and so Galileo might have done, for it was a question of physics, on which the Church had no divine authority to pronounce : but when Galileo undertook to maintain his theory by certain unauthorized interpretations of scripture, and to teach that his philosophical doctrines were propounded in scripture, the ecclesiastical authorities interfered and he was condemned "for certain rash and erroneous interpretations of scripture" as the sentence says ; and as these discussions were dangerous to the faith, they were ordered to be discontinued.* So with regard to every branch of learning, a bishop has no authority to interfere *virtute officii* with it in its secular aspect, but he has such authority whenever it touches faith or morals. Nay more, a bishop is not necessarily peculiarly well qualified to direct teaching in its secular aspects : to decide whether the physical sciences may with advantage be substituted for mathematics in a particular course : to decide on the selection of classical authors ; or decide the question so much debated in Germany, whether the historic or the philosophic is the true method of teaching jurisprudence : here he is only a man who may or may not be learned on these points ; but if any one of these affect the faith he speaks as one having authority.† Hence to appoint a board of bishops to determine all literary and scientific questions, in a word, to administer a University ; to frame courses of studies, to draw out programmes of lectures, to settle the nature and extent of examinations ; in a word to determine all questions in law, medicine, arts, and sciences, would be an absurdity : and therefore the Belgian bishops have wisely avoided undertaking a task they were not fitted for, and have, as we have mentioned before, left all the scientific government of the University to the professors. Thus the authority of the bishops with regard to secular education, that is, everything except the teaching of religion and morality, is a controlling power, and

* See an Article on Galileo in the Dublin Review.

† Of course we need hardly add, that the bishops do not claim any right *jure divino* to the patronage of the University ; if such a word could be applied at all to the administration of an institution to which the words of Thomassin are emphatically applicable, "qui jus habet collationis tenetur semper dignum antepone minus digno ; digno digniorem."

vests in them not the *management or administration* of such branches of education, but the *control*: and is therefore of the nature of that exercised by a visitor. Hence in Catholic ages, the Pope was held to be the visitor of all Universities; and examining more fully the Catholic precedents we find this was precisely the power claimed and exercised by the ecclesiastical authorities: the government of Oxford, of Cambridge, of Paris, was not vested exclusively in ecclesiastics; but the Pope was the visitor of all Universities, and the local ecclesiastical authorities also in their own sphere: thus the bishop of Lincoln, in whose diocese they are, is still the visitor of Lincoln and Oriel College, Oxford: and at Paris it was the chancellors of Notre Dame and St. Geneviève who granted licences to teach to those who had received degrees, thus certifying the orthodoxy of those whose learning was certified by the University. To what does this controlling power extend and how may it be exercised? As we have said it extends to every branch of education, and it is exercised in three ways. Firstly, by presenting tests of orthodoxy and fixing the amount and nature of religious teaching: as we have said before, religious teaching is wholly the province of ecclesiastical authority: it is for it to appoint both books and teachers, and make all necessary regulations to enforce the observance of religious and moral duties. Secondly, by exercising a power of revision and censure over all books used in teaching, to see that they are not dangerous either to faith or morals. No one can doubt that a book could not be used in a Catholic College the use of which was declared by the competent authority to be dangerous to the faith of the students; not that by permitting the use of a work the authorities need approve of all its statements; their power of veto would be exercised only when its use would be dangerous; thus Hallam's English Constitutional History would freely be allowed to be used by a Catholic professor as a text-book, while Mr. Vericour's work would most probably be vetoed. The ecclesiastical authorities would not be called on to pronounce any opinion on the merely literary or scientific merits of a work, for on that they have no peculiar authority to speak, but simply to pronounce it dangerous to faith or morals: not to decide whether Laplace's or De Morgan's be the better scientific guide, but to condemn the philosophy of Comte or Lamennais. Thirdly, as

a professor is a speaking book, to decide on the orthodoxy and morality of *vivâ voce* as well as printed teaching ; in other words, to have a veto on the ground of faith or morals, on the appointment or continuance of a professor.* The ecclesiastical authority in our University would, for instance, veto the appointment of de Potter as professor, it would call for the deprivation of Lamennais.† We need hardly add that this power must extend not only over professors, but over all the *personnel* of the University : an infidel or immoral tutor or dean would be as much subject to censure as a professor. Such, we believe, are the nature and limits, it may be imperfectly expressed, of ecclesiastical authority ; on the one hand it is large and extensive, on the other hand it is definite, and exercised

* We need only refer our readers to the former part of this article in which we spoke of the mediæval Universities, to prove that these rights of controlling *books* and *teachers*, in all that relates to faith and morals, are exactly those claimed by the Popes for the ecclesiastical authority ; and that they embrace all that was so claimed. The following passages of Thomassin are also strongly corroborative ; to understand them we must recollect that the *doctoratus* and *magistratus* gave the right of teaching.

“ Candidatos suos præcipuarum facultatum ad aulam archiepiscopalem Parisiensem deducit, ubi a communi ecclesiæ Parisiensis et academix cancellario, magisterii laurea donantur.”—Petrus Aurelius ap Thomassin de Discipl : eccl : Pars II. lib. i. cap. 101.

“ Utque altius res, atque ab ipso capite repetatur, cum Pontifices Romani, quâ Petri et episcopi, quâ apostolorum successores, sint jure divino ecclesiæ doctores et theologiæ totius Christianæ magistri—cumque episcopi a conciliis excitati sunt ad scholas erigendas, et ad theologos magistrosque grammaticæ designandos, non potueri nisi eorum auctoritate et auspiciis freti, aut privilegiis apostolicis, alii doctores magistrive cathedras sibi excitare. Cum anno 1289, Nicolaus XIV. Papa Universitatem erigeret Mompesulanam, in eaque institueret facultates juris canonici et civilis, medicinæ et artium, sanxit ut episcopus pileo doctores donaret *prius examinatos* et ex suffragatione cæterorum doctorum ad hoc congregatorum. Anno. 1290, idem Pontifex universitatem excitavit Ulyssiponensem, cum eisdem facultatibus et eadem in ipsam episcopi auctoritate. Universim dici potest eam esse formam excitatarum a Romano Pontifici Universitatum, quibus in omnibus episcopo permessa est facultas creandi doctores præmisso examine et adhibitis in consilium cæteris doctoribus.”—Ibid : where he cites all the bulls : and also shows the episcopal power of condemning erroneous teaching.

† We give imaginary instances as examples.

in accordance with the known laws and discipline of the Church; and we pray those on the one hand who may consider it too strictly limited, to consider that it extends with full and absolute authority to every case of faith or morals; and on the other hand, those who may fear that it is too extensive, to recollect that it is no vague, indefinite, absorbing extension of ecclesiastical influence, but an authority defined by the laws of the Church, and exercised by the authorities of that Church in virtue of their office, and with all the responsibility attaching to the exercise of a legal authority. To such, if such there be, as would ask whether it may not happen that a Catholic Archbishop, in the exercise of his office, may solemnly pronounce a book to be dangerous to the faith, or a teacher to be immoral, when such were not the case; we can only answer that an appeal lies to higher ecclesiastical authority, even to Rome; and that for Catholics the decision of Rome on faith or morals, is final. We have thus seen what is the nature of the control to be exercised by the ecclesiastical authorities; by whom it shall be exercised should be settled by the bishops directed by Rome: but it cannot be left a question of numbers and influence; it is a question of authority, speaking with one voice. Probably this authoritative voice would be vested in the chancellor, an Archbishop speaking for the bishops. The next question is the literary and scientific element of the government: of course the teaching body of the faculties of the University should be represented largely, but we think far from exclusively; not only for the reasons we have already given, but because we wish to see a constitution framed for the University capable of extension and growth. It is by no means certain that other and separate Colleges may not arise in the University; nay, it is earnestly to be hoped that in course of time they may: certainly independent professorships and different teaching elements will, in course of time grow up; the country Colleges may, in after years, become great and important institutions. Now any constitution which would vest the government exclusively in the professors of the existing faculties in Dublin would give to this one body a power which in after ages (and our University is not for a temporary use merely) might be used in an exclusive manner, and one injurious to the interests of learning and of the University. We need hardly add, that a senate composed of the members of the

faculties and a number of country gentlemen would leave the government practically wholly in the hands of the former. Lastly, we believe it essential that provision should be made for the ultimate representation in the University, of the whole body of the graduates, in a properly limited convocation: thus, and thus only will all be interested in the welfare and durability of the University, be bound up in a common body, and have a common spirit.

Let us now examine the conclusions to which our principles have led us; in other words, what should be the leading points of the charter of our Catholic University: not the charter of English law which will give its degrees legal value in these countries; but the charter, or constitution, or fundamental law which should govern it as the Catholic University of Ireland. Its first fundamental law must be that the Pope shall ever be its visitor and ultimate appellate jurisdiction; this, which is the universal Catholic law and is implied in its name Catholic, must nevertheless, situated as it is in a country whose law is Protestant, be expressly declared and provided for. Its government should be vested in a chancellor and senate. The chancellor, one of the Irish Archbishops, named by the Holy See, or in whatever other way might be determined, might be invested *ex officio*, with the exercise of that jurisdiction which we have shown is the attribute of the ecclesiastical authorities: but not merely would it be necessary that the authority of the Irish bishops should be represented in the senate; it would be most desirable that their influence and judgment, as men most calculated wisely to direct education in many respects, (apart from their authority to control it in its religious and moral aspect) should be represented also: for this purpose a number of bishops to be determined on, one or two from each ecclesiastical province would naturally find their place in the senate; then would come the rector and representatives of each of the five existing faculties, say two from each: and finally a number to be determined on of other fellows, men distinguished in literature and science.

The senate of London University consists of a chancellor, vice chancellor, and thirty-six fellows: we do not wish to suggest any particular number for ours; but let us suppose it to consist of the chancellor and eight other bishops, the

rector and ten other professors, and ten other fellows. Of course we do not venture to suggest the mode in which the bishops should be appointed; that is for the episcopal body; the University would return its professors; there remain the first selection, and the filling up of vacancies in the list of other fellows; the first selection would naturally be made by the *cætus episcoporum*, even if it were desirable that the constitution of the whole body should be confirmed by Rome, as the University's *Alma parens*; we think it most desirable that ultimately convocation should have a limited share in their selection; in the mean time, vacancies may be filled up in any way considered most desirable, provided it be clearly laid down and understood that the office is in no degree hereditary, but to be given solely to literary eminence.

There remains the question of the constitution and powers of convocation: this is a point for future consideration, since naturally convocation would not be called into existence until there existed a body of some four or five hundred graduates; but we may say that we think the powers of convocation in the University of London would form not a bad example; its powers are laid down in the charter, to be: first to nominate three persons out of whom one is to be selected by the crown for a certain number of the fellowships, secondly the power of discussing any matter relating to the University and declaring the opinions of convocation on it; except as thus provided the convocation is declared not to be entitled to interfere in any way, or have any control over the affairs of the University.

Lastly, it would be necessary to provide for the power of making from time to time such changes in the constitution of the University, as the lapse of time and the changes of circumstances may render necessary: in the case of the State Universities this power of course resides in the crown and parliament: in the case of the Catholic University, however provided for, it would be referable to the action and authority of its *Alma Parens*, Rome: its first charter comes from the Holy See; and the same must modify it; but provision should be made to ensure this power with reference to English law.

Thus briefly have we endeavoured to sketch, however inadequately, the leading features of a constitution for our University: one based on Catholic principles and traditions, and on our national character: thus and thus only

would it be fitted to grow up and develope itself with every succeeding age ; not a State institution dependent on the nod of changing governments : not a mere teaching establishment however good : but a great and growing corporation, with life and energy and free action ; retaining its own central organization and government, yet adopting into itself every new College, every fresh foundation, binding together in one bond of union, its chancellor, its rector, its senate, its fellows, its professors, its scholars, its graduates however scattered over the country ; and thus becoming a portion of our national life ; a bulwark and a tower of strength ; an army and a defence to our Church and to our Country ; in a word

The Catholic University of Ireland.

ART. V.—1. *Kirche und Kirchen. Papsthum und Kirchenstaat.* Historisch-politische Betrachtungen, Von. Joh. Jos. Ign. v. Döllinger, 8vo. München : Cotta, 1861.

2. *The Church and the Churches ; or the Papacy and the Temporal Power.* An historical and political Review. By Dr. Döllinger. Translated, with the Author's Permission, by William Bernard Mac Cabe, 8vo. London. Hurst and Blackett, 1862.

IN the general outburst of severe though regretful criticism which the first Report of his Lectures on the Papacy and the Papal States drew forth, Dr. Döllinger paid one of the penalties of his celebrity as a scholar and of the eminent position which he has long maintained in Catholic literature. Friends and adversaries alike had watched eagerly for the opinions of such a man, at so important a crisis ; and his sentence on the Roman question was looked to by both, as an authority all but oracular :—to be received by friends as the judgment of one who had long since earned a title to unhesitating acceptance—by enemies, to be regarded as at least an authoritative exposition, representing the views of the highest and most cultivated schools in the ranks of Catholic orthodoxy in Germany.

One of the consequences of a reputation so high and so widely spread is, that it renders it practically impossible for an author to select his own circle; or to limit at his pleasure the public whom he may desire to address. And so Dr. Döllinger has found on the occasion of the Lectures, which have now become so celebrated. The words which were meant by himself to be spoken to the comparatively limited auditory who assembled to hear him at Munich, became, by the very universality of his reputation, the property of the learned of all nations, and, owing to the peculiar circumstances of the case, were drawn into the arena of politics quite as much as into that of theology. And thus, as invariably occurs when what is meant for one class finds its way into the hands of another, the original Report of the Lectures encountered a species of criticism which the author had not foreseen, and was judged by principles the application of which he had never contemplated.

We can hardly be surprised at the result which we have all witnessed. The friends of the Papacy throughout Europe, (whose first and last thought in the actual conflict has been the insulted honour and the violated right of the Holy See, and whose habitual sympathies with the Holy Father have been specially quickened, in this crisis, by the knowledge that a large share of the hostility professedly directed against his position as a political ruler is in reality pointed by undying hatred and impatience of his spiritual pre-eminence,) were ill prepared for the peculiar tone which they found taken in the Address (at least as it appeared in the German journals) of him to whom they had confidently looked as the most learned and eloquent champion of the Papacy in its day of peril. In the trials with which they saw the Holy Father encompassed, the act of loyalty had assumed for them the character of an instinct rather than of a duty. They *felt* his sufferings and his wrongs, rather than reasoned upon them. And thus in proportion to the enthusiasm with which they were prepared to welcome Dr. Döllinger's Lecture as a frank and unhesitating manifesto of German loyalty to the Holy See, was their disappointment to find it a cold historico-philosophical survey of the relations between the Papacy and the Italian populations, full of erudition and of eloquence, it is true, but utterly failing to grasp what they had felt to be the realities of the controversy; dealing learnedly with the history of

the past, speculating profoundly on the possibilities of the future, but almost entirely ignoring what constituted in their judgment the painful actualities of the present.

And on the other hand, in proportion to the eager interest with which the anti-papal polemics hung upon the words of so formidable an adversary, was their exultation to gather among the frank and unsuspecting outpourings of his laborious impartiality, statements and admissions which it needed but little ingenuity to convert into weapons of their own traditional warfare.

Nor, indeed, does Dr. Döllinger express himself any surprise that it should have been so. When he spoke his Lectures he did not think that they would be discussed by the press; he "expected, that like others of the kind they would, at most be mentioned in a couple of words in *futuram oblivionem*." Moreover, the Lectures were printed, not from a verbal report, but from notes written out at home from memory;—a course which, comparatively harmless on other occasions, told with especial disadvantage upon the severely philosophical abstractions of such an argument as that of Dr. Döllinger. These Reports, the author himself complains, "gave but an inaccurate representation of a discourse which did not attempt to cut the knot in the usual way, but which, with *but*s and *ifs*, and referring to certain elements—to critical and decisive events, for the most part left out of the calculation—alluded to an uncertain future and manifold contingencies. This was unavoidable. Every report, not absolutely verbal, must, despite of the best intentions of the reporter, give rise to a distorted apprehension." Finding himself misreported, in certain material particulars by one of the leading journals of Germany, Dr. Döllinger immediately proposed to the editor that the original MS. should be published, but his proposal was declined.

It was still open to Dr. Döllinger to print the Lectures himself. It is due to him to print his own explanation of the reasons which led him to delay the publication.

"But wherefore—it will be asked, and I have been asked innumerable times—wherefore not cut short misunderstandings by the immediate publication of the lectures, which must, as a whole, have been written previous to delivery? Why wait for five months? For this I had two reasons. First, it was not merely a question of misunderstanding. Much of what I had actually said had made an unpleasant impression in many quarters, especially

among our optimists. I should, therefore, with my bare statements, have become involved in an agitating newspaper and pamphlet squabble, and that was not an attractive prospect. My second reason was—I expected that the further development of circumstances in Italy, the irresistible logic of facts, would dispose many minds to receive certain truths. I hoped that people would learn by degrees, in the school of events, that it is not enough always to be reckoning with the figures ‘Revolution,’ ‘Secret Societies,’ ‘Mazzinism,’ ‘Atheism,’ or to estimate things only by the standard supplied in ‘The Jew of Verona,’ but that other factors must be admitted into the calculation ; for instance, the condition of the Italian clergy, and their position towards the laity. I wished, therefore, to let a few months pass away, previous to my appearing before the public.”—p. 7.

In common with the great body of the Catholic community, and sharing to some extent the feeling of painful disappointment which prevailed at the time of the publication of the Lectures, we entered at some length, upon that occasion, into the subject of Dr. Dollinger's view of the Papal question, such as it then appeared to present itself in the published Report. In the observations which we then made, we anticipated, to some extent, the explanations on at least one portion of the subject, which the present publication elaborately develops. Much of what we said, however, was written in ignorance of circumstances here explained ; and we gladly avail ourselves of the opportunity of returning to the subject, the views of the author as well as the motives by which he was influenced in putting them forward being now fully before us. As the Papal question, however, holds but a secondary place in this comprehensive volume, and as we have already, on more than one occasion, as well as in our former notice of the Lectures, fully expressed our views on those points of that question on which we differ from Dr. Dollinger, we have no intention of renewing the discussion here. Our main purpose as regards this portion of the present volume is, to place before the reader the author's more full and explicit exposition of the views which were but indicated in his Lectures, and which, from the inadequate or distorted report, were very inaccurately interpreted. The polemical chapters of the work are so important and so original, that we must reserve for them the larger portion of the space at our disposal. For ourselves, so far as regards the author's views of the Papal question, as they are expressed in the present volume, we freely admit that more than

one passage in our former article, were it to be written again, would now undergo considerable modification. The warmth of some of the observations in that article had its origin in misapprehensions which the explanations of Dr. Döllinger have removed or modified; and although we must still reiterate our strong dissent, on motives of justice, and still more of prudence and generosity, from the tone of many observations as to the present condition of the Roman question adopted in the Lectures and developed in the present work, yet we gladly declare that the work now before us confirms and bears out, in every particular, the testimony which, even by anticipation, we confidently bore in our former article to the loftiness and purity of the motives, the objects, and the intentions of the author.

The circumstances in which as well the Lectures themselves, as the choice of this particular subject, originated, have a very important bearing on the general view and on the line of argument which the author was induced to adopt. Just at the time when he was solicited to deliver these Lectures, he found himself repeatedly called on by individuals and in private circles for some explanation of the position into which the Holy See had been at that time thrown—the partly consummated, partly threatened loss of its temporal sovereignty. He was asked with anxious earnestness, what reply was to be given to those adversaries of the Papacy, who pointing on the one hand to the concurrent declarations of bishops and ecclesiastical bodies, almost all of which set forth the temporal sovereignty of the Holy See as “essential and necessary to its existence,” appealed on the other to the events of the last thirty years, which “appear with unerring distinctness to announce its downfall.” He found, moreover, that the newspapers, the periodicals, and even the literature of Protestantism, had begun to put forward the confident hope, “that with the downfall of the temporal sovereignty of the Pope, the Church itself would not escape the doom of dissolution.”

This question appeared to him to deserve a calm and deliberate consideration, and the more so that he himself felt very anxiously the painful and gloomy forebodings on which it was founded. Dark anticipations of the long threatened consummation were, at the time, freely ascribed in the public press not alone to diplomatists friendly to the

Holy See, but to eminent ecclesiastical politicians, and even to the Holy Father himself. "I already believed in April," says Dr. Döllinger, that "I could perceive that which is still more plainly exhibited in October, that the enemies of the temporal Papal Sovereignty are resolute, united, predominant, and that nowhere is there to be found a protecting power which possesses at the same time the will and the ability of averting the catastrophe. I considered it, therefore, probable that an interruption of the temporal dominion would ensue—an interruption which, like to others that had preceded it, would again cease, and be followed by a restoration. I resolved, therefore, to avail myself of the opportunity which the Lectures afforded me, to prepare the public for those coming events the shadows of which had been cast into the present time, and thus to prevent the scandals, the doubts, and the offence which must inevitably arise if the States of the Church should pass into other hands, although episcopal pastorals had hitherto energetically asserted that they belonged to the integrity of the Church."

It was as an answer, therefore, as well to the doubting inquiries of wavering and disheartened friends, as to the triumphant anticipations of exulting adversaries, that the original Lectures on the Papacy and the Papal States were composed. It is plain that, the mind of the Lecturer being addressed to this especial view, not only his general treatment of the question of the union of the temporal and spiritual powers of the Papacy, but his language as to each in its bearing on the spiritual interests and the immutable institutions of the Church, must necessarily be very different from that adopted by one who had no occasion arising from extrinsic circumstances to withdraw his thoughts from the single question which at that time occupied, almost exclusively, the Catholic mind throughout Europe;—namely, the title founded alike upon treaty, upon immemorial tenure, upon political and ecclesiastical expediency, and upon the providential disposition of events indicated by history, under which the Papal States hold their place among the political sovereignties of Europe. The object which Dr. Döllinger had in view, and the gloomy anticipations which he could not suppress, led him to speak very differently from the champions of the Papacy to whose views the Church had hitherto been accustomed. "It may be supposed," he

himself pleads, "that my language concerning the immediate fate of the temporal power of the Pope necessarily sounded ambiguous—that I could not, with the confidence that is given to others, perhaps more keen-sighted men,—come before my auditors and say: 'Rely upon this, the States of the Church—the land from Radicofani to Caperrano, from Ravenna to Civita Vecchia, shall and must and will remain with the Popes—Heaven and earth shall pass away, before the States of the Church pass away!' I could not do this, because I had not then any such conviction, nor do I now, in the slightest degree, entertain it; but of this I am alone confident, that the Papal See will not be permanently deprived of the conditions necessary for the fulfilment of its mission."

Nor can it be doubted that in quiet times, and in the normal condition of the Papacy, a view such as that of Dr. Döllinger would have been readily acquiesced in, and that his argument would have been gladly accepted, as one additional defensive weapon, to be laid up in the storehouse of polemical theology as a reserve against possible future adversaries. But, in the actual conflict of party which then existed, to the wounded sympathies of the Catholic mind the very doubt in which this argument was founded and the possibility against which it was intended to provide, bore an appearance of weakness, if not of disloyalty; and by a not unnatural exaggeration of the language of the Lecture, or, at least, of what was published to the world as the Lecture, Dr. Döllinger was represented as outraging the all but unanimous feeling of the Church, and lending the weight of his name to her worst enemies, by yielding up the temporal sovereignty, as a worn out and useless, if not injurious incumbrance, and a serious practical impediment to the temporal exercise of the spiritual powers of the Papacy, especially among the Italian populations.

In the strictures upon the original Lectures which this Journal contained at the time of their first publication, all idea of imputing such a view to the learned and respected Lecturer was carefully and earnestly disclaimed; but it is not too much to say, that for a time at least, the imputation was freely made in the public journals, Catholic and Protestant; and the very sense of relief which was universally experienced when, at the meeting of the Catholic Association in Munich, Dr. Döllinger simply professed his

acceptance of the principle which no one who read even the garbled report of his Lectures could ever have doubted his holding;—viz. the necessity of a real sovereignty for the Papal See, as a safeguard of its spiritual independence;—is the best evidence of the strength and the universality of the impression which had previously prevailed.

Before, therefore, we pass to the detailed examination of Dr. Döllinger's present work, we think it well to place in the clearest light the real opinions of the writer on the abstract question of the temporal sovereignty of the Holy See, considered in its relation to modern society and to the interests of the existing Church. He himself has condensed into a few sentences his exposition, as well of the views which he now entertains, as of what he meant to convey in the Lectures which have been the subject of so much criticism and such painful misunderstanding.

"I meant, therefore, to say:—That the Church can exist by and for herself, and that she did exist for seven centuries without the territorial possessions of the Popes; but that at a later period this property, through the condition of the world, became necessary, and, in spite of great changes and vicissitudes, has discharged in most cases its function of serving as a foundation for the independence and freedom of the Popes. As long as the present state and arrangement of Europe endure, we can discover no other means to secure to the Papal See its freedom, and through it, general confidence. But God's knowledge and power reach further than ours, and we must not presume to set bounds to the Divine Wisdom and Omnipotence, and cry out to it 'This way, and not otherwise.' Should, however, the event which now threatens to occur actually take place, and the Pope be despoiled of his landed possessions, one of three eventualities will assuredly come to pass:—Either the loss of the Papal States is only temporary, and the territory will revert, after some intervening casualties, in its entirety or in part, to its rightful sovereign; or Providence will bring about by ways unknown to us, and combinations which we cannot divine, a state of things in which the object—namely, the independence and free action of the Papal See, without those means which have hitherto sufficed for it; or, lastly, we are approaching great catastrophes in Europe, a collapse of the whole edifice of existing social order—events of which the downfall of the Papal States is only the precursor, or, as it may be said, 'the Job's messenger.'"

"I have developed, in this book, the grounds upon which I think of these three possibilities, the first the most probable. As to the second possibility, there is nothing to be said but this—that it is an unknown, and consequently indescribable = *x*—it is only good for this much: we must retain it against certain over confident asser-

tions, which profess to know the secret things to come, and trespassing on the Divine Domain, wish to subject the future absolutely to the laws of the immediate Past. That the third possibility must also be admitted, few of those who studiously observe the signs of the times will dispute. One of the shrewdest historians and statesmen, Niebuhr, had, so long ago as the 5th of October, 1830, written these words ; If God does not marvellously help, there is impending over us a destruction, such as occurred to the Roman world in the middle of the third century—the annihilation of prosperity, freedom, civilization, and literature.’ And we have proceeded much further on the inclined plane since then. The Powers of Europe have overturned, or permitted to be overturned, the two main pillars of their edifice—the principles of Legitimacy and public international Law. These monarchs who have made themselves, like to slaves, the tools of revolution, are now active performers in the world’s historical drama—the others conduct themselves as quiet spectators, and are, in their hopes, smiling heirs, like Prussia and Russia ; or they are bestowing applause and giving help, like England ; or they are as passive invalids, like Austria, or the hectic-fever stricken Turkey. But the Revolution is a permanent chronic disease, breaking out now in one place now in another, and then attacking several members at the same time. The Pentarchy is dissolved ; the Holy Alliance, even though a defective and misused form of European political order, is buried. The right of the strongest alone now prevails in Europe. Is it a process of renovation, or a process of dissolution, in which European society is plunged ? I still believe it to be the former ; but I must, as I have said, admit the possibility of the other alternative. If it occurs—then, when the powers of destruction have done their work, it will be the business of the Church at once to co-operate actively in the reconstruction of social order out of the ruins, both as a connecting civilizing power and as the preserver and dispenser of moral and religious tradition. And for this, too, the Papacy has with or without territory, its own function and its own mission.”—pp. 2-3-4.

And again :

“The substance of my words was this, ‘Let no one lose faith in the Church, if the temporal principality of the Papacy should disappear, whether it be for a season or for ever. It is not essence but accident ; not end, but means ; it began late ; it was formerly something quite different from what it is now. It now justly appears to us to be indispensable ; and so long as the existing order lasts in Europe, it must, at all costs, be maintained ; or, if it is violently interrupted, it must be restored. But it is possible to suppose a political condition of Europe in which it would be superfluous, and then it would be only a clogging burden.’”—p. 5.

