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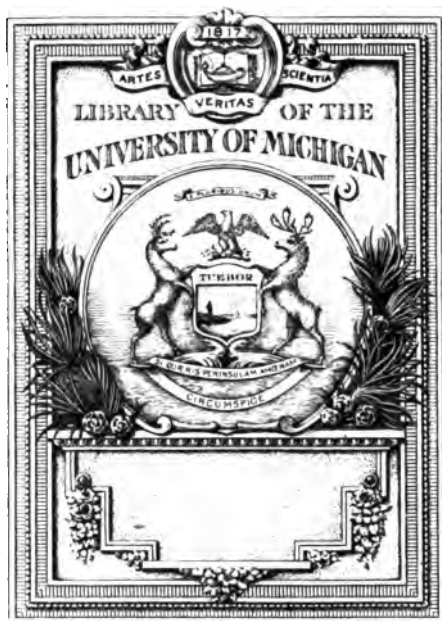
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**THE**  
**ANNUAL REGISTER,**  
**1870.**





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THE  
**ANNUAL REGISTER:**

A

REVIEW OF PUBLIC EVENTS AT HOME

AND ABROAD,

FOR THE YEAR

1870.



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1871.



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FOR THE YEAR

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With the passage that we have here quoted opens the preface to the ANNUAL REGISTER for the year 1815, and, *exceptis excipiendis*,

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we can find no better introduction to the story that has now to be written, than that of the *annus mirabilis* 1870. Those who still fondly believe in the dying out of wars from among the nations of the earth, and the curious in historic parallels, may alike find in an application of this passage to the events that are now passing before our eyes, matter for grave reflection.

From the middle of July onwards the record of the present year, whether home or foreign, has seemed to bystanders little more than the narrative of the great French and German war, the events and surprises of which are of a magnitude so stupendous as to leave room in the mind for no other subject of contemplation. Even the downfall of the temporal power of the Pope, following immediately as it did, with more than the usual irony of facts, upon the authoritative declaration of his spiritual infallibility, passed comparatively unheeded by. Nay, the very war itself is too near at hand for the eye to realize its true proportions. Only by becoming, in imagination, the readers of some future historical work, and comparing it with any or all of the histories that now stand upon our shelves, can we form an idea of the place that must be found in the world's annals for the catastrophe of Sedan and the siege of Paris.

"The extraordinary events of this new revolution" (we quote again from the same preface, and leave our readers to make the necessary modifications for themselves), "have afforded subjects for narrative rendering the present year in some respects more dramatically interesting, if the expression may be allowed, than any which have preceded it in the long course of political contention. Its rapid changes, and the memorable battle which at once overthrew an imperial throne, and consigned its possessor to perpetual imprisonment, were events singularly adapted to work upon the universal passion for wonder and novelty."

The details of the great events of the past year belong to another portion of this work; to their effects upon English politics and English opinion we shall presently refer.

But even if we turn, unwillingly we confess, from the terrible drama which is being played out within a ten hours' journey from us, to the domestic affairs with which we are for the present concerned, we shall find that the year has had, for Englishmen, an interest and a speciality of its own. It is not always, unfortunately, that the parliamentary session is remarkable for the passing of any one great enactment; seldom, indeed, that it can boast of more than one. But time was found during the last session to carry through two of the most important measures in the history of our recent legislation—the Irish Land Act and the Education Act, and all parties have agreed in doing justice, at all events, to the energy of the Government in effecting so much; and, with reference to the Education Act, to that of Mr. Forster especially, to whose individual exertions the measure is mainly due, and with whose name it will always be associated. It is worthy of note that both these measures were introduced in the course of one week.

The new year brought with it little or no improvement in the condition or prospects of trade, which seemed incapable of recovering from the shock of 1866. The cotton mills still suffered under an insufficient and dear supply of raw material, and a demand stagnant under the influence of high prices; while the regulations and proceedings of the trades' unions were still the fruitful source of complaint, to the manufacturers of impeded production, to the mechanics of misrepresentation of their alleged objects and tendencies. The approach of the time at which the French commercial treaty might be terminated on notice given by either party had given rise in some quarters to an agitation for the re-establishment of protection, under colour of a demand for reciprocity—i. e. the raising of English or the lowering of French duties. This agitation, however, had nowhere assumed dimensions of any importance, and the only apparent danger to the maintenance of the commercial treaty lay in the political opposition which had lately arisen in France to all measures which had been carried by the exercise of the Imperial prerogative.

The continued commercial depression was to be attributed partly to the discredit which had attached to joint-stock enterprise since the discovery that liability on shares of which only a small part was called up might be practically unlimited. And other causes were to be found in the ruinous litigation entailed by the power of winding-up companies, and the series of criminal prosecutions of directors for alleged misrepresentation, which, whether right or wrong in themselves, had necessarily rendered men of commercial experience and reputation cautious in undertaking a hazardous office.

The condition of Ireland was the topic which, to the exclusion of almost all others except the question of Education, occupied the minds of statesmen and the public at the opening of the year. That condition was such as to inspire the utmost uneasiness. When Parliament met, the fear of severe measures, which the Government had avowed their intention to adopt if necessary, and the despatch of additional regiments to Ireland at the close of 1869, had caused a slight lull in the tempest of sedition which had raged there throughout that year. But it was felt and acknowledged that the lull was only for the moment, and that the condition of Ireland was most discouraging and alarming. Whatever was to be hoped or feared from the ultimate results of the one great measure which had been accomplished, and the other which was on the eve of accomplishment, there could unhappily be no doubt that events had proved and were proving that no return of gratitude was immediately to be expected from the Irish people. The reform of the previous session seemed but to give fresh incitement to "landlord-tumbling," and the contagion of crime had spread far beyond the limits of agrarian murder. In one instance an unfortunate man was murdered for selling eggs at a lower price than his neighbours. Disestablishment, without apparently appeasing the Romanists, had irritated the Protestant party, and the prospect and promise of an Irish Land Bill,

while it excited the hopes of tenant-farmers, naturally stimulated them to make demands which soon exceeded all the bounds of reason. The language of treason and disaffection in the Irish newspapers had reached its height, and the first effects of the stirring of the stagnant slough of Irish despond by the dredge of legislation had been to bring all the mud and refuse to the surface at once. It was to be expected that the two great political parties would be divided as to the interpretation to be placed on these signs of the times, and that the Opposition should believe them to be the first fruits of ruin produced by an injudicious policy, while in the eyes of Liberals they were the result of the last desperate effort of the Fenian conspirators, who felt that the ground was being cut from under their feet by wise and resolute reforms, and that when those reforms should come to be understood and operative, their occupation would be gone. This view of the case was forcibly put by Mr. Forster in a speech delivered at Bradford in January. Two things were certain, that the Government did not mean to waver in their policy of conciliation; and that the majority at their back, when Parliament met, would be such as to make it certain that with common prudence and energy they must carry their land measure as they had carried the disestablishing Act. About the provisions of the coming Bill the greatest interest and curiosity prevailed; and legislators, both professional and amateur, reigned supreme to their hearts' content in the columns of the newspapers. Scarcely less interested was the country, at this time, in the promised educational Bill. One of those crises in our domestic history had arrived when it was generally felt that action must be substituted for talk in a matter which had for years been fertile in the latter result. Men of all views and parties were determined to establish, if possible, an efficient system of national elementary education, though as to the best means to that end there was much disagreement. Broadly speaking, the several plans of the Birmingham League and the Manchester Union represented the two main branches of public opinion on the matter, the former, which advocated "unsectarian education," being most in favour in the great towns, the latter in the country districts. Among the principal places where conferences and meetings upon the subject of education were held during the early part of the year, were Leeds, Halifax, Stockport, Worcester, and Shrewsbury. So universal was the consent of feeling that the question must be dealt with in earnest in the coming session, that general dissatisfaction was felt and expressed when Mr. Bright, speaking at Birmingham in the second week in January, more than hinted that the country must be contented if the ministry succeeded in passing their Irish Land Bill, without asking for other important Acts of legislation. "You cannot," he said, using one of those homely but forcible metaphors so closely associated with his oratory, "easily drive six omnibuses abreast through Temple Bar." In marked contrast with this address was a speech delivered by Mr. Forster at Bradford during the ensuing week (to

which we have already alluded), in which he touched generally upon the different items of the expected ministerial programme, but especially on the question of education, as to which he expressed his hope (adopting Mr. Bright's metaphor) that when the Irish land omnibus had passed through, "Lord de Grey and himself would drive their education omnibus in afterwards." We shall see in another chapter that the promise of this speech was not belied in the fulfilment.

Another question which at the commencement of the year created much interest in the public mind was connected with the colonial policy of the Government, which was the subject of many meetings and much discussion at the time, but will be more fitly treated in a separate chapter of this work. The question of Law Reform, also, as usual, was merely canvassed and debated, but with less hope and spirit than those of which we have spoken. On no subject has been, is, and will be the necessity of reform more pressing. On none is there smaller prospect of it. The dead waste of Carey Street, created by the destruction of hundreds of homes and the eviction of their tenants, had been the one step taken for years in the direction of legal reform—a step apparently considered sufficient in itself to satisfy all demands. Such changes as had been recently effected had worked but badly. The setting apart by the former government of three of the common-law judges, in the face of a dignified protest from the whole bench, for the trial of election petitions, had proved the failure that, in the judgment of all those who understood the matter best, it was always felt that it would prove. And three additional judges having been appointed to give the necessary strength to the body thus weakened, the first vacancy which subsequently occurred in their number was, by the present Government, left unfilled from motives of economy. For the same reason a vacant Lord Justiceship was not filled up for many months, while the arrears of business in the Appeal Court of the Privy Council, which under the present system depends in great measure upon the devotion of the Lords Justices, accumulated every day. The Benchers of the Inns of Court, meanwhile, steadily set their faces against an improved system of legal education, and it seemed that the legal omnibus, too well acquainted with the locality, would make no further attempt on the passage of Temple Bar.

It had been generally hoped that the Queen would this year attend in person to open the parliamentary session, but the state of her Majesty's health, though happily causing no serious uneasiness, was such that she was unable to carry out her expressed intention to appear, and on Tuesday, the 8th February, the session was once more opened by commission. There were some melancholy blanks in the ministerial ranks, more melancholy when considered in the light of subsequent events. Mr. Bright and Lord Clarendon were both absent from illness, the former, as it proved, not to resume his place in the Ministry, which he finally resigned at the close of the year; the latter to reappear for a time, but only to be finally and

suddenly called away just on the eve of the great European war which, if any individual efforts could have availed any thing, his, above those of any man, would have been calculated to avert. On the other side of the House Lord Cairns resumed his place as leader of the Conservative party in the Lords, which, it will be remembered, he had resigned. His success in the post had been doubtful, as could scarcely fail to be the case with the immediate successor of the late Lord Derby. The general verdict was that he was too much of the lawyer and too little of the lord; he wanted the lightness of touch so essential to the work, and his subtlety was rather that of the forum than the senate—unsuited to encounters with so consummate a master of his art as Lord Granville. But, nevertheless, it had been found impossible to supply Lord Cairns' place. Lord Salisbury—*omnium consensu capax imperii*—whose brief tenure of office in the Indian department had shown him to be as well skilled in administration as in debate, was disqualified by the differences which notoriously separated him from his party, especially from Mr. Disraeli, its acknowledged chief. The new Lord Derby felt himself unprepared and unequal to succeed at once to all his father's honours, and once more the great Conservative lawyer was found to be, as lawyers have been found more than once, the chief reliance of his party. His health, however, was such that he was forced almost immediately to abdicate his functions for a time, and though he was in his place when Parliament met, it was with the intention of starting for Mentone directly afterwards. The Duke of Richmond subsequently took his place. Lord Derby was absent through indisposition when the House assembled, and the muster on both sides was therefore singularly incomplete.

The Royal Speech was delivered from the throne by the Lord Chancellor, and was in the following terms:—

*“ My Lords and Gentlemen,—*

“We have it in command from her Majesty again to invite you to resume your arduous duties, and to express the regret of her Majesty that recent indisposition has prevented her from meeting you in person, as had been her intention, at a period of remarkable public interest.

“The friendly sentiments which are entertained in all quarters towards this country, and which her Majesty cordially reciprocates, the growing disposition to resort to the good offices of allies in cases of international difference, and the conciliatory spirit in which several such cases have recently been treated and determined, encourage her Majesty's confidence in the continued maintenance of the general tranquillity.

“Papers will be laid before you with reference to recent occurrences in New Zealand.

*“ Gentlemen of the House of Commons,—*

“The Estimates for the services of the approaching financial year are in a forward state of preparation. Framed with a view, in the first place, to the effective maintenance of the Public Establish-

ments, they will impose a diminished charge upon the subjects of Her Majesty.

“The condition of the Revenue has answered to the expectations which were formed during the past session.

“Her Majesty trusts that you will be disposed to carry to its completion the inquiry which you last year instituted into the mode of conducting Parliamentary and Municipal Elections, and thus to prepare the materials of useful and early legislation.

“*My Lords and Gentlemen,—*

“It will be proposed to you to amend the laws respecting the occupation and acquisition of land in Ireland, in a manner adapted to the peculiar circumstances of that country, and calculated, as her Majesty believes, to bring about improved relations between the several classes concerned in Irish agriculture, which collectively constitute the great bulk of the people. These provisions, when matured by your impartiality and wisdom, as her Majesty trusts, will tend to inspire among persons with whom such sentiments may still be wanting, that steady confidence in the law and that desire to render assistance in its effective administration which mark her subjects in general; and thus will aid in consolidating the fabric of the Empire.

“We are further directed by her Majesty to state that many other subjects of public importance appear to demand your care; and among these especially to inform you that a Bill has been prepared for the enlargement, on a comprehensive scale, of the means of National Education.

“In fulfilment of an engagement to the Government of the United States, a Bill will be proposed to you for the purpose of defining the status of subjects or citizens of foreign countries who may desire naturalization, and of aiding them in the attainment of that object.

“You will further be invited to consider Bills, prepared in compliance with the Report of the Commission on Courts of Judicature, for the improvement of the constitution and procedure of the Superior Tribunals of both original and appellate jurisdiction.

“The question of religious tests in the Universities and Colleges of Oxford and Cambridge has been under discussion for many years. Her Majesty recommends such a legislative settlement of this question as may contribute to extend the usefulness of these great institutions, and to heighten the respect with which they are justly regarded.

“Bills have been prepared for extending the incidence of rating, and for placing the collection of the large sums locally raised for various purposes on a simple and uniform footing.

“Her Majesty has likewise to recommend that you should undertake the amendment of the laws which regulate the grant of licences for the sale of fermented and spirituous liquors.

“Measures will also be brought under your consideration for facilitating the transfer of land, for regulating the succession to real

property in case of intestacy, for amending the laws as to the disabilities of members of Trade Combinations, and for both consolidating and improving the body of statutes which relate to merchant shipping.

“While commending to you these weighty matters of legislation, her Majesty commands us to add that the recent extension of agrarian crime in several parts of Ireland, with its train of accompanying evils, has filled her Majesty with painful concern.

“The Executive Government has employed freely the means at its command for the prevention of outrage, and a partial improvement may be observed; but although the number of offences, within this class of crime, has been by no means so great as at some former periods, the indisposition to give evidence in aid of the administration of justice has been alike remarkable and injurious.

“For the removal of such evils her Majesty places her main reliance on the permanent operation of wise and necessary changes in the law. Yet She will not hesitate to recommend to you the adoption of special provisions, should such a policy appear during the course of the session to be required by the paramount interest of peace and order.

“Upon these and all other subjects her Majesty devoutly prays that your labours may be constantly attended by the blessing of Almighty God.”

This Speech promised work enough for a single Session. The ten different measures recommended were nearly all measures of the gravest importance, though the prominence of the two great questions of the hour threw others into the shade, even one of such popular interest as that affecting the disabilities of members of trade combinations.

The address was proposed and seconded, in the House of Lords, by the Marquis of Huntly and the Earl of Fingall; in the House of Commons, by Captain Egerton and Sir Charles Dilke. The principal topic of debate in both Houses was the condition of Ireland, on which Lord Cairns, heading, on the part of the Opposition, what on this occasion was not a very strong attack, dwelt at some length, after first expressing his regret that the Speech contained no allusion to the state of the colonies, or to the distress prevalent at home,—touching upon the paragraphs relating to naturalization, the improvement of judicature, and the transfer of land,—and expressing his hope that the session might not pass over without the passing of a large and comprehensive measure for the improvement of education. The speaker prefaced his remarks on the subject of Ireland by some amusing criticisms on the composition of the Royal Speech, and drawing an imaginary picture of its composition by the Cabinet.

He then proceeded to call attention to the official statistics of the state of crime in Ireland. From these he gathered that in 1868 the number of agrarian outrages specially reported had been less than in any of the last twenty years, except 1866 and

1867, but that in the first half of 1869 no less than 169 such outrages had been reported, amounting to double the number in the same half of 1868, and four times the number in 1866. He then added, "My Lords, important as the statistics on the subject are, the statistics it appears to me by no means represent the whole extent and gravity of the position. I have looked at the annals of what I may call the *delicta majora* for the year 1869. I have not seen the catalogue for the beginning of the present year, but they have not been infrequent—I have put aside all minor offences, threatening letters, threatening visits, disturbances without loss of life, and I find that, taking greater offences alone, such as murder, mutilation, burglarious entry into houses and abstraction of arms, riots attended with loss of life, the number of offences in the reports for 1869 amounts to fifty-nine, and out of those there were no less than eighteen assassinations."

The explanation given by Mr. Forster, that this resulted from the efforts of the Fenian agitators to prevent the passing of measures which might pacify the country, Lord Cairns described as "without foundation both as regards its facts and its reasoning. My Lords," he proceeded to say, "I think we may find a good deal much nearer home that will assist us in explaining this point. We may find a good deal both in the declarations and conduct of the Government which will go far to account for the state of agitation that at this moment prevails in Ireland. My Lords, the agitation is a land agitation. We know, as a matter of history, that at all times and in all countries there is no kind of agitation which ever has been so serious or so difficult to deal with as an agitation on the subject of land. . . . I ask what have been the announcements of her Majesty's Ministers during the fourteen months in which this subject has been exciting the minds of the people? What have been the representations made by them of the measures they desire to introduce on this subject? We all remember the Prime Minister's statement. He said there was the great and evil tree in Ireland with its three branches—the Church, the Land, and Education—he and those associated with him were banded together to overthrow the system of Protestant ascendancy which was represented by that tree—a few strokes more and that tree would be prostrate on the ground. And we remember at the same time two other declarations from the same quarter—Ireland must be governed according to Irish ideas; and the chief reason why, in the year 1866, when the present Prime Minister was before in office, he did not address himself to the question of the Irish Church was that he was at that time ignorant of the extent and intensity of Fenianism. Now, my Lords, from these three declarations I ask you what must have been the view entertained by the peasants and population of Ireland. Here, they would naturally say, we have a Minister who holds the opinion that the Church, Land, and Education are all branches of the same tree; he desires to overthrow that tree, and hopes to accomplish it; if he overthrows that tree, he will overthrow the branches. He has



already overthrown the Church. He is willing to govern Ireland according to Irish ideas, but he could not be made to take the first step for the overthrow of one of these branches until he became aware of the extent and intensity of Fenianism. What then must we, the people of Ireland, do? Surely, they would say, the way to induce him to take the step which he is willing on pressure to take, is by agitation, and if necessary by means more forcible than agitation. But, my Lords, let us turn to another and very important Member of her Majesty's Government—I refer to Mr. Bright. What has he said? That, in his opinion, there never could and never ought to be any contentment in Ireland until the population were placed in greater numbers in possession of the soil of their country. At a later period he has told the Irish people that Government were prepared to offer them free land. Now I do not understand what the Government may mean by the expression 'free land,' but I ask, what would an Irish peasant understand by 'free land'? What is a 'free house' or a 'free garden' to a peasant? And would not the Irish people believe that Mr. Bright is of opinion that the population of Ireland should be placed in possession of the soil of the country, and that to this end they would be offered land for which they would not have to pay? Again, the noble Earl the Secretary for Foreign Affairs, speaking of certain hypothetical acts supposed about to be perpetrated by landlords, characterized them as 'felonious acts.' What has been the consequence? The words have rung from one end of Ireland to the other; it has been repeated over and over again, and the peasants have been taught to believe that the landlords of Ireland are 'felonious' or 'felons,' and I observe that the ingenious argument has been made use of in that country that, as according to law it is legal to resist felony to the last extremity, *ergo* it is allowable to resist the landlords of Ireland to the last extremity, though that should be death. These are literally, so far as I know, the only declarations made by the Government as to the views they entertain with regard to legislation on this subject during the last fourteen months of agitation and excitement."