Nothing therefore could be more unjust than the imputa-

tion of hostility to the temporal sovereignty of the Pope, which, however unwarranted even by the published text of the Lectures, for a time obtained general currency. Dr. Döllinger distinctly declares that this sovereignty, although no part of the primitive constitution of the papacy "became, through the condition of the world, necessary;" that it has served as a "foundation for the independence and freedom of the Popes;" that, so long as the present condition of Europe endures, "we can discover no other means to secure to the Papal See its freedom, and, through it, general confidence;" and hence that, "so long as the existing order lasts in Europe, it must at all cost be maintained, and, if it is violently interfered with, it must be restored." As to the flagrant injustice and treachery of the proceedings by which the Pope has been despoiled of his northern provinces, Dr. Döllinger is equally explicit; and his estimate of the motives and the principles of the Sardinian government, as well in this aggression on the Papal States, as in its entire relation towards the Papacy, agrees substantially with that which has been formed by every dispassionate observer of events throughout the Catholic world. "It unites," he declares, "the shameless tyranny of a Convention, and the impudent sophistry of a government of advocates, with the ruthless brutality of a military despotism. Far more secure could Pius feel upon the Turkish soil, and in his dealings with the Sultan, than in the neighbourhood of the Piedmontese beast of prey, or in the power of a Ricasoli, or a Ratazzi, or, above all, of those lawyers and *literati*, those land-plagues that, with trumpery, pompous rhetoric, and hollow-sounding phrases, are now,—and mayhap for some little time longer—may be permitted to swim upon the surface of society. Rather than trust to these Pius may imitate the example of the great Popes of the twelfth century. They, confiding in the spiritual power of the Papacy, have sought for and found on the other side of the Alps, that freedom and independence which were denied to them in Italy. Germany, Belgium, Spain, the Ionian Islands, Catholic Switzerland—he can select any one of these he chooses, certain that his arrival will be greeted by a joyful and reverential population, in the midst of whom he will find full freedom of action."

He repeats these opinions still more forcibly :

"Is a Government that prides itself in its perfidy, and respects neither the rights of nations nor the faith of treaties, nor the legitimate possession of property—that has no regard but for brute force, and the power of the stronger, and the authority of accomplished facts; is a Government that, in one of its decrees, declared the memory of a murderer to be holy and sanctified; is a government that is restrained neither by the bonds of law, morality, nor religion, to be the Government that is to secure to the Church its freedom, and to the Pope his inviolability and independence? Let the question be asked in Turin of the Brofferios and the Gallengas, who regard the Church as a useless log, from which any one can, like the Horatian carpenter, chop out as he fancies, either a stool or an idol, and they will tell you what would be the lot assigned to it. Their 'freedom of the Church' would begin by 'freeing' it from the burden of its earthly possessions. And when they had done that, then they might deal with the Mendicant as their whims, their caprice, or their innate despotism might dispose them to act. Their doings with religious communities, their oppression and spoliation of monasteries and convents, their banishment and maltreatment of bishops, are now before the world, as the superabounding first-fruits of the new era of 'religious freedom,' inaugurated by them. That the Papal See could be, in a kingdom like the Piedmontese, really free, is an absolute impossibility."—pp. 449-50.

Nevertheless, concurrently with these opinions, both as to the abstract question of the expediency or necessity of the Papal Sovereignty, and as to the motives and principles of its most active adversaries, Dr. Döllinger openly avows not alone his apprehensions as to the stability of the Papal Sovereignty, even in the mutilated condition to which recent aggressions have reduced it, but also his conviction that, as at present constituted, it is unsuited to the altered conditions of the social and political world, and incapable of satisfying the natural aspirations and requirements of the population over which it is placed. And this conviction modifies very materially his views as to the various contingencies which may be contemplated as arising out of the present crisis.

We have seen that, of the three possible eventualities which he discusses as involved in the event which seemed probable in his eyes when his Lectures were delivered,—namely, the Pope's being despoiled of his possessions,—he regards as most probable the hypothesis "that this loss of the Papal States will be only temporary, and that the territory will revert, after some intervening casualties, either in its entirety, or in part, to its rightful sovereign." This

opinion he developes in various forms throughout the latter part of his work.

"And yet the time will assuredly come when the Italian nation will be again reconciled with the Papacy and its dominion in the midst of the people. That unhappy, hateful pressure which Austria imposed upon the entire Peninsula, was in reality the main cause why the value of the Papal See as a moral bulwark to all Italy became so very much obscured in the eyes of the nation. The Roman Government itself groaned under this pressure and yet was forced to strengthen and confirm it, by calling in the Austrian troops of occupation, and by the political helplessness that forced it to follow in temporal and political affairs the will of the Cabinet of Vienna.

"For fifteen hundred years the Papal See was the pivot on which turned the destiny of the Italians. The greatest and the mightiest institution of the Peninsula is this See; and upon its possession rested the weight of Europe, and the world-renowned importance of Italy. Every thoughtful Italian must acknowledge that, if the Papal See be lost to Italy, then the sun has disappeared from its firmament. The partition between the nation and the whole course of Italian history on the one side, and of the Papacy on the other, could alone be put an end to, when Italy should become that which might make her united—that is, her conversion into a purely military state, living in a constant state of war, and maintaining herself by conquests. This, however is a state of circumstances so totally repugnant to the nature and disposition of the present race of Italians that the military enthusiasm that now prevails, and yet has left the greater portion of the population unmoved, is certain in a very short space of time totally to subside."—pp. 445-6.

"The time will come," he writes in another place, "when the people of Italy will desire to make peace with the Papacy; and then they will recognize how truly had one of the most exalted men of genius, Tommaseo, spoken, when he uttered these words: 'It would be a folly in Italy to cast away, from itself to any other nation, the Papacy, which is its sword and its shield.'"

But, while he defends thus vigorously and earnestly the principle of the fitness and even necessity of the existence of the Papal sovereignty, and of its all but indissociable connexion, so long as the present state of Europe shall subsist, not only with the freedom of the spiritual primacy, but even with the purely temporal and political interests of Italy herself, he repudiates with equal earnestness the notion of the immutability of its forms and of its

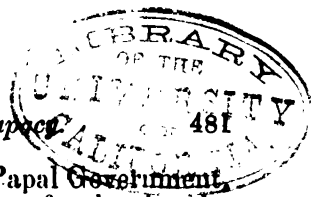
incapacity to accommodate itself to the altered condition of the modern world. "It is said," he writes, "that the Pope is fettered down to the conditions and legal customs of the middle ages, and that, as there has been a complete change effected in all the relations of civil life, it is manifestly impossible that a people of the nineteenth century can be ruled by the principles of the thirteenth; and so the temporal power of the Pope is a contradiction in itself." Against this representation Dr. Dollinger most earnestly protests. "All the friends of the Church, and of the Papal See, are called upon to oppose such an opinion; for it is only that which, according to the Catholic doctrine, is of Divine Institution, and what is essential for all times and unchangeable, to which the Pope is bound. Happily the sovereignty of the Pope is of a very elastic nature, and it has already gone through many different forms. If a comparison be instituted between the use which the Popes made of their sovereignty in the thirteenth or fifteenth century, and the form of government Consalvi introduced, it will be seen that few things could exhibit a stronger contrast with one another."

In all this, it is hardly necessary to remark, Dr. Dollinger but echoes the common voice of the Catholic world, and expresses the ideas which have long forced themselves upon every thoughtful observer of the past conflict of parties in Italy. It is when he turns to the prospects of the future, and still more to the measures to be taken in order to meet or to control these prospects, that whatever is peculiar in his views begins to manifest itself;—the real question between him and the great body of Catholic politicians, being less a question of principle than of expediency.

As to the expediency and indeed necessity of modifications in the executive and administrative, if not in the legislative, system of the Papal States, the most complete unanimity has long prevailed. The measures for this purpose which were proposed during the Pontificate of Gregory XVI, were suspended, partly by reason of the condition of the other Italian States, partly by apprehensions of the dangerous use to which such changes might be turned by the secret revolutionary party which was known to exist, and whose machinations it was thought necessary to defeat by repressive or preventive rather than by open resistance. The very first measures of Pius IX.

on his accession were directed to this end; and his career of reform was firmly and consistently pursued, until the interested or visionary agitators to whom his clemency had given freedom of debate, outbidding by their Utopian theories, with an excitable populace, the wise but gradual ameliorations which his enlightened policy proposed, converted reform into revolution, and rendered progress impossible by aiming at the complete destruction of the very essence of all that is distinctive in the constitution of the Papal Sovereignty. Baulked thus in his benevolent designs, Pius IX, on his resumption of power, without relinquishing the purpose with which he entered upon his sacred office, felt himself obliged to proceed with much caution. Warned by his early experience of the danger of fomenting discontent, even by wise and just concessions when yielded at an inauspicious moment, and when they may appear to be the result of external pressure rather than of the benevolent intention of the ruler and of his sincere desire for the welfare of his people, he has felt it his duty—and this more than ever since the recent aggression of Sardinia—to wait till a favourable moment for concession shall arise; and, although many measures of reform have long been in a state of readiness, he has firmly resisted all the menaces as well as the representations by which these reforms have been urged upon him; well convinced that no measure inaugurated under the appearance of compulsion, which the present position of the Holy See implies, could serve to satisfy discontent or to conciliate affection.

How warm and how universal, even before the recent crisis, had been the sympathy of the Catholic world with the Holy Father in this painful and embarrassing situation, the addresses which poured in from all parts of the Church abundantly testified; but these addresses for the most part, and still more explicitly the more lengthened essays on the Papal Sovereignty with which the Catholic press throughout Europe was teeming, while they accepted the *de facto* condition of the Papal Government did full justice to the wise and benevolent intentions of its ruler, and to his desire of carrying out in more peaceful times the beneficent ameliorations with which his reign had been inaugurated. For these more peaceful times they felt it a duty to wait; and in truth they felt that to deal otherwise with the question—to dwell at so inopportune a moment



even upon acknowledged defects of the Papal Government, which, while they were admitted, could not for the time be securely removed, was but to put arms in the hands of its enemies, and to aggravate the discontents of those who sought not to amend but to overthrow.

It is in this that Dr. Döllinger differs from almost all the other friends of the Holy See, and especially from its illustrious apologists in France. And he differs from them with full advertence to the consequences which we have indicated, and with full conviction that the course which he has thought it his duty to take in reference to the Papal Sovereignty, is that which becomes its true friends, and which best reconciles the rights of the Temporal Ruler with the duties and privileges of the supreme Spiritual Father. There is great dignity, as well as much profound and earnest feeling, in his exposition of the motives under which he was led to take the course which he adopted in his Lectures, and which he now fully developes in the present work.

"I thoroughly understand those who think it censurable that I should have spoken in detail of circumstances and facts that are willingly ignored, or that are skipped over with a light and fleeting foot, and that, too, especially at the present crisis. I myself was restrained for two years by these considerations, in spite of the feeling that urged me to speak on the question of the Papal States; and it required the circumstances I have described, I may almost say, to compel me to speak publicly on the subject. I beg, then, of those persons to reflect on the following points. First, when an author openly exposes a state of things already abundantly discussed in the press; if he draws away the necessarily very transparent covering from the gaping wounds which are not in the Church herself, but on an Institution nearly connected with her, and whose infirmities she is made to feel—it may fairly be supposed that he does it, in accordance with the example of earlier friends, and great men of the Church, only to show the possibility and necessity of the cure, in order, so far as in him lies, to weaken the reproach that the defenders of the Church see only 'the mote' in the eyes of others, not the 'beam' in their own: and, with narrow-hearted prejudice, endeavour to soften, or to dissimulate, or to deny every fact which is, or which appears to be unfavourable to their cause. He does it in order that it may be understood that where the impotency of man to effect a cure becomes manifest, God interposes, in order to sift on His threshing-floor the chaff from the wheat, and to consume it with the fire-glow of catastrophes which are only His judgments and His remedies. Secondly, I could not as an historian, present results without going back to their causes; and it was, there-

fore, my duty, as it is that of every religious enquirer and observer, to try and contribute something to the Theodocia. He that undertakes to write on such lofty interests, which nearly affect the weal and woe of the Church, cannot avoid examining and displaying the wisdom and justice of God in the conduct of terrestrial events. The fate which has overtaken the States of the Church must, before all things, be considered in the light of a Divine Ordinance for the advantage of the Church. So considered, it presents itself as a trial which will endure until the object is attained, and the welfare of the Church, so far, secured.

"It seemed evident to me that, as a new order of things in Europe lies in the design of Providence, so the disease through which, for the last half century, the States of the Church unquestionably have passed, might be the transition to a new form. To describe this malady, without overlooking or concealing any of the symptoms, was, therefore, an undertaking I could not avoid. The disease has its source in the inward contradiction and discord of institutions and of circumstances; for the modern French institutions stand there in close and constant contact with a mediæval hierarchy; and neither of these two elements is strong enough to expel the other; and either of them would, if it were the sole predominant power, be in itself a form of disease. Yet, in the history of the last few years, I recognize symptoms of convalescence, however feeble, obscure, and equivocal its traces may appear. What we behold is not death or hopeless decay; it is a purifying process—painful, consuming, and penetrating bone and marrow—such as God is wont to inflict upon His chosen persons and institutions. There is no lack of dross, and time is required before the gold can come pure out of the furnace. In the course of this process, it may happen that the territorial dominion will be interrupted—that the State may be broken up, or pass into other hands; but it will revive, though perhaps, in another form, and with a different kind of government. In a word, *sanabilibus laboramus malis*; that is what I wished to show, and that, I believe, I have shown."—pp. 8-9.

In truth Dr. Döllinger looks to this free criticism of the defects of the Papal Government, as one of the best and most efficacious means towards their cure.

"Whenever a state of disease has appeared in the Church, there has been but one method of cure—that of an awakened, renovated, healthy consciousness; and of an enlightened public opinion in the Church. The very best will on the part of ecclesiastical rulers and heads has not been able to effect a cure unless sustained by the general sense and conviction of the clergy and of the laity. The healing of the great malady of the sixteenth century the true internal reformation of the Church, only became

possible when people ceased to disguise or to deny the evil, and to pass it by in silence and with concealment; and when so powerful and irresistible a public opinion had formed itself in the Church that its commanding influence could no longer be evaded. At the present day, what we want, before all things, is the truth—the whole truth—not merely the acknowledgment that the Temporal Power of the Pope is required by the Church—for that is obvious to every body, at least out of Italy; and everything has been said about it that can be said—but what there must be also is—an acknowledgment *upon what conditions* this power is possible for the future. The history of the Popes is full of examples, showing how their best intentions remained unaccomplished, and how their most firm resolutions had been baffled, because persons in inferior circles were adverse to them, and because the interests of a firmly-compacted class, like an impregnable hedge of thorns, resisted them. Adrian VI. was fully resolved to set about a reformation in earnest, and yet he achieved virtually nothing; and felt himself, though in the possession of supreme power, utterly impotent when he came into contact with the passive resistance of all those who should have served as instruments in the work. Only when public opinion—even in Italy, and in Rome itself—had been awakened, purified, and strengthened; and when the cry for reform resounded imperatively on every side, then only was it possible for the Popes to overcome resistance in the inferior spheres, and gradually and step by step to open the way for a more healthy state. May, therefore, a powerful salubrious unanimous public opinion in Catholic Europe come to the aid of Pius IX.!"—pp. 10-11.

So strongly, indeed, does Dr. Dollinger feel the necessity of those modifications of the governmental system, and of the reform of the abuses which he points out, that he is even disposed to regard the present troubles of the Holy See, as did Cardinal Consalvi the still greater trials of his own time, as if "Divine Providence which so conducts human affairs that out of the greatest calamity innumerable benefits proceed, had intended that the interruption of the Papal Government should prepare the way for it in a more perfect form." He suggests this in more than one passage, as one of the results of the contingencies which may be contemplated as arising out of the present crisis. In a passage already cited he alludes to the probable "violent interruption" of the Papal Sovereignty as an occasion through which the government of Rome, may assume the form best adapted to the character of the age and the requirements of the Italian people. In another place he thus speculates on the results which would follow from the temporary withdrawal of the Pope from Rome.

"Should the hour arrive when the Pope has to make his choice between the condition of being a 'subject' or 'an exile,' then will he, as we confidently hope, adopt the latter alternative; for the Pope is—in the whole Catholic world—at home. It is only amongst the professors of another creed he would be a stranger. To whatever side he then may turn, he will everywhere meet with his children, and everywhere be venerated as a father. 'Thou art mine, and we are thine'—such is the salutation with which he will be in all places greeted.

"Rome, too, may then remember with what shouts of joy in the time of the seventh Pius the appearance of the Pope, released from his French Prison, and returning to his native land, was hailed in Italy. The circumstances too, of the Pope's absence would have this beneficial result—that it would make, in a tangible manner, clear to the religious portion of the nation certain facts, and they might thus then say: 'It is our Unity-advocates who have imposed on us the triple yoke of a Conscription; exorbitant Taxes, and Foreign Government Officers—and now, in addition to all these, they have driven away from us the Pope, and forced him to become an exile on the other side of the Alps.' There would, it must be admitted, in such a temporary separation of husband and wife, in the departure of the Pope from Rome, be many inconveniences experienced. It could not occur without great and manifold disturbance and interruptions to the ecclesiastical department, to the members of the Court, to the many and numerous religious congregations which would have to be transported *en masse* to a foreign land. In former times, the machinery of the Government of the Church was much more simple; and when the Pope (as it often happened) had to take up his abode in another city than Rome, or to travel across the Alps, the whole members of the Court that followed him could find sufficient room in a single French abbey. It is now far otherwise. There are, too, some Powers that may suppose it will be easier for them to gain what they desire from a Court suffering from oppression, and forced away from its native soil. Thus it will be seen that, if there is a necessity for quitting Rome, it will not fail to be accompanied by difficulties and painful circumstances. But, then, that which is the less of two evils must be chosen; and there can be no doubt that the temporary embarrassment of the Papal See is a far less evil in comparison with that which would involve the renunciation of a principle, that, once abandoned, would prove to be lost irretrievably."—pp. 451-2.

And although in the general exposition of his views, he only holds himself passive as to such a contingency as the violent interruption of the Pope's tenure of the sovereignty of Rome, and accepts, rather than positively suggests, the consequences which he contemplates as likely to flow from it, yet, when describing the evils of the present situation and

especially of what he considers the humiliating dependance on France which it implies, he appears to go a step farther, and declares that "in regarding a situation so very lamentable as this, one feels sorely tempted to wish that a crisis might come—even though it be in the form of a catastrophe—but still one that might at least put a stop to the continuation of such ceaseless sorrows, combined with such deep humiliations."

Such are Dr. Döllinger's explanations of the view of the Papal question which the peculiar circumstances and objects of his Munich Lectures pressed upon him at the time when they were delivered. We have already sufficiently declared our dissent from these views, as they appeared in the published Lectures. As regards the matured work, the readers of this journal have had frequent opportunities of knowing, that with much that is here urged in support of them, and many of the facts and representations which the author himself advances or accepts on the authority of others in their defence, our opinions are directly at issue. We believe, indeed, that the true explanation, as well of his views of the Temporal Sovereignty of the Papal See, as of the earnestness and occasionally even the heat with which he supports that view, and of the strong and sometimes harsh and acrimonious language which he uses in regard to the temporal Sovereignty as at present constituted, is to be found in the very earnestness with which he seeks to recommend to the Churches which he considers in contrast with it, that spiritual sovereignty of the Holy See, in which alone he finds the cure for the moral and religious evils which he so vividly depicts in all these churches. The entire argument of his book is, as we said, a reply to the exulting anticipation with which Protestants contemplate the prospective downfall of the Roman Government, and, with it, of the spiritual supremacy of its ruler; and although it is nowhere distinctly expressed, we can trace through the work a double course of argument: the first, which is directed to prove the necessity of one supreme spiritual tribunal as the sole means of arresting the headlong career of internal dissolution along which all the "Churches" outside of the one Church are hurrying; the other intended to disarm the hostility of the Churches towards that one tribunal, in so far as it is founded on the prejudices entertained against the temporal sovereignty

which it exercises, by showing that the obnoxious characteristics of that temporal sovereignty are but accident, not essence, and even by unconsciously exaggerating the freedom of criticism which, as a Catholic, he claims in this particular.

It is time for us, therefore, to turn to the portion of the work which, although it clearly entered into the mind of the Lecturer and modified and determined his views of those relations of the Papal question which alone he was then considering is, in its development, entirely new, and the value of which as a contribution to the philosophy of controversy it is impossible to over estimate.

He begins by a general section on the relations of the Church in different ages to the various nationalities which it comprehended within its pale. Before the disruption of the Roman Empire which had absorbed into one vast political union all the existing nationalities, and which was eventually conquered by the Church, after a conflict of above three hundred years, the Church was, for a time "nationally colourless;" but even long before the integrity of the Roman Empire had finally passed away, the germ of nationality had begun to shew itself. Not to speak of the powerful influence which that principle exercised on the fortunes of the Church, in the conflict with Persia, no one can read the history of Donatism, still more of Nestorianism, Eutychianism, and the Three Chapters, without recognizing its power: and of the new Latin kingdoms which, in the west, took the place of the imperial domination, there is not one whose Church may not trace some of her leading peculiarities of constitution, and still more of spirit, to its perhaps unconscious or unacknowledged influence.

Dr. Döllinger's exposition of the purpose which, in the designs of Providence, these national diversities are meant to subserve, of the relation which they hold to the central and over-ruling office of the Church, is one of the most luminous passages in the entire work; and we may add, that in this passage, as elsewhere, Mr. Mac Cabe's spirited and elegant version does full justice to the vigour and terseness of the original.

"Nationalities are certainly not the products of accident; they are not the children of a blindly ruling force of nature. On the contrary, in the great world plan of Divine Providence, every distinct people have their own peculiar problem to solve, their own

assigned mission to fulfil. They may mistake it, and by a perverted course wander away from it, or, by their sloth and moral depravity, leave it unperformed—and of such we have examples before our eyes. This mission is determined by the character of the people themselves, by the boundaries within which nature and circumstances confine them, and by their own peculiar endowments. The manner in which a nation undertakes to solve the problem reacts again upon its position and character, determines its welfare, and decides the place it shall occupy in history. Each distinct people forms an organically connected limb of the great body of humanity—it may be a more noble and distinguished limb—it may be a people destined to be the guide and educator of other nations—or it may be an inferior and a subservient limb: but then, each nationality has an original right (within easily recognized limits, and without interference on the part of any other equally privileged nation) to vindicate and freely develop itself. The suppression of a nationality, or of a manifestation of its existence within its natural and legitimate limits, is a crime against the order decreed by God, and which, sooner or later brings its own punishment along with it.”—p. 32.

But all is subordinate to the one great central and controlling institution.

“Higher, however, than associated nationalities, stands that Community which unites the multiplicity of nationalities into one God-connected totality, which binds them together in one brotherly relation, and forms them into one great peoples’ family; the Community that does this is—the Church of Christ. It is the will of its Founder that it should be just with every national peculiarity; ‘one shepherd and one flock.’ It must, therefore, in its views, in its institutions, and in its customs, bear no peculiar national colour. It must neither be prominently German, nor Italian, nor French, nor English, nor to any of those nations show a preference; and still less must it desire to impress upon any one people the stamp of a foreign nationality. The thought will never occur to it to despoil or injure one people for the advantage of another; nor to molest them as regards their rights and properties. The Church takes a nationality as it finds it, and bestows upon it a higher sanctity. The Church is far from desiring that all the nationalities received into its bosom, should bend down beneath the yoke of a monotonous uniformity, much less does it wish to annihilate the differences of races, or to put an end to historical customs. As the firmest and at the same time the most pliable of all institutions, it is able to become ‘all things to all men,’ and to educate every people, without doing violence to their nature. The Church enters into every nationality, purifies it, and only overcomes it, when assimilating it to itself. The Church overcomes it when it struggles against excrescences upon national character,

and when it removes from the popular traits whatever had previously been intractable. It is like to the house of the Father in which, to use the words of Christ, 'there are many mansions.' The Pole, the Sicilian, the Irishman, and the Maronite, have each their national character—a character not in common with other—whilst still each of these is, in his own way, a good Catholic. Should there, however, be nationalities or races so deeply degraded, and so thoroughly corrupt, that the Church, with all its appliances, can do nothing with them, then they must gradually die out, and give place to others.

"There is a reciprocal gain. As each new and vigorous population enters into the circle of the Church, the Church becomes not merely numerically locally, and externally strong, but also inwardly and dynamically enriched. Every people, in whatever way gifted, gradually contributes its share in religious experiences, in peculiar ecclesiastical customs and arrangements, in its interpretation of Christian doctrine, in its impress upon life and science. It adds all these to the great Church capital—to that which is the product of former times and older nationalities. Every Catholic people can learn from another, and may borrow from foreign nations institutions worthy of being imitated. This has often already happened. It has occurred, too, even in the most recent times, and mostly with an evident blessing; and it will for the future (with the advantage of rapidly increasing communication, and the greater means for reciprocal knowledge) take place to a much greater extent. In this sense, populations long since degenerated, have continued to exercise a beneficial influence. Even still the Church feels the operations of the old African and Egyptian Churches of the first century."—pp. 33-4.

It need not be matter of surprise that among the elements of independence and resistance to authority which the Reformation called into action, the principle of nationality was the most permanent and the most influential, not only as regards the public and constitutional revolutions which it involved, but even in determining or modifying the direction of individual thought and opinion. Dr. Döllinger's sketch of its influences on the religious constitution of Germany, both in the opening section on Nationalities and in the special section devoted to the Church in Germany, is one of the most brilliant we have ever read; and the reasoning is so close and the facts are so condensed and so pregnant, that we cannot hope to give even an idea of it by any analysis or summary compatible with our prescribed limits. We must confine ourselves to those pages which he devotes to the relations which, from the moment that a National Church has

asserted independence, must arise between all alike, and the one central authority which all in common refuse to obey.

“Like to all living things, like to the Church itself of which it is the crown and the corner-stone, the Papacy has passed through an historical development full of the most manifold and surprising vicissitudes. But in this its history is the law which lies at the foundation of the Church—the law of continual development—of a growth from within outwards. The Papacy had to pass through all the changes and circumstances of the Church, and to enter with it into every process of construction. Its birth begins with two mighty, significant, and far-extending words of the Lord. He to whom these words were addressed, realized them in his own person and actions, and planted the institution of the infant Church in the central point—at Rome. There it silently grew *occulto velut arbor ævo*; and in the oldest time it only showed itself forth on peculiar occasions; but the outlines of the power and the ecclesiastical authority of the Roman Bishops were ever constantly becoming more evident and more prominent. The Popes were, even in the time of the Roman Emperors, the guardians of the whole Church, exhorting and warning in all directions, disposing and judging, ‘binding and loosing.’ Complaints were not seldom expressed of the use which in particular cases, Rome had made of its power. Resistance was offered, because the Pope was supposed to have been deceived; an appeal was preferred to him, when it was believed he had been better informed; but there was no refusal to obey his commands. In general, his interference in Church affairs was less necessary; and the reins of Church discipline needed less to be drawn tightly, so long as the general Church, with few exceptions, was found within the limits of the Roman Empire, when it was so firmly kept together by the strong bands of the civil order, that there could neither be occasion nor prospect of success to any reaction on the part of various nationalities, which, on the whole were broken and kept down by Roman domination.

“Out of the chaos of the great Northern migrations, and the ruins of the Roman Empire there gradually arose a new order of states, whose central point was the Papal See. Therefrom inevitably resulted a position not only new, but very different from the former. The new Christian Empire of the West was created and upheld by the Pope. The Pope became constantly more and more (by the state of affairs, with the will of the princes and of the people, and through the power of public opinion) the Chief Moderator at the head of the European commonwealth—and, as such, he had to proclaim and defend the Christian law of nations, to settle international disputes, to mediate between princes and people, and to make peace between belligerent states. The Curia became a great spiritual and temporal tribunal. In short, the

whole of Western Christendom formed, in a certain sense, a kingdom, at whose head stood the Pope and the Emperor—the former, however, with continually increasing and far preponderating authority.”—pp. 41-2-3.

In a few brief sentences he details the results which, in the non-Papal communions, and especially in those of the school of the Reformation, have followed from the rejection of this central authority;—the downward progress of the disorganization has never been more admirably portrayed than in the following brilliant passage.

“It is well known that, in order to escape from subjection to the Papal authority, the following phrase was adopted at the time of the Reformation, and has again been recently brought into vogue: ‘We who have separated ourselves recognize only Christ as the head of our Church.’ And with this it has been intended openly to declare, or such, at least, as an inevitable consequence is to be said: ‘There may be, and there shall be no earthly office, which shall confer upon its possessor the supreme guidance of the Church,’ or, ‘No one is entitled to guide the common affairs of many particular churches connected together and forming one Whole. For the guidance of individual communities or local churches, and for the conduct of some ecclesiastical departments, there may be offices, and earthly bearers for them; but as regards the guidance of the whole Church, there shall be no office, and no bearer of such an office. That is a place which must always remain empty.’ A suitable symbol of this theory (in accordance with which the head of the Church can only be in Heaven, and never must come too near it on earth, lest His presence might be an inconvenience) may be found in that stately empty arm chair which is still to be seen in the magnificent ancient Gothic Cathedral of Glasgow, and that to the inexpressible disappointment of the spectator, is placed upon the very spot where formerly stood the high altar. Thus had the Manicheans, in their halls of assembly, ‘the Bema’—a pulpit always empty—and for them the representative of their invisible Lord and Master, and before which their believing members prostrated themselves on the earth.

“When a community says: ‘Christ alone is the head of our Church,’ it is at the same time, in other words, saying: ‘Separation and isolation constitute a principle of the Church—such is its normal condition.’ When, in common life, a person says, ‘I leave that to God, He may provide for it,’ the meaning of such words is at once appreciated. It is to the effect, ‘I will trouble myself no more about the matter, it does not concern me.’ When, for example, the Church of Greece declared, ‘no one shall be the head of the Church, but Christ alone,’ the declaration ultimately resulted in this, ‘We provide only for ourselves, and do not trouble ourselves

about other Churches. Christ may see to them, and do with them as he pleases.' And so, under the mask of piously sounding phrases, we find the most common-place national selfishness.

"Church communities have, in this respect, moved upon a declining path. At first, it was said by the Byzantines, 'We recognize only Patriarchs,' and each of these governing a portion merely of the Church; but no Pope, no head of the Patriarchs.' Then came the English Church, and it said, 'Neither Pope nor Patriarchs, but merely Bishops.' Upon their side, the Protestants of the continent declared, 'no Bishops either, but merely pastors, and above them the sovereign of the country.' Subsequently came the new Protestant sects of England, with the declaration, 'We have no need of pastors, but only preachers.' Finally appeared 'the Friends' (the Quakers) and many more new communities who had made the discovery 'that preachers also are only an evil, and that every man should be his own prophet, teacher and priest.' One step still further downward has to be made. It has not yet come to pass, but already in the United States they are considering about it."—pp. 40-1.

As yet, the immediate result on the communions, whether ancient or modern, which have rejected the central authority of the Papacy, has been to establish in its stead an internal despotism more galling and oppressive, because more minute and searching in its action than the authority which was shaken off. In the Byzantine Church, even before the separation, this had been most painfully felt;—more painfully at various periods, in proportion to the degree of antagonism with Rome by which each epoch of Constantinopolitan history is characterized. But in the Reformation the results become even more sensible, because they appear on a larger and broader scale. "The Reformers," it is truly said by the author, "committed to temporal princes from the beginning, the authority—that is to say, power over the religion of the country and the subjects. It was the duty and the right of 'the authority' to plant the new Church and the new Gospel, to root out Popery, and to allow no strange doctrine to grow up." This was impressed on the Sovereign at every opportunity.

"And so arose a despotism, the equal of which has never before been seen. The new system, as it was expounded by theologians and jurists, was worse than the Byzantine practice; for there no attempt had ever been made to change the religion of the people. The Protestant princes were not merely Popes in their own country, but they were much more; and were able to do what no Pope had

ever dreamed of attempting. Every Pope knew that the power he possessed was a conservative one—that he held it to maintain the doctrine that had been transmitted to him, and that an attempt on his part to alter the teaching of the Church would infallibly be frustrated by a universal resistance. To the Protestant princes, however, it had been said—and they themselves believed and declared it—that their power in religious matters was entirely unlimited; and that, in the use of it, they need attend to no other standard than their own consciences. They also, as a matter of course, declared that they were subject to ‘the Gospel,’ or the Holy Scriptures; but then it was to the Scriptures according to their own interpretation of them, or that of the court-preachers of their selection. The Reformers had naturally so understood the matter, that the princes should proceed according to the advice of theologians, and that they would especially allow themselves to be guided in all questions of doctrine by the theological faculties of the Universities of their country. But these changed, or were changed; and as often as it pleased the sovereign to alter the religion of his territory, the old professors were dismissed, and new professors were summoned.

“With this new system of ecclesiastical and political power united in the person of the prince, was introduced a change of incalculable gravity in the condition of the entire German people. The distinction and the contrast between the two Powers, which on the whole, had acted beneficently for the people, and which through collisions and counterpoises, had aroused and maintained intellectual activity and political freedom, were now completely put an end to. The Church became altogether incorporated in the State, and was regarded as a wheel in the great State machine. He who can exercise an absolute power over that which is noblest and for the most part invisible—he who can so rule over religion and conscience—is also one who, if he chooses, can have at his disposal everything which the State can bestow or the people yield. With the establishment of the Consistories, as sovereign authorities ruling ecclesiastical affairs, began the development of Bureaucracy—of monarchical and political omnipotence—of Administrative Centralization. As soon as ecclesiastical and religious affairs were placed in the hands of Government officers, a mechanical clerk-like scribbling system, and the benumbing spirit of a mere administrative machine, whose functions were to command and issue ordinances, took the place of a living organism—of an authority acting through moral motives. It went on then as it goes on still; the Bureaucratic system became a polypus, perpetually putting out new branches, and swallowing up more materials.”—pp. 56-7-8.

The results in the two co-ordinate spheres, that of civil and political freedom and that of ecclesiastical organization, are traced with a masterly hand in two admirable

chapters. In each of these Dr. Döllinger reviews in succession the condition, whether political or ecclesiastical, of the various "Churches" external to the Catholic Church. The chapter on 'the Church and Civil Freedom' which is simply an historical examination of Professor Stahl's plausible theory that Protestantism, by its doctrine of justification from faith, "gives a higher degree of inward or moral freedom, to man, and carries him forward thereby also to a degree of external or political freedom," will be found to contain many facts startlingly at variance with the notions on this question popularly entertained in England. Passing over the sections devoted to the political condition of the Protestant kingdoms of Germany and the North, we must be content with a single extract from the portion of the chapter devoted to England. Dr. Döllinger fully recognizes the inappreciable value of the free institutions which England now enjoys. But he shows by a simple narrative, how little, whether of the theory or the practice, of these institutions is exclusively due to the influence of Protestantism. We can only find room for his general summary.

"If we now ask what has been gained in almost one hundred years of an embittered struggle between parties and Churches?—what can be shown as the actual result?—it appears to amount in the first place to this: that religious freedom, or rather the liberty of *not* belonging to the State Church, but of forming an independent community, has been won after a contest of about a hundred and seventy years, and after thousands of Englishmen have lost their lives; and this, too, has been won in direct contradiction to the original principles of Protestantism.

"Secondly, the civil liberties that the English possessed in Catholic times had been essentially enervated, and in some cases destroyed, by the Reformation and the spirit of State-Churchship. They had primarily to be reconquered, and then confirmed and extended, in the sanguinary war which the partizans of the sects, in alliance with the political champions of freedom, carried on against the monarchy and the dependent State Church. In so far as all these sects proceeded from the principle of the Reformation, and all called themselves Protestant, it may be said that Protestantism in England, after having been, in its first form, the most dangerous enemy and destroyer of civil freedom, did, in all subsequent forms, or through the consequences of Church dismemberment involved in it, contribute to the re-establishment and extension of political liberty. Every one of these Protestant communities oppressed every other when it could, or was prepared and resolved to do so;

every one wished to lay on the nation the yoke of its own views and institutions. The Presbyterians, Prynne and Edwards, as soon as their sect had obtained a momentary pre-eminence, endeavoured to prove that the authorities were entitled and bound to wield the sword against all erroneous doctrines—that is to say, against all that were not Calvinistic. Ultimately, all religious parties came forth from the long contest weakened and shaken. The Presbyterians disappeared in England, and were replaced by other sects. The State Church had become so powerless; there was such an uncertainty in all its doctrines, and such a dissolution of all ecclesiastical bonds had taken place within it, that even bishops declared the English clergy to be the worst in all Europe; and in the eighteenth century England was distinguished above all other nations for its general contempt of the Church, and a wide-spread infidelity, even among the female sex.

“The fall of James II., and the summoning of a new dynasty, did not, in fact, bring any accession to English popular liberty, for such had been, as to all essential particulars, already won; but it brought with it two changes, pregnant with important consequences, viz.: the degradation of the monarchy into a mere powerless phantom, and the system of parliamentary government by majorities of the lower house, whose views and aims had to be modified by the limitation or extension of the suffrage. Upon the value of these two acquisitions the future must decide.”—pp. 119-20.

But by far the most original and in every respect the most valuable portion of Dr. Döllinger's book is his survey of the religious condition of the “Churches without the Papacy.” It is divided into several sections, devoted to the several nationalities, according to their respective forms of ecclesiastical organization. The materials of this sketch are collected, in all cases, with the utmost care and exactness, from the most recent and almost invariably the most authentic sources; and with the same conscientious industry and the same remarkable power of grouping facts and condensing authorities which distinguish his earlier well-known works, Dr. Döllinger has compressed into this single division of his work the materials for a complete encyclopædia of the religious condition of the modern world.

He begins with the oldest of the non-Papal Churches—the Greek Church, which he considers in its three great branches:—the Constantinopolitan, the Hellenic, and the Russian; and one of the most remarkable characteristics of this work is the singular and almost instinctive precision with which he appreciates, as if without an effort,

the contrast between the effects which the non-Papal principle produces in those Churches, and its influence in the Protestant Churches, where the theory of constitutional self-government is modified by the further element of individual dogmatical independence. It is to these latter Churches that he specially devotes his examination; and in each he gives its full weight to the modifying influences of national character and history, as well as to the peculiar spirit of the creed with which each was originally indoctrinated. The common Calvinism, for example, of Switzerland, France and the Low Countries, has developed itself very differently in each; and Dr. Döllinger traces with much learning and ingenuity the special train of events or of internal or external relations, by which, in each case, the results which we now meet with have come to pass. Still more interesting is his review of the influences of the same creed on the doctrinal and moral condition of the mingled nationalities of the new American populations, in which the many national peculiarities of the motley settlers are subjected to the new, but common, modification of that special moral condition of society in the new world which is best described by the sobriquet, which has almost become a classical name—of Yankeeism.

In his review of Anglicanism there is not much novelty of facts; but yet we do not know any authority to which we can refer as presenting so succinctly and so intelligibly the various sections of religious opinion, or rather of religious opinions, and the moral and religious condition of the various ecclesiastical parties in the State Church, or of the various religious bodies external to it.

We may say the same of the section upon the Lutheranism of the Northern kingdoms, Denmark, Sweden, and Norway. His account of the Church as regards the last-named kingdom, deserves especial notice, as a most just appreciation not alone of the facts but of the causes to which they are to be traced.

“Liebetrut and other writers are accustomed to give the Swedish Church and Clergy the credit of orthodox Lutheranism, but they say there reigns a dead orthodoxy. ‘The Swedish Church’ says ‘Liebetrut, ‘is a Church desolate!—dead!—lying under the anathema of God. The Church unity is the unity and peace of the churchyard.’ And in the same tone the Swedish preacher, Cervin Steenhoff, says, ‘it is now the time of the humiliation of the

Church!—she is dead!—all has become contentious, desolate, and void!

“Sweden is now (besides Norway) the only country in Europe where the genuine Lutheran doctrine reigns in the pulpit. To this the profound ignorance of the majority of the clergy formed no obstacle; for the customary forms and catchwords of the system can be taken up and used by any one readily enough. ‘Nothing is easier here,’ says Trotter, ‘than to become suspected of heresy;’ and, according to him, this state of the Church in Sweden is one of the chief causes of the moral corruption that prevails in that country. A destructive formalism has gained the upper hand; religious indifference has, by degrees, undermined the strictness of manners formerly existing, and public opinion authorizes and protects, in many cases, the most revolting immoralities.

“‘Defunct orthodoxy,’ is just now one of the favourite phrases in Sweden, and in Germany also; for the bad religious condition of the seventeenth and eighteenth centuries is often laid to its charge. But there is a great mistake in saying this. The Lutheran orthodoxy was not dead in Germany—on the contrary, as long as it existed it was extremely lively, and for two centuries (1550-1750) it maintained a struggle against Calvinism; then against Arndt and his followers; then against Calixtus and the Helmstadt school; then against Spener, Pietism, and the Halle school; and most vigorously and successfully did it defend itself against all attempts to enfeeble it, until at length Rationalism became master both of it and orthodoxy, its rivals—and built its hut upon their ruins. What is in Germany considered the effect of ‘defunct orthodoxy,’ was much more the natural and inevitable psychological and ecclesiastical consequence of the Lutheran system itself; and of which the historical proof may easily be given.

“If mention is made of this ‘defunct orthodoxy’ in Sweden, it should be remembered that it is nothing new in that country, but has been its normal state since the Reformation. The Swedish State Church has remained, down to the present time, in sole undisturbed possession, and has not tolerated the smallest deviation from the strictest Lutheranism. Serious theological controversies do not occur in Swedish history, with the exception of the liturgical dispute occasioned by the efforts of King John to return towards Catholicity; and the Swedish clergy have had no need of theological knowledge to defend themselves against strange doctrines. When Gustavus Vasa desired to convert the inhabitants of Helsingland to Lutheranism, he did not send to them distributors of Swedish Bibles, or preachers of the new doctrine, but he wrote to them ‘that if they did not forthwith become Lutherans, he would have a hole made in the ice on the Dee Lake, and they should all be drowned.’ Thus it has been ever. The sword, the dungeon, exile, or in modern times pecuniary fines, have been the approved methods of preventing religious disputes, or of settling them if they had

already broken out. And this appeared so much the more necessary since, as the celebrated Atterbom remarks, 'the state of public instruction, and the education of the clergy, were far below what they had been in the immediately preceding papal epoch.' Charles IX. and Gustavus Adolphus adopted with obstinate Catholics, the simple method of cutting their heads off; and when, at the end of the seventeenth and the beginning of the following century, several Swedes—Ulstadius, Peter Schäfer, Ulhagius, and Eric Molin, became perplexed with the Lutheran main doctrine of 'Imputation,' and spoke of the necessity of 'good works,' Molin was banished—Ulstadius condemned to the house of correction for his life (and remained there for thirty years)—and Schäfer and Ulhagius were condemned to death! And in accordance with the same principles were the 'Awakened,' or 'Readers' treated thirty years ago."—pp. 259, 260, 261.

But it is in the section on Germany that Dr. Döllinger immeasurably transcends all those who have attempted of late years to popularize the vast and complicated subject of German theology. It would be idle to attempt, in these pages to convey any idea of this most brilliant chapter. It must be read in order to be appreciated. We are tempted, however, both for the admirable views which are developed in the passage itself, and as a specimen of the general treatment of the subject of the theological condition of Germany, to transcribe the observations in which he accounts by historical deduction for the origin and growth of that inveterate scepticism which has become the plague and canker of intellectual Protestantism, not in Germany only, but wherever Protestantism can be said to have a theology.

"This invasion and complete victory won by theological Rationalism in Germany, almost without a battle, is a remarkable and unique event in history, and one of which the causes have not yet been sufficiently explained. By the long contest with the Helmsstadt school, and subsequently with that of Spener, and Pietism, Lutheran theology had been internally and logically developed, but at the same time the logical and moral antiromianism to which it led became obvious to the most purblind sight. Towards the middle of the eighteenth century came also the influence of the new Biblical and historic studies. As long as the rule of the Lutheran system maintained itself consistently within the Concordien formula, the study of the Bible was, of course, intentionally neglected. It evidently shrank from the inevitable conflict with the symbolic books. Professor Heinrich Majus, of Giessen, when he entered on his office, mentioned with censure, that with very few, if any of the

universities of Germany, the interpretation of the 'Holy Scriptures was made an object of earnest study.' Spener gives the same testimony, and lately Tholuck and Lücke have again alluded to the fact that, through the whole seventeenth century exegesis had fallen completely into disuse and disfavour. In the year 1742, also, Bengel complains, in the preface to his 'Gnomon,' that 'the manifold misuse—nay, malicious contempt of Scripture, had risen to the highest point, even among those who thought themselves to be philosophical and very spiritual persons.' As soon as the study of the Bible had come again into fashion, partly through means of Bengel himself, and partly as a reaction against the Pietistic movement, the dissolution of the Lutheran doctrine began. The tone of historical criticism, and especially the conception of Church History in Germany, contributed greatly to this dissolution. The idea that the whole course of development of Christianity, from the time of the Apostles had been a continual and ever increasing malformation, until at last, at the Reformation this utterly distorted and ruined religion was awakened to new life, had been the prevailing notion since the sixteenth century. In this sense were all histories taught and written. A man who deserves to be called the most profound and acute theologian of the first period of Rationalism, describes this state of opinion:—

'Among Protestants, Church history is nothing else than the historical proof of the necessity of a Church Reformation, and of a perpetual increase of corruption, both in doctrine and life. According to the Protestants, the Church had been—at least since the eighth century—a sink of ignorance and corruption. *All the heads* of the Church had been dreadfully false teachers, and the Church itself a complete madhouse.' He then remarks: 'The extreme care with which, on the Protestant side, every fact has been collected which could be made to afford the smallest testimony for the former prevalence of corruption in the Church—the injustice with which all former chiefs and heads of the Church have been represented as tyrants, and all the members of it as mere heathens—and the carelessness with which the good that has always been present in the Church, notwithstanding the great abuses that had crept into it, is overlooked; this defect in Church History, as treated by Protestants, has been eagerly employed by the enemies of Christianity for their own purposes.

"Töllner quotes an expression of Frederick II. in one of his writings, in which the monarch states the customary Protestant account of Church History, namely, 'that it was a great drama performed by rogues and hypocrites, at the expense of the deluded masses; and such histories he supposes had been the real cause of the King's contempt for Christianity.

"This manner of regarding the history of Christianity completely coincided with the reigning mode of thought and literature of the time, and through it was developed that spiritual revolt from Chris-

tianity which was completed in Germany by the simultaneous and reciprocal action of the clergy and the educated classes upon one another. The theology of the Reformers and their followers established the notion that God had withdrawn himself from the Church after the demise of the Apostles—that He had resigned His place to Satan, who thenceforward had undertaken the office which, according to the promises in the Gospel, the Holy Ghost should have fulfilled, and so established a diabolical millennium, which continued until the appearance of Luther. When faith in the infallible truth of the symbolic books became in a few years extinct, in consequence of the new Biblical studies—when, after the accession of Frederick II., Lutheran orthodoxy lost more and more the protection of the ecclesiastical power of the State—when the Theologians began more and more mercilessly to expose the defects and contradictions of the Lutheran Reformation doctrine, then all the supports of religious feeling at once were tumbled down and prostrated. The entire education of the people, the ideas they had imbibed with their mother's milk, all were calculated to make them regard the whole history of Christianity before the Reformation as a churchyard covered with decayed and sunken tombstones, and with mouldering bones, and where ghostly shadows alone were wandering. With the faith in the Divine Guidance of the Church fell also all faith in its divine origin. The root was judged by the stem; the beginning judged by the subsequent career—judged and condemned!

“And thus, then, there remained for the men who held office under, and got their bread by Christianity, nothing else to fall back upon but that aggregate of empty, unsupported notions concerning God, morality, and immortality, to which the name of Rationalism has been given.”—pp. 270-3.

The justice of these conclusions as to the origin and universal acceptance of Rationalistic principles is beyond all question. On the other hand, in the theological schools which retain the dogmatic theory, and which bear in Germany the especial repute of orthodoxy, the old traditional dogmas of Justification by Faith and Imputation, which in truth constituted the very fundamentals of the Reformation, have been utterly abandoned. Dr. Döllinger, after a most searching and ruthless exposure of the utter abandonment by the modern schools, of the old standing-ground of Lutheranism, thus mercilessly pursues the inquiry to its inevitable issue.

“The importance of the subject here mentioned can scarcely be too highly appreciated. Here upon the one side stand Luther, Melancthon, Calvin, and their disciples, the Protestant Confessional writings, and the combined Lutheran and Calvinistic theology of the sixteenth and seventeenth centuries. They all have professed

to find that doctrine which we for brevity's sake name 'the doctrine of Imputation,' laid down distinctly in the Bible. On the other side is the newer and the latest theology, the whole modern scientific exegesis, and it rejects the doctrine, it rejects the Reformation exposition of fragmentary Bible passages as false and untenable. But it is a supreme evangelical principle that the Scripture is perfectly clear and sufficient on all fundamental points. How, then, is this fundamental difference to be cleared up? And thereby is concerned a doctrine which, as every one admits, has an incalculable influence upon Christian consciousness and ecclesiastical life—a doctrine (by the admission or confession of many Protestant theologians,) that had formerly been a source of destruction to countless beings, and has caused a desolation of the Churches of which persons formerly had no forethought. The whole edifice of the Protestant Church and theology repose, therefore, on two principles—one material, the other formal: the doctrine of Imputation and the sufficiency of the Bible. But the material principle is given up by exegesis and dogmatic theology; and as to the formal principle for the sufficiency of the Bible, or even for the inspiration of the writings of the disciples of the Apostles, not the shadow of a scriptural argument can be adduced. The time will, it *must*, come when the whole vast importance of this matter will excite universal attention. To such serious thought must the experience which has now been gone through force the attention of those who, in driving Rationalism out of the pulpit, and re-establishing a Protestant believing body of preachers, have found the experiment not correspond with their expectations. 'For a long time,' says Baumgarten, 'persons might entertain the notion that it was Rationalism made our churches empty, and our preaching unattended to. But now since Christ crucified is again preached, and yet no serious effect upon the whole, is to be observed, it is necessary to abandon this mistake, and not to conceal from ourselves that preaching is unable to revive religious life.' 'The impotency of the present preaching,' he continues, 'is still more appalling, when it is generally known and confessed that those who could testify to the extreme depth of the degradation to which it has descended, refrain from telling the entire of its evil consequences.'—pp. 300, 301.

We can only afford space for one other extract, the brilliant and striking passage in which he depicts the position of Protestantism, and especially of the really living and moving section of Protestantism in Germany, in relation to the Catholic Church. It is consolatory to find that in Germany, as in England, all of vitality and religious energy that is to be found in the dogmatic section of the Protestant body, is manifested in the direction of the Church, and has a tendency towards it; and Dr.

Döllinger acutely, as well as eloquently, observes that one of the main impediments to the religious restoration of Protestantism arises from the suspicion of Romeward tendencies, which such movement invariably involves.

"This may, with truth, be said—that Catholic tendencies lie at the bottom of the whole movement that has been made towards a religious life and an ecclesiastical restoration in Protestantism. He who has watched this movement receives the same impression as if he saw a number of individuals thrust into a narrow, stifling, dark, and loathsome cell; and that those who were so packed together were attempting to open now this door and then that, in order that they might inhale fresh air and new strength; but that, with every such attempt, there pealed forth in their ears a loud chorus of clerical and lay voices, exclaiming—'Shut out the miasma; keep away from you the foul grave-stench that arises from old mouldering tombs.' It is with the reproach, 'You are becoming Catholic,' that the opponents of the movement have sought to check it. It is with the cry, 'You want to make Catholics of us,' that the great masses of the population have, for twenty years, repelled every earnest effort made towards the enrichment and improvement of Protestantism, in dogma, in ecclesiastical life, and in the Divine service. Who can deny that, consistently with the principles from which the spirit of Protestantism has originated, such a course of conduct—so marked with fear and caution—is not perfectly natural? 'The attitude of Protestantism,' says Stahl, 'is ever that of the Borghese gladiator. It is a permanent assault, the uttermost tension of every sinew and muscle against Rome. Its whole energy is directed to this point—never to let near it Catholic doctrine and discipline; as the smallest manifestation in that direction excites far more horror than would be caused by the grossest transgression in an opposite way, &c., &c., &c.'—pp. 332-33.

This is but a rehearsal on German soil of what we have so long witnessed in England since the very first indication of the Romeward tendency in the Anglican Church. Notwithstanding the violence of individuals or of parties, it is no equivocal symptom of the condition of the political mind, that even the anti-Roman disputants are driven reluctantly to acknowledge the higher character as well as the more active spirit of the religious life as it exists among Catholics, than that which they can find in the very best of their own communion. We need but cite from the page before us the confessions of "two individuals, who, from the high official positions formerly held by them, had the best opportunity of knowing the matters of

which they spoke, and who were both the most determined political opponents of Catholic interests, and both zealous friends and supporters of the Evangelical Church. These two individuals are the President von Gerlach and the Privy-Councillor Eilers. The first of these says—'We daily see how small, in comparison with the power of the Catholic Church, is the influence which the Evangelical has upon the enlightenment and sanctification of the mass of the population, and upon the majority of its own members. The cause for this is not far to seek.'

"The second of these, Eilers, was well known as one of the most influential officials in the Eichhorn Administration, and who, in his day, held in his own hands the management of three newspapers, which were devoted to the purpose of opposing the Catholic Church, and were for that purpose subsidized by the Government. These are his words:—'I have made it my study to ascertain the connection that exists between what is the Christian life of the Catholic population, and its institutions and practices; and, *with an unwilling heart*, I am compelled to admit that, in general, a far more Christian-like life is led by those who belong to the Catholic than to the Evangelical Church. It is a well recognised fact that the Evangelical clergy, *in general*, are far—very far—behind the Catholic in their devotion and efficiency in the discharge of their pastoral duties.'

"When two laymen express themselves in a manner so reasonable and conciliatory, may it not be hoped that the time is coming, and perhaps is already near, when preachers and theologians may give way to milder thoughts and gentler expressions—and that they may learn to think and believe that what, upon the whole, the Catholic Church in Germany has done is no more than it could not leave undone."

We feel that this imperfect analysis and these disconnected extracts must necessarily give but an inadequate idea of a work whose great characteristic is that it unites vastness and comprehensiveness of range with severely close and acute philosophical reasoning. Compressing into a limited space so many and so various details, it is only by a careful study of each of its parts that we can attain to a full appreciation whether of the facts themselves, or of their general bearing upon each other, and on the whole subject. Read in this light, the temporal relations of the

Papacy, it is true, appear but as an episode in the general drama of its action upon the Church and upon the world. But, while we render the most ample justice to the purity of the author's motives, and to the sincerity of his desire of serving what he believes to be the best interests of the Papacy and the Church, we must repeat our deep regret, that he should have been led into such a line of reasoning even by the laudable desire of union, and our earnest disapproval of more than one of the allegations by which he enforces it, and still more of the severe and even acrimonious language into which he is occasionally betrayed. There is much in this episode on the Papal States which we cannot help regarding as a serious blot on what, as a whole, must be confessed to be one of the most important and valuable contributions to modern philosophical controversy.

ART. VI.—*The Roman State from 1815 to 1850.* By Luigi Carlo Farini. Translated by the Right Hon. W. E. Gladstone. 4 vols. London: John Murray.

2. *A History of Modern Italy from the First French Revolution to the year 1850.* By Richard Heber Wrightson. Bentley.

AS some people tell lies till they believe them to be true, so are there others who so covet what belongs to their neighbours, as to fancy themselves wronged because they are kept out of possession. A man may be so intent upon the acquisition of his neighbour's purse, his neighbour's estate, or his neighbour's kingdom, as to become morbidly unconscious of the distinctions between meum and tuum. A vulgar robber however is less liable to this delusion than a royal one. The former seldom brings his mind to believe that another's purse belongs to him, though the latter often persuades himself that another's kingdom ought to be his because it lies very convenient and desirable for him.

That Piedmont has no more right to the Romagna, which she possesses, or to Rome, which she covets, than yesterday's garotter to the purse which he has been strong

enough to force from his victim, is generally acknowledged by all who have given themselves the trouble to inquire or reflect upon the subject. The alleged majority of votes is too flimsy a pretence to deceive any one. None of us in England were deceived by this artifice when the French relied upon it to filch Savoy and Nice; and will any one have the assurance to say that the votes in the Romagna were a more truthful indication of the real wishes of the people? Both were obtained by similar means, one quite as bad as the other, yet England affirmed the one, whilst she protested against the other.

The correspondent of the *Times* writes that "the Italian political atmosphere is filled with lies;" and we fear that the correspondence from Italy, in the columns of that and some other papers, savours strongly of the atmosphere whence it comes. But it may be asked, are not the reports of English gentlemen to be relied upon? To which we will only reply to our readers, enquire for yourselves, first, whether they *are* Englishmen? and, if foreigners, whether they are disinterested, or deeply implicated in the affairs about which they profess to write as spectators? And if, on enquiry, it be ascertained that these letters of foreign correspondents of English newspapers, are written by Italians so mixed up in the revolutionary affairs of Italy, that they cannot be depended upon for any impartial account of the affairs about which they write, then give them only so much credit as they, under the circumstances, deserve. Even assume them to be desirous of writing honestly, yet it is obvious that they can report only the sentiments of those with whom they consort, and that the views and wishes of others, perhaps even of the majority, are not communicated to them. And recollect also that they know what is acceptable in the English market, and that their employment depends upon supplying an article that will please and sell. When these circumstances are taken fairly into account, it is obvious that the reports of these correspondents should be received with much caution when they fit into the groove of the English foolometer, and feed the craving appetite of the English public with just the food which they relish. We could give remarkable instances of the errors (to use a mild phrase) of these foreign correspondents, but to enter into such details would occupy much space and withdraw us

from our main topic, and we are content therefore with having suggested a reasonable caution.