Passing from the expressions to the conduct of Government, the speaker expressed his conviction that the first duty of a Government, and the object for which a Government exists, is the repression of outrages and the enforcement of security for property and life; and that, therefore, in his opinion, the Government had, during the last twelve months, abdicated their office in Ireland. It was the duty of the Government, if sufficient powers should be wanting to deal with Ireland, to ask for further powers, greater even, if need be, than the suspension of the Habeas Corpus Act. Appealing to the opinion of foreigners on the question, which Lord Salisbury in the debates on the Irish Church in the previous year had called the "foreign friend argument," Lord Cairns asked if there was a country in Europe in which intelligent men were not filled with amazement at the manner in which Ireland was being governed? "And I want to know," he added, "what prospects there are for the future? I

want to know what is the proposal of the Government for quieting that country?" Even were the promised Bill not to trench, as he was willing to believe it would not, on the rights of property or the established principles of political economy, the mass of the Irish people would not be satisfied. And what security was there that the law would be more observed in Ireland, after the measure had passed, than before? The sad truth was that there was no country in Europe in which property and life were not more secure than in Ireland at the present moment. Lord Cairns then referred at some length to the case of Mr. Madden of Leitrim (who had been dismissed from the Deputy Lieutenancy and the Commission of the Peace for protesting against being called upon to serve as High Sheriff of the County under a Government of whose policy he disapproved), as an instance of the manner in which the Executive "employed the means at its command for the prevention of outrage," a case in which, he said, they had "left undone that which they ought to have done, and done that which they ought not to have done." With this case he contrasted a speech delivered by the Lord Lieutenant of the same County (Leitrim), in which he had spoken of Vinegar Hill as "classic ground, teeming with the associations of the past and the aspirations of the present, within view of that historic hill where your fathers, lashed into armed resistance by the injustice of the times, made their last gallant stand." Yet no steps had been taken against the Lord Lieutenant (the Earl of Granard). "*Sic vos non vobis*," added Lord Cairns. "It is the old story of the chief butler and the chief baker: the chief baker is hung, while the chief butler is patted on the back and promoted."

Earl Granville gracefully expressed his gratification at finding Lord Cairns again occupying the position of leader of the Conservative party in the Upper House, and defended the absence of allusions in the Queen's Speech to the colonies and to the distress at home, saying of the first topic, that "to bring in merely commonplace sentiments because certain persons, absolutely without foundation, have declared that her Majesty has been advised to separate herself from her colonies, would be unworthy of any English Minister"—of the second, that though undoubtedly great distress existed in Lancashire and in portions of London, there was a symptom that a turn was being taken, and that better things might be expected. Turning to the subject of Ireland, Lord Granville congratulated Lord Cairns upon the possession of certain qualities of an Opposition chief which some critics had denied to him, "lightness and airiness;" and, while admitting that in his general discussion of the state of crime and outrage in Ireland there was nothing which he (Lord Granville) was in a position to contradict, Lord Granville defended the Government from his charges against them. "With regard to the crimes and outrages," he said, "and the difficulty of punishing them, I am not here to deny or to diminish in the slightest degree their enormity. But it certainly does appear to me inconceivable, in such a state of things as we are referring

to, the leader of the Opposition should have a remedy for the evils which he deplures, and yet should abstain from mentioning what that remedy is. Does the noble and learned lord forget the great difficulty which there is in procuring the necessary evidence to enable the Government to deal effectually with the outrages to which he has called our attention to-night? If he is aware of any means by which that evidence can be produced, and if he knows how these crimes can be repressed, it would, I think, be but patriotic in him to give Her Majesty's Government some hint, either privately or in public, as to the means by which an object so desirable could be accomplished. . . . I do not wish to enter into recrimination in these matters, but I do say it is not fair to weaken the Government in Ireland by these violent accusations, and entirely shut your eyes to the difficulties that took place before we came into power." Lord Granville then briefly described the steps that the Government had taken, and avoiding as much as possible the language of recrimination, concluded by gratefully accepting the declaration of the Opposition Leader that their Lordships would disregard party feeling in dealing with the subjects of the Tenure of Land in Ireland.

Earl Grey, the Duke of Marlborough, and Lord Monck were the only other speakers.

In the House of Commons, after the Address had been moved and seconded, giving an opportunity to Captain Egerton to express his "satisfaction to know that the probability of war would in future be much diminished, and that wars would be much less frequent than they had hitherto been;" and to Sir Charles Dilke to add that "for many years we had not seen the world so entirely at rest," and that "there was no nation in Europe which would venture now to act in opposition to the opinion of a majority of the Powers,"—Mr. Disraeli rose. He waived for the occasion any discussion of the general programme of the speech, and said that he was only induced to address the House at all by the passages that referred to the condition of Ireland, which he described "as neither accurate nor altogether adequate." He accepted with ironical satisfaction the Government's authoritative statement that it had "employed freely the means at its command for the prevention of outrage," though the popular impression was "rather the contrary;" complained of the ambiguity of the language of the speech, which he interpreted as meaning that the adoption of measures for the protection of life and property in Ireland was "contingent" upon the passing of the Government Land Bill; and entered into an elaborate examination of the causes which had led to the recent extension of agrarian outrages in Ireland. The old causes which had been assigned in former times—maladministration of justice, Protestant ascendancy, a seditious priesthood, organized agitation, and foreign influence—no longer existed. There remained a sixth and final cause to be noticed. "The tenure of land," said Mr. Disraeli, "is also now mentioned as the cause of the discontent and dissatisfaction of Ireland; but the tenure of land in

Ireland is the same as it was at the Union, except that it has been modified in some degree, and always to the advantage of the occupier. . . . The truth seems this—the Irish people have misinterpreted the policy of the Government. They have considered that the Government meant to do something different from that which I assume, and shall always believe, it is the intention of the Government to do. But I want to know this, Were the Irish people justified in the erroneous interpretation which they put on the avowed policy of the Government; and if they fell into the dangerous error of misinterpreting that policy, did the Government take all the steps, or any of the steps, that were necessary to remove that false impression and to guide the mind of the Irish people to a right conception of the state of affairs and a due appreciation of the intentions of the Government?" Mr. Disraeli proceeded to argue that the occupiers and peasantry had assumed that the Government meant something which they never did mean, and no steps had been taken to undeceive them. This hallucination had occurred on two questions—the amnesty to the Fenian prisoners, and fixity of tenure (i.e. "the transfer of one man's property to another,") for both of which the Government candidates for Irish boroughs had repeatedly declared. On the first question, the speaker recalled to the House the "remarkable and dramatic scene" that had taken place at their last re-assembling, when the Lord Mayor and Corporation of Dublin presented themselves at the bar, with a petition for an amnesty for the Fenian prisoners, in asking for which "they believed that they were supporting the Government." ("I have received some Irish deputations in my time," said Mr. Disraeli, "and I thought I saw at the Bar some faces that I recollected.") "But what happened? No doubt there is no more difficult question for the Minister of a constitutional State to decide than that of granting an amnesty to political offenders, who are in a very different position, in regard both to the merits of their conduct and to the comparative sufferings they endure, from the political prisoners who by squads and battalions are immured in dungeons in countries where no constitutional rights are in existence. But as a general principle, though I do not say it is one from which you should never deviate, an amnesty, if there is to be one, should be complete. Now what was the conduct of her Majesty's Government? They decided upon a partial amnesty. Now let us see what were the inevitable consequences. The effect of releasing three men, who had incurred the severest penalty of the law, and whose sentence of death had been already commuted to imprisonment, was that others who had a brother, a son, or a sweetheart, perhaps, in prison, naturally complained that those whose conduct had incurred the penalty of death should be released, while those whose crimes were not so great should still be detained in prison. On the part of the Government it was urged that they must exercise some discretion, and that, in considering the case of these prisoners, they determined to free those in whose harm-

lessness they were pretty confident and secure, and that none were let out but those who could do the State no injury. Well, now, was that the fact? Look at the next three men who were let out. They were three men who had incurred long terms of imprisonment, from twelve to fifteen years, men of decided opinions and violent conduct, not one of whom had ever given the slightest sign of penitence. One was an able writer. He emerged from his cell and immediately wrote a leading article against the Government, calling upon his fellow-countrymen to commence their efforts to free themselves from the slavery under which they had so long laboured. Another of them—and that is a mysterious case, which may by and by be brought under the consideration of Parliament—went to a banquet, and made use of his liberty to excite Irishmen (they say he was not an Irishman himself) to violence, and he told them that the sabre was the only solution of their sufferings. Well, then, I say the great body of the Roman Catholics of Ireland who had relatives in prison naturally felt indignant. They regarded this partial amnesty as a most ill-considered act. These people who before were unhappy in the fate of their relatives, who no doubt felt that they were unfortunate, and that they did not deserve their doom, began now to smart under a great sense of injustice. They said, ‘You have let out men—some sentenced to death, others to long periods of imprisonment—who immediately use the liberty you have given them to excite hostility against the Crown and to create sedition in the country; but our relatives are still immured, who have not been convicted of offences so heinous or incurred sentences so heavy. Well, what happened? The feeling for the Fenian prisoners, which was at first got up rather to assist the Government than not, became a great national sentiment. The people naturally thought that with the destruction of the Protestant Church the offences of these men ought to be condoned. That is the reason why you have such a strong feeling among the Irish people on behalf of the Fenians, and that is the real cause why you have had all this terrible excitement in Ireland, and why you have been called upon to do an act which would be a blow to all government, namely, without security and on no intelligible plea, suddenly to open the gates of all the prisons of the country and free men who were condemned by the solemn verdict of juries and after trials, the justice and impartiality of which have certainly never been impugned, even by the Fenians themselves.’”

Turning to the second question—fixity of tenure—Mr. Disraeli said that the Irish people had reasoned in this way, “‘The Irish Church is abolished; the Bishops and Rectors are deprived of their property. The next grievance, according to the same high authority, is the land. Is it not a natural consequence that, if you settle the question of the Irish Church by depriving the Bishops and Rectors of their property, you will settle the question of the land by depriving the landlords of their property?’ I do not say that this is the policy of the Government: I do not say that we thought that

was the policy of the Government : but I say that it is not an unnatural inference of the Irish people. I say, in the next place, that it was the actual inference of the Irish people." The speaker argued that the speeches of Lord Granard and Sir John Gray, who had said to his hearers, " We must be firm : we are sure to get what we want, if we are firm : but nothing must satisfy you except fixity of tenure," had encouraged this delusion, which the Government had done nothing to remove, in spite of Lord Stanley's impressive warning of the previous April, to which Mr. Disraeli referred as " clear, firm, temperate, and wise." Sir William Verner, if Mr. Disraeli's memory served him, had been deprived of some of the honours he possessed for toasting the " Battle of the Diamond " at an obscure local dinner. Was this " more outrageous, more incendiary, than the allusion of the Queen's representative to the 'glories of Vinegar Hill' ? " Then the delusion of the Irish people had been further encouraged by the elections of Longford and Tipperary, on which the Leader of the Opposition thus commented :—" If any thing can elicit opinion, it is an election. Her Majesty was advised to elevate an hon. member of this House (Colonel Greville-Nugent) to the peerage. If blood and large estate qualify for that great post, I think her Majesty was wisely advised ; nor, sir, as far as I am concerned, do I object at all to see the son of that noble Lord (Captain Greville-Nugent) his successor in this House. But he could not come into Parliament without expressing the opinions which he came to support—namely, that he was in favour of a complete amnesty for the Fenian prisoners, and for fixity of tenure in respect to Irish land. Of course her Majesty's Government are not responsible for the opinions of independent Members of Parliament ; but as the hon. Member for Longford is not a very old man, the poor people of Ireland may be pardoned for thinking that he would not be offended if some good advice had been given him by men in authority. It would not be unnatural if they said, " Depend upon it, he would not pledge himself to the emancipation of the Fenians and to fixity of tenure (which is the transferring of one man's property to another) unless he knew what he was about. They made his father a Peer, and he is here to say the right thing." That was the Longford Election, and I think the circumstances to which I have referred were calculated to much mislead the minds of the people. All this time, while the minds of the people were so much misled, and such a degree of excitement was added to that which had existed on the subject of the Fenian prisoners, deeds of outrage, crime, and of infinite turbulence were perpetrated simultaneously, and I believe as a necessary consequence of that misleading of the public mind. But there was another election, a very interesting election, which has been already alluded to to-night. What happened at that election ? There was a gentleman who occupied a post of trust and confidence in the late Whig Administration, of which the right hon. gentleman opposite (Mr. Gladstone) was the organ in this House. If there be any post which more than another requires

discretion and prudence, and one which more than another requires a man who weighs his words, it is that of Law Adviser to the Castle. Well, the gentleman who had filled that honourable post was, I will not say the Government candidate, because hon. gentlemen opposite might blame me for using so unconstitutional a phrase, but the only candidate who came forward to vindicate the policy of the Government, and to support them. I know nothing of the green scarf which he is said to have worn, but I think it highly probable that he did attire himself in that way, for his mind seems thoroughly permeated with that hue, as appears from all his observations. He came forward as the advocate of the immediate release of the Fenian prisoners, and gave three cheers for the people in prison—a most remarkable exhibition of discretion on the part of the late Law Adviser of the Castle. He declared himself a firm supporter of fixity of tenure in land. Now, sir, notwithstanding the reckless manner in which the late Law Adviser of the Castle—who it was generally supposed was going to be something greater than Law Adviser to the Castle if he succeeded in securing his election—notwithstanding the reckless manner in which he pledged himself to his intended constituents, he was defeated. He was defeated under circumstances which we shall have to consider in the next eight and forty hours. The people of Ireland had to choose between a sham Fenian and a real Fenian, and it is astonishing what a preference is always given to the genuine article. But now I must call the attention of the House to what occurred when the Government candidate was defeated, though he had pledged himself to all those revolutionary doctrines. All this time, especially from the period when Lord Stanley delivered those observations which I have quoted, horrible scenes of violence had been occurring in Ireland, but the Government would never move. Landlords were shot down like game; respectable farmers were beaten to death with sticks by masked men; bailiffs were shot in the back; policemen were stabbed; the High Sheriff of a county going to swear in the grand jury was fired at in his carriage, and dangerously wounded; households were blown up, and firearms surreptitiously obtained. All this time the Government would not move; but the moment the Government candidate was defeated on the hustings—a Government candidate pledged to confiscation—pledged to a course of action which would destroy all civil government—the moment that occurred there was panic at the Castle, there was confusion in the Council; the wires of Aldershot were agitated; troops were put in motion, sent across from Liverpool to Dublin, and concentrated in Waterford, Tipperary, and Cork. And all this because the candidate who was prepared to support the Government had lost his election.” Anticipating however that the Land Bill would be a just and prudent measure, Mr. Disraeli promised it impartial consideration and cordial support, if it dealt with all necessary points and contained nothing “visionary or fantastic.” But in that case what would the late Law Adviser of the Castle—what would Lord Granard

and Sir John Gray—above all, what would the great body of the Roman Catholic population of Ireland—say to it? Repeating that he considered the mention of Ireland in the Queen's Speech "inadequate and inaccurate," Mr. Disraeli thus concluded: "If we are to have a Bill on the tenure of land brought in, we ought, if possible, to consider it free from party feelings, and with the anxious desire, not to satisfy the wild vagaries of the Irish people, but to lay the foundation of the future welfare and prosperity of Ireland. I wish to impress upon the House the great responsibility which they incur on this subject. This is still a new House of Commons. Men have entered it who are proud, and justly proud, to be Members of such an Assembly; but they may depend on it that if they do not resolve to consider the question of Irish government not only in a large but a firm spirit—if they think it possible that the spirit and sense of the people of England will long endure the chronic state of disturbance that now prevails in Ireland—they are much mistaken. And they may be equally certain that when this Parliament comes to a conclusion, which they have entered with so much pride and so much justifiable self-complacency, if they err in the course they take on this question—if they sanction a policy which, if unchecked, must lead to the dismemberment of the Empire and even to the partial dissolution of society—they will look back on the day they entered Parliament with very different feelings from those which now influence them, and they will remember this House of Commons with dismay and remorse."