We propose, on the present occasion, to refer to the affairs of Italy in a political sense only, without any reference to religion, and without even approaching the question of the temporal power of the Pope. The Pope was, and is, a reigning sovereign. In considering him as such we do not, on the present occasion, ask Protestants to regard this his sovereignty as in any degree more inviolable because he is also the spiritual head of the great majority of Christians throughout the world; we ask them only to deal out to him the same justice as they would to any other Christian,—or to a Turk. Do not, because he is Pope, give him less than justice, but apply to him merely the same rule which you apply to the Grand Sultan, and which led you to spend the treasure and spill the blood of England in defence of a Turkish reigning sovereign, of whom even you will not say that he conducted his civil government better than the Pope.

We will not pronounce encomiums upon the civil government of Rome; it is sufficient for our present purpose to assert that it was at least as good as the government of Great Britain before the passing of the Reform Bill. Speak of the Roman government in whatever language you like, and we will match it by quotations from the speeches and writings of British statesmen, describing the state of the British government previous to our Reform Bill. What then was and is the real difference between the civil governments of Great Britain and of Rome? That we were strong enough to keep down revolutions and improve gradually, whilst Rossi, the premier of Pius IX., was murdered in attempting the very thing which had been so recently accomplished for us by Earl Grey.

If the British government had not been strong enough to keep in due subjection the Luddites, the Political Unionists, and the Chartists, our attempts at reform would in all probability have ended, like those at Rome, in revolution.

We propose to show from the work of Farini the present prime minister of Victor Emmanuel, that, from the moment when Pius IX. was elected Pope, he proceeded in the course of civil reforms in a manner which ought to satisfy the most ardent English reformer, that he not only

proposed reforms in every department of internal civil government and selected suitable persons to accomplish them, but that he also originated the idea of a commercial union and federal treaty between the various states of Italy, which, if completed as designed by him, would have made them strong against outward attack, and would have abolished all the interior custom houses, leaving all customs and other duties to be arranged on entrance into or exit from the Italian Union, as into or from the German Zollverein; that his measures of internal reform were received with acclamation by his own people, and his scheme of confederation with approval by some other states, and by all the statesmen of the liberal party, that through no fault at all of Pius IX., and of those who were labouring with him in the cause of civil improvement, but partly through the ingratitude, treachery, and machinations of those who had been allowed to return into his dominions by the free amnesty which he granted on his election, partly through the evil working of the secret societies and of those who were in correspondence with Mazzini, partly through the want of a calm but energetic and sustained support, by an excitable people, of the measures of improvement which he proposed, partly by the after thought of certain other Italian powers that they might serve their own purposes better than by faithfully carrying out the idea of confederacy, and partly, but perhaps mainly, from the want of a strong army and effective police to give power and stability to a government which rested mainly on the mildness of its character and the affectionate respect of its people;—that from these and such like causes, the measures of reform which Pius IX. proposed, and which would, if he had been allowed gradually to accomplish them as we did in England, have put the civil government into accord with the tendencies of the times and have satisfied all reasonable people, were stopped by assassinations tumults and irrepressible disorders; and the idea of confederation, which was at first so much approved by all the leading liberals of Italy, was dropped, trodden upon, and lost sight of in the phrenzy of planned and malicious disorder, and in the eager and unscrupulous ambition of one State for its own individual aggrandisement.

This we will prove from the pages of Farini; it may perhaps seem rather tedious to follow him through the

course of proceedings, and quote in each instance his very language; but, whilst we must not be understood to concur in everything we quote from him, his evidence, when given in behalf of Pius IX., is beyond question, it is in fact evidence extracted from an adverse witness.

One preliminary remark occurs to us. Lord Palmerston has lately referred to the want of reforms in the civil government of Pius IX. If there be any human being who should *not* have presumed to find fault with Pius IX. as a civil reformer, who should have felt abashed at the very idea of uttering any criticism on the conduct of one so much better and more genuine a reformer than himself—it is assuredly Lord Palmerston of all men. Lord Palmerston commenced public life as a non-reformer, held office under various governments opposed to reform, and was an opponent of reform until reform swept away opposition, and then he went with the current which bore him along in the crowd of reformers. He became a reformer when reform looked like a winning horse, and of the battle fought and the victory won by others he shared the triumph and the honours. Pius IX., on the contrary, began his public life as a reformer, encountered the opposition of many whom he esteemed and respected because they thought him too thorough a reformer, was opposed, and unfortunately successfully opposed by revolutionists republicans and Mazzinians because *they feared that his reforms, if quietly accomplished, would spoil their trade*, and was first thwarted and interfered with, and is now traduced by that very recent reformer, though veteran statesman, who in this adhered to his general policy and practice of following, instead of forming, public opinion. Pius IX. commenced reforms because he believed them to be right, and persevered in them even when they involved him in difficulties and disaster; Lord Palmerston adopted reform when he found it popular, maintained it whenever it was backed by a safe majority, and never committed the mistake of allowing his zeal for it to involve him in any trouble.

Assume, then, for the sake of argument, that the civil government of Rome, and the feelings of the Pope's subjects with respect to reform therein, were at the death of Gregory XVI. in the same or a similar condition as the civil government of Great Britain, and the feelings of the British people with respect to reform in this country previ-

ously to the Reform Bill. However darkly the civil misgovernment of Rome may be painted, it cannot have been worse than were the abuses of our government previously to that period; and however ardent the desire of the Papal subjects for reforms in civil government, it cannot have been stronger than the determination at that time of our people to accomplish reforms here. Reforms were attained here gradually, steadily, safely. Not so rapidly as many would have wished, nor without movements amongst the populace, and also amongst many of the middle and some of the upper classes, which required the strong hand of a powerful government backed by the known presence of an adequate military force, to keep them in subjection. How determined to the very last was the opposition to the English Reform Bill! Let us consider whether the government of this country, if it had then been circumstanced as was the civil government of Rome on the accession of Pius IX., with as feeble an army, with as excitable a people, with similar plottings of secret societies within, and the encroaching movements of more powerful governments outside the State, could have accomplished our reforms in the gradual, steady, and safe manner they did; or whether, under similar circumstances, even we might not have been precipitated into revolution on the one hand, or have been held fast in the strong grasp of a stationary policy on the other, until the time was thought opportune for smaller and more gradual reforms to be voluntarily conceded? The former would have been our fate if the Chartists had succeeded in their attacks; the latter would in all probability have still been our present condition, if the Tories had been victorious in their opposition. Is the difference between ourselves and Rome with regard to reforms in civil government any other than this, that we were, and Rome was not, strong enough to carry out the reforms inaugurated by the government? And has not the British government and the British people increased the difficulty of accomplishing civil reforms at Rome by giving its moral support to the Roman Chartists and weakening the hands of the Roman government? If this be the fact, as we believe it to be, then England is more to blame than the Pope for the failure of well-meant attempts to accomplish civil reforms at Rome. The Pope did what lay in his power towards accomplishing them,

England encouraged his opponents, and so far as she did anything, served only to paralyse his efforts.

We shall establish what we believe to be the true view of affairs from the work of Farini who is employed by the king of Piedmont, and translated and endorsed by Mr. Gladstone.

The sentiments with which the cardinals proceeded to the election of a new Pope are thus described by him, vol. i. p. 171.

“When the Sacred College is assembled for business, prudence outweighs in it both private inclination and party spirit, in a much greater degree than is commonly believed; and, in fact, there were in this conclave some who sagely advised them to elect for the Pope a native of the State, and one not much advanced in years; others stated plainly the necessity for correcting abuses, and for making some reforms, and, with this view, of *electing a Pontiff whose mind and will were equal to it.*”

This is precisely what they did in the election of Pius IX. Farini informs us that “hopeful anticipations were revived by some proceedings of Pius IX. For, not to mention that he limited the expenses of his court, and dispensed alms in abundance, he caused it to be made known that on Thursday of each week he would give audiences; he likewise commanded that political inquisitions should stop at once, and gave other signs of a gentle and generous mind.” And with regard to those ill-conditioned persons who expected everything to be proclaimed at once, and who spread reports that the cardinals thwarted the good intentions of the Pope, he adds—

“In reference to this subject of the murmurs injurious to the Sacred College and the inveterate irreverence towards it, I feel bound to observe that these have frequently been destitute of any foundation in truth and justice, and then were so; seeing that, as every one admitted that it ought to have been seen, to make parade beforehand of a conciliatory act is a besotted policy.”

In reference to the general amnesty proclaimed by the Pope on 16th July, 1846, one month after his election, Farini observes that opinions were divided in the Provisional Consultative Commission, some being in favour of only a partial amnesty and of proceeding with caution; and adds,

“It is needless to give an opinion whether the one or the other view was more prudent or more generous; enough that *Pius IX. embraced the alternative most agreeable to his own elevated nature.* I

say that reason of State itself, that reason which frames itself upon permanent principles, and is not ever quivering (as if upon stilts) with misgiving, which does not lose itself in the peddling analysis of details, but embraces the broader aspects of a question and catches their true meaning, made the larger scheme also the better one. For the question was, not merely how to assuage the sorrows of individuals, relieve private distress, and perform an act of indulgence and charity: this question of amnesty was a loftier and a deeper one. It was intended to be the harbinger of a new system; it was meant to signify a reconstruction of the very basis of civil authority. Such it was intrinsically, and such it was understood by the world to be, as was in due time clearly proved by the marvellous results which it at once produced, and most of all by that peal of harmonious applause with which it was universally hailed. *Of such applause, on a like occasion, history does not, probably never will, offer another example."*

It is melancholy to reflect how many of these political refugees whom the clemency of Pius IX. enabled to return to their country, instead of evincing gratitude to their benefactor, afterwards employed themselves there in plotting against him, and thus so far justified the hesitation of those who had wished to limit the measure of amnesty.

The experience of this country, as well as that of Rome, might suggest the remark of Farini, that "nothing is more difficult to take in hand, more hazardous to conduct or more doubtful in issue, than the introduction of new measures in a country where there has been on one side a prolonged and pertinacious resistance to change—on the other, a strong desire and a factious craving for it." This was experienced, at different periods, by Grey and Peel as well as by Pius IX. They wielded a large force, which could secure calm and undisturbed deliberation, and yet, if they had, like him, found the internal disorders of our own people fomented by foreign machinations, they also might have been obliged to stay the progress of reform in order to avoid the whirlpool of revolution. Farini remarks that "the people had too little patience and too sanguine anticipations," and that "already the Liberals had conceived boundless desires, and the Retrogradists were haunted with unreasonable fear. The government had, to-day, to moderate on the left; to-morrow, to reassure on the right; then, with fresh circular dispatches, well nigh to scold men for hoping too much, and, in seeming, at least, to contradict and stultify itself, and to lose its presence of mind." And then, by way of

himself finding fault, with the Papal Government for not acting decidedly and quickly enough, he announces the following political maxim: "A genuine reformer of states brings his plan to ripeness himself, in secrecy, and with advisers few and trusted; he plants its basis, he adjusts and harmonizes its details, he fixes its extent; he then moves forward with decision, makes his way through all impediments, and when he has gained the end he had resolved upon, he opposes an inflexible resistance to those who would drive him further." This is just what genuine Reformers in England *could not do*; of which the Chaudos clause, forced upon them, and which quite altered the character and practical results of the Reform Bill, is a memorable instance; and we fear that genuine Reformers in Rome felt themselves at least equally unable to do all they wished, and in the course and at the time they wished. Still he says, "the tolerance of the Government and the singular goodness of the sovereign imparted satisfaction and cheerfulness to the multitude."

In September the Pope appointed a Commission which was charged to examine into the best method of civil administration and of forming a Council of Ministers. "To the Commission which Pope Gregory XVI. had appointed to prepare rules of civil and criminal procedure, and which was composed of prelates, Pius IX. added other prelates and some lay lawyers of high reputation. Among those was Silvani, of Bologna, who had availed himself of the amnesty: and their province of enquiry was extended to civil and criminal legislation generally. Another Commission was appointed, partly of prelates and partly lay, to suggest plans of improvement and education for the young, and of occupying those out of work. It gave the greatest satisfaction that a beginning was now made in the admission of laymen to a place at least in Consultative Commissions, and that men so estimable as Silvani, Pagani, and Giuliani were chosen for one of them: for the other, the accomplished Marquis Potenziani and the high-minded Prince Aldobrandini."

At this point, and in the commencement of his third chapter, Farini enters into a particular explanation of what he considers to have been then, i. e. in 1847, the great desire of the Italian people. And we call attention to this, because it is clear that he does *not* consider their object to have been the establishment of an Italian

kingdom under one king, but a federation or league among the Italian princes. Italian unity, as aimed at by the Piedmontese, is *not* according to Farini, the spontaneous desire of the Italians themselves. Thus writes Farini:

"In the Papal States the most energetic and operative sentiment of the cultivated liberal class was the desire of national independence; witnessed by continual sacrifices, even to blood; extolled by our writers; and I would almost say, blessed and consecrated from the period when the Pope opened his arms to three generations of men, who had conspired and fought and suffered for that very object. There was, indeed, much both of speech and writing about reforms; but the name of Italy passed everywhere from mouth to mouth; the cry of Italy never failed to be uttered by the multitude in their rejoicings for the Sovereign and his reforms. These reforms were desired and dear, not so much for the immediate advantages they brought, as because they were thought to be a means of union between Prince and people; and this union was longed and sought for as the condition of further union among all the Italian princes, their union again as *introductory to a League* and the *League as the bulwark of national independence*; that is to speak frankly and clearly, as the means, in the first instance, of repelling the intrusions of Austria, next of driving her, with the help of God, from the sacred soil of our country, and of putting a final stop to that most iniquitous of all the forms of injustice—the dominion of strangers."

This League, then, it was which the Italians desired, and this League we shall afterwards find, Pius IX. proposed, and, but for the unwillingness of Piedmont, would have secured for them.

Again, in the following statement by Farini, of the parties into which the Liberals were divided, it will be observed that he makes no mention of any aspiration for or dream of Italian unity under one Sovereign; they who were not for a federation were dreaming of a republic, one and indivisible. He informs us "that from that time the party of the Liberals was divided into two essentially discordant sections. One of them wished to reform states without violence and to found the representative system by degrees; the other was enamoured of a republic, and accepted reforms, and would have accepted constitutions, only by way of a stepping stone to it. The first promoted concord between Prince and people; the second dissembled in the matter. The first *desired the League of Italian Sovereigns* to make head against Austria, and to or-

ganize the strength by which Italy might one day come to be an independent Nation ; but the exalted party laboured to excite popular passion, in the hope of chasing away the stranger by that war of the people so much descanted on. The first proposed to found the Italian Federation or the union of Constitutional Government, as it may better be called ; the other were dreaming of a Republic, one and indivisible." And he might have added that, as is usually the case where there is no sufficiently strong governmental power to hold them in restraint, the more moderate eventually gave way to the more violent party.

The personal influence of Pius IX upon the people of Rome at that time is thus described :

"The pious Pontiff, who since the amnesty had probably remarked not only a greater respect to sacred persons and things, but likewise an unusual, or at least an increased resort to the observances of public worship ; rejoicing in the reconciliation of souls to God ; gratified too, with that of subjects to their Sovereign ; ever readily tolerant of their superlative manifestations of gratitude and merriment. And it is no more than the truth that the accents of pardon descending from the Chair of St. Peter upon the souls of men, had reunited many to their God ; the humanity and the compassion of which the Vicar of Christ set a bright example, had revived the religious sentiment, and numerous were the consciences encouraged and tranquilized by the benediction of a Pope friendly to the advancement of Christian civilization. Oh ! religion is an affection, a feeling, a need of the heart, more than a speculation of the mind ; an affection, a joy, quickens it more than does a sermon ; but example is what gives it strength ! The virtues of the Chief of Catholicism, the benefit he had conferred were redemption to many spirits lukewarm, sceptical or inert."

In January, 1847, was appointed a Commission to consider and propose a form of Constitution for the municipality of Rome. Cardinal Altieri was its president, and the Advocate Carlo Armellini, was the secretary.

"In March, Cardinal Gizzi, Secretary of State, published an edict, which confirmed another edict of August, 1825, so far as respected the censorship in matters of science, morality, and religion, but with regard to political censorship, it instituted a Board or Magistracy, composed of *four laymen and one ecclesiastic*. Every citizen was to be entitled to publish his own opinions and conclusions upon subjects of contemporary history, and upon the public administration, provided it were done in such terms as neither directly nor indirectly tended to bring the acts or measures of the Government into odium. An author might appeal from the

opinion of a single censor to the whole Board : the censors were bound to give in writing the reasons of their judgments ; the theologian when he gave his approval, was to do it by the simple formula, *nihil obstat* ; but if he objected he was to put his reasons on paper. Sober-minded men were of opinion that a law like this was surely an improvement, and a step towards good which ought to be cheerfully accepted ; but the impatient, the trumpery, ranting authors, the youths whose palates had by this time grown accustomed to the piquant diet dressed in the clandestine press, thought fit to condemn and to abuse it, in that disrespectful and obstrepulous manner, which had become the fashion."

These are not our words, but those of Farini, to which we will only add, that Rome seems thus to have had more freedom of the press than at present exists either in France or Piedmont.

Though Farini makes many such admissions as those we have quoted, he adds many statements of an opposite tendency, which are far from accurate. . As one example, after stating that "the Court of Rome, thanks to the will of the Pontiff, yielded to reform," he adds, "but it could not yield to the admission of laymen into the government ; or, if it made up its mind to call them into council, it did not call them to resolve, administer, and execute, in which governing really consists." He immediately afterwards states that "in April, Cardinal Gizzi published an edict which established a Council of State. The body of Cardinals and *Prelates* filling the office of Legate or Delegate, were to propose to the Sovereign three notable persons for each province out of whom he was to name one to represent it in the Council. The Council was to sit in Rome for at least two years, and to aid the Government with its advice in putting the various departments in order, in constituting municipalities, and in other public concerns. The edict was hailed with great satisfaction." Farini knew perfectly well that many of those *Prelates* were laymen ; that this was a name or title conferred upon a class of men trained and employed in the civil service, and yet neither he nor his translator gives any such explanation as to prevent readers from falling into the error of supposing that the word *Prelates* here refers only to ecclesiastics. We have already seen that Pius IX. employed laymen, and we shall afterwards find him confiding to them the highest positions in his ministry, until his lay premier was murdered.

The misfortune of the new Government seems to have been that it could not fulfil the too exalted expectations of the populace, and had not, as we in England had, the material power to keep them, during the period of change, in order and subjection. Now, as Farini says, that the old system had come to an end, "unruliness bore sway, both the governors and the governed were in the hand of chance." And again,

"The Liberals, on their side, impaired authority by ceaseless agitation, and those who had not dissolved their ties with the sects, pretended to be its supporters, in order that they might more easily get rid of it when the time should come."

And the very men who thus *disabled* the Pope from effecting moderate and gradual reforms are now open-mouthed and loud in their denunciations of him for not having accomplished what they rendered impossible.

Farini says that the "principal Consultatives of the Papal States had several months back prayed for the establishment of a Civic Guard as a force which was thought well able to maintain public order against the bands of ruffians who disturbed it;" but though "the court was averse to the institution," and "Cardinal Gizzi set himself against it, at last, through the Pope's determination, the delays which were beginning to engender sinister humours, were cut short, and on 5th July a notification was published, by which the Civic Guard of Rome was established, and an intimation was given that it would be extended to the provinces according to circumstances, and to their wants and wishes." "Two days afterwards Cardinal Gizzi resigned his office, alleging ill health as his reason, but in reality because he could not stomach this new institution, and he disapproved of the Pope's readiness to concede what appeared to him both superfluous and full of danger." These observations of Farini, whether perfectly correct or not, teach us that there was not a sufficient military force to restrain disorder, and that Pius IX. in his desire to meet the wishes of his people, and to repose confidence in them, went even beyond the judgment of the most popular of the cardinals, for such Gizzi then was. How far the confidence of the Pope was abused, and the fears of his Cardinal Secretary of State verified, we shall afterwards, and especially at the time of Rossi's murder, have occasion to observe; and there may probably seem to some even reason for believing that, in

the circumstances of the country, the temper of the people, and the unfortified condition of the sovereign, if the Pope fell into any error, it was in attempting reforms too rapidly instead of too slowly.

To Cardinal Gizzi succeeded Cardinal Ferretti, who said to the Civic Guards, "Let us show to Europe that we can manage for ourselves." And of whom Farini thus writes, that

"Being a sincere appreciator of the piety and virtues of Pius IX., he conceived himself bound in conscience to second, serve, and aid him in everything. He thus became the minister of a liberal policy, whether because he hoped it would be for the advantage of religion and the popedom, or because it was part of his faith that a Pope should be obeyed without reserve. He accepted the administration, not because ambition prompted him, but because he thought the sacrifice of his own inclination and repose to the public good needful and expedient. And because he had no great confidence in his own political knowledge, and saw the times growing big, he summoned his brother Pietro from Naples to advise and assist him; the same person who in 1831 had taken part in the revolution—upright, sagacious, long familiar with public affairs, highly esteemed by the liberals for consistency of principle and steadiness of mind, and valued by all men for his personal rectitude."

And again he says in another place, p. 243,—

"The good character of the Secretary of State was enhanced by the pre-eminent one of his brother Pietro, who powerfully aided him by his advice and his exertions; and likewise by that of his other brother Christoforo, a distinguished soldier of the empire, who, at the instance of the cardinal, had betaken himself to Rome from Milan, where he resided."

Then followed the alleged Roman plot, into the details of which we cannot follow Farini, but it appears that, while the retrograde party was accused of conspiracy against the government, and of inviting the Austrians, tumults were occurring between the factions, and blood was spilt in various parts of the Roman States. Farini himself observes that "the agitators made their own profit from that temper of the public mind, to get arms quickly into their hands, and to deal a heavy blow at the retrograde party. For this purpose they circulated among the masses the words betrayal and conspiracy, as a means of stirring their passions."

Farini remarks that "the only power which at that time the Papal government could possibly enjoy, was a

power of public opinion; and the brothers Ferretti made the most of it for the benefit of the minister, their brother, whom they tenderly loved, of the Pope whom they revered, and of their country which was first and last in all their thoughts." What could any government in England have done at the time of the Reform Bill, or since, if their *only* power had been that of public opinion? Let those then who remember how fluctuations and excesses of public opinion were here controlled, moderated, and kept in order by the presence of a competent material force, so that the government was able to give effect to its good intentions at its own time and in its own mode, let them, we say, reflect and acknowledge that, if the English government had been circumstanced as was the Roman government, they would in all probability have effected as little of civil reform in England as since in Rome; that what was wanted at Rome was adequate support, both material and moral, to a well intentioned sovereign, and that England by the course she has lately pursued, has only helped to frustrate those measures of reform which she professed to encourage.

In consequence of the conflicts which were occurring between the two extreme parties, on the 17th of July some Austrian troops entered and occupied the town of Ferrara, in spite of the complaint and protest of the Cardinal Legate there; this Austrian incursion of course only increased the excitement in other places. Austria evidently feared that the Pope was reforming too rapidly, and entered Ferrara, as Farini says, "with no other end than so to intimidate him that he might stop short in the political reforms to which he had applied."

Having mentioned the fact of Austrian interference, we shall pass rapidly over its details, because we wish to confine ourselves to those internal events which illustrate the reforming policy of the Pope, and which eventually obstructed its accomplishment.

As further evidence of this liberal civil policy of the Pope, we may mention his efforts at this time to arrange "an Italian Custom's League which should be a commencement and a means of effecting a Political League. The Sardinian minister at Rome had already, in the name of King Charles Albert, announced his adhesion to the Pope's design, and the Pope deputed Monsignor Corboli Bussi to act as envoy and negotiator of the projected League. Monsignor Corboli was a high-minded youth, of

pure life, and of excellent abilities, religious and devout in a degree not surpassed; versed not only in theological studies, but in the political and economical sciences. He was at the time peculiarly dear to Pius IX.; he was one of those exceeding few clergy, of those few people about the court, who sincerely longed for the union of religion with liberty, and sought to elevate the Papacy to the protectorate of independent Italy. He was a friend and adviser worthy of a pious Pontiff, of a reforming prince, of Pius IX., the prophesied regenerator of Italy." We have quoted the characters drawn by Farini, of the ministers chosen by Pius IX. because they shew how greatly his fit selection of means to accomplish his ends commanded approval.

On the 2nd of October the *Motu-proprio* was published, which established the municipality of Rome; this was followed by the usual warm manifestation of joy, and on the 14th the *Motu-proprio* respecting the council of state was promulgated, followed by fresh acclamations.

We have not space to follow with equal minuteness the course of events in other Italian States, nor is it necessary. Suffice it to say that Farini informs us that "in Tuscany both the government and the people were of mild disposition, that by reciprocal influences each was attempered not only to civilization, but to the easy refinement which follows it when of long date. Scarcely had the Tuscans seen Pius IX. commence his reform, when they felt a keen desire for the civil advancement, and the political institutions for which they were in truth better prepared than any other Italian people."

And "on the 3rd of November, at Turin, the Roman, Sardinian, and Tuscan States agreed by means of their respective ambassadors and functionaries upon the stipulations of the Commercial and Custom's League. This, according to the idea of the wise end of the Pontiff, always more persevering in this matter than any other person whatever, was to be the most effective instrument, the fountain-head and the bond of the political league by which Italy might hope to attain to a national existence." Pius IX. thus effected the Commercial Union and paved the way for the Federal League.

In the autumn of 1847 Lord Minto reached Rome, and was, of course, "courteously received by the Pope." In the letter of instructions which he took with him, Lord

Palmerston wrote, "The present Pope has begun to enter upon a system of administrative improvement in his dominions; and it appears to Her Majesty's Government that his proceedings in this matter are, upon general principles, highly praiseworthy, and deserving of encouragement from all who take an interest in the welfare of the people of Italy." After referring to the Memorandum in 1832, from the five powers of Austria, France, Great Britain, Russia, and Prussia, to the then Pope, recommending the Pope to make great changes and improvements, both administrative and organic, in his dominions, the letter proceeds,—“Her Majesty's Government have not learned that as yet the reforms and improvements effected or announced by the present Pope, have reached the full extent of what was recommended in the Memorandum of 1832; and Her Majesty's Government therefore conceive that all the powers who were parties to the framing of that Memorandum are bound to encourage and to assist the Pope, as far as he may require encouragement or assistance from them, in carrying out to their full extent the recommendations given by the five powers to his predecessors. Such a course the British Government, at all events, is prepared to pursue; and you are authorized to give an assurance to this effect to the Roman Government, and to say that Her Majesty's government would not see with indifference any aggression committed upon the Roman territories with a view to prevent the Papal Government from carrying into effect those internal improvements which they may think proper to effect.” That is to say, England would “not see with indifference” reactionary aggression by Austria; but why should it see with something worse than indifference the plottings and violences against the Roman Government by Roman Charlists and Mazzinians, which prevented Pius IX. from accomplishing “internal improvements,” and eventually drove him from his dominions?

Rossi was at this time the French ambassador at Rome, representing Louis Philip and his prime minister Guizot, and Farini testifies that “Rossi had from his government (as was afterwards proved by documents shown to the writer and to others) instructions to encourage the Pope to proceed freely and expeditiously with his reforms, so that he might not run the risk of having to yield to force what he might and ought to give of free will. This commission.

Rossi fulfilled with singular prudence as a diplomatist, and, what is more, with the feelings of an Italian, from which indeed he never swerved." Notwithstanding this, "there were murmurs, too, against Rossi, as sensible and as just as ordinarily proceed from the time-servers of politics, and from the intoxication of party;" and this because the republican, or rather the anarchical party in Rome sympathised with the corresponding party in France against the government of Louis Philip in particular and against all governments in general. Thus writes Farini:—"We Italians, babes as we are, wed ourselves to all the likes and dislikes of the French, and accordingly in 1847, true to our system, we interested ourselves for that parliamentary opposition in France, which, in order to overthrow a ministry, and to hurl down its chief, cast into the abyss the throne of the State, together with itself; and yet we thought that insatiable greediness to be glory, those clamours to be liberty, that envy against Guizot to be love for Italy;" and we English have not the sense or the inclination to appreciate the difficulty of gradually and safely introducing reforms of civil government amongst such political babes as these!

He "mentions, but does not describe the demonstrations of joy for the 15th of November, on which the Council of State was to meet, with so much disgust does the recollection fill him. The members of the council appeared before the Pope, both with manifestations of reverence and trustful in their hearts; whilst with them were mingled some meddling agitators, persons that made use of public displays for displaying themselves, and that bedizened themselves in the palace with the tribunitian authority which they had usurped in the streets. A cloud of displeasure darkened the serene countenance of the Pontiff, who told those before him how he was gratified to see them in his presence, how he trusted in them, how he hoped favourable results from the institution of the body, and that God would not smite Italy with the tempest that was then gathering. He then touched, with serious words and mien, upon the immoderate desires and insane hopes which inflamed some inconsiderate minds." It is obvious that Farini considers that the Pope and the Council were prepared to arrange and carry out moderate and safe measures, whilst the meddling agitators, inflamed by external events, were pushing themselves into undue notoriety, and

pushing events into confusion. "The words of sharpness that the Pope had pronounced, those at whom they were aimed did not refer so much to themselves as to the members of the council, because it suited them to have, or pretend to have, companions in the rebuke; while, as being those that ruled in the streets and managed all matters of acclamation and hubbub, they thought themselves a great and dignified portion of the reorganized State. It also suited their purpose to infuse into the public mind a doubt, whether the Pope was really inclined to those greater boons which the people desired, and which the times perhaps may have required, because there is but one step from uncertainty to mistrust, and from mistrust to agitation one more; and so by degrees, when there is material of suspicion, mistrust and agitation, it becomes too easy to excite the passions of the people. The leaders of the people, who by this time were accustomed to industry in the work of agitation, and the people who, not once but a hundred times, had been paraded in the streets, and to whom it had thus become life's blood and second nature, had actual need of excitement and of stir, so that if pleasure did not give it them, they got it from suspicion and from fear." Who that reads this can avoid reverting to the times of Chartist agitation and meetings in London, and of government preparations to subdue them, and reflecting that, if our government had been as unprovided, as the Pope was, with power to suppress them, we should have been, as he was, the victims of them? What really makes the difference but a strong police and a strong army to maintain the good sense of the country against the efforts of the wild agitators? We were able to controul and let off gradually the waters of the pent up stream, which with him, as soon as they obtained a slight outlet, rushed on ungovernably, overwhelmed him, and destroyed everything before them.

Soon afterwards, on the occasion of the defeat of the Sonderbund by the Swiss Federation, Farini informs us that "there was a gathering of the usual class of persons accomplished in getting up boisterous demonstrations; they resorted to the house of the Swiss Consul, cheering on account of the victory, and then furiously imprecated death upon the Jesuits, while they were passing by Sant' Ignazio, and scouring the city. A barbarous madness! to take sides in foreign factions, to rejoice over a fratricidal

war, to curse the conquered, those conquered too being Catholics, and all this in the chief city of Catholicism, and beneath the eyes of the head of the Catholics, he, moreover, being that same temporal prince, at whose hand Rome and Italy had expected so much. Miserable country ! to which its intestine factions did not suffice for giving occasions of quarrel, but she must seek beyond the Alps fresh fuel to inflame them ! And pernicious agitators ! who for the pleasures of foolish exhibitions, and through brutal ignorance, thinking fit to chant at that time the funeral hymn of passion and of death over the Company of Jesus, troubled the heart and mind of the Pontiff, slighted his dignity, and led him to apprehend an attack upon his supreme spiritual authority."

After referring to the difficulties raised in various States against the extension of the proposed Custom's League, Farini adds, "and so came to a stand-still the negotiations for a Custom's League in Sicily : nor did they ever proceed further ; owing first to particular persons, afterwards to the times. *To the Pope belongs the chief merit of the plan and of such results as could be obtained by his own unaided resources.*"

"The violent party acquired every day an increased influence over the masses—whether it were, because the Government had, more than once given signs of yielding more easily to public commotion than to prudent and confidential advice ; or whether because intoxicating drink is more agreeable than simple water to persons already in liquor ; or, finally, because the sects were beginning to go to work in earnest. *Mazzini, the party of the Giovine Italia, and the refugees, had seen, with dissatisfaction, that fruit was now springing from the plans and advice of those who expected to attain liberty by reforms, to strength through concord, to independence by means of a League among Italian princes ; and since the Pope had granted the amnesty, and applied to the work of reform, they had become exasperated, inasmuch as the main elements that give animation to such societies were beginning to fail them—that is to say, the thirst for vengeance—the frenzied craving for return to a native land, restlessness and desperation. When liberty came to be conceded, and to spread in the Roman, Tuscan, and Sardinian States, the party of Mazzini saw that it would then be vain and hazardous to propagate their creed : but they saw likewise, how pertinacious and extended agitation might afford occasion to prepare a way for future triumphs.*"

Who were most entitled to sympathy and support, such agitators as these, or Pius IX. the moderate but genuine civil reformer ?

In January, 1848, Delapert the Prefect of the French Police, wrote as follows to the Minister of the Interior respecting Mazzini, who was then in Paris: "The plan of Mazzini is as follows: to avail himself of the present excitement, turning it to account on behalf of Young Italy, which *repudiates monarchy under whatsoever form*; and to effect this by raising the cry of *viva* for the Duke of Tuscany, for Charles Albert, and for *Pius IX.*" and, accordingly, as Farini reports, "there gathered in Rome many of the party of Mazzini, some of them refugees and others not, who laid siege to Ciceruacchio with every kind of flattery, and drew him over to themselves, though he had previously been under the influence of persons holding moderate opinions."

He then, at p. 333, gives an instance of a popular gathering, of the preparations by Government for resistance, of apprehension as to the result, and then the withdrawal of the military and of the consequent feeling of the people. The Government did not feel themselves strong enough, or did not feel disposed to keep down the populace by the strong hand, and the people felt that there was no force adequate to control them.

"The intelligence that arrived from Lombardy and from Venice added fuel to the flame. The youth of Rome ostentatiously offered prayers for the souls of those who had fallen by the Austrian sword—a work in which smouldering revenge was combined with piety. It was at one of these funeral celebrations, (for they were not confined to one, inasmuch as Austria supplied material in abundance for such solemnities, and when there was no pretext for assemblage in the streets, they were glad to have them in the Churches) that Padre Gavazzi, a Barnabite friar, suddenly mounted into the pulpit and delivered a warlike harangue in the temple of the God of Peace. For this he was afterwards reprov'd and punished, and the agitators conceived displeasure at the punishment, because unruliness pleased them, even in the friars, and they termed it liberalism. The times were waxing big, the fever of agitation grew in violence."

And after referring to what was going on and what was apprehended in other parts of Italy, he adds,

"On these accounts, at a time when our towns seemed to be reeking with such vapours of the fancy and the reckless sects, the wanton youth were hard at work in stirring up unruly spirits and in influencing the popular mind—with dreams of I know not what attacks upon the German army by a tumultuary force, armed with

scythes, and of battering down fortresses with Mazzini's *idea*; the few whose heads were not turned with these fumes remained full of misgivings and prognosticated evil, *aware as they were of the feebleness of the armed force, and the insincerity of the State.*"

He then refers to the meetings of the Consulta di Stato, to whose members, he says,

"An article of the organic regulations gave the power to initiate any measure whatever; and this during such times and by means of the publicity which was in fashion, and often carried to excess, with the assistance too of public opinion, and of the press was capable of becoming a powerful engine either to impel or to obstruct the Government....The very liberal party deemed it indispensable that its votes and proceedings should be public."

What says Farini as to this, which was not like the (irregular) publicity of our House of Commons debates, but rather, as this was a Council of Consultation to the Government, like a proposal for reporters to attend, take notes of and publish, everything said and done in the meetings of our Cabinet Council? Farini remarks, "it must be confessed that every one who now dispassionately considers that question, will think it strange that publicity should be courted for proceedings which were simply by way of advice; nor can it be held that such publicity is suited to an institution of that kind." This is the opinion of a man now the Prime Minister of Victor Emmanuel. In what direction, then, was the influence of England and France exerted? Farini tells us, "the English and French Ministers were anxious for it:" i. e. for the publicity of which Farini disapproved, "but it struck the Court with alarm."

An address from the Roman people was presented to the Council, professing to be "in order to avert a movement which might assume a character of violence," and of which even Farini says, "the intemperate language represented truly the prevailing excitement." What would the British Government have said to a Chartist address professing to be *the alternative for violence*? Of course they would have refused to succumb to it, and have refused concession to such a demand. Yet they now blamed the Pope for similar conduct!

The Consulta also made public a report from Prince Odescalchi and Count Campello, recommending in the then aspect of events a re-organization of the Papal army, and the engagement of an experienced General, to be

placed at its head. After referring to their previous labours on the subject, they add,

"We cannot hope to effectuate by these means, as quickly as the necessity of the case demands, a sound reorganization of the army. In the meantime a reflection of deep and most serious concern occurs to our minds. Does not the very time now directly coming on appear to carry the germs of events the most important? *Can we venture on its risks, unless we can point to a military force which is compact, imposing, wisely organized and governed; and in readiness to maintain, along with order, the independence and the dignity of the country and the throne?*"

"The Council approved of the Report and the Government applied to the King of Piedmont for some officer experienced in the matter of military regulations."

Thus it appears that the Council and the Government distinctly recognized that want which disabled them from effecting gradual reforms in the face of an excited people egged on by foreign influences, which ought to have been exercised to restrain them.

In January 1848 occurred the revolution in Sicily: the news of this was, as Farini writes, "grave enough to such as dreaded convulsion, encouraging to those who desired and were secretly laying the train for revolutions by the populace and not reforms from the Sovereign. And now these men no longer refrained from acting upon others: and to those who would have restrained them they showed the colours of Palermo dyed with blood, and praised her to the very skies, as the instructress of nations and the scourge of offending kings. And now the desires of a greater revolution grew keen. Already emissaries and competent speakers, too, were in motion, getting money and arms, with which, after the fashion of the Giovine Italia, to enter the neighbouring kingdom of Naples, and create disturbance. They gathered money, and they likewise enlisted men used to such schemes; they begged arms from the civic guard on the confines, or within a short distance of that country; they set themselves to drawing the Pope's subjects, with his arms, into the enterprise. If any one objected to these proceedings, on grounds of civil prudence, of respect to the obligations which are termed international, or consideration for one's own government, or for that Pius IX. in whose name Italy had begun her resurrection, their answer was a scoff at the simplicity of people who defended the laws of

honour and duty, and wished to keep by pledged faith." And these be the kind of men whom the people of England have been simple enough to regard as the regenerators of a country.

Then followed the rising in Naples and a change of ministry, and the announcement of a foregoing Constitution there, on which Farini remarks,

"In this manner, first by excess of resistance and of obstinacy; then by a new excess of weakness and of haste, he (the King) wholly shifted the Italian movement off the line of measured progress, and as it were jerked the several States to a point which no one expected to see them reach within any short period. M. Guizot, indeed, from the French Tribune, estimated that ten years, at least, would be required for them to reach it. Thus the chapter of reforms was closed in Italy. Next began that of Constitutions, which were invented or copied; every one vied with his neighbour in trying to do most work and quickest."

This news was received with acclamations in Rome, after describing which Farini adds "the mood of excitement, which was originally mild and joyous, had already, by degrees, been darkened; and on the 2nd of February, upon the ground, or under the plea that the Cardinal Vicar had imprisoned one of the civic guard, a body of his comrades went in disorder to his palace, and from thence to the gaol, *where they released the prisoners by force.*" Could any English Government have carried our Reform Bill and stopped there if they had been unable to guard the London prisons from violence?

On the 10th of February the Pope issued a proclamation, in which occur the following sentences:

"We are incessantly engaged in considering in what way, consistently with our duties towards the Church, can best be developed and carried to perfection, those civil institutions which we have founded, not under any constraint from cries, but led on by our desire for the happiness of our people, and our esteem for their noble qualities. We had besides this, applied our mind to the reorganization of the army, even before the public voice had asked it, and we have sought out means to obtain from foreign parts officers that might give their aid to those who already, with so much distinction, serve the Pontifical Government. In order more effectually to enlarge the circle of persons qualified to assist by their talent and experience in the work of public improvement, we have also taken measures for augmenting the lay portion of the Council of Ministers."

Farini says "that proclamation intoxicated Rome;" and he adds,

"Deeds followed close on words; on the 12th of February the Ministry was changed. Count Giuseppe Pasolini, who sat for Ravenna in the Consulta, took the department of Commerce in lieu of Cardinal Riario Sforza; Francesco Sturbinetti, advocate, Municipal Magistrate of Rome, that of Public Works, instead of Monsignor Rosconi; Michele Gaetani, Prince of Teduo, had the Police, instead of Monsignor Savelli; instead of Monsignor Anici, Monsignor Francesco Pentini, a clerk of the Chamber, and then Vice President of the Council of State, went to the Home Department." ... "Then came the appointment of the Commission which was to devise the means of fitting together and of extending the measures of reform, adapting them at the same time to the nature of the Papal Government and to the times."

Next followed the revolution of 1848, and the proclamation of a republic at Paris, the news of which, of course, increased the popular excitement in Rome, and suggested to the Roman populace the secret of their strength—if, indeed, it were then a secret to them.

On the 10th of March a new Ministry was constituted, including Farini himself, with several other laymen, also Cardinal Antonelli, this appearing to be his first entry into political employment. And on the 14th of March, 1848, was published the Statute of the new Constitution. We wish space admitted of our copying this at length, for there could not be a better proof of the far-going liberal tendencies of Pius IX. in civil government. We can only briefly refer to a few of its prominent features, but it will be found in full in the 2nd volume of Farini, p. 370.

The judges are declared to be independent, save in the prerogative of mercy, and immoveable.

There shall be no appointment of tribunals or Commissions extraordinary. Every person, as well in civil as in criminal cases, shall go before the tribunal expressly appointed by the law; in sight of which all persons are equal.

No restraint may be placed upon personal freedom, except in the cases and forms prescribed by the laws; and accordingly, no one may be arrested, except by virtue of a warrant, proceeding from the proper authority. Cases of *fragrans delicto* are excepted: in these, the person arrested must be given in charge to the proper authority within twenty four hours.

All property, whether of individuals or of bodies corporate, or of other pious or public institutions, contributes indiscriminately and equally, whoever be the proprietor, to bear the burdens of the State.

In like manner the right of property in all persons is inviolable. The only exception is the case of expropriation on grounds of acknowledged public utility, and after the payment of an equivalent, according to law.

The existing governmental or political censorship of the press before publication is abolished, and for this will be substituted such measures, operating subsequently to it, as shall be specified in a law for the purpose. As to the ecclesiastical censorship, regulated by the canonical dispositions, no change will be made, until the Sovereign Pontiff of his own Apostolical authority, shall make other provision in that behalf. The permission of the ecclesiastical censorship in no case removes or diminishes the political and civil responsibility of the parties, who may according to law be answerable for the productions of the press.

The Communal and Provincial administrations are in the hands of their inhabitants respectively. They will be regulated by laws for the purpose, so framed as to secure to the communes and provinces the largest discretion compatible with the preservation of their properties and the interest of the tax payers.

The members of the High Council are nominated for life by the Supreme Pontiff. Their number is unlimited. They must be of the age of thirty years, and must be in full exercise of their civil and political rights. It then states the classes from which the members of the High Council shall be chosen, making them in rank and character correspond with our House of Peers, the main difference being the tenure for life, a provision which involves both advantages and disadvantages, giving more capability, but less independence.

The other Council is composed of the Deputies chosen by the electors in the ratio, as near as may be, of one deputy for every thirty thousand of the population. The electors include besides various classes specially mentioned, those who are enrolled in the census as possessed of a capital of three hundred crowns, and those who in any manner pay to the government twelve crowns a year in direct taxes; and the constituency seems to us to include

the middle but not the working classes, and to be in fact rather more limited than our own under the Reform Bill.

The members of both Councils are irresponsible in regard to opinions and votes given by them in the discharge of their duties.

All the laws in matters civil, administrative, and political, are proposed, discussed, and voted in the two Councils; including all impositions of taxes, and such interpretative and declaratory instruments as have the nature of laws.

Laws concerning the matters named in the last article have no force, except after being freely discussed and adopted in both the Councils, and confirmed by the sanction of the Supreme Pontiff. Accordingly, no taxes can be levied except by authority of law.

Laws are proposed by the ministers of state. Any member, however, of either Council may introduce one, if it be demanded by ten members. But the propositions of the ministers shall always be first debated and put to the vote.

The Councils are not competent even to propose a law, 1, that touches ecclesiastical or mixed matter, 2, that is contrary to the canons or discipline of the Church, 3, that tends to vary or qualify the present statute.

In mixed matters the Council may be invited to act by way of advice.

All discussion in the two Councils of the diplomatico-religious relations of the Holy See in foreign affairs is forbidden.

Treaties of commerce and those clauses only of other treaties that affect the finances of the State, are presented to the Council before ratification, and are discussed and voted there.

Projects of law may be sent from the ministry to the one or the other Council indifferently. But projects of law respecting the following subjects shall be presented first for the consideration and decision of the Council of Deputies. 1, The estimates and accounts of each year, 2, Bills giving authority to create, pay off, or cancel public debt. 3, Bills relating to taxes, and to the leases, or any other concession or alienation whatsoever of the income or property of the State.

Only the Council of Deputies has the right to impeach ministers. If these are laymen, it will be the office of the High Council to try them; and for this purpose only it

will have authority to meet as a court. If they be ecclesiastics, the accusation will be brought before the Sacred College, which will proceed according to Canon Law.

The sums requisite for the maintenance of the Supreme Pontiff, of the Cardinals, for the Sacred Congregations, for aid or income to the College de Propaganda fide, for the department of Foreign Affairs, for the diplomatic servants of the Holy See in foreign parts, for the Palace Guard of the Pontiff, for religious functions, for the ordinary maintenance and custody of the apostolic palaces, and the museums and library attached to them, and for the salaries, retiring allowances and pensions of the persons attached to the Pontifical Court, are fixed at 600,000 crowns annually.

When both the Councils shall have affirmed any project of law, it will be presented to the Supreme Pontiff, and submitted to the Secret Consistory. The Pontiff, after hearing the judgments of the cardinals, gives or withholds his assent.

The ministers have the right of being present, and of sitting together, in both the Councils; but with a vote only in case of being members. They may also be invited to attend for the purpose of giving necessary explanations.

We infer from the observations of Farini, that, if the Mazzinians, the anarchists, and the populace would have allowed the government to be carried on peaceably in accordance with the provisions of this statute, it would have secured his approval; it seems indeed to have had in his eyes every merit but that of success, and its failure was not the fault of those who framed it, but of those who *feared* its peaceful operation. Let then the Pope and Papal Government have the credit of introducing as complete a Reform Bill as the people were then fit for, and which indeed failed only because it went beyond the judgment of the timid, and of many of the moderate, but could not satisfy the heated imaginations of the mob-leaders, and did not rest upon the solid support of any adequate military force to restrain the disorderly. If the government who proposed our Reform Bill had been equally unprovided with material strength, they would have been equally unable to maintain themselves or their measure in steady practical operation, and would in all probability have been equally overwhelmed in a similar revolution.

Farini objects that "as the Fundamental Statute provided that every law carried in parliament should be submitted to the Consistory of Cardinals, it followed that the Sacred College was to have the authority of a political senate, and thus there were three deliberative assemblies." A similar objection might, with equal reason, be made to the functions of our Cabinet Council. The king may say, *Le Roy s'avisera*, and if he did, he would say so under the advice of his Cabinet Council.

Farini, however, informs us that "the Statute was greeted with the accustomed signs of satisfaction."

Then on the 21st of March followed the revolution at Vienna, upon which "the public excitement knew no bounds."

According, however, to the testimony of Farini, "The government of Rome had providently made such preparations as the stress for time and treasure, and the inefficiency of its arrangements would permit; so that, when the exciting news arrived, it had only to continue its exertions, and address itself to governing the impetus of the public mind, and shaping it for the advantage of the nation. Nor did it attend solely to those military cares which were due and urgent, but the civil also. Thus it decreed that the fines and taxes, which had usually been squandered without any audit, should thenceforward be brought into the exchequer, and stated in the estimates and the accounts. It appointed the Council of State to examine the projects for railroads, an inquiry in which the commissioners had wasted all their time. It settled that the payments charged upon the consolidated fund of Rome should be disbursed half yearly, and it improved the public credit by ensuring the liquidation on July 1st, of the dividend that fell due at the end of June. It ordered all the magistrates and public functionaries to remain or to return to their posts, and exhorted them to give effect to the laws, to repress crime and to respect the liberties guaranteed by the statute. It announced the principles of free competition for industry and commerce. It directed that the results of the judicial inquiry into the famous plot of July, should be completed and published within the term of twenty days. And it obtained from the Pope the pardon of twenty-five persons detained at Civita Castellana, who had been excluded from the amnesty on the ground of armed resistance to authority. Finally, it sought without ceasing

for the means of replenishing the impoverished exchequer."

After stating that "the hostility to the Jesuits was still constantly threatening to break out into violence," he quotes from the Government Gazette of the 30th of March the declaration announcing that, "by reason of the constantly growing agitation of the public mind, and because the violence of parties threatened serious consequences, the Holy Father was constrained to take seriously into view the gravity of the question," and had accordingly made known to the general of the order, "the uneasiness he felt at the difficulties of the times, and the hazard of some serious mishap," and that "they had resolved to yield to the urgency of the circumstances, as they did not wish to let their presence serve for a pretext for any serious disorder or for the shedding of blood." Farini hereupon remarks, "the Jesuits dispersed without any fresh occurrence of an untoward kind. But those words which the Government Gazette had printed, left on record an evidence of the reasons upon which the act was grounded; or rather they evinced *the intimidation which masters and tramples upon all reason*. The government perhaps had no choice, so swiftly and impetuously did the torrent of popular commotion roll. I will not then affirm that the Pope and the Government ought to have exposed to the last hazard the security of the state for an ineffectual defence of a hated fraternity. What I wish is to observe, that, if there were among the Jesuits men stained with guilt, and mischievous plotters, they ought to have been watched and punished as bad citizens; but it was incompatible with propriety or justice to condemn and punish a religious association, as such, in a place where the Pope held both his own seat and the supreme authority of the Church;" or indeed he might have added, *anywhere*; but some who profess the liberality which they do not practice, ever seem delighted with the expulsion or spoliation of Jesuits, though a man who chooses to be a Jesuit is as much entitled to freedom, and to protection of life and property, as any other man. And when Farini utters these common-places as to the watching and punishing which should have been applied to bad citizens, none knows better than he, that, owing to the machinations of some whom Farini praises, and the want of cordial support from others, the Pope *could not* administer the laws.

as he would have done if he had been strong enough to carry out his own plans of civil government.

Farini remarks that "the Pope in the midst of the most wide spreading political tempest ever witnessed within the memory of man, was intent, above all things, upon saving the bark of St. Peter; and by the very great weight that his name had then acquired, he hoped to navigate it into a glorious future. From time to time he thrilled with the inspiration of ideas that exalted the Papacy to a new and astonishing elevation, and uttered sentences such that from his lips we seemed to hear the voice of God." And in evidence of this he copies the proclamation of the 30th of March, 1848, to be found, vol. ii. p. 21.

"On the 24th of March the Papal forces marched out of Rome under General Durando, with, as his aides de camp, Massino d'Anzeglio, and Count Casanovo, both Piedmontese, to join King Charles Albert, who, in his proclamation about the same time, exhorts the people to "trust in the assistance of that God who has given Pius IX. to Italy;" and he describes the "women inspiring their husbands and their sons, priests blessing the banners, and citizens bringing gifts to the altar of their country. The Pope and the religious congregations made rich contributions; the princes of Rome vied in liberality with the citizens; every one joyfully and spontaneously paid the tribute of free bounty to their country; cardinals and princes presented horses for the artillery; and princes, dukes, nobles, citizens, commons, set out for the camp, all as brethren; among them were two nephews of the Pope; within a few days there were at least twelve thousand volunteers from the Papal States. The Pope gave his benediction, *letting it be understood that it descended upon warriors who were on their way to defend the confines of the States of the Church*; the cities were all in jubilee; even the country folks greeted merily the Papal legions. The Pontifical ensigns were blended with the colours of the nation; the cross surmounted the Italian flag. Italy had no longer any enemies among her sons. Even the hearts which did not throb for her freedom, throbbed for the grandeur of the Popedom."

We beg particular attention to the remark of Farini, that the Pope, "let it be understood that his benediction descended upon warriors who were on their way to defend

the confines of the States of the Church," because the people, and Farini with them, afterwards find fault with Pius IX. for not authorising his troops to join in an offensive war by invading the Austrian territory, whilst it is here obvious that the Pope was throughout consistent, that he only adhered to what he had at first sanctioned, whilst the others were disappointed because they could not drag him on from the defence of his own territory into an aggressive war. We shall afterwards find Farini declaring that this refusal of the Pope to join in aggressive war was the circumstance which caused the tide of popular feeling to turn against him—with what reason our readers can now judge.

Farini here ventures on the remark that "the stranger in ruling must always be a tyrant; he cannot be otherwise; even his civilization, his gentleness, his liberality, are a refinement of tyranny." These generalizations from a particular instance are practically unsafe, as well as logically unsound. If true, what becomes of British rule in Canada, in India, in the Ionian Islands, in Malta, in the Mauritius, or even in Ireland? And what indeed becomes of the means by which civilization has been extended over the various countries of Europe? Why should Piedmont be more entitled than any other European kingdom to interfere in the affairs of any Italian State? The right does not arise from geographical position, nor from kindred of race, even if there were any such, but in truth the Piedmontese are as much strangers to the Romans as are the Austrians or the French. The statement, however, that "the stranger in ruling must always be a tyrant," is essentially erroneous, it would abstractedly be more correct to say that the stranger in ruling must always rule mildly if he mean to rule permanently, as the stranger must depend more than the native upon the character of his rule for the good will of his subjects; and it is also historically untrue, for civilization and Christianity would have been more slow in their advance and spread if they had not often appeared simultaneously with the rule of a stranger.

All the forces contributed by the various States were placed under the general command of Charles Albert King of Sardinia, and thus was seen, as Farini observes, this "rare fact in the history of Italy, an Italian regular army and fleet, fighting under the Italian flag, and that without foreign aid, for the independence of their country."

“ On the 1st of April, 1848, the Council of Ministers published, according to the terms of the statute, a provisional order for the election of Deputies to the parliament. It appointed to be electors all the municipal magistrates, the mayors, aldermen, and common councillors, syndics, and all the municipal and provincial councillors, without reference to property ; all citizens enrolled in the public registry as having three hundred Roman crowns, and those who, though not having any registered capital paid in annual taxes, whether general or provincial, not less than twelve crowns ; the professors of the Colleges of Faculties, and the professors of the universities ; the members of the Councils of Management ; of the advocates and proctors practising before the collegiate courts ; doctors in theology, in philosophy and philology, of six years' standing ; advocates and proctors of six years' standing on the roll of their colleges or courts ; doctors, surgeons, notaries, and engineers of six years' standing ; honorary doctors of the universities ; parish priests ; members of the Chamber of Commerce ; heads of manufactories and industrial establishments ; master tradesmen employing at least twenty workmen ; principals or agents of associations or partnerships, of whatever nature, if rated at three hundred crowns of capital, or paying twelve crowns in taxes. In those colleges where the number of electors registered under these heads should not amount to one hundred, that number was to be made up by taking in citizens of inferior substance. The following persons were declared qualified to sit ; citizens standing on the register for a capital of three thousand crowns, or paying in taxes three hundred crowns a year ; municipal and provincial counsellors and magistrates ; doctors of six years' standing, and honorary doctors ; parish priests, members of the Chambers of Commerce ; heads of manufactories and industrial establishments ; partnerships, trades, and handicrafts, if enrolled for a capital of 1,500 crowns, or else paying in taxes fifteen crowns a year ; members of the colleges of the several faculties ; honorary professors of the universities, and proctors and advocates of the collegiate courts. The State was divided into one hundred electoral colleges, each of which was to send a deputy to the Chamber. The rules for elections were of the kind usual in constitutional states. This provisional law of elections gave satisfaction, as showing that

the ministry had at heart to construe the statute in the largest sense. So did the decree of Aldobrandini, the minister of war, by which the troops were ordered to combine the tricolour cockade with the Pontifical."