Thanking Mr. Disraeli for his promise to throw no needless difficulties in the way of the proposed Irish Land Bill, Mr. Gladstone in his reply confined himself to that engrossing topic. He strongly disclaimed any intentional ambiguity in the terms of the Queen's Speech, and said, "I confess I do not understand out of what terms of the Speech it is the doubts and difficulties of the right hon. gentleman have arisen; but I think I can remove them by an express declaration. In the intention announced by the Government, and embodied in the gracious Speech of her Majesty, so far as that intention imposes a careful daily regard to the condition of Ireland and their duty to propose every thing which that condition requires, there is nothing ambiguous or contingent. That duty is absolutely paramount and primary; and anxious as the Government are that they should give the first place in the order of the Session, as it is also in the mind of Parliament and of the country, to those remedial measures of permanent operation on which their permanent hopes are fixed, yet they feel there are duties which, under certain circumstances, might impose the necessity of immediate action, and occasions which might compel them—although God forbid they should be compelled—to suspend the great purposes of the future, in order that they might meet the crying and irrepressible wants of the present. I hope that in that declaration there is nothing that can be called contingent, with reference to Ireland, between remedial measures and special



provisions, if such should be unhappily required." Passing to Mr. Disraeli's speech, the Premier suggested that it was more a demonstration than a serious attack, and congratulated him on the success he had achieved out of the scanty materials at his command. He joined with him in acquitting the administration of justice and the influence of the priesthood of the recent aggravation of agrarian crime which he admitted and deplored, but for which he entirely denied that the Government were responsible. That their policy had been or could be misunderstood in Ireland he denied, and pointed out that the release of the Fenian prisoners was decided on and announced three weeks before the deputation from Dublin came to the bar of the House. Of the partial amnesty he said that it was "a discriminating amnesty founded upon a comparison of severity of punishment with degrees of guilt, and which, in this case, is synonymous with a just and wise amnesty." He denied that the Government had given colour to the inferences which Mr. Disraeli had asserted that the Irish had drawn from their conduct; and maintaining that no responsible Member of the Government had made any declaration or sanctioned any misunderstanding of the kind, argued that for none of the cases that had been cited against him were they responsible at all. With Sir John Gray he (Mr. Gladstone) had no compact or covenant, though he acknowledged, and thanked him for, the good service he had done—and there was "abundant and ample room in space" for each to "continue to march in his own orbit, very good friends with each other, but each claiming liberty of thought and liberty of action." As for Mr. Heron, he had not been Law Adviser to a Liberal Government or the Castle for three or four years; and "had returned to his native and primitive independence." He had never been or called himself a Ministerial candidate. It was a serious doctrine to lay down, that leaders of a party were to be responsible for all the sentiments uttered by all their independent supporters; and Mr. Gladstone proceeded to show how dangerous such a doctrine might prove if applied to Mr. Disraeli himself in reference to this very measure, and cited some instances in confirmation. In conclusion he said, "To the Fenians it is of vital importance that, by some means or other, this House should be impeded in the work of giving effect to its determination to establish just laws in Ireland; they have shown that disposition by the most undeniable public manifestations, and by violent interference with the right of public meeting and of freedom of speech. I cannot wonder at it; for I believe that if we should happily succeed in proposing to the House, and the House should co-operate in passing, good and just laws for removing the evils now accompanying the tenure and cultivation of land in Ireland, it will be from such laws, and from such laws alone, that Fenianism will at length receive its death blow. The very best exertions of the best Executive Governments can do no more than put down its outward manifestations; let us go down to the root—let us go inward to the source; and that is what we hope and mean

to do. That is what they are determined that we shall not do. And I cannot hesitate to say that they would, indeed, be blind to the whole nature of the question in which they are engaged, unless they took every legitimate means—and sometimes, I am afraid, very illegitimate means—of producing disturbance and want of confidence in Ireland; every thing, in fact, that may provoke Parliament to turn aside from the path of beneficial legislation to discuss angry and coercive measures in reference to the present state of Ireland. It is fair to admit that, while the direct action of Fenianism has had its stimulating effect upon the general lawlessness, and has contributed to the increase of outrages and of public mischiefs, a share of responsibility is also due to us, which I do not seek to evade. I admit that whenever great questions of this kind are raised, and especially whenever they are raised by an Executive Government, a certain excitement is necessarily communicated to the public mind in any and in every country, most of all in a country where the public mind—under long suffering, consequent on innumerable errors of government, has fallen into a morbid state. This certainly is a remarkable circumstance, that, as far as our evidence goes—and we have heard the statement from many quarters—last year has been distinguished by somewhat more than the ordinary regularity and punctuality of payment of rents in Ireland. That is a satisfactory thing in itself; but the feeling to which this circumstance is attributable may lead in different directions to very important results. It betrays an expectation in the minds of the people of Ireland that hereafter they are to pursue their avocations as cultivators of land with greater advantage than they have done hitherto; and if they think that some reparation is to be made to them in respect of the unrequited labours which they have heretofore bestowed upon the soil, their tenacity of attachment to the particular spot which they have held is quite sufficient, on the one hand, to account for an increased desire to discharge their share of the covenant implied in the payment of rent to the landlord; while, on the other hand, it leads them to regard with greater jealousy and apprehension the process of eviction, and to entertain the determination, even with the strong hand, to resist its application. These are matters which, as it will be necessary for us to discuss hereafter, I need not trouble the House, I think, at the present moment with details with regard to the condition of Ireland; but having defended—and I think it due not only to my Colleagues but the right hon. Gentleman himself that I should endeavour to defend—the Executive Government against the charges in which he has most immeasurably indulged, I will conclude by thanking him for the evidence he has given that he feels the gravity of the situation of England in the face of Ireland, as an Imperial question, and from the promise which I have on the part of others, as well as himself, I hope that the propositions we are about to make will receive a fair and candid consideration.

The address was agreed to without opposition.

## CHAPTER II.

Motion in the matter of O'Donovan Rossa—Introduction of the Irish Land Bill—Speech of Mr. Gladstone—Speeches of Dr. Ball, Mr. Chichester Fortescue, Mr. Ward Hunt, Sir Roundell Palmer, Mr. Disraeli, and others—Vote on the second reading—The Peace Preservation Bill—The Irish Land Bill in Committee—Debate on the Ulster custom—Division on Mr. Disraeli's amendment—Majority for Government—Division on Mr. Fortescue's clause—Free contract—Vote on Mr. Fowler's amendment—Rapid progress of the Bill—The Bill passes the Commons—Mr. Gladstone's speech on the third reading—Debate on the second reading in the House of Lords—The Bill in Committee—Amendments of the Duke of Richmond, the Marquis of Salisbury, and of Lord Clanricarde—Proceedings of the Lords on the report being brought up—Subsequent proceedings in both houses—The Bill receives the Royal Assent—Quiet in Ireland—The Fenian Amnesty.

The introduction of the Irish Land Bill was appropriately preceded by a motion brought forward by Mr. Gladstone, that O'Donovan Rossa, the convict whom Tipperary had returned as her member, "had become and continued incapable of being elected or returned as a member of the House," and the motion was carried, in a house of only 309 members, by a majority of 293. On the 15th February, before the largest audience of the session, the Premier introduced the Irish Land Bill in a speech worthy of the occasion.<sup>1</sup> Rising to move for leave to bring in a Bill to amend the Law relating to the Occupation and Ownership of Land in Ireland, he entered at some length into the history of the previous dealings of various administrations with this perplexing subject, from 1833 to the present time. "I do not now speak," he said, "of the amount of blame to be divided as between one party and another, or as between one person and another; probably none of us who have sat in Parliament since that epoch are altogether exempt from responsibility. But what I hope is, that, having witnessed the disaster and difficulty which have arisen from this long procrastination, we shall resolve in mind and heart by a manful effort to close and seal up for ever, if it may be, this great question, which so intimately concerns the welfare and happiness of the people of Ireland." He acknowledged the assistance—"assistance valuable in a greater degree than I can remember in any other instance of the kind, which has been given to us by what I may call the recent literature of this great question.

<sup>1</sup> The Landlord and Tenant (Ireland) Act 1870 (33 and 34 Vict. c. 46) is divided into five parts. The first part (section 1 to 31 inclusive) regulates the "Law of Compensation to Tenants" as to which the principal changes effected are as follows:—1. The Ulster tenant-right custom and similar customs in other parts of Ireland, receive a legal status. 2. New rights are conferred on tenants with reference to compensation for disturbance by the act of the landlord. 3. Compensation is given for improvements, and the rights and liabilities of landlord and tenant defined. The second part (sect. 32 to 41) regulates "Sale of Lands to Tenants." The third part (sect. 42 to 56) regulates the "Advances by, and Powers of, the Board of Works." The fourth part (sect. 57 to 64) regulates "Legal Proceedings and Court." The fifth part (sect. 65 to 69) contains miscellaneous clauses referring to tenancies created after the passing of the Act.

I cannot remember a case in which so many gentlemen, governed by the simple motives of patriotism and philanthropy, have devoted their time, thought, and attainments, not to recommend the narrow views of a section, or a party, but to elucidate and clear up the real difficulties of the case. Members of the Bar, to whose name the title of 'learned' is not a mere formal appendage; men versed in historic knowledge; men foremost in professional skill and in the knowledge of the principles of agriculture; Members of this House too, I am glad to say, some who were with us in times past, and some who are here to aid us now—gentlemen whose names it might be invidious to enumerate lest I should by chance be guilty of any omission;—have rendered us by the results of their inquiries the most valuable assistance. And I think I may say that no part of the studies which they have made known to the public has escaped our careful scrutiny and consideration." He next referred to what he termed the "prepossessions adverse to the character of the Irish people" which still prevailed in England—their Celtic origin—the relics of conquest—and the absenteeism of landlords. He then proceeded to discuss in detail the evidence of the "present sensitiveness of Ireland, and recent tendency to an increase of Agrarian crime," attributing it, so far as that evidence was conclusive, to recent diminution in the progress of Irish prosperity, to evictions, and to the transference of land from tillage to pasture. "But then" he added, "it is also said, and not unreasonably, nay, with perfect truth so far as the literal sense of the proposition is concerned—you have legislated in favour of Ireland for a century, and yet the people of that country are not, after all, content." He showed how the Act of 1793 giving the franchise to Roman Catholics induced the creation of 40s. freeholds—and how the abolition of the 40s. franchise in 1829 partly introduced, and beyond all doubt if it did not introduce vastly extended, the mischief, and perhaps, under the circumstances of Ireland, the still greater mischief, of mere yearly tenancy. "Then came the Act which was passed, I think, in 1849 or 1850, called the Encumbered Estates Act, which has since passed into the Act for dealing with the sale of landed estates. Well, sir, what was done by that Act? It had a most benevolent object; it was intended to introduce capital into Ireland, to relieve impoverished proprietors of that country from that which was to them not a privilege but a burden—the possession of land which they could not rightly use or manage—and to transfer it into the hands of a more vigorous and opulent race of proprietors, with a view to the development of the riches of the soil. In that Act also, however, there was contained one fatal oversight, so grievous in its operation that it is doubtful at this moment whether Ireland, on the whole, is better or worse for that Act. In 1845 the Commission of Lord Devon and the Government of Sir Robert Peel had recognized the right of the tenant to be invested with a title to improvements. Although the older landlords of Ireland sometimes, no doubt, may have improperly increased the rent, and compelled the tenant to pay an increased

amount in respect to the value which he had himself added to the soil, yet in many cases they made no such extortion. The improvements were not theirs in a moral or equitable point of view, and they did not exact a price for them. But when these properties came into the Encumbered Estates Court they sold the estates precisely as they were. The purchasers bought them as they were, and no distinction was drawn between the soil itself and the improvements made by the tenant. So that the improvements were sold to persons who gave a price for them; sold away from the tenant to whom they ought to have belonged; and the price was paid to the outgoing landlord, who, undoubtedly, ought not to have been entitled to claim the property in them, and would not have been so entitled if the legislation recommended in 1845 had been adopted. Every one of these measures, all of them beneficently intended and for other purposes operating beneficently—the Act of 1793, the Act of 1829, and the Encumbered Estates Act—was attended with consequences most fatal to the best interests of the great mass of the occupiers of Ireland. And it is not too much to say, with regard to the Encumbered Estates Act, that the operations which have been effected under that Act, and the use that has been made, and not unnaturally made, of it by some of those who have come in as new proprietors, may be reckoned as specific causes of those disturbances which have recently disfigured the records of our intelligence from that country. . . . Then there is another remedy, emigration, which landlords have in many instances been sedulous to promote. Emigration, sir, when it is voluntary and free, is the process which the Almighty has ordained for covering and cultivating the waste places of the earth. But that is when the emigrant is one whose wish it is to go. When, on the other hand, he is one whose wish it is to stay, who is truly, strongly, passionately attached—and no people ever were more passionately attached to the soil on which they were born and on which they have grown than the Irish—then to say—‘We cannot insure to you the possession of your holding—we cannot even give you a reasonable probability that you will be able to exercise your industry with confidence; but there is the way across the Atlantic, and there are the wide plains of America open to receive you’—do not let us conceal from ourselves that, under such circumstances, emigration is another word for banishment, and that the country whose laws inflict that punishment and cause that banishment cannot expect, and does not deserve, the affection of the people.”

Another change for the worse, as regards the tenant, was made by the Act of 1816, facilitating ejections. All these things had been done by Parliament, and no compensation made to the cultivator of the soil.

The speaker then proceeded: “The motion I am about to make assumes that it is desirable we should interfere for the purpose of ‘amending the law relating to occupation and ownership of land in Ireland.’ At this first stage I do not suppose much scruple will be

felt, because up to a certain point the law, in the nature of the case, must always interfere. It must interfere—namely, with reference to the cases in which parties make no contract for themselves; and the law now is that where there is no special contract tenure shall be understood to be from year to year. We do not propose to reverse this assumption. But we propose, looking at the condition of Ireland, not to leave it to parties without the interposition of law to make the contracts which they may be willing to make; and this it is which at first sight may appear to be harsh. No persons value more highly than we the freedom of contracts; it lies at the root of every healthy condition of society. But even in those conditions of society which we recognize as healthy it is not possible to allow perfect freedom of contract. English legislation is full of such interferences; and Parliament has shown a very decided tendency of late to multiply them. You will not allow the man who has a factory to contract with the persons whom he employs on terms which may suit their inclinations, but which you have forbidden; and you will not allow the shipmaster to carry the emigrant across the seas on terms on which he desires to carry and the emigrant desires to go. These are cases that justify interference; but much stronger is the case for Ireland, because in substance these contracts, though nominally free, have not been really free under the peculiar conditions of life which that country offers. Even where the law has left the Irishman free, his circumstances have deprived him of freedom, and it has thus become our duty and our necessity to interpose, within limits cautiously and strictly guarded, for the purpose of repressing that evil. In an agricultural country, in a country where the population has been such as to cause a demand for land always in excess of the supply, and where the excess of this demand has recently been met and aggravated by the tendency to carry land in large quantities out of tillage into pasture, and thereby to diminish agricultural holdings and employment; and again, by a desire to consolidate farms, and thereby once more to narrow the means of supplying the demand for land; lastly, in a country which is almost exclusively agricultural, and does not offer to the adult Irishman that choice of professions and occupations which he can easily find in a land where mining and manufacturing industry prevails, there history has but too well supported the proposition that the freedom of contract which the Irish peasant possesses is but a nominal freedom. It may be necessary, therefore, to prescribe by law in certain respects the terms and conditions on which land shall be held in Ireland. Strict freedom of contract, then, having proved to be a great evil, what is the precise nature of that evil? The Devon Commission has pointed it out. It is that insecurity of tenure which not only abridges the comforts of the cultivator of the soil, but which limits and paralyzes his industry, and at the same time vitiates his relations in a vast number of cases with the landlord, and in a still greater number with the law under which and the society in which he lives." Mr. Gladstone next

entered into the various schemes of remedy, sometimes described by the word perpetuity, sometimes by security, sometimes by certainty, sometimes by fixity, sometimes by stability of tenure, and repudiated them all on the part of Government. "Is there," he asked, "any mode of mitigating the admitted evils of insecurity of tenure, without resort to the extreme measures of perpetuity?" The first of these to which he alluded was the "custom of Ulster," as understood in Ireland. "I am far from saying that it would be desirable or possible to reproduce all over Ireland the exact state of things which prevails there as regards the occupation of land; but the state of the Province of Ulster I hold to be perfectly and demonstrably available for the present argument up to this point—that you can apply a remedy to this profound and fatal evil of insecurity of tenure, and yet that such a remedy can be found and applied without shaking the foundation of property. Sir, that proposition—that such a remedy can be discovered and applied without shaking the foundation of property—is so important that I must ask the House to consider for a few moments what is the condition of Ulster. . . . Arthur Young, fortunately for us (writing in 1779) distinguishes between the rents of the eight counties where the Ulster custom prevails—which may be conveniently called tenant-right counties—and the rest of Ireland; and the case is this—The rental of the eight counties where security or stability of tenure prevails was in 1779, 990,000*l.*; in 1869 it was 2,830,000*l.* That is, the rental has more than trebled, and that under a system, I admit, in some respects defective, and in some extravagant, but which still gives practical security. The rest of Ireland minus Ulster is what we must compare with the eight counties. Well, Sir, the rest of Ireland, minus Ulster, in 1779, according to Arthur Young, had a rental of 5,000,000*l.*; and in 1869 that rental was 9,200,000*l.* That is to say, in the provinces where the power of the landlord is greatest and the tenure is least secure, the rents did less than double themselves, whereas, where the power of the landlord is least and the tenant is most secure, namely—in Ulster—the rental has increased more than three-fold. But, again, it may be said that in Ulster you have the influence of manufactures, and that manufactures tend powerfully to increase rents. Well, sir, but Ulster had manufactures in 1770. I am not aware that the manufacturing character of a certain part of Ulster dates from any period later than 1770. . . . But there is another point which we shall do well to notice as to manufactures. Manufactures do not tend directly in the neighbourhood of their own immediate seats to produce good agriculture. Manufactures, by stimulating prices, produce good agriculture in a country generally; but the great manufacturing counties of England are not those most distinguished for good agriculture. . . . It is admitted on all hands that Ulster is greatly poorer in national resources than any of the other three Provinces of Ireland. But what are its products? Its products may not be thought very extraordinary, perhaps, until I illustrate

them by finding a measure of the natural producing power of the soil of Ireland in its different Provinces. The rateable product of Ulster is now somewhat higher than that of the rest of Ireland. The land under crop in Ulster is 6*l.* 3*s.* per acre; in the rest of Ireland it is 5*l.* 18*s.* In land under tillage it is for Ulster 1*l.* 12*s.* 6*d.*, for the rest of Ireland it is 1*l.* 11*s.* 6*d.* You may say that this is no very great difference; but consider the difference of natural fertility; and we have a remarkable test of this natural fertility, because there was a period when a very careful valuation—as I may almost call it—of the respective fertility of the four Provinces of Ireland was made by the Parliament of this country, which was most closely sifted and tested by individuals who had a peculiar interest in arriving at the truth. At the time of the Great Rebellion the Parliament organized an army to send into Ireland. For that purpose it was necessary to raise money. It was obtained from a body of persons called Adventurers, who were to supply the necessary funds, and were to be paid by lands taken at certain prices, and these prices were to be different according as the lands were in one or another Province of Ireland. They were to have lands in Ulster at the price of 200*l.* per 1,000 acres; they were to have lands in Connaught at the price of 300*l.* per 1,000 acres; they were to have lands in Munster at the price of 450*l.* per 1,000 acres; and they were to have lands in Leinster at the price of 600*l.* per 1,000 acres. . . . On the whole, at least, it is no unfair statement if we follow this classification, and say that the natural producing power of the ordinary soil of Ulster appears to be little more than one-half the producing power of Munster and Connaught; and yet under the state of things as it exists the actual produce of the soil is greater in Ulster than in the rest of the three Provinces. So, then, sir, I think I make good my proposition that Ulster shows us, at any rate, as much as this; it is possible to find a remedy for this deadly evil of insecurity of tenure, and yet at the same time not to shake the stability of property.” After noticing some subsidiary measures which it was the purpose of Government to introduce in other Bills, for improving the law relating to the Tenure of Land both in Ireland and the United Kingdom generally, he described the nature and constitution of the Court of Arbitration and Civil Bills Court to be constituted for the purpose of the Irish Land Bill. He then continued as follows:—

“I proceed to say that with respect to the legislation itself upon the tenure of land, there are four descriptions of holdings in Ireland which we have thought it our duty to keep specially in view. The first of these is the class of holdings which now exist under the Ulster custom. The second is the class that exists under other customs analogous, more or less, to that of Ulster, prevailing irregularly and variously over a large part of the surface of Ireland, but not having that definite existence and that weight of tradition and authority which belong to the Ulster custom. The third class is that residue of yearly tenancies which have not practically enjoyed



hitherto any protection whatever from any custom, either such as that of Ulster or such as may be found in other parts of Ireland. In the fourth place, we have thought it right to keep in view that class of estates the landlords of which, already sensitive of the mischief that prevails, have sought to apply a remedy by the voluntary introduction of a system of leases, and of leases in two forms—either, in the first place, leases after the Scotch and English fashion, under which a farm is delivered over with all its appliances, generally speaking, into the hands of the tenant for the purpose of effective cultivation, those appliances having been furnished by the landlord; and secondly, leases of the Irish character, somewhat longer generally in duration, but not usually attended with the same conditions on the part of the landlord in respect either of finding or assisting to find the buildings and other improvements necessary for the proper cultivation of the farm. First then, the question is how we are to deal with those holdings in Ireland which are under the Ulster custom. The Bill will be limited in the strictest manner to agricultural holdings, it will not touch any person except those who are pursuing agriculture as an industry and a trade. . . . How, then, are we to deal with the Ulster custom? and what is the essential character of that custom? The view we take of it is that it includes two elements—it includes compensation for improvements and it includes the price of good-will. . . . Viewing it as a covenant, we propose to take it such as it is, to convert it into a law, and allow it to be examined into as a simple question of fact in all cases where dispute arises by the Courts that will be constituted under this Bill. . . . We do not attempt to modify the custom; we do not inquire into its varieties (it is well known to vary within certain limits); we do not attempt to improve it or to qualify it; we leave it to be examined as a matter of fact, and when it shall have been so ascertained, the judge will have nothing to do but to enforce it. . . . The Ulster custom, as I have said, does not absolutely overspread the whole of Ulster; but it is confined to Ulster, in no case passing beyond its limits. When we come to the case of other customs that prevail outside Ulster these form a subject-matter more difficult to deal with. Undoubtedly our conclusion is that there is a very large amount of Irish usage by which payment is made from an incoming to an outgoing tenant; in some cases it is made with the consent of the landlord directly, in some others indirectly; but it is nowhere to our knowledge established as the fixed and authoritative tradition of a district. I may perhaps say that in many cases it is winked at by the landlord, in many other cases it is opposed, and in some it is repressed by the landlords, who view it with a greater or less degree of aversion. . . . With regard to these customs out of Ulster, we propose to limit their binding and absolute operation to cases where the tenant is disturbed by the act of the landlord. We propose that the tenant shall not be allowed to take the benefit of these customs if he is evicted for non-payment of rent. Thirdly, we propose that he shall not have the benefit of the custom if he sublets or

subdivides his holding, after the passing of the Act, without the consent of the landlord, except it be for a purpose strictly defined in the Bill with regard to cottages and gardens held by the labourers required for the cultivation of the farm—an exception the necessity of which will be obvious. The fourth condition which we attach to the application of these customs is that not only arrears of rent but damages done by the tenant to the farm may be pleaded by the landlord as a set-off. And the fifth condition is one which I will explain more fully by-and-by. It is this—that the landlord may, if he thinks proper, bar the pleading of any such custom if he chooses to give his tenant a lease for not less than thirty-one years, attended with terms and conditions which I shall have occasion presently to describe. We have, therefore, got thus far. The Ulster custom is absolutely recognized in Ulster. Outside the limits of Ulster these less binding customs are recognized, but subject to the five conditions I have just enumerated.” It was proposed (he added), to deal with cases not within any of these customs, where the tenant was not protected by any lease, by establishing a scale of damages for eviction, with liberty for persons having a farm not rented, but valued in the public valuation at 100% and upwards, if they thought fit, to contract themselves out of this section of the act. “The scale (he said), will include in part compensation for improvements, and will include compensation for the minor and more ordinary improvements, for manure and tillages, for fencing, and for some other matters. But there are some improvements of so special a character that we have felt that the tenant ought to be entitled to claim his compensation for them—assuming him to be entitled to ask for such a compensation—irrespective of the claim for damages by eviction; and these are improvements falling under the two heads, firstly, of permanent buildings, and, secondly, of the reclamation of land. . . . Further, we propose, over and above the legislation I have already detailed, to legislate on the subject of improvements. But what is an improvement? That, Sir, is a question which has cost us some trouble. We have, however, I think, determined upon a very fair definition of what ought to be held as constituting an ‘improvement.’ In the first place, it must add to the letting value of the land; in the second place, it must be suitable to the nature of the holding. If the tenant, unfortunately for himself, chooses to lay out money on improvements which do not improve, and do not add to the letting value of the holding, that is his affair, and not the landlord’s. If, on the other hand, he chooses to lay out his money in making additions to his holding, which do add to the letting value, but which are not suitable for the purposes of agriculture, the landlord is not to be bound to pay for such an improvement, because it does not come within the proper scope of the tenancy. . . . Thus understanding the word ‘improvement,’ what we do propose is exactly to reverse the presumption of the present law. The law, as it stands, absolutely gives the improvements to the landlord and presumes them

to be his work. We propose to presume them to be the work of the tenant, and to leave to the landlord the business of showing, if he can, that such is not the case. If they are the work of the tenant, they will, according to our Bill, be his property, and it will be for the landlord to show that they are not the work of the tenant, if he disputes his claim to compensation. . . . We do not limit the operation of the new law to future improvements. It is absolutely necessary that it should extend to those already made. Had we though fit, or had we happily been enabled a quarter of a century ago, in 1845, to deal with this question of improvements, it might have been satisfactory from some point of view, and sufficient for public purposes, to provide for the cases of future improvements alone. But having unfortunately adjourned for so long a time the day of settlement of the question, and that day having now arrived, it is quite plain that any legislation as to improvements must in principle embrace retrospective improvements." He then stated the special limitations which were to be placed on these retrospective claims. The claim for improvements was, under certain circumstances, explained at length, to be varied by allowing the landlord by leases to bar it on the part of the tenant and to substitute for it the conditions and incidents of leasehold tenure. "To have the effect of barring good-will or customary payment, a lease must be not only one for a term of thirty-one years, and one reserving certain rights to the tenant at the end of that term, but it must also be in terms subject to the approval of the Court. So much for the leasing power at the present moment. But we have also the future to consider. And the idea we have is this—We wish to grant to the landlord the permanent power, if he think fit, of keeping the general claim for good-will off his estate. This cannot, of course, be done by one lease. It can be done by one lease as far as the particular term and the particular person is concerned, and that lease would be for thirty-one years independently of any landlord's improvements, or might alternatively be for twenty-one years if the improvements are to be made by the landlord and if the farm be of a certain value. But the situation of the parties at the end of that term will be altered. If the landlord, after the land has been held on one of these statutory leases, does not think fit to continue the system of leases, good-will will immediately grow up as a plant grows from the ground. If he gets a yearly tenant, or allows his lessee to become a yearly tenant, or a tenant at a short term of years, the new tenant, or his lessee, as the case may be, will be invested with a title to good-will; but the landlord may, if he think fit, follow up the thirty-one years' lease with a second lease; and if he chooses to keep up a series of these leases he may hold his land under lease perfectly free both from the intervention of any claim for good-will and from any further intervention of the Court." As regards the difficult question of interference with existing rents, "we provide by the Bill that, as a general rule, eviction for non-payment of rent shall be held to be an absolute bar to any claim upon

the landlord except for improvement ; but with regard to those cases where the Court upon its responsibility and in its discretion finds special circumstances, we allow it in the exercise of its discretion to allow damages even though the eviction be for non-payment of rent. And with regard to all prospective contracts it is absolutely necessary that if the landlord evict for non-payment of rent that should not be in the sense of the Bill a disturbance of the tenant by the landlord, for the tenant will disturb himself by non-payment of the rent. But as respects present holdings, we add the following qualifications : ‘ Unless the Court decide on special grounds that it ought to be deemed a disturbance in the case of a person claiming compensation on such determination of a tenancy existing at the time of the passing of this Act.’ “ I may now, perhaps (he added), be asked what we have done for the Irish labourer. For him we have done what the case will permit. We have allowed the tenant to subdivide and sublet for cottages and gardens, to be let to the labourers employed upon the holding ; and, in offering from the public funds facilities for the acquisition of land, we have been careful not to exclude the acquisition of land in small quantities. But the only great boon—and it is a great boon—which it is in the power of the Legislature to give to the agricultural labourer in Ireland is to increase the demand for his labour, and, by imparting a stimulus to the agriculture of that country, to insure its requiring more strong arms to carry it on, and thereby to bring more bidders into the market for those arms, and raise the natural and legitimate price of their labour. Unless we are mistaken, one of the specific evils which has arisen from the practice of exacting an increased rent in proportion to an increased produce is, that many a small occupier is, out of fear of having to pay more for his holding, led to convert his tillage into pasture, or to keep land in pasture which ought to be converted into tillage. By either course of proceeding he lessens the demand for agricultural labour. But, if we can only convince every man that from the time this Act passes he will be able to prosecute his industry in security, and in the manner most advantageous to himself, so that all the land that is fit for tillage may be devoted to tillage, and that in a word the noble pursuit of agriculture shall be practically as well as theoretically free, we in so doing, shall confer upon the agricultural labourer the greatest boon which it is in our power to bestow.” “ The measure has reference,” Mr. Gladstone said in conclusion, “ to evils which have been long at work, their roots strike far back into bygone centuries ; and it is against the ordinance of Providence, as it is against the interests of man, that immediate reparation should in such cases be possible ; for one of the main restraints of misdoing would be removed if the consequences of misdoing could in a moment receive a remedy. For such reparation and such effects it is that we look from this Bill ; and we reckon on them not less surely and not less confidently because we know they must be gradual and slow ; and because we are likewise aware that if it be poisoned by the malignant agency of angry or bitter passions, it cannot do its proper work. In order

that there may be a hope of its entire success it must be passed—not as a triumph of party over party, or class over class; not as the lifting up of an ensign to record the downfall of that which has once been great and powerful—but as a common work of common love and goodwill to the common good of our common country. With such objects and in such a spirit as that, this House will address itself to the work, and sustain the feeble efforts of the Government. And my hope, at least, is high and ardent that we shall live to see our work prosper in our hand, and that in that Ireland which we desire to unite to England and Scotland by the only enduring ties, those of free will and free affection, peace, order, and a settled and cheerful industry, will diffuse their blessings from year to year, and from day to day, over a smiling land.”

The opening debate, which took place on the second reading of the Bill, did not produce the interest that had been anticipated from it. The most remarkable speech in opposition to the Bill was made by Dr. Ball, whose argument was throughout based upon the assumption that “free contract” is the highest form of tenure which the intellect of man has yet been able to devise; and that in legislating to restrict such freedom Britain was relegating Ireland to a lower civilization. He held that as regards Ulster tenant-right, the Bill perpetuated and fixed a custom which varied with every estate, which was in itself an evil, making, as it were, a distinct law for every separate holding; as regarded compensation, it was fixed too high, the maximum amounting to one-third the fee simple. He did not, however, object to the principle, but as regarded future tenancies he thought the Bill utterly bad. He held that the English were never content with less than the best arrangement, that they had fixed on free contract as the best, and that to keep the best to themselves and give Ireland an inferior one, was to repudiate the great idea of the Union, which was to permit all Irishmen to rise to the English level.

“My objection to your system,” he said, “is that it is not the best, and, what is more, you know it is not the best. For here you are in England arrived at the highest pitch of civilization, you claim for yourselves that you are models to the world, you hold out your social relations to the admiration and envy of Europe, and you insist that the relations between landlord and tenant in your country shall be on the footing of contract. What have you been doing? You have been working ever since the day that Latimer denounced the landlords who drove out the tenants, telling them that the Divine vengeance would come upon them for it—you have been working, I say, to make landlord and tenant not ascertain their rights by litigation, but have them established on the solid basis of contract, so that every landlord in England knows for what he contracts, and every tenant in England knows for what he has to answer. . . . I say you have got the best system, and I believe it to be the best, because I believe that Englishmen, having set their hearts on the best system, would be content with nothing less. What do I ask for my country? I ask the right to rise to the same

standard as yourselves. I demand that you will not lay down a rule of this kind, and say—This is good enough for Ireland. The Irish people differ from the English. There is a positive incapacity in the Irish landlord to deal with his tenants by contract, and in the Irish tenant to take care of himself by contract. The Scotch and English are able to do it. Therefore the true system shall be reserved as a *privilegium* for them, but the Irish shall not be able to attempt it; because we shall put a clause in an Act of Parliament to prevent it.’”

Dr. Ball’s speech closed the first day of the debate, which was opened by Mr. Bryan and Captain White, who moved that the Bill be read a second time that day six months. It became evident at once that no serious opposition would be offered to the second reading, and that the measure would only be dealt with in committee.

Mr. Chichester Fortescue, in the first day’s debate, claimed for the Bill that, of all the land bills laid before the House, it was the simplest in machinery. He reviewed the previous attempts that had been made to legislate upon the dangerous subject, and then explained and justified the course taken by the Government with reference to the Ulster custom. They had deliberately preferred not to define it, in all its incidents and conditions, but to direct the Courts constituted under the Bill to enforce it in every case in the form in which it should be found existing. In legislating for the other part of the country the two essential elements of the custom—security of tenure and compensation for improvements—had been kept in view. Tenants were placed in a position of security by a method going far beyond anything ever proposed before, and for the first time it gave him a right to compensation even if he had made no improvements. As to improvements, the tenant would be able to realise at any time what he had himself spent on the land, or what he had paid on entry. With regard to the second part of the Bill, he believed it would place a fair number of occupants in possession of land, and would strengthen the middle class of Ireland. It was obvious how much further the present Bill went than any previous one, and Mr. Fortescue claimed for it that it would more or less succeed in putting all tenants on the same footing as existing tenants of really good landlords, with the additional protection that they would not be liable to any reverse of fortune through the succession of a bad landlord or the sale of the estate. In conclusion he assured the House that the Bill had been framed upon the most careful considerations of the facts and wants of Irish life, and after a thorough examination of all former efforts that had been made to solve the great problem.

Mr. Ward Hunt disapproved the whole of the legalization of the Ulster custom as the perpetuation of a bad system, and objected to the new presumption of law that improvements had been made by tenants. The materials were very often found by the landlord. He denied that compensation for the loss of occupancy could be just or equitable in principle; it was “a subtraction from the property of the

landlord." If it was argued that the landlord instead of compensation could offer a lease, then a contract was to be extorted from him, the tenure of which he was not at liberty to define. He did not object to compensation for improvements, or to the purchase of estates on behalf of tenants, but he held that the whole Bill would produce endless litigation.

Mr. Maguire, while supporting the second reading, insisted much on the amendments in Committee, and gave many telling instances of the effect of insecurity even under good landlords.

The Attorney-General (Sir R. Collier) replied to the objection that Ireland was degraded by a treatment which was (legally speaking) too barbarous for England, and maintained that it was the aim of the Bill to produce in Ireland the same results which the English law had already produced in England.

Mr. Moore thought the Bill did not "carry out adequately its own good intentions; good intentions were said to form the pavement of a place that was once offered to the Irish people as an alternative for Connaught; he hoped there was no danger of a similar issue in the present case;" and the O'Donoghue referred to the proceedings of the members who opposed the Bill as "the gambols of excited patriots."

Mr. C. S. Read and Mr. Henley took opposite views of the clause giving compensation for eviction, the former holding that it would operate in favour of the lenient landlord, the latter that it was a direct premium on stinginess in the landlord. Mr. Read argued that the rack-rented tenant, who lost least by eviction, would get most, but believed that the Bill would, on the whole, do a great deal of good. Mr. Henley objected to all the principles of the Bill, thought the disturbance clause unjust, and the compensation clauses unjust and injurious.

The Solicitor General for Ireland (Mr. Dowse) argued that the Bill carefully provided that the arbitration of judges who were to award compensation for eviction not only might, but ought to, take into account the whole circumstances of the tenancy, abate compensation for every past boon of the landlord's, and raise it towards its maximum in all cases where the landlord could be shown to have dealt hardly with his tenant in times past.

Mr. Horsman eulogized the Bill in the highest terms; describing it as less an amendment of the law than the foundation of a system, made necessary by the condition of Ireland, which he described in vigorous language. The perils of property were far more conspicuous than its rights or enjoyments. The statute law was superseded by the law of the secret societies; the policeman was appealed to in vain for protection, while the assassin's arm was always ready when invoked. The Government had done wisely and well; and their Bill dealt successfully with the three complaints of the Irish tenant. It made evictions next to impossible, it secured compensation for improvements, and it discouraged rack-renting. It went further than any of its predecessors in the interest of the

tenant, and whatever sacrifice it required from the landlord would be cheaply purchased by the security that it would give him for life and property. He expected that it would go far to restore tranquillity to Ireland, but insisted that the second reading would cast on the Government the responsibility of accompanying it with supplementary measures for the better protection of life and property. The same lesson was enforced in strong language by

Sir Roundell Palmer, who, on this occasion, may be said to have made himself the spokesman of the moderate Conservatives, pronouncing the Bill "large and important, but not revolutionary," but at the same time "a humiliating necessity." "It is absolutely necessary," he said, "for the success of the Bill, that these disorders should be put an end to. It would be a mockery to talk of justice; it would be a mockery to talk of redressing wrongs, if you allowed the greatest wrong to pass unredressed—if you allow the rights which in this Bill are solemnly asserted to remain at the mercy of the secret assassin and of the bands of conspirators who can invoke him when they please. It would be an absolute mockery. Your Bill will not be worth the paper it is written on if it is not followed up by measures sufficient to establish the authority of the law. Nor will it do to say that in Ireland you can only apply the measures which are suitable to the circumstances of England. This Bill is, in every line of it, an answer to such an argument. This Bill is not suitable to the circumstances of England, and it is so, because the circumstances of Ireland are different. If in England we had such outrages and disorders as prevail in Ireland, does any one imagine for a moment that we would encumber ourselves with difficulties arising out of constitutional forms and precedents, if they stood in the way of the object for which laws exist and did not tend to fulfil those objects? It is, then, I maintain, the most sacred duty of the Government to render their measure effectual by protecting both tenant and landlord in Ireland in the enjoyment of their legal rights, and by putting an end to the murders which now make peace and prosperity in some parts of Ireland—happily they are but a few parts of Ireland after all—impossible. But, mind, though it is true that they are but a few parts of Ireland, no man can tell to how many other parts these crimes would extend, if such a system were allowed to go on unchecked. And I must say, that of all the mockeries in the world, the greatest is to talk about the mischiefs absenteeism produces, and to express a desire that landlords should reside among their tenantry, be the dispensers to them of benevolence, spend their money on their estates, and discharge the other duties which belong to their position, when if a landlord residing upon his property only seeks to obtain his rent, or to exercise the rights of a proprietor for some other just and lawful purpose, his life and the lives of his servants, agents, and children immediately become at stake. I do not think anyone can fail to see that the impotence of the law to punish the commission of crime in



Ireland tends to dissolve all the bonds of society. The effect of such a state of things does not stop with the landlord; it goes down to his bailiffs and agents, to the railway official and the egg merchant; in short, any man who seeks to do what he is allowed to do by the law, and who is the object of his neighbours' jealousy and envy, is liable to have not only his property but his life placed in danger. Nothing on earth, I may add, should induce me to support this Bill but my firm conviction and persuasion, that the Government, which has exhibited so much courage with respect to this Bill, which displayed equal courage last year, although I did not then agree with them, and which is supported by so large a majority both in this house and in the country, are as much determined to do their duty with regard to the steps which remain to be taken for the purpose of protecting life and property in Ireland, as they have shown themselves to be in producing these conciliatory measures, which, if they have the desired effect, may succeed in reconciling two countries which have been so long and so unhappily divided."