When the Papal troops marched to assist King Charles Albert "the Pope sent Monsignor Corboli Bussi, as his legate extraordinary to Charles Albert, to remain in the king's camp, and move with it in the capacity of the Pope's representative, to hasten the adjustment of the terms for the Italian league, and to request that; with this view, Piedmont would send deputies to Rome; on this Wrightson remarks, "that the Pope should have sent a valued friend and devoted supporter on this mission, evinces the sincerity of his desire to secure such advantages for Italy as might be consistent with the interests of the Papal system. Had Charles Albert frankly acceded to this proposal, the national cause would have been advantaged, for he would not only have relieved himself from the suspicion of ambitious motives, but would have propitiated and secured Pio Nono by allowing him to enjoy whatever credit and influence might have accrued from such an arrangement." This idea of the Pope's, probably the most valuable external arrangement that was proposed in those times, failed, like many of his internal measures, from want of the hearty and sustained co-operation of some, and from the interested and violent opposition of others. We believe that if the events of that period be fairly regarded, Pius IX. will be found to have been both the ablest political adviser as well as the best reformer in Italy. He lacked only success to be appreciated in both characters, whilst some others whom we know have taken credit for that success which was achieved not *by* but *in spite of* them. Durando published a proclamation to his army in which he took upon himself to address them as crusaders, saying amongst other things, "The Holy Pontiff has blessed your swords, which, when united to those of Charles Albert, are to work concurrently *for the extermination of the enemies of God* and of Italy, &c., &c. It is fitting, then, soldiers, and I have determined, that we shall all, as we march for it, be decorated with the cross of Christ." Thus the general, and not the clergy, endeavoured to make the utmost possible use of the emblems and the supposed

sanction of religion in support of the Italian arms ; and it was the Pope who objected to this use of them. Farini declares that " that proclamation and that sign of the cross begat great uneasiness in the mind of the Pope, who complained of the mention of himself and of religion, in a manner calculated to wound the scrupulous consciences amongst Catholics"... " And, indeed," he adds, " on considering now, with dispassionate mind, the document in question, (i. e. the proclamation) it ought not to seem strange that the Pope should murmur when a general of his took occasion from the cruelties and profanations said to have been committed by the Austrian troops, which in part were true but in part exaggerations, to proclaim a Holy war and to rear the Cross of Christ in the name of his Vicar, as its ensign. *It was a gross error on the part of Liberals thus to drag religion into politics.*" But this indeed was the custom of the men ; they made the utmost use of religion when *for them*, but protested against the propriety of any use whatever being made of it *when against them*.

Farini here takes occasion to draw *his* portrait of Pius IX., in which perhaps our readers may feel some interest. He says,

" Before proceeding with the account of the boisterous portion of the reign of Pius IX, it will be well to give the fairest account I can of the character, temper, and views of this Pontiff, over-flattered and over-censured, ill understood and ill-judged by every party. Pius IX. had applied himself to political reform, not so much for the reason that his conscience as an honourable man and a most pious Sovereign enjoined it, as because his high view of the Papal office prompted him to employ the temporal power for the benefit of his spiritual authority. A meek man and a benevolent Prince, Pius IX. was, as a Pontiff, lofty even to sternness. With a soul not only devout but mystical *he referred everything to God*, and respected and venerated his own person as standing in God's place. He thought it his duty to guard with jealousy the temporal sovereignty of the Church, because he thought it essential to the safe keeping of the apostleship of the Faith. Aware of the numerous vices of that temporal Government, and hostile to all its vice and all its agents, *he had sought on mounting the throne to effect those reforms which justice, public opinion, and the times required.* He hoped to give lustre to the Papacy by their means, and so to extend and to consolidate the Faith. He hoped to acquire for the Clergy that credit which is a great part of the decorum of religion,

and an efficient cause of reverence and devotion in the people. His first efforts were successful in such a degree that no Pontiff ever got greater praise. By this he was greatly stimulated and encouraged, and perhaps he gave in to the seduction of applause and the temptations of popularity more than is fitting for a man of decision, or for a prudent Prince. But when, after a little, Europe was shaken by Universal revolution, the work he had commenced was in his view marred."

Was it not in fact marred by the revolutionists?—let each one judge as we proceed with the narrative. "He then retired within himself and took alarm." (and was it not common prudence to do so?)

"In his heart the Pontiff always came before the Prince, the Priest before the Citizen: in the secret struggles of his mind the Pontifical and priestly conscience always outweighed the conscience of the Prince and citizen. And, as his conscience was a very timid one, it followed that his inward conflicts were frequent, that hesitation was a matter of course, and that he often took resolutions about temporal affairs more from religious intuition or impulse, than from his judgment as a man. Add that his health was weak and susceptible of nervous excitement, the dregs of his old complaint. From this he suffered most when his mind was most troubled and uneasy; another cause of wavering and changeableness. When the frenzy of the revolution of Paris, in the days of February, bowed the knee before the sacred image of Christ, and amidst its triumphs respected the altars and their ministers, Pius IX. anticipated more favour to the Church from the new political order, than it had had from the indevout monarchy of Orleans. Then he took pleasure in the religious language of M. Forbin Jansen, Envoy of the infant Republic, and in his fervent reverence for the Papal person; and he rejoiced to learn, and to tell others, that he was the nephew of a pious French Bishop. At the news of the violence suffered by the Jesuits in Naples and threatened in his own States he was troubled, and his heart conceived resentment against the innovators. Afterwards he was cheered by learning that one of the rulers of the new republic of Venice was Tommaseo, whom he valued as a zealous Catholic. He had a tenderness towards the dynasty of Savoy, illustrious for its saints, and towards Charles Albert, who was himself most devout. He learnt with exultation that Venice and Milan had emancipated their Bishops from the censorship and scrutiny of the Government in their correspondence with Rome. It seemed as if God were using the Revolution to free the Church from the vexations entailed by the laws of Joseph II, which Pius IX. ever remembered with horror, and considered to be a curse weighing down the Empire. *Where he did not foresee or suspect injury to Religion he was in accordance*

with the friends of change. But every thing disturbed his mind and soul which impugned or gave any token of impugning it, or imported disparagement to spiritual discipline or persons. And if, from his vacillating nature and his inborn mildness he did not adopt strong resolutions, which would have given proof of his uneasy thoughts and feelings, yet they wrought on him in secret, and he had no peace till he could find some way of setting his conscience at ease. *He had fondled the idea of making the people happy with guarded freedom in harmony with their Sovereigns ;* of a Popedom presiding over the League of Italian States : of internal repose and agreement ; of civilizing prosperity, and of splendour for Religion. But events, as they proceeded from day to day, shattered this design. When in the name of freedom and of Italy, and by the acts of the innovators priests were insulted, excesses perpetrated, the Popedom or the ecclesiastical hierarchy assailed, Pius IX. ceased to trust them ; then he began to regret and repent of his own work ; then he doubted, whether by his mildness and liberality he had not encouraged a spirit irreverent to the Church, rebellious to the Popedom ; then he complained of the ingratitude of mankind, (had he not good reason?) faltered in his political designs, and prognosticated calamity."

Of course we cannot concur in all the colouring of this portrait, but do we not find here unwilling homage to the virtues of the man and the sincerity of the reformer? Whatever motives or feelings may be imputed, and whether rightly or wrongly, is it not avowed by Farini, that Pius IX. undertook suitable civil reforms with a genuine intention to carry them into effect, but was prevented from doing so by the frenzy and violence of the revolutionists? If so, our whole argument is established, and it follows that the moral support of all sensible reformers should have been given, rather to Pius IX., than to his opponents ; and that they who did give their moral support to his opponents, are more to blame than he for the failure of his attempted reforms.

It must be borne in mind that the majority of the ministers of the Pope were laymen, and we have seen, and shall see that they were the most able laymen that could be found. Whilst many of the young unruly spirits had gone off to the war, Farini informs us that " in Rome still abode those professors of agitation who are the most dangerous ; not the enthusiasts for an idea, but those who take pleasure in subverting, because subversion in other ways ministers to their pleasures. The journalism of Rome, after the Bilancia had dropped, went down hill,

and in proportion as refined and high-minded persons retired from the city, the newspapers found it more easy to arouse the passions. Some priests, both learned and cultivated, edited the *Labaro* with warmth of feeling and moderate opinions. The *Epoca*, which had started recently, shewed temperance enough; but neither the one nor the other had many readers and admirers among the herd of liberals, which fed upon the pages of the *Contemporaneo*, now that, upon the departure of Gazzola for Bologna and of the gallant Torre and Mazi for the war, it had come under the exclusive control of Sterbini, an adept at moving rude minds by the language of the passions, and at applying the match to the mine, while keeping his own person in safety. Sterbini, without being either loved or respected, yet had great weight in the clubs and in the streets, because when passion is aroused it always submits to the control of the turbulent and restless, the loudest in declaiming and in imprecation." Farini elsewhere speaks of this man in terms representing him as something like the counterpart of Marat in the French revolution, and yet so unbridled became the licentiousness of writing, speaking, and acting, that the empty but venal ranting of such a man as this was listened to and had great weight, and led in no small degree to that state of things which necessitated the flight of Pius IX. from Rome, whereupon Sterbini was one of those who stepped into power. What we venture to suggest is, that if Pius IX. had had either material (i.e. military and police) force enough within his dominions, or adequate moral support from without, he would have bridled and held in these agitators, and have accomplished his measures of improvement gradually, but surely and lastingly, as we did in England.

Durando, the Papal general, by command of King Charles Albert, crossed the Po, so that Pius IX., who wished to have remained on the defensive, was unable to obtain compliance with his wishes, either in the field or in the city.

Among the other causes in operation to account for the results of the war being disastrous to Italy, the following may be quoted from Wrightson, p. 230.

"The political intrigues carried on by the Mazzinists or republicans—if republicans they can be called—were already undermining the Italian cause; and there can be little doubt that Radetzki was

well aware of that fact, when he exhorted his government to persevere, and assured it of ultimate success. The practices of this party began at a very early stage in the war. On the 6th of May his (i.e. Mazzini's) emissaries had penetrated into the camp of Charles Albert, and were tampering with the fidelity and discipline of the soldiers; and two days later we find that the very existence of Durando's army was endangered by agents of a similar description, amongst whom were Fathers Gavazzi and Bassi, zealous preachers of sedition, and active subverters of discipline and subordination."

The Papal and Piedmontese forces were successively compelled to capitulate, and the towns in the Roman States became consequently filled with that most apt element of disorder, disbanded soldiers.

During the progress of the war Pius IX. risked still further his popularity, by an act of consideration for the Jews; Farini informs us that "the friends of social progress were highly gratified by the decision of Pius IX. to raze in Rome the walls and gates which shut up the Jews in the Ghetto. He had already, at the commencement of his pontificate, softened some of the rigours with which they were afflicted, and had directed that they might spread beyond that ignominious precinct; nor, however great was the outcry about it among the mob, did he at any time forego the idea of bettering the condition of the followers of the Mosaic law."

It will be recollected that the Pope had sent Monsignor Corboli to the camp of Charles Albert to conclude the terms of the Italian League, but, as Farini writes, "the Piedmontese government refused to send its legates to Rome, in order to fix the terms of the League, as Naples had already done, and Tuscany was about to do,"—and thus it appears that not only was the Pope the first to propose the Customs League, but that the king of Piedmont, and he alone, prevented its successful consummation. As to the practical value of this League, if it had then been accomplished, we will not venture to express our own opinion, but the following quotation from Farini will show that *he* esteemed it the most valuable measure for the interests of Italy that had been in recent times proposed. He writes—

"Greatly did those err, on whatever side they stood, who at that moment thought it well to trust wholly to chance for the reinstatement of our nationality, rather than adjust it forthwith themselves in the best manner that was possible. It was of far more moment to constitute a league and union of some of the States on fixed

terms, than to speculate upon the ideal beauty of more comprehensive combinations ; far better to agree upon an union, in which the Pontiff should have both seat and authority, than to leave at large that power, not less strong in the moral sphere, or in Catholic influences, than it is weak in the sphere of things material. We forgot in 1848 that human affairs are best transacted one at a time, and with the intention first to accomplish those, on which the succeeding ones are to be founded ; nor did we comprehend that Italian independence must fail to find for itself a basis except upon elements of ascertained strength, both moral and material ; and that in the absence of any single State so supplied with force as of itself to suffice for offence, defence, and recovery, and to become a centre and a nucleus for the dispersed members and forces, we ought without delay to have combined together the greatest possible numbers of those states which, whether rightly or wrongly, had grown up, the creations of time, circumstance, or treaty. In 1848 it was of more consequence to unite firmly with small States, having limited material resources, than to aim at aggregating populations together without a State. And it was most of all important at once to conclude secure arrangements with Rome. There may have been men who did not understand that the Popedom, whatever might be the nature of its institutions in regard to the temporal power, could not but have great weight in the reorganization of Italy ; and who failed to see that Pius IX., both by the acts of his brief reign, and by the marked prestige with which the praises of the whole world had encircled him, had greatly augmented the importance of the Popedom and of Rome ; but such persons were indeed far from clear-sighted. As, however, with all our just anxiety for civil progress, we had practically run after the most attractive forms of liberality rather than stable institutions ; so that it is the fact, that no sooner had God and destiny, more than our own merit, appeared to give us our Italy again, than we all, of all parties, began to conjure up a new fashioned Italy, to be shaped after our own caprice. A few months before, we thought the Customs' League a great boon, the Political Union a surpassing one ; but when events put arms into our hands, we no longer minded either the one or the other, and leaving the Italian thrones dissevered from one another, we hazarded dissevering both the thrones from Italy and their subjects from the thrones. And by leaving Rome to herself, we risked seeing her throw herself on the side towards which she could not but be drawn by the traditions of her political history, and by a preponderance of spiritual interests. The Popedom existed in Italy ; it existed actually embodied in a temporal sovereignty ; and it had been magnified in the opinions and consciences of men by a Pope, whom we ourselves most of all had eulogised. For these reasons we should have led Rome, as we best could, to bind up her fortunes with those of Italy. It is unquestionable that the omission to send envoys to Rome to conclude the League was

an error that in no small degree contributed to the jealousies, suspicions, and subsequent resolutions of the Papal court."

The Papal ministers were of the opinion expressed by Rossi. "The national sentiment and its ardour for war are a sword, a weapon, a mighty force; either Pius IX. must take it resolutely in hand, or the factions hostile to him will seize it, and turn it against him and against the Popedom." They therefore on the 25th of April, 1848, and Cardinal Antonelli at the head of them, presented a memorial to him, set out in Farini, in which they suggested that the war question might be resolved in three modes. "Your Holiness will either allow your subjects to make war, or declare your opinion absolutely against their making war, or, finally announce, that, though desirous of peace, you cannot prevent their making war." And they added, "as for the first of these declarations, it is the opinion of the ministry, that it is demanded by the spirit of the public, and by the necessity of the times." On the 28th of April the Pope read his reply at a meeting of the consistory. It appears to have been the Pope's individual act, for Farini says that, "No one knew or could tell what it contained and that Cardinal Antonelli was not privy to it," and that "the meeting of the consistory was hardly over when Cardinal Antonelli looked for me with the paper containing the allocution in his hand; and as I was wild with eagerness to know its contents, and asked him for it, he told me that he had not been able to form an adequate idea from the single reading aloud, which he had scarcely heard; so we set ourselves to peruse it together." It is set out at full length in Farini, vol. 2, p. 106, and we wish that space allowed us to copy it entire. His Holiness refers to the improvements in civil government which had been recommended, to the corresponding measures which he had introduced, and the joy with which they had been received; then to the commotions which had occurred in the Italian States, and to the events both in and out of Italy, which had since happened, and he proceeds—"If then any one will pretend, that what we did in good will and kindness at the commencement of our reign, has at all opened the way for these events, he can in no way ascribe this to our doing, since our acts have been none other than such as, not we alone, but likewise the sovereigns before mentioned, (i. e. those of Austria, Russia, France, Great Britain, and Prussia, in 1831), had judged to be reasonable for the well

being of our temporal dominions." He suggests that the Germans could not be incensed with him if he had been unable to restrain the ardour of his subjects with respect to acts done in Upper Italy, "for several other European potentates, greatly exceeding us in the number of their troops, have been unable at this particular epoch to resist the impetus of their people. Moreover, in this condition of affairs, we have declined to allow the imposition of any other obligation on our soldiers, dispatched to the confines of the Pontifical States, except that of maintaining its integrity and security;" thus exactly confirming the words he had addressed to the troops when they marched out of Rome. He disavows any desire to engage in war against the Austrians, and repudiates the idea of his becoming the president of an Italian Republic, recommending each portion of the Italian people to remain "attached to their respective sovereigns." The Pope adhering to a defensive war only, his ministry resigned, though they temporarily resumed office. Farini describes the consequent state of things in Rome. "Then prowled abroad a class of men hardened in every license of word and action, and applied themselves to those contrivances which ease the road to revolution. The perverted multitudes thronged to the clubs at the heels of Cicerracchio and of its enraged leaders. There Sterbini was holding forth, and Pier Angelo Fiorentino, who had unhappily reached Rome just at the time. All the old passions hostile to the Court of Rome, were exasperated afresh, and all the resentment against Pope and Cardinals rekindled. But those honourable men, who discharged the office of moderators, held so temperate a course, that while they did justice to the national sentiment, they yet showed that, in order to avoid inflicting on the national cause a wound more severe than that dealt to it by the Allocution, all idea whatever of overturning the government must be abandoned. Inasmuch, however, as scandals easy to stir, are difficult to arrest, these moderators of the multitude, if they succeeded in preventing a transition to rebellion and bloodshed, could not so far succeed in tranquillizing the minds of men as not to leave them resolved upon practices which must drive the government and the Pope out of that field on which the battle was being fought for Italy." Yet was the Pope not only consistent, but right in the wish that his troops should act only on the defensive, for offensive operations

led first of all to the successive capitulations of the Papal and Piedmontese troops, and subsequently to the defeat of Novara, and the resignation of his crown by Charles Albert. Farini adds that, "the Civic Guard was under arms at the time, but it was disturbed by the same spirit which had thrown the city into commotion, and it was much more under the influence of that spirit, than of an anxiety to watch over the maintenance of order." What could the sovereign or his ministers do under such circumstances as these? What would have been done in England if the authorities here had (in the times, e. g., of the Chartist movement of London) been equally powerless to restrain the people? Farini himself "conceived the idea that, as the Pope in his Allocution had intimated his love of peace, he might offer himself to mediate a peace founded on the reassertion of Italian freedom, and that for such a purpose, he ought to repair to Milan forthwith." This was mentioned to the Pope, who "made no objections, except as to the mode of giving effect to it, wishing that Signor Piazzoni, representative at Rome of the Provisional Government of Milan, should forthwith be spoken to on the subject." "Such a demonstration," says Wrightson, "on the part of the Pontiff, might have produced a moral impression of considerable importance; but the *esaltati*, at that time in the zenith of their confidence, were averse to Papal intervention, and the offer was rudely rejected by Signor Piazzoni." Thus again was the Pope prevented by the revolutionary party from attempting, and perhaps accomplishing, a measure of the utmost importance to the welfare and freedom of Italy. Wrightson thus summarizes the sequence of events—"The ministry was without any sufficient force or authority to repress the license and insubordination which were constantly on the increase. Finding that the Civic Guard made common cause with the *circoli*, the cabinet again resigned, and Count Mamiani accepted the charge of forming a new one, with an understanding that the administration of the foreign temporal affairs of the Papacy was to be transferred, from the Cardinal Secretary, to a lay-minister. The individual thus placed by the Pope at the head of his government, had not only been proscribed as a political offender, but had published works which stood condemned in the index; and had returned from banishment without conforming to the terms of the amnesty!" Mamiani was a man of

talent, but the tendency of his opinions may be inferred from this quotation.

Wrightson continues, "The change of ministry produced a temporary lull, but the self-appointed Committees of war and the *circoli* were constantly gaining strength, and Mamiani, who, as a private citizen, had favoured these illegal combinations, could not condemn them when Minister. Thus legality, the only foundation of true liberty, was trampled upon. The provinces were more than ever afflicted and disgraced by political assassinations, which were of constant occurrence, and were perpetrated at noon-day throughout the cities of the Pontifical dominions. Governors did not dare to arrest, nor could the judges or the citizens venture to accuse or condemn the assassins."... "Towards the end of May it became evident that a revolution, looked forward to with joy by the republicans, and regarded by the bulk of the population as an unavoidable necessity, was attaining maturity." As to the Papal army, Farini reports that "those who were republicans no longer refrained from murmuring at the Pope and the Sovereigns, and took to cursing Charles Albert, Durando, and Azeglio, and so getting the name and the disrepute of royalists or traitors which for those persons was the same thing. So they commenced their preachments against the King's war and tried the fortune of those Mazzinian notions which always prosper in the same proportion as the cause of Italy declines." The result was what might have been expected—the capitulation of Vienna; and as Farini informs us, "the volunteers, unsteady from their want of discipline, were disbanded, and in the cities to which they repaired, the sources and occasions of discord were multiplied. Add, that some provinces were more than ever infested by political assassinations, which were perpetrated in plain mid-day, with singular audacity at Ravenna, Faenza, Pesaro, and Fano, and yet more at Imola, Sinigaglia, and Ancona: nor did the magistrates dare to arrest the murderers, nor the citizens to denounce, nor the magistrates to convict them." And yet there are people who can blame Pius IX. for not having done what it was obviously not in his power to do, and who can extol those who thus deprived him of the power of acting. If in England, a reforming king and ministry had been treated in a similar manner by reformers among the peo-

ple, what kind of reforms could the former have accomplished?

"At this time it occurred to a certain person," (we presume Farini means himself) "that the paralyzed Government might be invigorated by the distinguished name and the wise exertions of Pellegrino Rossi," who had ceased to be the French representative at Rome, and was residing there as a private individual, though his fellow townsmen of Carrara had elected him in the Tuscan parliament. He was at first reluctant, but, according to Farini, "as the Pope persisted in pressing him, he set about forming a Ministry with these views, to take for colleagues men of temperate opinions but genuine appreciators and favourers of the liberal system; to carry into effect and to construe the Statute in all its parts, according to constitutional doctrine and usage; to counteract and repress both the parties opposed to the Statute; to abolish exemptions, restore the finances, and reorganize the army; to conclude a league with Piedmont and Tuscany, even should it be impossible with Naples; to fix the contingent of troops the Pope was to supply, so that he need not in any other respect mix in the war. Mediocrity took umbrage at his wisdom; the lovers of disorder dreaded his directness; the unbridled hated one who could curb them. From murmurs men advanced to calumny; from calumny to menaces and those not covert, but in the clubs and open streets. One day Sterbini, in the presence of many deputies, broke into violent language and declared that if the ex-minister of Louis Philippe and friend of Guizot dared to make his appearance in Parliament as minister of the Pope he would be stoned." The ministerial arrangement with Rossi was not at that time completed. The Austrians entered Ferrara, against which incursion the Pope earnestly protested, and this furnished a fresh topic of excitement to the Roman mob orators. Let any one read the following description in Farini, and say what recent measure of improvement from 1830 to the present time could have been accomplished by the British Parliament, had they been treated in a similar manner, and with impunity, by a London mob similarly encouraged by the head of the police?

"The Parliament was assiduous in promoting calm, but its design was marred by men who arrogated to themselves the guardianship of the public, and in whose persons, forsooth, the people, the

state, and Italy centred and were incarnate. They considered that the Parliament ought to be an assembly auxiliary to their irresponsible assemblies called the Clubs. When Rome was astir about the Austrian invasion, it was not enough for them that the councils should address the Prince in the language of freedom and of courage ; that the Prince should publicly protest and complain ; that the Government should strain every nerve in preparations for defence. They also were Princes of the Clubs, and wanted to rouse the passions of the people, whereby they both wounded the majesty of the Parliament and of their Sovereign and aggravated the malady of the State. On the 19th they presented to the President of the Council of Deputies a petition in which they asked that the country might be declared in danger, the people put in arms, and war with Austria proclaimed. The President apprized the assembled Deputies, and in becoming language announced that he had sent the petition to the regular Committee, in order that it might report and pronounce upon it, according to rule and practice. But the Prince of Canino wanted them to set aside both and to discuss it forthwith ; and in this sense he was haranguing when a loud cry 'to arms' was heard in the piazza below ; and at the same time the lobbies, the stairs, and the galleries of the palace were filled with people demanding arms. The President covered himself and suspended the sitting : then, after a short interval, when the disorder was apparently composed he reopened it, and the Prince of Canino returned to the charge, but without avail. The Deputies were intent on the debate about the regulations for the moveable civic guard, when Sterbini, having asked and obtained leave to speak, said that grave events were happening in the city, that the proper thing was to give satisfaction to the people. The Duke of Rignano, a minister, subjoined that a part of the Civic Guard was in uproar seeking to occupy the gates and castle of St. Angelo, but that the Government had given proper directions for securing public order. Montanari proposed to summon the Minister of Police to the Council ; the sitting was declared permanent, and meanwhile was suspended afresh, until Galletti, having arrived, mounted the tribune and began by saying 'that the people of Rome and the Civic Guard could not commit excess ;' true, the Civic Guard wanted to occupy the Castle and the gates, but in this there was no danger, because that force 'was the palladium of our liberties,' and all tumult was at an end. He concluded by affirming that he was aware the people were assembling to petition, and that, as Minister of Police, he had not interfered, because he thought they were entitled to do it ; while on the other hand, the accident which had broken off the sitting was of such small moment as not to deserve mention. I wanted to get an explanation of this language so extraordinary for a Minister of Police, and to demand an inquiry ; but the audience in the public galleries and Canino, with Sterbini Potentiani and Marcosante,

repeatedly interrupted my speech, some of them by their cries, others by declaring that the people 'had behaved sublimely,' that no violence had been committed, and that I had no reason to complain. So I was hardly permitted to express my opinion, and claim for Parliament its freedom. The day after, when Prince Doria, the Minister of War, spoke of a Commission appointed to reorganize the army, and pronounced the name of General Durando, who had a seat in it, Livio Mariani spoke scurrilously of the general. Pantaleoni, a frank and generous person, mounted the tribune to defend the fame of a gallant soldier in his absence from groundless reproach, but was prevented by shouts and hisses from proceeding with his speech. Thus it was that our club and street rulers understood and practised freedom."

And thus it was, not any default of the Pope, but the undue influence of the "club and street rulers," and the want of any adequate military or police force to keep them in order, "which prevented the deliberative assemblies of Rome from applying to any legislative work of importance, or giving stability to the new system."

On 2nd August, 1848, Pius IX. issued a proclamation in which he announced the definitive retirement of the Mamiani ministry, that Count Odoardo Fabbri would form a new ministerial combination, solicited a revival of security and confidence, expressed his determination to defend the integrity of the state from invasion, for which purpose he had duly authorized the late ministry to make provision, and after observing that "in all times and in all Governments, extrinsic dangers are turned to account by the enemies of order and of public tranquillity," he alludes to "more than one sacrilege having polluted the capital of the Catholic world." Farini informs us

"The sacrileges in question were these. A Roman legion returned from Vicenza under Colonel Galletti of Rome, after the death of Del Grande, and on reaching the capital, it took up its quarters, by main force, in the College of the Gesù. Also a priest named Zimenes, a youth of good character and a writer in the *Labaro*, had been wickedly murdered, not because he was an anti-liberal, for, on the contrary, he was one of the liberal priests, but because they said that in some article of that journal he had censured with bitterness the captain of the people for one of the quarters of Rome. Lastly, another priest had been wounded, and not a few more insulted, in the days of excitement. The present language of the Pope exasperated the turbulent rather than softened them; when it happened that his proclamation was torn down, and complaints ran high both in the clubs and in the streets."

Farini informs us that "the ministry of Mamiani, as to Italian politics, had incessantly prosecuted the idea of forming the League, and had held constant correspondence with the Piedmontese and Tuscan Governments, while it studied how to arrange and to concert with that of Naples also. The Piedmontese Government was slow and cold in this correspondence."

Of Fabbri, the head of the new ministry, Farini writes, "As one strong in his virtues, and in the constancy of his love to freedom and to Italy, devoted too to Pius IX. as the prince who had conferred liberty and the Pontiff who had pronounced his blessing on Italy, Fabbri consecrated to Pius IX. to liberty and to Italy a heart glowing with affection, an untainted name, an ardent mind, an upright will, and the residue of his days," for he had turned seventy. But Farini truly enough remarks, "the march of the times would not admit of dispassionate enquiries and solid reforms;" and yet Pius IX. ceased to be popular, not only amongst the over-eager at Rome, but also with many reformers abroad, because he could not effect them!