Mr. Hardy followed the line of argument of Dr. Ball and Mr. Ward Hunt, insisting on the injustice done to purchasers under the Encumbered Estates Act, maintaining that any compensation due from them for back improvements ought to be paid for by Parliament, and supporting freedom of contract.

Mr. Disraeli, describing the Bill as a "political Bill," acknowledged the necessity for the introduction of some such measure, but denied that previous Administrations had trifled with the question. He admitted that he was in favour of retrospective compensation, with a term fixed, extending to all objects, without any exception, and on that ground, as the Bill of 1852 had included that question, gave his assent to the principle of the second reading. But he objected altogether to the provision which assumed that all past improvements had been made by the tenant instead of the landlord. He then proceeded to indicate the course he proposed to take in committee, and pointed out the provisions to which he was chiefly adverse. The first of these was that relating to the Ulster custom, which he described as neither more nor less than asking Parliament to legalize the private arrangements of every estate in the north of Ireland. "What is the Ulster custom?" he said. "No gentleman has pretended to tell us. There is no such thing as Ulster custom. . . . There is no prescription, because it is not ancient; there is no certainty, because it varies under every rule. Then I want to know in what manner you will deal with this question of Ulster custom. Besides, even if it were a custom, I very much doubt the propriety, as a general principle, of legalizing customs. The moment you legalize a custom you fix its particular character; but the value of a custom is its flexibility, and that it adapts itself to all the circumstances of the moment and of the locality. All these qualities are lost the moment you crystallize a custom into legislation. Customs may not be as wise as laws, but

they are always more popular. They array upon their side alike the convictions and the prejudices of men. They are spontaneous. They grow out of man's necessities and invention, and as circumstances change and alter and die off the custom falls into desuetude, and we get rid of it. But if you make it into a law, circumstances alter, but the law remains, and becomes part of that obsolete legislation which haunts our statute book and harasses society. Therefore I say, as a general principle, I am against legalizing customs. You cannot, if you are to legalize custom, legalize the custom of Ulster, because it does not exist. But if it did exist, what is the reason that you should have special legislation for the custom of Ulster? These agricultural customs exist in other parts of Ireland; you have provided for them in your Bill. Why should there be two clauses—one for the Ulster and one for the other customs? Protesting against legalizing customs, I say that, if the House in its wisdom decides upon that course, it will be expedient to get rid of this special legislation for Ulster, and to support a general clause upon the whole subject of legalizing the agricultural customs of Ireland." He also disapproved entirely of the clause giving compensation for occupation, as a proposition terminating "at one fell swoop all moral relations between the owner and the occupier." "No doubt," he said, "there may be some gentlemen—and those probably who have least considered the subject—who will be surprised to hear that there are moral relations existing between landlords and their tenants even in the extreme south of Ireland. But among the most important moral relations between these two classes is exactitude in demanding and paying rent. Sir, moral qualities of a very high order are developed when the tenant does not pay you rent. Forbearance in its most Christian aspect may then be exhibited in a manner that may claim the respect and admiration of society. There is no body of men who require forbearance to be shown to them more than those small Irish tenants. In what position towards them do you now place the Irish landlords, to whose kindness and sympathy the tenants hitherto have preferred a claim? An industrious man, a hardworking and good man, is overcome, we will suppose, by those vicissitudes of seasons which Ireland is not exempt from, and he applies—as others have applied before, and not in vain—to the distinguished facility and good nature of the Irish landlord. But the landlord naturally asks who is the man who thus comes to him with a claim for consideration. The relations that once existed, the relation of patron and client—a relation that, truly conceived and generously administered, is one of the strongest elements of the social system—no longer subsists. And the landlord says—'This man, who comes and asks me to exercise all the higher qualities of human nature—this man, under the law as it has now been constituted, is a man who is no longer my tenant, but my co-parcener. He may to-morrow, by the decision of some person that I have never heard of, claim seven years' rent from me, to be increased by at least three years' more rent if he

leaves me unexhausted improvements, of the existence of which I am not even conscious. The value of my estate is only twenty years' purchase; he has, consequently, as much interest in the estate as myself. Why, then, should I suffer inconvenience and loss, or forbear from vindicating my rights?' I say that this appeal of a tenant, under circumstances such as I have described, would be one of the very last which was calculated to touch the heart of a proprietor. But this is the position in which you propose to place landlord and tenant for the future, terminating all those moral relations which have prevailed, and, even in the most unhappy times, have been extensively exercised."

He further objected to the proposal to make advances of public money, except "on good security, and for a beneficial object," in which light he could not regard advances to the tenant in order that he should purchase the freehold, the tendency of which, he said, was "to make at the same time of one man an inefficient tenant and a poor proprietor."

After criticizing the course proposed to be taken with reference to purchasers under the Landed and Encumbered Estates Act, he said of the Bill, "without giving any final or general opinion as to its merits, that a more complicated, a more clumsy, or a more heterogeneous measure was never yet brought before the consideration of Parliament," and proceeded to give his model of a Bill with the recommendation, he said, "of simplicity and brevity." He was for leaving all the customs of Ireland alone. "They are very effective," he observed, "at the present moment. If you legalize the custom, the chance is that you diminish the moral incidents of the arrangement without practically increasing the legal power. It is better to leave those incidents to work their way, as they have hitherto done, with very general satisfaction. But if a man without a lease, and who had paid his rent, is evicted, why, let his case go before the tribunal you shall appoint; let the Judge investigate all the elements of the equity of the case; and let him come to a decision which on one side shall guard the tenant from coercion, and, on the other, preserve the landlord from fraud. Why cannot you do this? You are going to create a tribunal. Then create at once an efficient tribunal, and delegate to it the authority I have mentioned. It would not be so great a violation of the principle of property as these complicated provisions before us."

Laughing at the tribunals proposed by the Bill, at the assistant-barrister, "always careful to be non-resident," and the Judges of Assize to whom appeals were to be made, "whose every hour and half-hour is mapped out before they embark on their great enterprise, followed by an excited and ambitious Bar, with their carriages and the railways full of briefs," he suggested that Judges specially sent down, as in England, under the last Election Act, would perform the necessary duties satisfactorily.

In conclusion he protested strongly against all interference with freedom of contract in Ireland, regarding freedom of contract as

“one of the greatest securities for the progress of civilization.” “I know well,” he said, “that the condition of Ireland may act upon the decision of this House in the conduct of this Bill. I who am offering to this Bill no factious opposition, who have given to it, as I promised, a candid consideration, and who, I trust, with the modifications which argument and reason may bring about, will yet be able to give it a cordial support, am most anxious that honourable gentlemen, on whatever side they sit, will not decide upon the fate of Ireland in these most interesting and important relations of its most important classes in a spirit of panic. Do not let us vote upon this subject as if we had received threatening letters—as if we expected to meet Rory of the Hills when we go into the lobby. No: let us decide upon all these great subjects which will be brought under our consideration in Committee as becomes members of the House of Commons; for, depend upon it, if we are induced in a hurry and with precipitation to agree to such monstrous enactments as that the Irish people should not have the power, for instance, of entering into contracts with each other, the time will come—a more tranquil and a more genial hour as regards Ireland than the present—when the reproach we shall receive upon the subject will be made from Ireland itself; and they will say of the English people, ‘They treated us in our hour of difficulty as men who neither comprehended justice nor deserved freedom.’”

Mr. Gladstone, in replying, met the plan of Mr. Disraeli with a question: “Suppose,” he said, “the landlord contracts with his tenant that he shall not upon eviction go before a Judge, I want to know what, in that case, and subject to that single test, will become of the measure of the right hon. gentleman.” Thanking the Opposition and the Irish members for their readiness to aid in smoothing the difficulties intercepting the adjustment of the question, he promised to give fair consideration to amendments in Committee, and specified one or two points on which he had been convinced in the course of argument that some modification would be necessary. He admitted that a more distinct severance might be made between payment for improvements and compensation for eviction; and that it might be right to consider the provisions of the present law of distress in Ireland in their bearing on some of the clauses of the Bill. On the question of the Ulster custom he was firm; and owned that the debate “had not inspired him with the slightest desire or disposition to depart from the substance of the clause relating to it.” Approaching what he described as “the broadest of all the questions connected with the character of the Bill”—the question of eviction—he declared that its great aim was to give “stability of tenure and security of mind to the occupier of the soil.” The difficulties in the way of the Bill he divided into two classes: the objections made in the House (which he had already noticed) and those not much, if at all heard in the House, “far more formidable, not in their power of reason, but in their power of acting upon the popular mind;” such as the doc-

trine of "fixity of tenure,"— of which he recorded it as "a great and an important fact," that throughout the debate it had been "wholly unsustainable by the slightest attempt at reasoning"— and the doctrine sometimes called "fair rents," and sometimes "valuation of rents," of which also he said that little had been heard during the debate, but which had been defined to him by an important deputation, which had desired that any Bill to be passed by Parliament should recognize for the tenants these things:—'A right to continued occupation, subject to the payment of the rent to which he is liable, or to such charge of rent as shall be afterwards settled from time to time by fair valuation as hereinafter provided, and the right to sell his interest to any solvent tenant to whom the landlord cannot make reasonable objection.' This demand, and the demand for a power to reduce excessive rents, he described and objected to as the claims made on behalf of what he might call "the popular party in Ireland;" and after pointing out their fallacy, he concluded his speech with an appeal to those members who were preparing to oppose the second reading of the Bill. "Will the Irish people," he said, "follow such a disastrous leadership? I believe not. I hold that each successive act of justice develops feelings of content and loyalty, and narrows the circle of disaffection. I know your difficulties may be great, but they are not yours alone, they are the difficulties of other Irish members. There is in Ireland—do not let us conceal it from ourselves—not only a reckless, a lawless, but a demoralized and demoralizing agency, which is now at work for the two-fold purpose of disturbing the country through agrarian crimes, and of making, through unreasonable demands, peaceful legislation impossible for Ireland. But you have before you noble examples. Are there not numerous Irish members, your brethren in many an ancient contest for the rights of your fellow-countrymen, who, nevertheless, in this debate, have manfully declared their resolution not upon this great and solemn occasion to reject the opportunity of making a new treaty of peace with this United Kingdom? And if, which I am most reluctant to believe—which I cannot believe, a portion of the Irish people could be induced to embark in this enterprize, is it likely they will succeed? Is the conflict one of such a character that you ought to encourage them to engage in it—to reject upon the second reading a Bill—I repeat the sentence because I wish every syllable of it to be scrutinized—to reject upon the second reading a Bill which offers to the farmers and the cottiers of Ireland privileges of occupation such as have never yet been enjoyed in two countries that are admitted to be, as respects the condition of the cultivators of the soil, at the very least among the foremost in the world? No, sir, let us look back, in one sentence, over the career of Irish patriotism. For a hundred years Ireland has been engaged in almost a continuous conflict with the governing power—I will not say of the nation, but with the governing power of this island. She has engaged in that conflict

with all the disadvantages of a limited population, of inferior resources, of backward political development, and yet she has been uniformly successful. Strength and weakness have grappled together in almost incessant conflict; and on every occasion, in a succession of falls, strength has been laid prostrate on the ground, and weakness has waved the banner of victory over it. . . . The career of Ireland has ever been onward. Her cry has ever been, *Excelsior!* but, because she has had justice for her cause, and has been sustained in it by that which is the highest earthly organ of justice, the favouring opinion of the civilized and Christian world. We, sir, have accepted the challenge. We seek in friendly contest to deprive Ireland of that alliance. There is but one way in which it can be done, and that is by offering her justice. Will you take it upon you to ask for more? Victors you have been in many battles; but what will be the issue of the strife when already—as we know from the utterances of high and low in other lands—the world has begun to recognize the efforts this great country is making for peace and union—what will be the issue of that strife—what will be the weight of responsibility, if, intoxicated by success, and believing that that which has been must ever be, you venture to make, on the part of Ireland, or on the part of a portion of the people of Ireland, demands that justice cannot sanction or concede? Sir, we have been invoked to-night, in solemn terms, from both sides of the House, to be just and fear not. It is our desire to be just, but to be just we must be just to all. The oppression of a majority is detestable and odious—the oppression of a minority is only by one degree less detestable and less odious. The face of justice is like the face of the god Janus. It is like the face of those lions, the work of Landseer, which keep watch and ward round the record of our country's greatness. She presents one tranquil and majestic countenance towards every point of the compass and every quarter of the globe. That rare, that noble, that imperial virtue has this above all other qualities, that she is no respecter of persons, and she will not take advantage of a favourable moment to oppress the wealthy, for the sake of flattering the poor, any more than she will condescend to oppress the poor for the sake of pampering the luxuries of the rich. I beseech my hon. friends to pause before they call on the House to do an act which, however decisive its utterance, will break the concord and unanimity of the House. We have been met, and handsomely met, from the other side of the House; we have been met, and gallantly met, by many of those who have been foremost in fighting the battles of the people of Ireland. Hesitate, then, I beseech you, for a moment, before you run the risk of lighting a flame which you will in vain labour to extinguish, lest it should be the unhappy fate of your country that after she has surmounted every difficulty, borne every calamity, and conquered every enemy, she should at length miss the prize of national peace, happiness, and contentment through the agency of those whom she believed to be her friends."

Upon the division which followed, 442 members voted in favour of the second reading, and 11 in the minority.

Between the vote on the second reading and the carrying of the Bill into Committee, the growth of a new form of terrorism in Ireland served to exasperate greatly the temper of the House and of the country. This was the visits of armed men to farmers in County Mayo, to coerce them into taking an oath to break up their pastures. Under these conditions it was not likely that the promised Bill for the repression of agrarian crime, which was introduced by Mr. Chichester Fortescue, on the 17th March, would meet with any but the weakest opposition, or with any serious criticism except that it did not go far enough. Its principal provisions were simple and effective. It was proposed to suppress the use of fire-arms in proclaimed districts. Their possession without licence was entirely forbidden under penalties of exceptional severity, the Court being authorized to inflict sentences of two years penal servitude. The right of constables to search for arms was made complete, their warrants running three months and their powers extending to domiciliary search, which might be instituted by a patrol to be established in disturbed districts. Threatening letters were also to be met by domiciliary searches for evidence of handwriting and motive, and "visits" by arrests through patrols, who were empowered to seize any person wandering about at night in a suspicious manner. The power of inflicting summary punishment was given to the magistrates, and change of venue authorized when needful. It was further proposed to authorize the Grand Jury, with the consent of the Judge, to levy damages on the districts for compensation to the families of any person murdered from agrarian motives—and Government was to have the power to seize upon any newspaper, the owners receiving in the Bill power to institute an action against the Crown—thus securing the limitation of this clause to its special purpose, the prevention of newspaper-terrorism. The Bill passed rapidly, and received the Royal consent on the 4th of April. The Press clauses met with some opposition in the Lower House, but the division on the second reading showed a minority of only 15 members, and when the discussion was renewed in committee an amendment confining the right of seizure to newspapers advising agrarian outrage was negatived by 330 to 15. An amendment was, however, accepted that allowed of one warning before seizure. The Lords received the Bill with general approbation, with exultation even, and made no substantial change in it. "You must teach the Irish people to *fear* the law," said Lord Salisbury, "before you can induce them to *like* it."

The Irish Land Bill in Committee was threatened with no less than three hundred amendments; and the discussion on the first clause, legalizing the Ulster custom, occupied as much as twelve hours. The first important debate took place in committee upon the third clause (providing for compensation in absence of custom), when Mr. Disraeli moved that the compensation for eviction should

be limited by the insertion of the words "in respect of unexhausted improvements made by him, or any predecessor in title, and of interruption in the completion of any course of husbandry suited to the holding." As the Government were known to be about to remodel the clause, so as to separate compensation for improvements from compensation for eviction, this amendment struck at one of the main ideas of the Bill, and began the battle in earnest. By this intended separation Mr. Disraeli justified his attack upon the Government, as it would make the Bill entirely different from the measure for which he and his party had voted in debate; and introduced into it the principle that the "termination of an occupancy was a grievance for which the tenant ought to be compensated," and that occupation therefore "involved a right of property," indeed a distinct right to a third of the freehold. The effect of this would be felt throughout the United Kingdom—would affect the security of all landlords, and indeed of all property whatever, while bringing no advantage to Ireland. "Then the landlord would say—'We must both stand upon our rights. This new-fangled law, which has given you a contingent remainder to the third of my freehold, has at least given me this security, that if you do not pay me your rent I may get rid of you.' We have heard a great deal of evictions under different forms and circumstances; but this Bill provides what I should describe as a species of natural eviction. When a tenant does not pay his rent the landlord may get rid of him without his claiming a third of his freehold as compensation. Every one must feel, that, if only in self-defence, the landlord will avail himself of that position, the only position of strength left him. He will wait till the tenant does not pay his rent—and, as far as I have heard, the class of tenants for whom we are legislating in this exceptional way have the habit of falling into arrear with their rent—the landlord will avail himself of the power which is placed in his hands, and then what will occur? You will have farms consolidated, and the very farmers for whom you are taking this perilous step will be swept from the surface of the soil. Either the landlord will entirely assert his authority, or the tenant, finding himself in this position, will revert to those rural ethics with the consequences of which we are all familiar. There will be a new grievance—the payment of rent; and the non-payment of rent will become a principle, asserted by the same rural logic, the startling consequences of which have filled the mind of the country with apprehension and horror almost every day. The argument of the Irish tenant—belonging to the very class that you think you are now setting up by this violation of the fundamental law of the country—will be to this effect—'I have lost my holding because I did not pay my rent; can anything be more flagrantly unjust than that a man should be deprived of his contingent right to a third of the freehold because he does not pay his rent?' That is a natural view, which may lead to a much more successful agitation than any we have yet heard of. The question is unanswerable; we may think



it is abstractedly unreasonable, but it is the necessary result of our legislation. And what will be the consequence? Why, that payment of rent will become a grievance, and you will find yourselves in exactly the same position in which you are now placed. There will be great complaints of the consolidation of farms, great complaints of vexatious and tyrannical evictions, and on the other side, the most violent means by which the supposed rights of the occupiers to property in the soil may be vindicated will be resorted to. And so far from the improvement of the country terminating all these misunderstandings and heartburnings, which we seem now so anxious upon both sides of the House to bring to a close, you will have the same controversies still raging only with increased acerbity, and under circumstances and conditions which inevitably must lead to increased bitterness and increased perils to society." He appealed to the Government to return to their original scheme, and was followed on the same side by

Mr. Gathorne Hardy, who argued that the measure as now altered would "create a property which did not exist before—give a man something which he never had before," and "take it from somebody else."

The Government fully accepted the offered issue, the Chancellor of the Exchequer (Mr. Lowe) pronouncing Mr. Disraeli's speech to be a declaration of war. He would answer his amendment and not his speech, which had "nothing to do with each other," and acknowledged plainly that the Ministry proposed to restrain (by legislation) the right of eviction in Ireland as liable to the grossest abuse. "We have not, however," he said, "treated eviction as a wrong, nor have we given damages for eviction. We have given compensation—which is of course the same thing as damages, one being the Latin and the other the English form of the word—to any person for any loss he shall sustain for quitting his holding. But we have not imposed an arbitrary fine. In this country we have a tenure of leases renewable on payment of a fine by the tenant. That tenure has not worked sufficiently well to encourage the Government to propose any such system in Ireland. All we have done has been to say to the tenant—'Prove the loss you have sustained, and within a certain limit you shall receive compensation.' We have not altered the tenure of land; we have studiously avoided doing so; but we have said where a wrong can be proved we will give within moderate and fair limits a summary remedy."

Sir Roundell Palmer, while voting for the Bill, objected to what he described as "prospective interference with freedom of contract," rather than "taking away property," beyond the limits of absolute necessity, and expressed his belief that that necessity "could not possibly apply to holdings above a certain value (which he fixed at 50*l.*), nor to *bonâ fide* leases of definite duration."

Mr. Gladstone, pointing out that Sir R. Palmer's speech had chiefly turned upon "matters wholly extraneous to the points at issue," and that the discussion in hand related only to the "basis

of computation of compensation to be made to the tenant in the event of causeless or arbitrary eviction by the landlord," declared that the provision in debate had been inserted from "the hard, invincible conviction which has been forced upon us, that the simple admission of free contract would be the destruction of this portion of the Bill." The Bill was a measure "wholly and absolutely exceptional." "We look upon it," he said, "as an exceptional Irish measure. Nay, more, we hope the time may come when the provisions of this Bill may no longer be necessary in Ireland. Then, perhaps, you will say—'Why not make the Bill a temporary one?' Well, we have endeavoured to give to that subject an impartial consideration. There is a very great difficulty in making the Bill a temporary Bill, upon a ground which every member conversant with its provisions will at once appreciate—namely, the longevity (if I may use the word) of many of the interests which will be created under it. What we believe is, that if the time ever comes—and I trust it may come—when it will be possible and desirable for Ireland to work its way out of many of the peculiarities which we are compelled to ask Parliament to enact in its present circumstances, the best way of doing that will be by the re-introduction of the principle of free contract; because, whatever complications may arise from a system which we look upon as artificial, freedom of contract between the parties will be the simplest, the best, and even the quickest way of disposing of them, when once you have restored those parties to a position in which they can meet on equal terms. What we should propose is this—undoubtedly not that this provision as to free contract shall last for a certain number of years and then terminate, because that would be a very hasty and precipitate mode of proceeding; we cannot venture to say that twenty, or thirty, or any given number of years, will be sufficient: but there is a method which has been adopted by Parliament, I believe, in several instances, and certainly in one great instance, that of the Bank Charter Act. There the mode adopted by Parliament to mark that the engagement is terminable and rests upon conventional grounds is this—It is appointed to endure for a certain number of years, and thereafter until Parliament shall otherwise determine. By words of that kind Parliament marks its opinion that the principle of the provision made is not of an immutable and permanent character, and yet, at the same time, it does not prematurely venture to anticipate a given moment which experience does not warrant our endeavouring at this time to fix, and at which we can now say it will be possible for Parliament to dispense with such legislation. The words we propose to adopt are these—'This provision—namely, a provision which restrains freedom of contract—shall remain in force for twenty years, from the first day of January, one thousand eight hundred and seventy-one, and thereafter until Parliament shall otherwise determine.'" As to the motion of Mr. Disraeli, it was aimed at "one of the main pillars of the Bill." And the speaker

proceeded to specify its three "grand provisions." "One of the grand provisions of the Bill was the confirmation of Irish customs. Another grand provision was the assertion of the principle that improvements made by the tenant were the property of the tenant. And a third principle of the Bill, which was by far the most prominent in the lengthened statement it was my duty to inflict upon the House, was that damages for evictions were to be paid to the tenant." He admitted that "interference with property" in a sense existed in the measure, which was the "redressing of an inequality, partial, but the best the circumstances permit of," but distinguished between "the kind of interference which weakens the foundations of property, and that which strengthens them," and commenting, as Mr. Lowe had done, on the minuteness of the change of proceeding which Mr. Disraeli had charged against Government, maintained that his amendment was "an undisguised attempt to overthrow one of the main principles of the Bill as originally introduced."

In the division which followed the two great political parties fairly tried their respective strength, and the result of the vote on Mr. Disraeli's amendment was, Ayes, 220, Noes, 296.

This vote in effect rescinded the policy of two hundred years, and acknowledged generally that on the great question in dispute between England and Ireland, the tenure of Irish land, Ireland had been right and England wrong, and that history has in the former country given to the occupier a beneficial right in the soil.

On the following day the principle of tenant right was affirmed by a vote of 293 to 182 on the remodelled clause as moved by Mr. Chichester Fortescue, which declared that a tenant disturbed in his holding by his landlord should be entitled to compensation for the disturbance up to a certain scale. The question of free contract was a fertile source of discussion, and even of danger to the principle contended for by the Government, Mr. Gladstone consenting, with avowed reluctance, but in deference to Conservative feeling, to limit to twenty years the interference with freedom of contract, and to include all tenants of holdings of 50*l.* rent and upwards in the class with whose free contracts the Bill would prohibit interference. The member for Cambridge (Mr. Fowler) chiefly supported at first in his arguments by Sir Roundell Palmer, pressed to a division an amendment to the effect that no farmer paying a rent over 50*l.* should be entitled to any damages for eviction—to any thing, that is, beyond their claim for real improvements, and was defeated by a majority of only 32. Mr. Gladstone declared that he must withdraw the Bill in the event of this amendment being carried. The third clause being at length agreed to, the Bill proceeded rapidly. There was a sharp discussion on a clause which enacted that all improvements should be assumed to have been made by the tenant till proof given to the contrary. Mr. Plunket moved an amendment to limit its operation to tenancies created after the Act, and reproached Sir Roundell Palmer,

who, he said, had been "mesmerized into catalepsy," with not pushing his own amendment to the same effect. Sir R. Palmer replied that he had all along acted upon the principle of getting what he could, and not clamouring for what he found it hopeless to demand, and Mr. Plunket's amendment was defeated by 191 to 32. On clause 8, which defined the condition as to disturbances in holdings, Dr. Ball wished to deny damages for eviction in all cases where the Court held that the covenants of a lease had not been strictly discharged, but was defeated by 194 to 113. The clause enacting that the offer of a lease of a particular length should bar compensation for eviction, was left out at the instance of the Government by 250 to 148. On the question of advances to tenants to enable them to purchase their holdings, it was determined that the advances to be made were not to be more than two-thirds of the value, and that the repayment was to be by an annuity of 5% for every hundred pounds advanced, to last for 35 years, instead of 6% 10s. for every such hundred pounds, to last only 22 years. A motion in favour of permissive fixity of tenure brought forward by Sir John Gray, by which it was proposed to permit any landlord to exempt himself from the operation of the Bill by granting his tenants perpetual leases, with periodical re-valuations, was characterized by Mr. Fortescue as a substitute for rather than an amendment to the Bill, and was rejected by a vote of 317 to 29. On the 30th of May the Bill was read for the third time, and thus passed the Commons without substantial alterations. In a brief debate Mr. Hardy made a final speech against the Bill, in which he hinted that the Lords must make certain alterations in principle in it, and especially abrogate the penalty on eviction. Mr. Gladstone intimated that no alteration in principle could be entertained, and recapitulated some of his previous arguments. "Now, sir," he said, "what are the sentiments which seem to predominate in the mind of the right hon. gentleman, so far as he is an objecting party to the provisions of this Bill? It is that they import some injustice to the Irish landlord. But I put to the right hon. gentleman this question, and I found myself on the conduct of the Irish landlords in this House for the opinion I entertain—Suppose we could gather the Irish landlords in a mass, and obtain from them, honestly, their judgment whether they would prefer the Bill, on the one hand, as it stands, or, on the other, the state and prospects of Ireland were the Bill to be rejected or to be mutilated in a manner to ensure its rejection, and we were to put to these Irish landlords, categorically, the question—'Will you take it as it is, or will you have it lost?' I may be wrong; but my firm conviction is, that the cry of these landlords would be—'Let the Bill pass into law!' There is no doubt that the settlement of questions of this kind should be governed by a studious moderation; that is essential in order to make it tolerable to a country which is distinguished for its attachment to the stability of property as much as its attachment to the principles of law and order. It is therefore, I think,

that my hon. friends who represent the popular party in Ireland have so often, even with cheerfulness, acquiesced in our declining to accede to what we felt to be extreme demands—demands which they knew the people of Great Britain would never have agreed to. Excesses we have endeavoured to avoid; but it would be idle, it would be conferring no benefit upon any one; it would be fatal to our own character; it would be injurious to the reputation of Parliament, it would be hostile to the interests of the Irish landlord, were we to attempt to induce Parliament to pass an ineffectual measure. Of course, we may have erred in our attempts to realize that just moderation of view which lies between violence on the one hand, and feebleness on the other; but we have not erred from want of upright intention or of studied labour. The aid we have received from the House, bestowed with such unexampled care and patience, and with so much intelligence, knowledge, and ability, has, I confidently think, setting aside those minor touches which in every work of art, law, or industry, may always be applied with advantage to bring such works to perfection, brought this measure to a state in which, if it be allowed to take its place in the statute book, it will redound to the honour of Parliament and the benefit and security of the Empire.”

Lord Granville, on moving the second reading in the House of Lords, recapitulated the attempts made at previous legislation, and described the scope and objects of the present measure.

The Duke of Richmond, in declaring his intention to move certain moderate amendments, wished to lower the length of lease, which would exempt the landlord from the operation of the Bill, from thirty-one to twenty-one years, and to fix a time after the lapse of which no compensation for tenant's improvements should be made. The landlord and tenant should have the power of settling matters without going into court, and the awards made by the Judge of the Civil Bill Courts should have upon the face of them the particulars he should decide. The clause was to be thrown out which limited distress for rent to persons who had contracted to allow it.

Lord Salisbury, approving of the creation of a peasant proprietary, of compensation for improvements, and of the recognition of clear and tangible customs, disapproved of any limitation of free contracts, and especially of damages for eviction. The Bill contained, as it appeared to him, “points white, grey, and black”—things which he admired exceedingly, things the intention of which he respected, but the means of which he distrusted, and things which he must condemn with his whole heart.

Lord Cairns criticized the Bill in detail; and

Lord Derby, endorsing the objections that Lord Cairns made, strongly attacked that part of the Bill which referred to disturbance of holdings, and argued that its results would be the expulsion of small tenants, not the retaining of their holdings; not that he regarded that as an unmixed evil. “I will venture to say,”

he said, "that what is most satisfactory in the measure is that—not so much by what it says as by what it does not say—it practically involves a denial of that curious and fantastic delusion, which appears to have taken hold of some of the agricultural body in Ireland—that, in some vague unexplained way, the land belongs of right, or ought to belong to those who live on it—a claim which is about as reasonable as that of the cook who should assert his right to eat the dinner he has prepared, or the bricklayer to live in the house he has built. That delusion will be finally negatived by this Bill. I am very glad of it; and if any doubt mingles with the satisfaction which I should otherwise feel on the subject, it is only that I hope that those who have introduced this Bill as a final measure will have the courage to stick to it as final. I do not like to be a prophet of evil; but I do ask the House not to indulge the delusion that because this Bill, if it passes as it stands, will give a certain degree of satisfaction to a certain class in Ireland, therefore you will see an end of agitation in that country. I am afraid that the trade of dilating upon the grievances of Ireland is far too profitable to be so easily abandoned. I ask you whether the Irish Church would not now have probably been still on its legs but for the Fenian agitation? I will also ask whether this Bill, in its present form, would have been likely to pass through both Houses of Parliament, if it had not been for long-continued agitation, supported by many most unjustifiable acts of violence? It is an unpleasant truth, I know; but it is the truth, and I name it for that reason—that I do not think we can reasonably expect people to give up playing a game which has hitherto been so eminently successful. . . . For the poverty and discontent existing in Ireland there is only one real remedy—the gradual reduction of holdings; and in the nature of the case that must necessarily be the work of time."

Lord Lurgan said that the legalization of the Ulster custom would no more hurt Ulster landlords than the legalization of their debts of honour.

Lord Dunsany held that the Bill was "a very great though perhaps necessary evil," as it invaded property, tenants being permitted to put up improvements without the landlord's consent, and landlords forbidden to enter on their own farms without paying a premium.

Lord Greville supported the Bill, which he thought had been rendered necessary mainly by the harshness of the *novi homines*; and

Lord Leitrim objected to "every part of it, from the title downwards," and wanted all cases under it tried by Quarter Sessions. "The clause about notice to quit," he said, "was contrary to the Act of Union."

The Earl of Clancarty denounced the Bill as one of pains and penalties against the landlords of Ireland.

Lord Portarlington supported it, ascribing land wrongs, however, chiefly to the disappearance of old families; and

Lord Lansdowne said, in reference to "freedom of contract," that, if the enactments of the Bill were fit to be enforced, a contract violating the Bill ought not to be supported.

The Earl of Carnarvon supported the Bill as an experiment which might do good in an exceptional state of affairs, though he thought it full of retrograde details, such as the stereotyping of tenant right and the interference with freedom of contract.

The Lord Chancellor said that the important points of the Bill were, "first, the Ulster tenant-right and the making that custom a legal and binding contract between the parties; secondly, the clause which gives to the tenant certain compensation over and beyond the actual value of his improvements; thirdly, those clauses defining what are improvements; fourthly, the making the payment for them retrospective; fifthly, the presumption as to those improvements; and, sixthly, the forbidding certain contracts;" and proceeded to defend such arrangements as he thought threatened with attack.

The Bill was upon this read a second time. As in the Commons, so in the House of Lords, the battle was fought in Committee. There it soon became clear that the Conservative Peers were neither willing nor ready to accept the principles of the Bill; and amendments were at once proposed and carried which struck at the root of it.

The Duke of Richmond proposed to reduce the scale of compensation for eviction, by providing that the highest scale, seven years' rent, should be given in the case of holdings valued at and under 4*l.* instead of 10*l.*; that in cases where the valuation was above 10*l.* and under 20*l.* the compensation should not exceed five years' rent; and that in cases where the valuation was above 20*l.* and under 40*l.* it should not exceed four years' rent.

This amendment was carried by 92 votes to 71; and further amendments proposed by the Duke were also carried by varying majorities. One denied compensation to an assignee not approved by the landlord; another forbade tenants to let gardens to their labourers under penalty of losing the protection of the Act; and a fourth reduced the lease which was to exempt landlords from the Act, from thirty-one to twenty-one years. But the gravest of all the amendments was proposed and carried through by Lord Salisbury, who on this point separated himself from the Duke of Richmond (who voted against the amendment), and obtained a majority of 18. Under this amendment 50*l.* instead of 100*l.* was fixed as the rental above which no tenant was to be entitled to compensation for eviction; and in moving it

Lord Salisbury characterized the provision he attacked as "the most detestable legislation he had seen for many years;" adding that "the course which he should have wished to take, if he could have hoped to carry a majority with him, was to strike out this part of the clause altogether."

Lord Clanricarde moved, with reference to the provision that all improvements were to be *prima facie* presumed to have been made by the tenants, an amendment, "the object of which was," he said, "to alter the whole scope of the clause." By this amendment, which was carried, the presumption was removed, and it was provided that all claims for improvements put forward either by landlord or tenant should be proved by evidence. The House of Lords also prohibited letting in con-acre, abolished (with the assent of Government) the authority of juries as to matters of fact, and reduced the needful notice to quit from twelve months to six. On the Report being brought up, however, the great majority of these votes, which threatened a most serious collision between the two Houses—as it would have been impossible for the Government to accept them, or for the Lords, the challenge once given and accepted, to draw back with dignity or safety—was on re-consideration reversed; Lord Granville offering various compromises. Lord Salisbury's amendment was expunged, though he defended it to a division, and the grade of the tenants entitled to compensation was restored from £50 to £100. The amendment prohibiting the tenant from letting in con-acre was cancelled, by allowing such letting unless prohibited in writing. The refusal to allow the Courts to presume that improvements belonged to the tenant was given up, the Duke of Richmond accepting the presumption, except in six cases to be specified by Government; and the amendment allowing the landlord to refuse compensation to an assignee was withdrawn, in favour of another giving the compensation, unless the Court should think the landlord had reasonable grounds for refusing his assent. Only two amendments of gravity were, therefore, presented by the Lords to the Commons—the reduction carried by the Duke of Richmond in the general scale of compensation, and the reduction from 31 to 21 years of the duration of lease excepting landlords from the operations of the Bill. These the Government asked the Lords to re-consider, confining also the permissive registration of improvements to landlord and tenant when acting in concert, and taking it away from either of them when acting separately. With these three exceptions, they agreed to the Lords' amendments, and after further discussion in both Houses, and with modifications of no serious character (the Lords carrying in a modified form the point which in reality most closely touched them, and securing to the landlord, under certain circumstances, a voice in connexion with the tenant's right to assign), the Irish Land Bill, one of the most remarkable and original pieces of legislation in the Statute Book, received the Royal Assent on the 1st of August; almost unnoted of men whose minds were occupied with the great war that had burst upon Europe but a fortnight before. The immediate effect of the Irish legislation of this great session, whether chiefly to be attributed to the Land Act or the Peace Preservation Act is a question into which we need not too closely enquire, was the appearance of favourable symp-



toms in regard to the reign of law and order in Ireland during the latter part of the year. Loud expressions of sympathy with the French cause served as an outlet for Irish feeling, which, however, cannot be said to have assumed a form very expressive of any new-born loyalty to the Crown, or gratitude for benefits received. But Mr. Gladstone felt himself justified in closing the year with the grant of an amnesty to the Fenian prisoners still detained at Portland—coupled, however, with the condition of banishment from the United Kingdom for life, without distinction of persons—a limitation which, in the opinion of some, was a very wise and righteous measure, in that of others, including many even among moderate Liberals, an ungenerous mistake, which deprived the amnesty both of grace and wisdom, looking especially to the disturbing and dangerous element to England which would thereby be introduced into the United States at a dangerous time. But with this amnesty, whether to work for good or for evil, closed Ireland's memorable share in the story of a memorable year.

### CHAPTER III.

The Elementary Education Act—Its Objects—Previous condition of Schools under Government control—Mr. Forster introduces the new Act—His speech—Remarks of Sir J. Pakington—Opposition to the Bill—Amendment of Mr. Dixon on the second reading—Debate upon it—Speeches of Mr. Forster, Mr. Winterbotham, Sir Roundell Palmer, and others—Bill read for the second time—The Bill goes into Committee—New proposals of the Government—Amendment of Mr. Cowper-Temple accepted—Debate on Mr. Richard's Amendment—Speeches of Dr. Lyon Playfair, Mr. Forster, Mr. Gladstone, and others—Principles established by the Debate—Division on the Amendment—Large majorities for Government—Alteration made in Committee—Discontent of the Nonconformists and Secularists—The Ballot Question—Attack on the Government by Mr. Dixon and Mr. Miall—Mr. Gladstone's reply—Speech of Lord Shaftesbury in the House of Lords—The Bill passes—Subsequent vote of censure on Mr. Forster at Bradford—The first elections for the School Boards.