And the mode in which Italy was then egged on beyond the reach of improvement or the control of reason, to madness and to ruin, is thus described by Farini:

"Those were the days in which mad discord brandished her torch over wretched Italy, in which Mazzini's republicans heaped vituperation on the head of the worsted Charles Albert, and paraded everywhere the phantom of treachery, with such glee and wantonness, that it seemed as if Radetzki's victory were the victory of their pride, their system, and their party. They tried to induce Genoa to rise, and also Leghorn: they inflamed the public mind against all kings and all governments, shouting 'the people, the people,' 'government by the people,' 'war by the people'; they intoxicated the young, deluded the simple, took the discontented into their ranks, and the desperadoes into their pay: they ushered in the chaos out of which their creative word was to evoke illumination, gold, armies, freedom."

And Farini, having been sent on a special mission to Bologna, thus describes what he there himself saw.

"Thither I came unobserved about noon on the 2nd; the bad had increased and were still increasing, in the streets and open places of the city, for two days the brigands had been slaughtering, every man his enemy, amongst the Government officers, some of them indeed disreputable and sorry fellows, others respectable.

They killed with musket shots and if the fallen gave signs of life, they reloaded their arms in the sight of the people and the soldiers, and fired them afresh, or else put an end to their victims with their knives. One Bianchi, an inspector of police, was lying in bed, reduced to agony by consumption: they came in, set upon him, and cut his throat in the presence of his wife and children. The corpse, a frightful spectacle, remained in the public streets. I saw it, saw death dealt about, and the abominable chase. There were no longer any judges or any officers of the police; those who had escaped death, either had fled or had hidden themselves; the Civic Guard was disarmed, the citizens skulked, the few soldiers of the line either mixed with the insurgents, or were wholly without spirit, the carabineers and dragoons in hesitation, the volunteer legions and free corps a support to the rioters, not to the authority of Government."

"Fabbri prayed for his discharge, and the Pope again thought of calling in Rossi's aid to support the Government;" he accordingly formed a ministry, the particular members of which Farini describes, and speaks of them all as men of character, ability, and liberal opinions. Of the feeling which prevailed respecting the new ministry Farini thus writes:

"The turbulent, with those who doated on a new constitution, or hated every kind of discipline or order, the presumptuous, the garrulous, the magistrates accustomed to fatten on abuses, the Sanfedists who made a livelihood of disorder, and the clergymen greedy of gold and honours, could ill bear Pellegrino Rozzi's having the authority of a minister. Add to these many ingenuous youths to whom every one having a character for vigour was distasteful; many who leaned to extreme courses through distrust of priestly government; and certain journalists wont to curry favour for themselves at the cost of the good name of others. Emptiness too and mediocrity, with their satellites, saw they had missed an opportunity of rising to the seat of power. On the other hand, all who knew the real condition of the state were aware that, without the speedy and resolute application of restoratives to the finances and to public discipline and order, all must go to wrack; and numbers were tired of seeing the giddy or the bad get applause for mad or disreputable actions, while the moderate and upright reaped contempt and hatred from good ones."

On 22nd September Rossi published in the Government Gazette a paper of his which Farini inserts at length, ii. 364, as it serves to explain his first acts and the views of his ministry; we have space for only a few extracts. He declares, "the Fundamental Statute is the consecrated corner stone, on which our political structure rests, and

from which it ascends. Pius IX. planted it and planted it wisely with his own hand. Whoever should attempt, not merely to displace but even to touch it, would impugn the rights granted to the subject, as well as become guilty of ingratitude and outrage to the sovereign. Respect and obedience to the law are the first and necessary standard to which the acts of every citizen, of every man truly free, and worthy to be so, must conform: the standard that the Government of His Holiness has proposed to itself to follow." He asserts that "in a constitutional Government like ours, everything would run to confusion and disorder unless the exertions and views of the public give, so to speak, heart and vitality to the law," and concludes with remarking that "when order and calm are reestablished, the sources of public wealth will be speedily revived. Everything may be hoped from the concord of good men, the wisdom of the two councils, and the efforts of the Government of His Holiness."

In communicating shortly afterwards to the public the establishment of two telegraphic lines through the Roman States, Rossi remarked,

"Both telegraphs and railways will be potent aids toward rendering far more useful, efficacious, and national *the great idea of the illustrious Pontiff, that of the Italian League*. We hope to see that idea shortly enlarged for the honour of Italy, the defence of its rights and liberties, and the salvation of those constitutional monarchies lately organized, which promise to Italians so brilliant a future of civil and political existence. May it please God that our hopes be not baffled by criminal passions, wild impulses, and the unpardonable blunders which have too often baffled other reasonable and splendid hopes."

We quote this in order to show that Rossi, like most of, if not all the men of talent among the Italian liberals, founded his hopes for a great future upon the Italian League and *not* upon the *unita Italia*, and that his hopes were baffled from the very cause apprehended in his concluding sentence. We have already seen that the idea of this Italian League originated with Pius IX. and that the non-accomplishment of it hitherto was owing to the backwardness of Piedmont. What reasons were there now to induce Rossi to hope it might be brought to a successful issue? Farini informs us that "only the incessant exertions of Mamiani so far fostered the negotiations on the subject that towards the end of his admin-

istration it seemed as if Pareto the Sardinian minister after all was disposed to some arrangement. When the Government of Piedmont passed into the hands of the ministry over which Casati presided, and in which the illustrious Gioberti, Giacinto, Collegno, Paleocapa, and other men of note, had seats, they thought nothing could be more important and advantageous than the Federative League; that no fitter means for the concord and union of Italy could be found, nor any other means at all of obtaining the concurrence of the States of the Church in the war of independence; inasmuch as this would free the timorous conscience of the Pontiff from all moral responsibility, and the sensitiveness of a Court composed of ecclesiastics from apprehensions of aggression. Accordingly the new Ministry of Piedmont determined to send to Rome as Envoy a man, of whom it would be difficult to say, whether he had most of piety, wisdom, and talent, or modesty, goodness, and love of Italy; for all these virtues, endowments, and affections, are in him not so much uncommon as unique. This was Antonio Rosmini, a most bright luminary of modern philosophy, of Italy, of the Catholic priesthood; who, on repairing to Rome near the end of August. was, as he himself wrote to Turin, "received with courtesy, and found there a disposition most favourable to the object," for which he was appointed. The hopes of Rosmini were not disappointed; for Pius IX. on the part of Rome, all but concluded an arrangement with him, as the Minister of Sardinia, so that he caused to be drafted the scheme of Federation, which I here consign to history."

"DRAFT.

"In the name of the Holy and Undivided Trinity. Ever since the three Courts of Rome, Turin, and Florence concluded the Customs' League, their idea has been to enter into a Political League which might become the active nucleus of Italian nationality and give to Italy that unity of force which is needed for internal and external defence, and for the regular and progressive development of national prosperity. As this intention could not be realized in a complete and permanent form, unless the aforesaid League assumed the shape of a confederation of States; the three above-named Governments, fixed in the resolution to bring their plan to effect, and in order to make it known before Italy and Europe that the said Confederation exists between them, as well as to establish its primary Conditions, have appointed as their Plenipotentiaries &c., H. M. &c., &c., who have agreed among themselves on the follow-

ing articles, which will acquire the validity of a formal Treaty after ratification by the High Contracting parties.

Art. I. A perpetual Confederation is established between the States of the Church, the King of Sardinia, and the Grand Duke of Tuscany ; which by the union of their strength and action, is to guarantee the dominions of the said States and to protect the progressive and peaceful development of the liberties granted in them and of the national prosperity.

Art. II. The August and Immortal Pontiff Pius IX. Mediator and initiator of the League and the Confederation and his successors shall be their perpetual President.

Art. III. Within one month from the ratifications of the present Convention, a delegation from the three Confederated States shall assemble in Rome, each State sending three Deputies, who shall be elected by the Legislative Power, and authorized to discuss and enact the Federal Constitution.

Art. IV. The Federal Constitution shall have for its aim the organization of a Central power to be exercised by a Permanent Diet in Rome, whose principal functions shall be the following :

[a] To declare war and peace, and as well in case of war as in time of peace, to fix the Contingents required of the several States, both for external independence and internal tranquillity.

[b] To regulate the System of Custom duties for the Confederation, and to make just partition of the respective Charges and proceeds among the States.

[c] To manage and negotiate treaties of Commerce and Navigation with foreign Nations.

[d] To watch over the Concord and good understanding of the Confederated States, and to maintain their political equality, with a perpetual power of mediation in the Diet for all disputes which may arise among them.

[e] To make provision for unity in their monetary System, weights and measures, military discipline, and laws of trade ; and to concert with each State the means of gradual arrival at the greatest practicable uniformity in respect also to other branches of political, civil and penal legislation and of procedure.

[f] To order and manage with the approval and co-operation of the several States, enterprises of General advantage to the Nation.

Art. V. It shall be free to all the other Italian States to accede to the present Confederation.

Art. VI. The present Treaty shall be ratified by the High Contracting parties, within one month, or sooner if possible.”

What obstacle occurred to the accomplishment of this Federal Union ?

“The Ministry which succeeded that of Casati in Piedmont did not come into the plan of a Confederation framed by Rosmini, and Rosmini resigned his post, by no means because, as some journals

stated, he was dissatisfied with the Roman Court, but rather because he was ill content with the notions of the new Piedmontese Administration."

Farini informs us that afterwards

"Rossi wished to come to some arrangement as early as possible, and being both adroit in negotiations, and intent upon expediting them by means of timely concessions, he sought for modes of procedure which might be acceptable to all the Italian States, even to Naples, which he used every effort to draw into concord and communion with Italy. He conceived accordingly, and put into form, with the full consent of the Pope, the following scheme :

"DRAFT OF CONVENTION.

"His Holiness and S. P. (titles of the contracting parties) having maturely considered the present circumstances of Italy, and the natural community of interest which exists among the independent States of the Peninsula; and desirous accordingly of providing by mutual agreement for the defence of their freedom and independence, and at the same time of consolidating public order, and promoting the gradual and regular progress of prosperity and civilization, the chiefest element of which is the Catholic religion, have concluded the following stipulations as a fundamental law for their respective States.

"Art. 1. There shall be a league between, &c.

"2. Every other independent sovereign and State of Italy may within the space of — give its adhesion to the League and become an integral part of it.

"3. The affairs of the League shall be propounded and dealt with in a congress of plenipotentiaries deputed by each contracting party. Each State may choose them according to such rules as it may think most reasonable to establish for itself.

"4. The number of plenipotentiaries shall not exceed — for each State. Whatever the number may be, the plenipotentiaries of a sovereign represent collectively the State which has sent them, express in the discussions the view of their principal, and have no more than one vote.

"6. The entire regulations for the Congress of the League shall be adopted in a Preliminary Congress, to be opened at Rome not later than the — and shall thereafter be ratified by the High Contracting parties.

"7. The High Contracting parties promise not to conclude with other States or Governments any treaty, convention, or special agreement, at variance with the terms and resolutions of the Italian League, and the rights and obligations flowing from them ; saving always the entire freedom of the Pope to conclude treaties and conventions directly or indirectly connected with religion."

"But," says Farini, "this proposal did not seem to fall

in with the views of the Piedmontese government ; while in Piedmont rumours were spread and printed that Rome was backward about any convention for Italy ; and our journals and clubs made this matter of charge and injurious imputation on the Roman government. Hence Rossi thought fit to declare openly his own feelings and intentions in an article which he printed on 4 Nov. in the *Roman Gazette*." We regret that it is too long for us to copy the whole ; the following passages, however, will sufficiently indicate its purport, and we quote them because they manifest who at this time was pressing forward measures to promote the welfare of Italy, and who was lagging behind, and also because they show that Piedmont was sacrificing the general welfare to its own aggrandisement.

Rossi writes—

"In our No. 187 of September 18th, we stated that the formation of the Political League among the constitutional monarchies of Italy was ever the anxious desire of the Papal government, and that we had a lively hope of seeing this great idea, of which Pius IX. had been the spontaneous author, and was the constant promoter, shortly brought into action. Still we concluded with the wish (and it was too plain that that wish was not unmixed with fear) that we might not here, too, find human passions and private interests thwarting a sacred work, and rendering the pure patriotism, which had inspired it, of none effect. But it must be plainly avowed, that obstacles are encountered in the very quarter where, according to all reason, ready consent and earnest co-operation ought to have been found. It is there, too, so unhappy are our times ! that sharp words of accusation are heard against the Pontiff, as if he no longer wished for the League, which he was the first to imagine and to broach. And why these charges ? The answer is simple, and it is this ; that the Pontiff, who initiated the League, has not blindly followed the Piedmontese project."

After referring to the peculiar views and wishes of Piedmont, he remarks—

"It is certain that the aggrandisement of Piedmont and the self-government of Italy, are not equivalent terms or identical questions ; that the second may exist without the first ; that to guarantee territories not held, but only desired by Piedmont, is not a matter to be thus decided by a breath. Pius IX. does not swerve from his lofty idea, anxious now, as heretofore, to make effectual provision, by the Italian Political League, for the security, dignity, and prosperity of Italy, and of its constitutional monarchies. Pius IX. is not prompted either by partial interests or by a calculating

ambition ; he asks nothing, wishes nothing, beyond the happiness of Italy, and the regular development of the institutions, which he has bestowed upon his people. At the same time, he will never forget what is due from him to the dignity of the Holy See, and to the glory of Rome. Any proposition whatever, incompatible with this sacred obligation, must fail of effect with the sovereign of Rome, and the Head of the Church. The Pontificate is the sole living grandeur that remains to Italy, and that makes Europe and the whole Catholic world, reverent and deferential towards her. This Pius IX., whether as the Supreme Hierarch, or as an Italian, will never forget."

If any should be disposed to question the propriety of this praise of the Pope, and blame of Piedmont, we may vouch in favour of both the present premier of Piedmont, who adds—

"Now it is very clear from this sagacious, but occasionally bitter" (not untrue, mind, but only rather truly bitter) "article, that the Italian governments and their subjects, had as yet but feebly planted their feet upon the path of concord ; and it grows more and more clear, how improvident was the neglect, or backwardness to conclude the League, and how such conduct was rife, in a yet greater degree, with mischief and with danger. While the governments were taking such ill care of their own security and of the safety of Italy, by their neglect of the Federal League, other people were pursuing their seditious ends, in order to transfer political power to the populace, and to organize Italy, by means of revolutions, after the most democratic fashion."

Rosmini, of whom Farini speaks in the terms we have quoted, continued after he resigned the ministry of Piedmont, to reside in Rome, where Pius IX. so much esteemed and trusted him, as afterwards to make him Cardinal, on which Farini remarks, 2 p. 389 :—

"At this every man was delighted, who anticipated lustre and advantage to the Church, the Papedom, and Italy, from the elevation of such a man to such an honour ; and the pleasure was enhanced and the hope confirmed from the rumours current at court, purporting that the new Cardinal Rosmini would shortly be appointed Minister of Public Instruction. For this made it appear that, if the energy of stupendous intellects, if weight and brilliancy of name, if proved anxiety for civil progress, could, amidst such overthrows in Europe, uphold States and serve Italy, at least Rome was singularly favoured in these endowments. The names of Pellegrino Rossi, Antonio Rosmini, and Carlo Zucchi, were not only glory but pride, not only hopes but guarantees, for a civilized people ; an unrivalled boast, a truly Italian patriotism of the

sovereign, who thus from the very flower of Italy at large wove a chaplet for the Popedom, for Rome, and for his own brow."

Are we not entitled to say that Pius IX., by the selection of such men, proved both his own sincerity as a civil reformer and his enlightened capacity for civil government, and that, if measures of moderate, gradual, and safe civil reform corresponding to those of a similar character which have been accomplished in England, *could* there have been accomplished at Rome amid such elements of disorder, they would have been the men to accomplish them. The result proves that either the people or the times were not fit for them. Pius IX. is at the present moment biding his time, and his conduct up to the murder of Rossi, justifies us in relying upon his sincerity and judgment, added now to his experience, both as to the character of the measures of civil reform which may be appropriate, and as to the fit time for introducing them.

Farini says that "the Rossi ministry pursued its business of putting the State in order, and placing free institutions on a firm groundwork. He procured aid from the clergy by a provision of the Pope's, that the Cardinal Vicar should lay a tax of eighty bajocchi for every one hundred crowns rated on all ecclesiastical property; and, thanks to the Pope, he gained this point also that the clergy itself, which had already granted a charge of 2,000,000 crowns in return for Tuscan bonds, should bind itself to make a gift to the State of 2,000,000 more. The money to pay the interest on the Rothschild loan was sent to Paris beforehand. A commission was nominated for fiscal arrangement, another for the organization of the army, and the reform of the monetary system. Facility was given for sending bank notes and treasury bonds by post, through the reduction of the tax to a tenth per cent. The estimates of revenue and expenditure were revised with a view to economy, and the government endeavoured to get them ready for the parliament on its reassembling to discuss, and thus to commence the exercise of the first and most important right of a free people. It also strove to conclude a contract with a company for the construction of a railway from Rome towards the Neapolitan frontier, and to stimulate the people and the municipalities to associate for the construction of others. It instituted a central office of statistics in the department of trade, and placed Ottavio Gigli at its head with a commission of emi-

nent citizens. It caused an inquiry into the best mode of augmenting and improving the manufacture and production of salt in the saltpits of Cervia and Corneto. It decided on founding chairs of political economy and commercial law in the universities of Rome and Bologna. It divested the *Sacra Consulta* of the superintendence of sanitary concerns, and of the hospitals, and set over them a physician, with the Minister of the Interior for the central authority.

The name of Rossi and his financial measures were so restoring the credit of the State, that the advances of money required for immediate wants were easily obtained, and it likewise became a simple matter to cash abroad the securities which the clergy were to give for the payment of the promised 2,000,000. Rossi wanted to apply with promptitude and decision to reconstructing the courts, according to the modes and regulations put into practice in civilized States. He wished to have two grades of jurisdiction, (to use the phrase of the jurists), and a Court of Cassation; all the old organization abolished, and a web of countless abuses thereby unravelled. Hereupon bristled up the privileged judges, the legal prelates in the long robe, the clerical lawyers in the short one; and with them the whole train of proctors, of sycophants, of go-betweens, of pesters; nay, the very bedells of the antechambers, the very hacks of the sacristies, even the hackney-coachmen who were made to believe they would lose their business of carrying advocates, clients, applicants, backwards and forwards between the *Consulta*, the *Rota*, the *Segnatura*, the *Governo*, the *Monte Citorio*, and the *tribunal Vicario*." How exactly this describes the struggles that have been, and are still going on in England to simplify legal process, and the access to and escape from our courts, and, last and most difficult, the ecclesiastical courts.

The feeling against Rossi, and by whom and why entertained, is thus described by Farini: —

"Passion, and the designs to unsettle the State, ran too high to be dissembled. There was no opprobrium, that was not heaped on Rossi, no charge that was not levelled at the Roman government. If the police sent off a Neapolitan or two to the frontier, straightway rose an outcry against tyranny. If Rossi summoned Carabineers to Rome, forthwith a coup d'état was predicted. If the minister of Public Works made a fresh arrangement of the Hall of the Council of Deputies and its public galleries, the rumour sprung

up (untruly) that they were narrowing the accommodation for the people, that they wanted to exclude it, that they were undermining publicity, liberty, and the constitution. Rossi had, indeed, called to Rome a number of Carabineers, perhaps two or three hundred, and did not dissemble, that it was for the maintenance of order, just as the clamourers did not conceal their wishes, hopes, and cravings to disturb it. Nay, he did not dissemble his determination to repress every kind of tumult or commotion, and he thought it a wise and honest plan to make it known, lest the seditious, relying upon the usual laxity, should venture upon experiments, of the kind that had so often succeeded to their satisfaction. Accordingly he had the Carabineers reviewed, and then marched in a body through the Corso, to their quarters. These proceedings exasperated all such as preferred their interest with the mob or private interest, to the good of their country, and saw that they could not wholly unbridle their cupidity, till they had got rid of the bold minister. They beset the deputies, who now, on the eve of the opening of parliament, were assembling in Rome, and used efforts to turn them against him, if doubtful, to influence them if already hostile, to intimidate them if friendly, and many of them remained quiet, inert or hesitating, because in that universal confusion, there was no crudity which might not have a chance of getting the upper hand. After so much disturbance and sedition, and so many triumphs of the disturbers and seditious, worthy citizens and temperate men, had lost the sense of their own rights and of their own strength; and matters had come to such a pass that it seemed necessary either to praise everything, said or done in the name of the people, which was infamous, or to let words and things take their course, which was cowardly. Very few were they, who dared to disapprove, to declare openly all they felt, and frankly and undisguisedly to take their position and stand on the side of government, because they were aware, that in cities habituated to servitude, if you venture to thwart the despotism dominant, whether in the palace or the street, the pusillanimous herd will not follow you, the indifferentists will bray at you, the slaves in arms, when success is easy and certain, will lay upon you without mercy. And by this time Rome had been long tossed in such a storm, that every sentiment, every motion of right and wrong, was either corrupted or at fault; and the man most hostile to the priests, the government, the Popedom, was taken for the best citizen, the freest son of Italy."

These are the words of Farini, not ours, and they not only describe the state of things then, but also explain why the feeling against the rule of Piedmont is not more openly or more generally expressed now few dare to thwart the dominant despotism.

Farini quotes from some of the papers published in

Rome on the 15th of November, the extravagant and mad language used by Sterbini and others, to lash the populace into fury against Rossi. He had received many anonymous letters threatening his life, and on the very morning of the 15th several persons called upon him to explain their special grounds of apprehension. He notwithstanding determined to repair to the council according to his duty.

Farini says "he was cheered by the great trust which the sovereign had reposed in him, and he anticipated both trust and aid from the parliament, to which he was so shortly to explain his ideas and intentions. He had framed a speech, with the full approbation of the sovereign, in which he set forth the importance and beauty of free institutions, and his resolution to strengthen and secure them, by rectifying the finances, organizing and enlarging the army, promoting public wealth, and diffusing instruction. And as he thus expressed sentiments and views agreeable to freedom and civilization, he spoke with an Italian spirit, and eulogized the benefits of national union and independence."

Farini describes how Rossi was murdered as he passed from his carriage into the hall of the council, and he appears to ascribe the act to "not a few individuals, armed with their daggers, in the dress of the volunteers returned from Vicenza, and wearing the medals with which the municipality of Rome had decorated them."

Speaking of the conduct of the Deputies, immediately after the event, Farini exclaims, "Not one voice was raised to protest before God and man against the enormous crime! Was this from fear? Some have thought to term it prudence—by foreign nations it is named disgrace;" he adds, however, in explanation, that "there was no legal meeting—no motion could be made—the few deputies taken by surprise and incensed, almost all went out on the instant, prompted by sympathy with Rossi, whom they thought wounded but not dead."

The state of things in Rome on the evening of the murder is thus described by Farini:

"Night was now falling, and the darkness was favourable for revolutionary machinations, and for ensuring impunity to misdoers. The usual contrivers of commotion traversed the city in haste, from one point to another, from one rendezvous of the Civic Guard to another, and read aloud a paper addressed 'to the Carabineers,' advising and inviting them to keep their allegiance, as it said, to the peo-

ple, by fraternizing with the agitators. These afterwards repaired to the quarters in the Piazza del Popolo, where there was the largest number of Carabineers, cheered and caressed them, and used every effort at seduction. But they, perhaps, would not have allowed themselves to be thus caught, had not the person bound at all costs to defend the honour of the corps and the flag, stained them with scandalous baseness. Colonel Calderari their commandant, came among the revolutionists and swore, that he never would have executed either the stringent orders that Rossi had given him, or those which others might think of giving; *he would side with the people*, and would not draw his sword against them. He recommended inaction to his men, deadening those who were eager to act; nay, he himself advised fraternization, harmony and union with the civic guard, and with the populace. The example of their head, and the promptings of the revolutionists, perverted some of the carabineers, who mixed with the seditious, and went along the Corso, carrying a tricolor flag, and uttering frenzied cries. It was a band of an hundred men at most, which grew a little by the way, and marched with songs and hymns as on a day of public festival, yes, and I shudder to add, with curses on the name of the murdered, eulogies of the assassin, and blessings on his dagger. Amidst that horde, drunken with blood, the flag of Italy was waving, and there too, in the gloom of night, might be seen to gleam the Pontifical military uniform! This was the spectacle we were doomed to witness, after so many festive movements, in the capital of the Catholic world, and at the close of the very year, which we had inaugurated as the first of the new life of Italy! Nay, there were greater horrors yet: for those maniacs marched on, torch in hand, amidst the darkness, and passed in front of the house where the family of the illustrious victim was dissolved in tears.—And could there not be found one company of soldiers, one chosen band among the townsmen, to put an end to these hellish orgies, which poured on Rome, on Italy, and on civilization such a flood of infamy? No! for want of discipline demoralized the soldiery, terror palzied the arms of the citizens, corruption reigned supreme, and in this perversion of reason and of conscience, in this debasement of the soul of man, Rome was punished for the arrogance of her previous jubilees, and condemned to look upon the triumphal car of the bacchanal assassin. Short and slight is this retribution from historic justice; but prolonged and weighty is the expiation due to such infamies, and thus the justice of God will have it.”

The insurgents came en masse to hold a parley with the Pope, and tell him what they wished. “The Pope indignantly refused to come to terms with insurgents.” “The tumultuous throng was maddened, and cried ‘to arms!’ and in a moment the commonalty, those who had

come back from Vicenza, the foot-soldiers, run for arms and return to the Quirinal. They surround it, press forward, try to get in, and on resistance by the Swiss sentinels become more enraged, put fire to one of the gates, mount upon the roofs and bell towers of the vicinity, begin to fire their pieces at the walls, gates, and windows; when the Swiss fire in return. Musket shots resound through the city, and a rumour spreads that the Swiss are butchering the people, the soldiers of Italy, the Civic Guards; that already some are dead, and more are wounded. Few advise the sovereign to resist, many to yield; the diplomats have no scheme to offer; the scuffle continues: the worthy prelate Monsignor Palma falls dead by the window of his own apartment: balls reach the ante-chamber of the Pope. They then send to find Galletti; he arrives, goes among the insurgents, returns to the Pope, devises concessions, but the Pope will not yield. The multitude grown weary of procrastination, wants to beat down the gates; already a gun is dragged into the Piazza and pointed, and but for Torre, it would be fired. The Swiss hold true; their captain swears to the Pope they will to a man make a shield of their breasts, or a bulwark of their corpses, about his sacred person; but all resistance would now be useless. Pius IX. turns to the diplomatic body who stand around him: "Look," he says, "where we stand: there is no hope in resistance: already a prelate is slain in my very palace: shots are aimed at it, artillery levelled. We are pressed and besieged by the insurgents. To avoid fruitless bloodshed and increased enormities, We give way, but as you see, Gentlemen, it is only to force: so We protest: let the Courts, let your Governments know it: We give way to violence alone: all we concede is invalid, is null, is void." As Farini afterwards remarks, "Where was the authority? where was the force? The troops of all arms had either abetted, or kept gala for the revolt. Rome was topsy turvy; assassination and rebellion were celebrated with triumph."

Pius IX. escaped from Rome—Mazzini reigned in his stead—the French enter Rome—the Pope returns.

We have thus employed, perhaps at too great length, the language of Farini, now the Prime Minister of Victor Emmanuel, because if we had narrated the good intentions, and earnest efforts of Pius IX. in the cause of civil reform, the character of the ministers whom he employed

to carry his good intentions into effect, the good which he did effect for Rome and for Italy, and those causes which frustrated the completion of his designs, some might have given no credit to our statements. They cannot question the evidence of Victor Emmanuel's Premier in favour of Pius IX. Some have ignorantly or maliciously asserted that he designedly employed incapable laymen in order to make the people discontented with, and more inclined to ecclesiastics, whilst we have seen from the testimony of Farini that he confided power to the most distinguished lay statesmen of whom Italy could boast. Instead of not having been a sufficiently prompt and sufficiently thorough a reformer, it is evident, from what he did and attempted during the short period which elapsed between his election and his forced retreat from Rome, that not only was he sincere in intention and clear in design, but also peculiarly prompt in introducing his measures of reform, that he effected in a few months what would here have been preceded by years of preliminary committees, commissions, and reports; and the complaint of many good and prudent people was that his measures were too thorough and far going at once for a people unaccustomed to self-government, of excitable temperament, and worked upon for their own selfish ends by the restless plotters of revolution. We do not agree that his measures went too far when they were proposed; we believe that in ordinary times they might have been safely carried through, and have been advantageously followed by others in accord with them; but when the flame of revolution lit at Paris, flew wildly over the political prairie of the continental kingdoms, and swept quiet and order and established institutions before it, the measures of Pius IX. became exposed, in the very crisis of change, to an extreme degree of popular heat, clamor and violence; and as he had not a powerful army or an effective police, to suppress uprisings with a strong hand, the active evil-minded, though probably a minority in number, employed every concession as a means of disorder, made a constitutional government for the time impossible, and forced the people along with them into a Mazzinian republic. No government can dispense with adequate material assistance, and least of all a government where the quiet friends of order, who with us form the solid support of government, are unused to any interference in, or even any concern about politics.