Seldom has a great measure been received on the whole with such general welcome and favour in Parliament and the country, as the Elementary Education Act of 1870, which was introduced into the House of Commons by Mr. Forster on the 17th of February, two days after the Irish Land Bill, in a speech which is not easily to be surpassed in strength and lucidity of expression or in mastery of detail. The object of this Act, which did not extend to Scotland or Ireland, was to secure throughout England and Wales the provision of accommodation and appliances for the elementary education of the people, adequate both in quantity and quality; an object which

it proposed to secure, partly through the medium of voluntary schools already existing or to be thereafter established, and partly by the establishment of rate-supported schools under public School Boards. It aimed, not at the destruction, but at the modification and development, of the system previously existing, following in a great degree the lines of the old foundations. The conditions on which the schools under the control of the Committee of the Privy Council on Education were, previous to the passing of this Act, assisted by the State, and the nature of the jurisdiction exercised over them by the Education Department, were described in the preliminary chapter to the Revised Code (1870). Under that system there were two classes of grants to schools. In the first place, there were grants called "Building Grants," made towards the cost of erecting, enlarging, improving, or fitting up elementary school-rooms, and the houses of elementary teachers. In the second place, there were "Annual Grants" to defray the current expenses of the schools. The first of these were to cease to be made under the new Act, when its provisions came into full operation, and the necessary schools to be provided for, as far as the State was concerned, by the institution of School Boards. The "Annual Grants" were still to continue, subject to certain prescribed conditions with which every school must comply in order to be entitled to such grants, for the future, and to come within the definition of a "public elementary school." Under these modifications, speaking briefly, was the existing system to survive the new Act. In introducing that Act,

Mr. Forster said that "the first problem to be solved was 'how can we cover the country with good schools?' Now, in trying to solve that problem there are certain conditions which I think hon. Members on both sides of the House will acknowledge we must abide by. First of all, we must not forget the duty of the parents. Then we must not forget our duty to our constituencies, our duty to the tax-payers. Though our constituencies almost, I believe, to a man would spend money, and large sums of money, rather than not do the work, still we must remember that it is upon them that the burden will fall. And thirdly, we must take care not to destroy in building up—not to destroy the existing system in introducing a new one. In solving this problem there must be, consistently with the attainment of our object, the least possible expenditure of public money, the utmost endeavour not to injure existing and efficient schools, and the most careful absence of all encouragement to parents to neglect their children. Our object is to complete the present voluntary system, to fill up gaps, sparing the public money where it can be done without, procuring as much as we rightly can the assistance of the parents, and welcoming as much as we rightly can the co-operation and aid of those benevolent men who desire to assist their neighbours."

The first provision of the Bill was to be a system of organization throughout the country. England and Wales were to be divided into school districts, which were to be the municipal boroughs in all towns

but London—in London the school districts already formed for workhouse schools, and, where they did not exist, the boundaries of the vestries—in the country the civil parishes. Returns were at once to be collected, to ascertain the present educational condition of each of these districts, and Inspectors and officers sent down to test the quality of the schools. “If in any one of these districts,” he said, “we find the elementary education to be sufficient, efficient, and suitable, we leave that district alone. By sufficient, I mean if we find there are enough schools; by efficient, I mean schools which give a reasonable amount of secular instruction; and by suitable, I mean schools to which, from the absence of religious or other restriction, parents cannot reasonably object; and I may add that for the purpose of ascertaining the condition of these districts, we count all schools that will receive our Inspectors, whether private or public, whether aided or unaided by Government assistance, whether secular or denominational. If we find the district adequately supplied, we let it alone so long as it continues in that state, retaining for ourselves the power to renew the examination from time to time.” But in the majority of school districts the present educational provision would probably be declared insufficient, and by public provision that need must be supplied. The ‘public elementary schools’ which the Government proposed to provide would be subject to three regulations, one old and two new; the first and the old regulation being that ‘the school should be kept up to the standard of secular efficiency which Parliament from time to time might think it necessary to exact,’—the second, that after a limited period it should ‘admit any Inspector without any denominational provision,’ and the third being ‘an effectual Conscience Clause,’ which was thus worded: ‘No scholar shall be required, as a condition of being admitted into or of attending or of enjoying all the benefits of the school, to attend or to abstain from attending any Sunday school, or any place of religious worship, or to learn any such catechism or religious formulary, or to be present at any such lesson or instruction or observance as may have been objected to on religious grounds by the parent of the scholar sending his objection in writing to the managers or principal teacher of the school or one of them.’

This clause would “apply to all schools, secular as well as denominational, and would give to the parent the power of withdrawing his child from instruction if, on religious grounds, he thought that instruction to be such as the child ought not to learn;” and it would apply to all grants, and especially to all annual grants, whereas the “old Conscience Clause” (the principle, and efficiency of which he defended from experience) was applicable only in some cases to Building Grants. These three Regulations accepted and enforced, the existing restrictions upon secular schools would be removed. There was no intention to interfere with schools which had received a past Building Grant, and would not accept the Conscience Clause. They would not receive the annual grant; but no interference would be attempted

with them on account of the Building Grant already received. It being found that in very many districts further provision would be necessary for public elementary schools, such provision would in the first instance be sought by giving voluntary benevolence a year's law within which to set up efficient schools, and so prevent the intrusion of the new system. "If that should fail," he said, "we come at last to what will undoubtedly be looked upon as the most important part of the Bill, namely, the compulsory provision where it is wanted—if and where proved to be wanted, but not otherwise"—and the machinery for its application was to be worked by School Boards elected by the district. It would be possible for the Government to attempt to supply it (the district) by defraying the expenses from the taxes; "and I believe," he said, "that one or two honourable gentlemen think that would be the best way. No doubt it would be possible for the Government to try to do this; but I believe it would be impossible for them to effect it. I believe it is not in the power of any central department to undertake such a duty throughout the kingdom. Consider also the enormous power it would give the central administration. Well, then, if Government cannot do it itself by central action, we must still rely upon local agency. Voluntary local agency has failed, therefore our hope is to invoke the help of municipal organization. Therefore, where we have proved the educational need we supply it by local administration—that is, by means of rates aided by money voted by Parliament, expended under local management, with central inspection and control. I wish to be frank with the House, and I therefore say that undoubtedly this proposal will affect a large portion of the kingdom. I believe it will affect almost all the towns, and a great part of the country." The School Boards were to be elected in the towns by the Town Council, in the country by the Select Vestry, where there was one, and a Vestry where there was no Select Vestry. The Board was to consist of not less than three or more than twelve members; but there was to be no other restriction on the choice of the municipal bodies. Expressing his belief that the "wisest course was to treat them with fairness and confidence," he said, "We might certainly add *ex-officio* members to the School Boards; but we have come to the conclusion that no real strength would be given to a board by putting *ex-officio* members on it. We believe that the very men fit to be *ex-officio* members would come in with greater influence, and almost with equal certainty, if subjected to a popular election." Nor was it proposed to place any Government nominees on the boards, because then the Government might be held to some extent responsible for failures; whereas now they reserve to themselves the power to say, "The work must be done, and if not done by you, then we take powers to step in and declare the School Board in default, to do the work that the Board ought to have done, and to hand it back again to the elected members of the district when they are willing to take it up."

As to the very interesting question, Who is to pay for the

education? the Government were not prepared to make the enormous sacrifice involved in giving up the school fees. The sum paid by parents in school fees in the previous year had been 420,000*l.*, which would be doubled or trebled, very soon, if the scheme worked as it was hoped that it would. "Why," he said, "should we relieve the parent from all payments for the education of his child? We come in and help the parents in all possible ways; but, generally speaking, the enormous majority of them are able and will continue to be able to pay these fees. Nevertheless we do take two powers. We give the School Board power to establish special free schools under special circumstances, which chiefly apply to large towns, where, from the exceeding poverty of the district, or for other very special reasons, they prove to the satisfaction of the Government that such a school is needed, and ought to be established. We require the approval of the Government to be obtained, upon the ground that it would not be fair to the existing schools to allow a free school to be set up unless on very special grounds. On the other hand, it would not be fair to impose on the Town Council of large places like Liverpool or Manchester the duty of meeting the fearful educational destitution that exists by electing a School Board, and not to give them power, if they think it necessary, to establish special schools for special cases. We also empower the School Board to give free tickets to parents who they think really cannot afford to pay for the education of their children; and we take care that those free tickets shall have no stigma of pauperism attached to them. We do not give up the school fees, and indeed we keep to the present proportions—namely, of about one-third raised from the parents, one-third out of the public taxes, and one-third out of local funds." Failing the procuring of sufficient local funds by voluntary subscription, an educational rate would be imposed in the form of a charge on the poor-rate, seldom, probably, coming near 3*d.* in the pound. Should it exceed that sum there would be a considerable extra grant out of the Parliamentary votes.

As to other powers, the School Board were to have the power of either providing schools themselves, or of assisting the existing schools—provided these schools were efficient up to a certain standard of secular efficiency, and had the Conscience Clause; and the condition being attached, that should they go on the principle of assistance, the Board must assist every public elementary school on equal terms, without regard to denomination. The Board were to stand in the same position as that of managers of voluntary schools, and were not to be further restricted in regard to religion than "to the extent of a most stringent Conscience Clause." "Just look," he said, "at the ages of the children with whom we have to deal. The great majority of them are probably under ten years of age; some are over that age and under twelve, and I fear but comparatively few are over twelve and under fourteen. We want a good secular teaching for these children, a good Christian training, and good schoolmasters. We want these schoolmasters certainly not to

feed themselves fettered in any way; but children of these ages can hardly be supposed to require doctrinal or dogmatic teaching to any great extent. It may be said—‘Why do you not then prescribe that there shall be no doctrinal teaching? why not, in the first place, prescribe that there shall be no religious teaching at all?’ Why do we not prescribe that there shall be no religious teaching? Why, if we did so, out of the religious difficulty we should come to an irreligious difficulty. We want, while considering the rights and feelings of the minority, to do that which the majority of the parents in this country really wish; and we have no doubt whatever that an enormous majority of the parents of this country prefer that there should be a Christian training for their children—that they should be taught to read the Bible. If we are to prevent religious teaching altogether, we must say that the Bible shall not be used in schools at all. But would it not be a monstrous thing that the book which, after all, is the foundation of the religion we profess, should be the only book that was not allowed to be used in our schools? But then it may be said that we ought to have no dogmatic teaching. But how are we to prevent it? Are we to step in and say the Bible may be read, but may not be explained? Are we to pick out Bible lessons with the greatest care in order that nothing of a doctrinal character might be taught to the children? I do not mean to say it would not be better to attempt to do this rather than fail in the effort of meeting this matter. If the general opinion of the country was that we should try that labour, I would endeavour to encounter it; but I say that it is one of detailed supervision which does not belong to the central government, and in which the great probability is the central government would fail.” After arguing that, on the other hand, it “would not be for the Government to prescribe that the Bible must be taught, because there might be parents in some districts, who, without any dislike to religion at all, might prefer a purely secular school with the religious teaching given elsewhere;” and shewing that, in fact, the religious difficulty was found to be theoretical rather than practical—he came to the question, how to secure, if possible, the attendance of the children? and said, “I shall at once state what I expect may surprise the House. It is that, after much thought upon the matter, the Government has permitted me to put before the House the principle of direct compulsion.” Explaining how he had been brought to the conclusion that this principle ought to be adopted, and, in fact, in the Short Time Acts had been already admitted, so that it was neither new nor “un-English”—he showed that the indirect compulsion of the Short Time Acts was not itself sufficient for his purpose, though he hoped that, before the School Board should be at work, those Acts would be so revised as to enable them to assist the operation of the present Bill. He then said:—“What we do in the Act is no more than this. We give power to the School Boards to frame bye-laws for the compulsory attendance of all children within their

district from five to twelve. They must see that no parent is under a penalty—which is restricted to 5*s.*—for not sending his child to school if he can show reasonable excuse; reasonable excuse being either education elsewhere, or sickness, or some unavoidable cause, or there not being a public elementary school within a mile. These bye-laws are not to come into operation unless they are approved by the Government, and unless they have been laid on the table of this and the other House of Parliament forty days, and have not been dissented from. Thus, with these checks, supplied by the necessary sanction of the Government, of this House, and of the public opinion of the district, every precaution is taken in the application of the principle." By a further provision of the Bill power was to be given to the School Boards at once to establish Industrial Schools, a power vested in none of the local bodies under the existing law. "I would further say," he concluded, "that whatever we do in the matter should be done quickly. We must not delay. Upon the speedy provision of elementary education depends our industrial prosperity. It is of no use trying to give technical teaching to our artizans without elementary education; uneducated labourers—and many of our labourers are utterly uneducated—are, for the most part, unskilled labourers, and if we leave our work-folk any longer unskilled, notwithstanding their strong sinews and determined energy, they will become over-matched in the competition of the world. Upon this speedy provision depends also, I fully believe, the good, the safe working of our constitutional system. I am one of those who would not wait until the people were educated before I would trust them with political power. If we had thus waited we might have waited long for education; but now that we have given them political power we must not wait any longer to give them education. There are questions demanding answers, problems which must be solved, which ignorant constituencies are ill-fitted to solve. Upon this speedy provision of education depends also our national power. Civilized communities throughout the world are massing themselves together, each mass being measured by its force; and if we are to hold our position among men of our own race or among the nations of the world, we must make up the smallness of our numbers by increasing the intellectual force of the individual." The measure thus introduced, and the speech that introduced it, were received with general congratulation by the House.

Sir John Pakington, amongst other speakers, characterized the speech as requiring no apology, and the measure as a great and comprehensive one. He took at the same time the opportunity of criticizing the constitution of the Education Department, and was greeted with Ministerial cheers when he expressed his regret that Mr. Forster did not speak as the responsible Minister of Public Instruction. Commenting on the matter in hand, he said that the two chief defects of the existing system were "the imperfect education given in the schools, and the short period of time for which children were allowed to be educated and trained, even in the best

schools of the kingdom," and that in legislating these were the points that must chiefly be borne in mind. Debate was deferred to the second reading, but in the interval, as was to be expected, considerable opposition to the Bill began to rise in some quarters, founded on the provisions enabling School Boards to permit the teaching of particular religious views in the schools under their control; on the untrustworthiness of the municipal councils and vestries which it was proposed should elect the Boards; and on the permissive character of the compulsion sanctioned by the Bill. The first of these objections, embodying the "religious difficulty," which was the greatest with which the Bill had to deal, was strongly enforced by the supporters of the Birmingham League, who advocated "unsectarian education" by every line and means of argument. As their spokesman, Mr. Dixon, the member for Birmingham, and founder of the League, met the Bill on the second reading by moving an amendment to the effect that "no measure for the elementary education of the people could afford a permanent and satisfactory settlement which left the important question of religious instruction to be determined by the local authorities," Mr. Forster pointed out that the effect of the success of such an amendment as this at that stage of the Bill would be to throw out both the Bill and the Government, and that the questions it raised should be discussed in Committee. The amendment, he said, was only explicit as to what ought not to be done, but did not attempt to define what ought to be done, as it was only fair that it should, and argued, from the history of previous schemes, and from the nature of the amendment, that even the mover himself was bound on this occasion to vote against his own resolution. It was easier to advocate "unsectarian education" than it was to define it, though at the same time he thought it "not at all difficult to reach in practice," and supported it as strongly as any man. Even the numerous dissenting depositions, he showed, from whom he acknowledged to have received most valuable information, had been unable to agree on a plan to recommend, or to explain consistently how "unsectarian education" was to be interpreted. "Surely," he said, "the time will come when we shall find out how we can agree better on these matters; when men will find out that on the main questions of religion they agree, and that they can teach them in common to their children. Shall we cut off from the future all hope of such an agreement, and say that all those questions which regulate our conduct in life, and animate our hopes for the future after death; which form for us the standard of right and wrong; shall we say that all these are wholly to be excluded from our schools? It is not merely duty to the present and hope for the future; but it is the remembrance of the past that forbids us to exclude religion from the teaching of our schools. I confess I have still in my veins the blood of my Puritan forefathers, and I wonder to hear descendants of the Puritans now talk of religion as if it were the property of any class or condition of men. . . . The English people cling to the Bible, and no measure will be more



unpopular than that which declares by Act of Parliament that the Bible shall be excluded from the school." After quoting a fine passage from the Roman Catholic writer, Mr. Faber, who spoke of the "uncommon beauty and marvellous English of the Protestant Bible," as "one of the great strongholds of heresy in this country," he added, "The religious difficulty is a great difficulty I admit; but if we were in our educational zeal to exclude this book by Act of Parliament the irreligious difficulty we should thereby create would be far greater. By retaining its use in schools some individuals may object to pay the school rate on account of the particular religion supposed to be favoured at the schools; but were we to say that the majority were not to have their children taught the Bible, even if they desired it, we should have the school rates objected to, not by individuals, but by large multitudes." More religious quarrels, in his opinion, would be caused by not leaving the decision of the question to the School Boards, than by so leaving it. And amongst other instances in support of this view, he cited the case of Holland, where the secular system prevailed, and had led to a wish among the Radical party to permit a religious character in the Government school, and to leave it to be determined by the commune—exactly the system now proposed for England.

"What more," he said, "can the Education League desire than they obtain in this Bill? With the exception of the principle of free schools, which I think does not meet with much acceptance, there is no principle adopted by the League which cannot be carried out in any locality where the majority of the population desire it; and surely my hon. friend does not wish to push his educational dogmas down the throats of the majority. But wherever the majority of the population believe in his dogmas they can carry them out. This is a Bill in framing which we have endeavoured to carry out two principles, the most perfect protection to the parent, and the securing of the most complete fairness and impartiality in the treatment of all religious denominations."