Whether the civil reforms so promptly inaugurated by Pius IX. at a period which afterwards proved so peculiarly unpropitious for their safe completion, in any degree whatever tended to hasten the fatal result, and whether it would not equally have arrived if Pius IX. had been less prompt in proposing civil reforms, or if he had, on the other hand, made them even more thorough in character, are questions respecting which much may be said on either side, but which it is now idle to discuss.

Some have alleged, and amongst them Farini, that the Allocution of the 29th of April, 1848, in which the Pope refused to sanction the invasion of Austrian territory by his troops, was the point at which the tide of popularity, which had hitherto flowed strongly in his favour, began to ebb. That decision of the Pope's to sanction a defensive but not an offensive war, appears to us to have been not only consistent with every thing he said and did as we have already proved, not only appropriate to his character as an Ecclesiastical Sovereign, but also even politically prudent. If Charles Albert had adopted a similar wise policy, the defeat of Novara and his own abdication might have been avoided.

But it is objected that Pius IX. since his return to Rome and under the protection of French bayonets, has not proceeded to give full effect to his scheme of civil Reforms. The question is, has he proceeded as quickly as was safe and prudent? And who shall determine this question between him and the foreigners who declare that he must be wrong because he differs from them in opinion? Who is most likely to be right,—Pius IX. who knows the people among whom he has lived, and over whom he reigns, and has had bitter experience of attempting civil reforms too quickly among them,—or the British politician who thinks that every thing human ought to be this moment accommodated to the British standard, which he feels sure is not only good for these happy islands, but also equally and immediately applicable to all parts of the world, to every race of mankind, and to all conditions of society, and the sovereign remedy for all the political evils to which states and peoples are liable? Who is most likely to be right,—Pius IX. the sincere and earnest civil Reformer, who *began* his public career as a Reformer and used power to accomplish reforms,—or the British premier, who *began* life as a non-reformer, and used reforms to accomplish and re-

tain power? Who is most to be depended upon—he who is scrupulous as to duty and indifferent to popularity,—or he who habitually and pleasantly deals with political maxims and principles and constitutions as so many chessmen with which to win the game of politics? Pius IX. has proved himself to be disposed to concede civil reform to his subjects, as largely and as promptly as they can safely be conceded. He has done much since he returned to Rome; and if he has delayed to do more, it is fair to conclude, and all previous circumstances justify us in concluding, that he is only waiting till the times and circumstances become fitting for further progress. What under such circumstances do common sense and sound policy suggest to us, and to all who have the real welfare of the people, and not any political purpose or paltry prejudice to serve, but to give the Sovereign who commenced civil reforms with so much promptness and sincerity, credit for carrying out whatever is expedient as soon as it is practicable, and moral aid, sympathy, and encouragement, so as, in so far as in us lies, to make his power equal to his good intentions. Instead of this, the policy of England seems to have been so to use its influence as to deprive the Pope of the power of doing anything, and then—to tell him to do everything. What the Pope wants is—not the will, but the power. They who really wish him to effect certain measures of reform, should by every means in their power strengthen his position, discourage the agitators against him, and tell them plainly that civil reforms cannot be prudently or properly conceded to pressure either internal or external, but must be granted freely. This has been the practice in England, why ought it not to be the practice in Rome also?

Let the Pope only be treated as fairly as the Sultan, and then we have no doubt of the result. We have backed up the Turk against internal insurrection: we have spent our blood and treasure to protect the Turk from external attack. How, under similar circumstances, have we treated the Pope? Not a man has turned traitor to the Pope with either sword, pen, or tongue, that has not been encouraged by England to do so, and probably would not have done so but for that encouragement. And was the conduct of Russia towards the Turk, which led to the interposition of England and France, worse than that of

Piedmont towards the Pope? How small the offence by Russia against the Sultan for which we invaded the Crimea and destroyed Sebastopol! How heavy the offences by Piedmont against the Pope, on which we looked with complacency and approval! While we have lavished our thousands of men and millions of money upon the Turk, who has yet done little but borrow more money from us, we have in every way in our power paralysed the efforts of a genuine Reformer in Italy, because he happens to be a Pope. When the Pope first appeared as a zealous Reformer, we found fault with him for being in too great a hurry—now we are equally dissatisfied with him because he does not proceed fast enough or go far enough. Is this our idea only? No—the *Times*, on the 30th Jan. 1861, wrote, “Less than thirteen years ago the Pope was ridiculed and vilified, not for resorting to impotent denunciations and foreign auxiliaries for the reduction of his revolted provinces, but as the ‘dupe of benevolent intentions,’ who, ‘in a childish quest of popularity,’ had ‘tampered with the courtship of the mob,’ and patronized a spirit of independence *too advanced for modern Italy.*”

We have declared against foreign intervention, and then patted Piedmontese intervention on the back. Why should Piedmont be allowed to interfere in Tuscany, or Parma, or Modena, or Romagna, or Naples, any more than Austria? Both are equally foreign whether divided by a river or a range of mountains, and mere nearness does not give any peculiar right of intervention. Nor does identity of race. And even if it did, a Tuscan, a Roman, or a Neapolitan would tell you that he does not recognize any identity of race in the Piedmontese. The southern and central Italians hardly consider the Piedmontese Italians at all; and Milan, Florence, and Naples, are just as indisposed to be subordinated to the rule of Turin as the latter would be to see the seat of government removed to either of them. Instead of having any bond of, or inclination towards unity, there exists a mutual jealousy between them, intensified by ancient recollections. The inhabitants of Italy were the most polished, the most learned, the most industrious, the most commercial, and the most wealthy people in the Christian world when they were divided into a number of separate States, each of which still preserves the memory of its former glory, and each of which is ambitious of attempting a distinct career

of independence and of emulating its celebrated ancestors ! We may call this foolish, but it is the fact ; a fact which has hitherto been partially concealed from observation only because Italy has submitted to the common destiny of countries in a state of revolution, i. e. the quiet majority has suffered itself to be dominated by the active and restless minority.

By what means that minority has effected its domination, we have not space now to relate, nor should we venture in doing so to use our own language, lest the terms in which we should be obliged to describe acts of fraud and force, and corruption, and dishonesty, should appear too strong in our mouth. We will only borrow a very pregnant summary from the columns of the *Times*, of 2nd March, 1861, in which it acknowledges

“ There can be no doubt that Count Cavour, to compass the independence and unification of the country, has thrown aside the traditions of dynastic courtesy and the maxims of international law, and has shown *little regard even to the stipulations of treaties*. An able publicist may convict him of the grossest violation of Vattel, and *even of higher authorities*. Sardinia entered into the war against Russia not being a party to the treaties respecting the Porte. Sardinia provoked Austria deliberately, and Austria fell into the trap laid by her enemy. Sardinia took advantage of popular commotion to annex Tuscany and the Legations, although the Grand Duke and the Pope had taken no part in the war of 1859. *Sardinia invaded the Papal States without a declaration of war and under a shallow pretext*. Sardinia connived at the expedition of Garibaldi and reaped the fruits of his daring enterprise. Sardinia is probably now meditating how she can best reduce the most ancient sovereignty in Europe to her rapidly extended dominions. Finally, she threatens an attack on an empire with which she made a solemn peace not less than two years ago, and does not conceal her desire to wrest the province of Venice from its legitimate Master. All this is undeniable ; and it is very bad from an international point of view.”

And what defence does the *Times* suggest ? We pray our readers to mark it. “ The Italians have been compelled to depart from the beaten path of national intercourse. Europe has not been their friend nor Europe’s law. They have been forced to say, we will not recognize traditions which deprive us of a country, or treaties which make us slaves. It has been necessary to violate national usages, and they have violated them.” What is this but the common place argument of the robber who, as we have

often read in old tales, declares that the world and the world's laws have not been friendly to him, and therefore he tries to justify himself in setting them at defiance, and helping himself by fraud or force as best he can? Neither robber, Sardinia, nor Times, has ever yet satisfied his conscience by such reasoning;—the robber, indeed, usually confessing his crime, and only Sardinia and the Times attempting to gloze it over by thus boldly maintaining the lawfulness of doing evil that good may come of it. And has any good come of it?

If space availed we might enquire at length whether the condition of the people has really been improved by the annexations? Is the press more free? Are the taxes lighter? Is the conscription less onerous? Is commerce increasing? Is life or property more secure? Are the laws more justly administered? Are the people more contented with their present position? Is there now really more of freedom and happiness enjoyed by the people since the change? We believe that none of these questions can truly be answered in the affirmative. We believe the taxes are far heavier, commerce lighter, the press less free, the conscription more galling, and the people less contented than they were under the previous rule. Why then do they submit to it?—Why did not France rise against the reign of terror? We observe from the recent account of the Times Correspondent, that the Piedmontese are raising a standing army of 500,000 men. Even he cannot help describing in feeling terms the appearance of the young and unwilling conscripts from the south on their arrival at Genoa. For what purpose this vast army, if the people be contented, and when it is notorious that both France and Austria are lessening their armaments? Piedmont needs a standing army of half a million of men to keep their nominal subjects in forced subjection, and provoke their neighbours into war again. To maintain it she is raising fresh millions in new loans at a rate of interest which makes prudent men ponder and silently prognosticate the inevitable result.

NOTICES OF BOOKS.

I.—*Anglicania ; or England's Mission to the Celt.* By J. Birmingham.
London : Richardson and Son. 1863.

A poem in the same metre as the "Hind and Panther," and with little less of power and beauty, must, we think, find universal acceptance. It would need no recommendation of ours, were not its advocacy of truth and justice, likely to render it especially obnoxious to the large party who live upon the money screwed out of the English public to maintain the "Missions" it so strongly denounces. That class of whom the author says,

"You show your *sweetness* when you preach upon,
'The idolatries and crimes of Babylon ;'
And then to *justice* you thus prove your claim,
You rob that 'Babylon' which you defame."

Upon these men indeed, self-interested, savage and subtle as they are—no arguments could avail—but their supporters ! that large, most mischievous, and most provoking body of good people, who "mean well," and who place their "good meaning" and long purses at the disposal of every knave that finds it his interest to foster the long hoarded prejudices, that "grow with their growth, and strengthen with their strength ;" upon some of these the force and fire of this work must have a strong effect.

Who amongst our readers will have forgotten the ejection cases tried at the Ballinrobe Sessions in 1861 ? When Lord Plunket was examined—to the question whether "In this terrific weather, he was purposing to fling seventy unfortunates on the snow-covered mountains in Partry, and specially whether it was really for purposes of *eviction*," and not merely for non-payment of rent, that he brought these actions, he answered "certainly," and in several forms he firmly answered that "the sole object he had in view was to evict these wretched people and drive them on the world ; it having been previously proved that the Bishop, through his agent, required his tenants at will to send their children to the Irish Mission Schools on pain of eviction. In the courts of justice, even in the Protestant newspapers, this barbarous conduct excited indignation ; there could scarcely be found words to ex-

press the feelings of the Catholics. We will quote Mr. Birmingham's description of the scene, calling attention while we do so to the real merit of the poetry, which he has made subservient to his purpose.

“ With boundless appetite your mission feeds
On social strife and scatters discord's seeds.
Where Protestants and Catholics would cease
Their ancient contests, it forbids the peace.
Through countries, districts, provinces, elate
With evil power, it engenders hate.
Where different faiths prevail it even tries
To break the sacredness of kindred ties,
And, poised on leathern wing, delights to move
Amid the ruins of domestic love.

As most propitious to its cause it hails
The time when, famine-struck, a nation wails.
The breath of woe it gladly scents from far ;
And pestilence becomes its guiding star.
'Tis then, indeed, it glows with brightest hope,
And, tempting misery, its coffers ope.
Then each soul-killing prize is best displayed.
But why, O Heaven, permit the cursed trade ?
Yet can we wonder, when the demon showed
His gifts, permitted even to tempt his God ?

“ Your Mission still, in less unprosperous years,
Spies out each place where misery appears,
Into the death-pale ear it poison pours
Among our mountains and remote sea shores :
Or if you find not wretchedness, your plan
Is by all means to *make it* where you can ;
And so you wield, to prove your Bible true,
Not it alone, but now your *crowbar* too.
And is it in Christ's name that crowbar fills
With desolation Partry's vales and hills ?
Is it in Christ's blest name the cottage falls,
And happy homes are turned to shattered walls ?

“ Long after Autumn's golden gleams have fled,
And when ungenial scanty rays are shed
Upon the saddened earth, while the weak sun,
Low curving, towards the farthest south shrinks down
Before the hosts of winter issuing forth,
And pales at the spread pennons of the North,—
When the east-wind pursues a drearier flight,
And fans with colder wings the face of night,—
When Aries sheds down frost-twinkling rays,
While Sirius flashes in the horizon's haze,—

When icy breathings fall among the glens,
 And crystals tuft the heaths and rushy fens,—
 When the seared oak-leaves with a chilling sound,
 Drive through the rocks or on the hardened ground,—
 Or when thick clouds on lofty summits frown,
 And torrents swollen with the snows come down,—
 When the white drifts along the mountains sweep,
 And lowing herds forsake the unsheltered steep,—
 When angled lines of famished wild-fowl make
 For the warm sea, and leave the frozen lake,—
 Even when the northern tempest loudly roars,—
 'Tis then the apostolic wrath outpours :
 'Tis then it drives into the deadly air
 Its homeless victims straight to meet despair :
 And, Heavens ! is it because they still receive
 Not that for truth which they do not believe ?
 “ This dire extermination undefied,
 Has to your Mission here been long allied ;
 And rightly now we may those laws debate,
 By which our landlords can *exterminate*.”—p. 120-3.

We must say in justice to the author that he has taken higher ground even than this in his appeal against the missions. He has shewn not only their ill-effects, but their intrinsic injustice ; his controversial arguments are as close and forcible as those that came from the strong pen of Dryden : to our readers, of course, they will not be new, yet we think the following extract will be read with interest.

“ All reasonable men might well inquire
 Whence can arise the mission's furious fire :
 For what true purpose the sectarian wrath
 Against Rome's doctrine—Ireland's ancient faith.
 Is not the Scripture's free interpretation
 To each one granted by the Reformation ?
 And how then, Anglicans, can you object
 To *any* creed a Christian may select ?
 Free judgment you proclaim ; and why insist,
 That tenets Anglican must not be missed ?
 Each is his own interpreter to be ;
 Yet, strange, with you must dare not disagree !
 “ Yet blaming here means not that we defend
 Free judgment for the use that you commend ;
 Which, first we'll say, when you would proselyte
 In favour of it, seems a puzzle quite :
 For by *interpretation of your own*
 The claim of free interpreting is shown ;

But now, if *you* expound for *us*, are we
 Truly, as self-interpreters left free?
 Real free judgment must be left at rest:
 Free judgment to "free judgment" can't be pressed;
 And if to your persuading we should bend,
 That same free judgment that you taught would end:
 So, therefore, by strange consequence, your thesis,
 When just demonstrated should fall to pieces;
 And their own doctrines they, indeed, befool,
 Who only *by its breaking prove their rule.*

"To choose our church do we free judgment use,
 But not its bonds of doctrine then to loose.
 Contented with the freedom to select
 Our guide, we follow as he may direct:
 But *your* free judgment is, forsooth, so bright,
 That even the guide himself it would set right.

"No wonder, if from this self-trust proceeds
 A Babel-scandal of unnumbered creeds;
 For those who on free judgment so insist
 Are like men wandering scattered through a mist:
 While all the others in thick fog appear,
 Each thinks the space around himself is clear,
 Yet, notwithstanding strays, he knows not where."—p. 35-6.

Mr. Birmingham's arguments for religious truth are admirable and to the point; but we can never approve of those based on the supposed preeminence of one nation over another in wickedness. They are not just, and they are *dangerous*. The world is very wicked. Who is to sound the comparative breadth and depth of the iniquity of nations? The most glorious of Catholic nations proscribed for years the worship of the Divinity, and saw, unreprieved, the burnings of the caves of Dahra. A Catholic people first introduced the slave trade. Nor have there been wanting those who have oppressed the Indian: nay, the chief bulwark of the Church in Central Europe has elicited from a portion of her subjects expressions of national hatred as deep as that which is now poured out on England. We throw no stone of reproach—we but point out that England might fairly claim the benefit of those defences which so obviously suggest themselves in the foregoing cases. It is, however, time to conclude, since we have got into a strain of thought unsuitable to the occasion. We return to the "Missions" which we can sincerely recommend. The poem has great merit as a poem, and great value as a weapon in the cause of truth, and is a very beautiful composition.

II.—*Points of Contact between Science and Art.* By his Eminence, Cardinal Wiseman. Lecture delivered at the Royal Institution Jan. 30. 1863. London: Hurst and Blackett, 1863.

THIS Lecture was delivered to one of the most crowded audiences ever assembled for such an object: it is here expanded into an essay, which will be welcomed by all who take an interest in science or art. The Lecturer opens with an elegant compliment to the Prince Consort, of whom the Cardinal says, that the reverence and affection for the memory of his many noble qualities and gracious gifts seem to become more and more vivid, in proportion as we recede from the sorrowful period at which these began to be only a memory." It is a thing to be regretted that two intellects, having so many points of similarity as those of the Cardinal and the Prince Consort should have been held by circumstances so far apart, and have been precluded from an intercourse that both would have highly enjoyed. Of the Prince the Cardinal tells us it might be said that "he never saw art without science, never looked at science without seeing art." The Cardinal writes upon both these subjects, and upon their mutual relations to each other, as if they had occupied his chief attention: instead of being, as they are, subordinate to so many higher pursuits and nobler attainments. The "points of contact" between science and art will have been to many a very vague idea. The writer of this essay has succeeded in giving it great distinctness. Taking the three fine arts he has shown the help which painting needs from the science of perspective—the linear and the aerial; of chemistry to supply her with colours, and to render them lasting; or to give solidity to the mosaic decorations which may turn out at last to be the great requirement of our climate. Sculpture needs only the science of anatomy, and the mathematical knowledge of the human frame:—but ethnography, which "classifies the different types of races and of nations, and at the same time pays attention to the habits, manners, and customs of ancient countries," is pointed out as invaluable in the assistance it renders to both the representative arts. Architecture borrows so largely from science, that it might itself be called as much a science as an art. Mathematics, in all their branches,—knowledge of materials and of construction, and information of

various kinds, not needful to enlarge upon, are required by the designers of a great building. The Author contents himself with slightly indicating the history of these different sciences, so far as they relate to art, and he points out the wonderful intuition by which men of genius anticipated the discoveries, and compensated for the exact rules of modern science. "Slowly, therefore, and patiently did science follow the more rapid steps of art, to complete, to enlarge, to perfect, and to perpetuate its almost instinctive discoveries." To use the words of Mr. de Morgan, "the first-class draughtsmen managed in one way or another to do all that could be done; the difference between one period and another lies in the facility of the mode of doing it." What will be the effect of this increased "facility" upon the future prospects of Art? From a starting point so much elevated: rendered broad, secure, and distinct under their feet, will future Artists untrammelled by rudimentary obstacles, take a loftier spring, and attain to a pitch of excellence the world has never yet seen? Or has human genius done its utmost, and will modern science tend to render art, as it has done most other things—more practical, more popular, but not more excellent? It will be seen that the purpose of this Essay does not require argument, but it does need illustrations, and these are poured forth in the writer's easiest and most flowing style, and of every kind, from the most curious to the lightest anecdotes. We give an instance:—the story of the Yorkshire groom, stolid as to all matters of art, conscientiously examining the group of running horses in the Sala della Biga, as though his master had been about to buy them at some fair in Holderness; patting kindly their marble necks, stroking their coats of stone, and after careful examination bringing *his* science (in this particular point) to test the science of the artist; deciding that the one—the antique—was a splendid animal, but he "didn't think much of t'other"—the "other" being an inferior modern restoration. One circumstance of great interest which the Cardinal mentions, was news to us and may be so to some of our readers. We allude to the fact that, about 1681, the great dome of St. Peter's was about to give way—it was cracking in all directions, and its ruin seemed irretrievable. Pope Benedict XIV. took the matter out of the hands of artists and architects, and called a council of three pure mathe-

maticians, who discovered the mischief, and devised the remedy which has preserved the wonderful dome for us, and we trust for our posterity.

We must conclude, however, feeling that we have done our part in announcing the publication of this Lecture. The subject and the name of the writer will be a sufficient recommendation to our readers, who will, we are sure, agree with us in thinking it only too short.

III.—*The Five Great Monarchies of the Ancient Eastern World*, by Professor Rawlinson; in 3 Volumes. Vol. I. London, Murray, 1862.

THIS work is an admirable pendant to the Author's great work—Herodotus. This volume comprises Chaldea and Assyria.—The succeeding volumes will include the monarchies of Babylon, Media, and Persia; and (pref. vi.) the author aims at accomplishing for his five monarchies what has been done by others for Phœnicia and Egypt; and we doubt not that the author will meet with perfect success. An extraordinary interest is attached to the Chaldæan portion of the work, inasmuch as it contains a triumphant vindication of the Authority of the Holy Scriptures. These assert (Gen. cap. x.) that Noe was the father of Cham, (v. 1.) that Cham was the father of Cush, (v. 6.) that Cush was the father of Nimrod, who "began to be mighty on the earth, and he was a stout hunter before the Lord, and the *beginning of his kingdom was Babylon and Arach and Achad and Chalanne*, in the land of Sennaar." (v. 10.) The author (p. 53.) shows that notwithstanding these plain assertions of a descent from Cham, the "ordinary theory" was, that the early inhabitants of Lower Mesopotamia were descendants of Sem. The grounds for this opinion are fully examined by our author, and are found to rest on (p. 55) "the supposed character of the language," and (p. 56) "on the supposed identity or intimate connection of the Babylonians with the Assyrians. These arguments the author demonstrates to be unfounded. For his proofs we must refer our readers to pp. 57-64, and to his conclusion, "that the primitive people of Babylon were the Cushites or Ethiopians, connected in some degree with the Canaanites, Egyptians, and Lybians, and still more closely with the people which dwelt upon the Upper Nile," who were admitted on all hands to have been the children of Cham.

The principal interest, however, of our author's work consists in the "most important and unexpected confirmation" that the assertions of Holy Scripture have lately received "from the results of linguistic research." He then proceeds (p. 65) with a most interesting account of the discovery by the inscriptions on bricks in the most ancient remains at Mugeir, (Abram's Ur of the Chaldees) and elsewhere of a "new form of speech" which is "pronounced to be decidedly Cushite or Ethiopayan," the modern languages to which it approaches nearest being those of the Mahra (southern Arabia) and the Galla of Abyssinia. "Thus comparative philology is found to confirm the old Traditions in eastern Ethiopia, instead of being (as asserted by Bunsen) "the invention of bewildered ignorance, is proved to be a reality which henceforth it will be the extreme of scepticism to question; and the primitive rule which bore sway in Chaldæa Proper is demonstrated to have belonged to this Ethiopic type." (I., p. 65.)

If such was the only result of this excellent work, it would, in the present state of controversies without the Church, be invaluable; but this is only a specimen of the whole book. In particular, we recommend to our readers the author's account of the "Chaldæan cosmogony" (I., p. 180 &c.) and its "remarkable harmony" with the inspired statements. The reader cannot fail also to peruse, with very deep interest, the author's descriptions of "Chaldæan Tombs," with their very excellent illustrations (pp. 108, &c.) and in particular their system of drainage, (p. 113) which modern drainers may study with very great benefit. We have not space for any remarks on the rest of the volume, but we hope that the notice of this very important publication will be resumed and treated at greater length on the appearance of the two remaining volumes.

IV.—*Dante's Divina Commedia. The Inferno.* Translated by W. P. Wilkie, Advocate. Edinburgh: Edmonston and Douglas, 1862.

THE readers of Dante will hail this work with satisfaction. The translation is as vigorous and more literal than that of Cary: and though Mr. Wilkie adopts the metre of his predecessor, yet he acquires more freedom by not confining himself in the length of his lines. He however

frequently exhibits a want of harmony which is rarely found in Cary, in whom we should look in vain for such a line as the following :

“Was at their feet by loathsome worms sucked.”—iii. 69.

or,

“Then voyage they o’er the livid wave,”—ib. 118.

These, however, are unimportant blemishes, and are more than compensated by faithfulness and vigour. We have room for one specimen only, which we select from the famous story of “Ugolino,” with which we close our recommendation of this excellent translation of a wonderful Poem.

“Two spirits I observed together in one hole,
Frozen so close, one’s head the other’s cap appeared.
And as the hungry chew their loaf impatiently,
The upper on the under plied his grinning teeth
Just where the brain and nape unite.”—xxx. 125.

The “upper” spirit thus explains his rage :

“Count Ugolino was my name,
Ruggiere the Archbishop he.
I now relate why I so much his neighbour am :

... ..
“A’loophole in the cell,
Which after me is Famine named,
(And where yet other souls shall pine,)
Already through its opening several moons had shown,
When o’er me came an evil omened sleep,
Which from the future rent the veil away.
I seemed to see this man as master of the hounds
Hunting a wolf and whelps upon the hill
That shuts out Lucca from the Pisan’s view.
Gualande with Sismondi and Lanfranc,
He placed in front, to lead the chase,
With meagre, keen, and wary dogs.
Not long he run, when lagged
That father and sons, and then, methought
I saw their limbs by sharp teeth torn.

“Before the dawn was I awoke
And listening heard my boys, who were with me,
Sob in their sleep, and call for bread.
Hardened art thou, if not already sad,
In thinking what my heart foreboded then ;
If weeping not at what are wont to weep :—
Soon they awoke ; and it was near the hour

When usually our morning meal was brought,
 And each was troubled by his feverish dream.
 Then at the horrid tower's low base I heard
 The door nailed up, and quick steps move away.
 Without a word, I looked into the faces of my sons.
 I did not weep, for I within was turned to stone.
 They wept ; and one, my little Anselm, said,
 'Thou lookest so, father, what aileth thee ?'
 Yet still I shed no tear nor answered I
 Through all that day and all the following night,
 Until again the sun looked up upon the world,
 When, then a feeble ray
 Into our dreary prison stole ;
 In their four faces I discerned the aspect of my own,
 And in mine anguish I bit both my hands.
 Thinking I did it from desire to eat,
 My children quickly rose and said :—
 'O father, we shall suffer less if thou wilt eat of us :
 From thee we have this wretched flesh ;
 'Tis thine to take.'
 I calmed myself lest they should more unhappy be.
 That day and through the next we all were mute.
 O unrelenting earth ! why didst not swallow us ?
 When came at length the fourth slow dawn,
 Before me, on the flags, my Gaddo threw himself,
 And gasped ; 'why, father, dost no help afford ?'
 Then died ; and plainly as thou seest me now,
 I saw the rest sink one by one,
 Between that morning and the sixth :
 When, wholly blind I fell to groping over each,
 And three days called them after they were dead
 Then fasting more prevailed than grief.'
 "This said, he turned his bloodshot eyes,
 And with his teeth restruct the lishop's scull
 And, like a hungry dog, crunched greedily the bone."—
 xxxiii.—12-78.

- V.—*History of Federal Government*, from the Foundation of the Achaian League to the disruption of the United States. By Edward A. Freeman, M. A. late Fellow of Trinity College, Oxford. Macmillan & Co., London and Cambridge, 1863. Vol. I. —General Introduction—History of the Greek Federations.

THIS publication is a valuable addition to historical literature, and still more to political science. In our opinion the author overrates the real worth of Federal government: but at least it cannot be denied that he says a

great deal, and in our opinion all that can be said in its favour. The present volume extends only in name at least into Greece. The author fairly admits that it commences after the termination of the glorious incidents of Grecian story; so that on that account it does not form any part of Mr. Grote's History: nevertheless he has managed to make his narrative most interesting and instructive. This is the more remarkable by reason of there not being any continuous narrative of events, for which he refers the reader to other histories, and especially to the brilliant story of Thirlwall. But upon these leading facts the author keeps up a very full running comment, which is very admirably illustrated by references to the general history of Federal government up to our own time, and in particular those of Switzerland and America. We regret to find that he exceeds even Kinglake in the bitterness of his notices of the Emperor of the French, and that he speaks in terms of what appears to us unnecessary and illiberal disparagement of Professor Rawlinson. We sympathize, however with his estimate of Thirlwall and Finlay: but we cannot agree with him as to the worth of Garibaldi, and of some other of his heroes. We trust that when the work is completed by the volumes on mediæval and modern Federal governments, our readers will have a full account of the whole work.

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