Mr. Winterbotham, speaking in the interest of the Dissenters, began by admitting that he had desired delay in the education of the people rather than immediate legislation, because he thought after a year or more agitation the country would have been ripe for secular education. He bore willing testimony, he said, to the "genius and courage which had framed the Bill," and would forgive much for its great excellence, that it would bring an efficient school within the reach of every child in the land. But the Nonconformists complained, he said, "first, that by this Bill the School Board in each district is left to determine the kind of religious instruction to be given in the schools founded by them. We say this is shirking the difficulty, not settling it; that the point ought to be determined by Parliament, and not feebly left to be fought over every year in every parish in the land. We say that thus the Bill, as it stands, will be a curse rather than a blessing, an ill-omened messenger of strife and bitterness. We say it will revive the old

church rate controversy, only in a worse form. It will arise in towns where Dissent being strong church rates had been disused long before they were abolished. Moreover, the old rate was an old and dying grievance. This is a new and vigorous growth capable of infinite extension. . . . The denominational system of education which we dislike, and under which we are chafing more and more each year, and which you in vain try to palliate with a Conscience Clause, is to receive an indefinite expansion, all its evils being intensified ten-fold. . . . No wonder that this proposal has excited general and growing apprehension and opposition. . . . It is not merely that we fear the proselytizing teaching of the Church school. This apprehension exists, and is, to a certain extent, well founded, and some think a Conscience Clause is a poor protection against it." He admitted that he himself believed it might be made effectual in that respect, but he was not content with that. To understand the attitude of Dissent towards the Church, the attitude of the Church towards Dissent must be considered. It was, "speaking generally, one of dislike and contempt, varying only in degree from simply ignoring it to petty social persecution. In many rural parishes, it is treated like the cattle plague, to be stamped out. This state of feeling is due to two causes. It is due, no doubt, primarily to the mere existence of an Established Church, intensified as its evils are by the parochial system. The law of the Church and of the land recognizes one man, and one man only, as the authorized religious teacher of the parish; all others are interlopers, trespassers, poachers on his spiritual preserve. And this is further increased by new-fangled Romish doctrines, with which we thought England had long since done, of priestly power and the necessity of episcopal ordination. The pride of office thus produced is contagious, and has spread among those who would repudiate the ecclesiastical theory on which it is based. Side by side with this there has grown up among the Dissenters an ever-increasing impatience of religious inequality, and an ever-deepening hatred of priestcraft and episcopal assumption in all their forms. The habits of independence, self-government, and free thought are growing ever stronger among us, and we cannot brook the assumption of superiority, which, whether in the form of tolerance or of intolerance, is all we generally receive from the clergy of the Established Church. Hence alienation, an absence of co-operation in social and philanthropic objects, a habit of watchful jealousy, a readiness—I confess it—to take offence, sometimes irritation, occasionally even open strife—these are the normal relations of Dissent to the Church in many parishes in the land. What should a statesman do in such a case? He should try to limit the operation of this unhappy sectarian strife, and not add fresh fuel. Multiply neutral subjects; accustom the people of all sects to meet and act together on the only possible footing—that of perfect equality; do not extend sectarian privileges to new spheres of national life and duty. Let one Established Church suffice; do

not set up an Established Church in every school. . . . The time has come for us when toleration and intolerance are alike intolerable. Let me offer one word of warning—not presumptuously—but let it go for what it is worth. There are many Dissenters—I confess myself one of them—who would see with regret the downfall of the English Church. It is not defensible on grounds of even-handed justice; it has been a cruel stepmother to us in times past. Yet it is venerable in its associations; with all its faults it is doing good work among the people. Do not drive us all to be its foes by showing us how hard it is to limit the operation of a principle of injustice once admitted. Take warning from history. No one will think me guilty of the absurdity of comparing the Established Church as a political institution with slavery. But their fate here and in America may not be unlike. Slavery might have continued to this hour, unjust and evil as it was, had it been content to remain as it was; but when it insisted on disputing with freedom the possession of new lands, and sought to extend its blight, it aroused a resistance which sealed its doom. In your Church, as in all that man has made or marred, there are tares growing with the wheat, and some would rashly pluck them out. Nay; let both grow together till the harvest. But if you insist on scattering the pernicious seed broadcast over this new-turned soil of national education, you leave us no alternative but to seek to destroy it altogether.” The Nonconformists demanded “secular education.” If a system of sectarian education were recognized and established in England, it would not be refused to the Roman Catholic Bishops in Ireland, and he, for one, “would never be a party to handing over the education of the people to the Catholic or any other clergy.” “The noblest system of education ever devised,” he said, “is the system sketched in Lord Derby’s famous letter in 1831, and realized in the model schools and the vested National Schools of Ireland. It was just, it was statesmanlike. In Ireland, therefore, it has of course incurred the hostility of bigots of all sorts. But it has done a great work there, and in spite of the calumnies of foes, and the weakness and treachery of those who should have been its friends, it remains the noblest monument of statesmanship in Ireland. It is united secular education. It does not disparage or interfere with religious teaching; it leaves that to the pastors of the different Churches, to the home, and to the Sunday school. These can best bring it home to the hearts of the poor. Give us that system here. . . . I have tried to express to the House what I believe are the feelings of the Protestant Dissenters on this subject. I say their feelings, because I admit at once that they have not yet had time to work out their feeling to its conclusion. I have some grounds for the conviction that they are coming, and will come, to the conclusion at which I have pointed, and which most of their leaders have already fully accepted—I mean the entire separation of religious teaching from the instruction given in public elementary schools.”

Mr. Kay Shuttleworth supported the Government in a maiden speech; and

Mr. Beresford Hope attacked the speech of Mr. Winterbotham as "singularly ill-timed, and struck in a most unfortunate key." The charge against Churchmen was, "at the present moment, exceptionally and peculiarly unjust;" and the opposition at the present stage of the Bill "the work of a disappointed faction," who "set up the independent British workman as something between an avenging angel and a noble savage, to hew down the great idol of denominationalism and to build up a magnificent temple of secularism."

Sir Roundell Palmer said that the views advocated by Mr. Winterbotham were such as "never could be accepted as the basis of a common system of national education by that portion of the people who belonged to the Established Church." "You must assume," he said, "that the local authorities in many cases do want to have religious education, and will have it if you allow them. Then do you suppose you will have the co-operation of this supplementary local system if you tie their hands behind them upon points to which they attach the greatest importance, and say they shall not supply their own real wants, such as they know them to be?" Quoting an opinion of Sir James Kay Shuttleworth, who had said that "A measure for establishing a rate-in-aid of school incomes cannot be successful in opposition to the feelings and opinions of the religious communions; and it would lack both stability and efficiency if it did not obtain the active co-operation of the landed proprietors and of the intelligent and educated portions of the middle classes of rural parishes"—he argued that anything which violated these principles and took away that co-operation would be "fatal to the practical working and success of your scheme. You would not and could not get that universal system of national education which you want; and if you superadded the element of compulsion, of which we have heard so much, it would become an intolerable tyranny. I say that without the least hesitation. . . . We have been in hopes," he proceeded to say, "from a good deal that we have recently heard, that the religious difficulty was diminishing, was disappearing, and approaching its vanishing point. I am afraid that difficulty has expanded again into rather considerable dimensions during this debate. I own—and I say it with great regret—that I cannot think it now comes from those from whom it would formerly have been expected. We have heard much of unsectarian education. If the religious difficulty has been inflamed on this occasion, I think it is on the part of those who talk of unsectarian education. I want fairly to put this question to the House—Is the mind of the country, on the whole, in favour of the principle of religious education or in favour of secular education?" Both from the language of the amendment and from "the broad facts of the existing schools," he argued that the former was desired generally by the people. After showing

that the effect of the Irish National system was not to exclude religion from teaching, he said that, by religious education, he did not mean that the State was to proscribe or prescribe particular dogmas; but that nothing should be done to cripple "the power of teaching the rule of practice and of life according to the sincere belief of the teacher. . . . For my own part," he said, "I would rather that my child should be educated after the manner of the ancient Persians, who were only taught to ride, to shoot, and to speak the truth, rather than that he should be taught all the sciences in the world without the inculcation of that moral principle which is involved in 'speaking the truth.'" As to the "secular idea," he said, "the idea of telling children to learn something useful in a secular sense at school, and to learn religion elsewhere, was in substance to put religion in a point of view which is false, and, at the same time, to teach the young to regard it in that false light." Regretting as inevitable, but exaggerated, the differences between Dissenters and the Church, he showed that if any agreement was to be come to there must be concessions on both sides.

Mr. Lowe (the Chancellor of the Exchequer) compared the attitude of the House, agreeing as they did almost unanimously to the great principle of the measure, but driven to concentrate their attention on one narrow point, to a "fine herd of cattle in a large meadow deserting the grass, which is abundant about them, and delighting themselves by fighting over a bed of nettles in one corner of the field. . . . It is quite certain," he said, speaking of the powers to be given to the Boards, "that if a majority exercises a power in any way the minority will be dissatisfied." He pointed out to how many and great objections any and every scheme of education must be liable, and strongly denied that the Government had "nailed their colours to the mast, or determined that no concession should be made, or that they would abide by the Bill to the bitter end."

Mr. Vernon Harcourt attacked chiefly the proposal that the Boards should be elected by the majorities of Town Councils and Parish Vestries, as unsound and impracticable. He described municipal elections; and asked what they would be with "the element of religious animosity superadded." "I suppose," he said, "that there will be 'religious' public-houses in every street; that blue and yellow placards will invite the voters to support 'Jones, and the Thirty-nine Articles,' or 'Smith, and No Creed,' or 'Robinson, and down with the Bishops;' and cabs will be flying about advertising the theological merits of the different denominations, and rival divines will take the chair nightly at meetings in public-houses and beer-taps. There will be a great deal of religious discussion, and a good deal more of religious beer. Towards the afternoon of the polling-day there will be miraculous conversions of all kinds—next morning many people will find out that in the course of twenty-four hours they have held every known form of religious faith; while close upon four o'clock on the polling-day men will accept as many

articles of faith as you may supply them with pints of beer, and the least sober will be the most orthodox. That is your plan for spreading religious education among the people." He supported the Amendment as an attack upon a principle—"the principle of denominational education at the will of the dominant sect," which naturally made the Bill "one for handing over to the Church of England in all the rural districts an absolute monopoly in the matter of Education." The Bill, not the Amendment, was evasive, for it evaded deciding the religious question. And the Amendment, if negative in terms, "involved two positive assertions"—first, that the duty of dealing with the religious question lay with Parliament; and next, that it must be dealt with, on what he called "the great principle of the Liberal Party—the principle of religious equality."

Mr. Mundella supported the Bill while advocating some concession to the Dissenters. But it was clear that the Amendment would have been pressed to a division which might have proved dangerous to the Government in spite of Opposition support, but for some pledges given by Mr. Gladstone which caused the motion to be formally negatived. He said that "the Government would not insist on the permissive principle further than might appear reasonable after full discussion in Committee—admitted that the mode of electing Local Boards might be altered so that personal representation might not be overborne by the influence of property—and also that the Conscience Clause (which he acknowledged had not been successful) might be replaced by a separation of religious and secular teaching, on the principle of a time-table, and by a rule so definite that everybody could understand it."

Three months elapsed between the second reading of the Bill and its being taken into committee. During that time a careful study of the direction taken by public feeling induced the Government to open the debates in committee with a proposal to adopt certain changes in the Bill, calculated chiefly to diminish the fear of its fostering sectarian discord. This fear appeared to be generally entertained with reference to the local Boards, and turned upon two points, the insufficiency of a Conscience Clause to limit their discretion with regard to religious teaching in the rate-funded schools, and the leaving wholly to their discretion the power to give or withhold aid in the case of voluntary schools outside the circle of those founded upon the rate. Mr. Gladstone, speaking for the Government with this view, declined to accede to a proposal of Mr. Vernon Harcourt, that the Education Department should secure that, in all schools assisted by public rates, such religious teaching as might be given should be "undenominational in its character, and confined to unsectarian instruction in the Bible," because he did not know "what, in the language of the law, undenominational and unsectarian instruction meant." But he was ready to adopt an amendment of Mr. Cowper Temple to exclude from all rate-built schools every catechism and formulary distinctive of denominational creed, and to sever altogether the relation between

the local School Boards and the denominational schools, leaving the latter to look solely to the central grants for help. But in order to deal fairly by the schools of those bodies which, like the Roman Catholics, insisted on a very distinctive religious teaching, and which had the charge of some of the most degraded and ignorant of our people, he proposed to increase the central grant to *all* schools, rate-built or voluntary, from one-third to one-half of the total cost. The remaining half was to be raised by rates and school pence in the case of School Board schools, and by voluntary subscriptions and school pence in the case of denominational schools. When Mr. Disraeli had characterized this as an "entirely new Bill," and, understanding it is a scheme which would give the schoolmaster the power to explain the Holy Scripture when he read it, declared that the Government were "inventing and establishing a new sacerdotal class," the general sense of the House on the "religious difficulty" and the new proposals was tested in a long debate upon an amendment moved by Mr. Richard to the effect that, "in any national system of elementary education, the attendance should be everywhere compulsory, and the religious teaching supplied by voluntary effort, and not out of public funds," and forbidding the increase of grants to existing denominational schools. The debate brought out strongly the different and opposite views entertained of all the difficulties connected with the Bill and the remedies proposed by it; Mr. Richard, Mr. Gathorne Hardy, Mr. Winterbotham, Lord John Manners, Mr. Henley, Mr. Vernon Harcourt (who threatened to raise an annual education debate on every occasion of voting the Parliamentary grant), and others, commenting with more or less disapproval or regret upon various aspects of the Government scheme. But it was warmly defended by men of very opposite views. Dr. Lyon Playfair dwelt strongly on the existing state of "educational destitution" in the large towns especially (instancing Birmingham, "the head-quarters of the Education League, which opposes this Bill so fiercely"), as "perfectly appalling" and maintained that "any step forward would be better than standing still," whereas he pointed out that the fears entertained of this Bill were chimerical. "Only educate the people well," he said, "and our political and religious liberties will be safe in their keeping." At the same time he reminded the House that the Bill was but tentative. "We are now dealing," he said, "with the quantity, and doing nothing for the quality, of the education of the people. But the land requires to be ploughed before the seed is sown, and this Bill is an effective implement for the preliminary preparation of the soil." He referred to the existing Scotch system as proving the wisdom of "high standards;" and advocated the establishment of a separate Department for Education.

Mr. Forster took the three clauses of Mr. Richard's amendment one by one, and defended in each case the course taken by Government, explaining further its purport. As to the principle of compulsion, it was not really affected by the alteration in the Bill;

the only change being that no bye-law enforcing compulsory attendance was to apply to the religious teaching in any schools. The question would have to be met either by direct or indirect compulsion; and, though "permissive compulsion" sounded like a "contradiction in terms," it was intended merely as an experiment upon a principle which was too new to be directly accepted at once either by the house or the country, and which, "once having been started, would find its way."

Turning to the religious question, he proceeded to point out by reference to numerous individual cases the wide-spread and deep feeling of the working classes in favour of a religious education. He extracted some remarkable particulars from a book recently published under the title of "One Square Mile in the East of London." In that district of one square mile in the East-end of London, containing about 150,000 persons, the author of that book had made a house-to-house visitation for the purpose of investigating the actual extent of educational destitution, and of ascertaining the wants and wishes of the people themselves. As the result of the investigation and visitation so conducted, he found that the educational destitution was terrible—quite as bad as at Liverpool, Manchester, Leeds, or Birmingham. Taking the population at 190,000, the children between the ages of three and fourteen might be assumed at 40,000 in number, and of those 29,000 within the space of one square mile were growing up in almost, if not complete, ignorance. This gentleman also tried to ascertain what views were held by the parents as to the religious difficulty, and he appears to have gone into this question entirely and absolutely unprejudiced. The feeling of those whom he consulted was strongly in favour of some religious teaching, though as to the precise nature of this teaching very different views were ascertained. One said it should be founded "on the Bible and Dr. Watts's catechism;" but there were only two cases in which religious teaching of some kind was not regarded with favour. "Here is a very dirty, almost a filthy nook, serving for children and parents and all, for the father cannot afford a second room—evidently not the *élite* of the working classes, but still the very class for which we are legislating. And what said the poor mother? The mother said she would strongly object to no religion being taught; she would rather send the children to the schools of another Dissenting sect to which she did not herself belong than send them where no religion was taught. Here, again, is a man, a shoemaker, who has evidently had a hard struggle; he has eleven grown-up children, and the youngest go to school. The father was strongly in favour of compelling parents to send their children to some school; but he was also strongly against schools where no religion was taught. He also would rather send his children to the school of a different sect than to one where no religion was taught. Then comes a nice tidy family, with three or four children, one of whom was at school; the parents strongly objected to compulsion:—



'Would not allow children to go to a school where religion was not taught, but would not mind their going to a school teaching a different doctrine to their own.' In another house there were two widows, one with five young children and very poor, the other with a large family, all of whom were grown up and had been to school; neither, on any conditions, would send her children to a school where there was no religious teaching, but did not object to schools managed by a sect to which she did not herself belong. These widows, though poor, were probably ratepayers or, at any rate, taxpayers. There is one other case which shows that when you get down lower in the scale you will still find existing deep down in the minds of these poor people that feeling of religion which I protest against our endeavouring to undermine by Act of Parliament:—'A very poor place, the whole family living entirely in one small room, which was dreadfully dirty. The parents approved of the children being taught, but found the fee prevented their being sent to school sometimes; one was at school now. They strongly objected to no religion being taught, but did not know the difference between one sect and another.' These ignorant creatures did not know anything about a grand national system for the education of children; but they had a vague notion that, by religion, some sort of hope and guidance and comfort would come to them." He then proceeded to cite the opinions expressed by various religious deputations in confirmation of the same view, and then explained why the Government had found it necessary to limit, in some respects, the discretion that they had at first proposed to leave so largely to the School Boards, and why, with that view, they had determined to carry out the principle embodied in Mr. Cowper-Temple's amendment. That amendment "accorded with the general view of the country, and its meaning was clear." "The main point," he added, "is the instinctive feeling which exists against catechisms and formularies; it is not so much that the people are afraid of teaching as that they do not like the idea of a form of teaching being used in a common school, which appears to take for granted that all the children belong to one particular church." On the question of the denominational schools, he defended the course proposed by government of increasing the grants made to them. While making it clear that aid would only be given for secular results, the Government measure would secure that religious teaching should be paid for by voluntary aid; and by taking away from the Boards all option as to helping denominational schools, it would take away one of the greatest grounds of dispute about religious teaching. Finally, he appealed to the advocates of delay. "Suppose," he said, "that, by these years of delay, you can gain your object and establish a secular system, what even then will you have gained? You will have destroyed before you have built up. You will have disbanded the army which is now fighting against ignorance before you have drilled another." But the Government meant to yield no further ground:—"We have considered," he

said, "the whole of the religious question, and we present the Bill to the House in the form in which we think we must adhere to it. I do not wish to be presumptuous, or to dictate to the House; but it is only fair to the House to state that upon those who reject these clauses in their substance must rest the responsibility of defeating the Bill and preventing the settlement of the education question this year."

After Mr. Mundella and Mr. Horsman had addressed the House,

Mr. Gladstone closed the debate on Mr. Richard's amendment, with a speech remarkable for its conciliatory tone. Speaking first of the rate-schools which under the proposed Bill "would be created by the local Boards, and would remain absolutely under their control," he said that in these schools the Government, "while securing the vital principle of leaving to the teacher the exercise of his discretion, upon which his power must to a great extent depend, had taken effectual guarantees against the violation of conscience through the acts of a narrow or sectarian spirit." Of the denominational, or, as he preferred to call them, the "voluntary" schools, he said that by observing two conditions—"if we, first of all, leave in force the necessity for competent provisions from voluntary sources; and secondly, keep the public contributions carefully below the mark, which is the lowest at which a secular education can be afforded by the State"—the religious difficulty would in his opinion be effectually avoided. He pointed out to the advocates of secular education—whom he would describe, rather than as "secularists" (because there was something invidious in the name) as "those who think it no longer possible beneficially to maintain the direct teaching of religion in a system founded by public authority, and supported out of the public funds,"—that in any district in which they had a majority they could "without impediment or discredit" under the Bill act upon their own principles. To the Nonconformists he pointed out that for their sake it was provided, that in the rate-schools no denominational catechisms or formularies should be employed, and asked them to concede something in return for the great concession that this implied on the part of Churchmen and Roman Catholics. But beyond that concession the danger that a School Board deeply pledged to the Establishment might "aid" an Episcopalian school, till it was supported entirely out of the rates while managed on denominational principles, was avoided by the provision that the assistance given should not be given without adequate voluntary subscriptions. He concluded his speech with endorsing what Mr. Forster had said as to the determination of the Government to abide by the Bill as it now stood, and the responsibility that would be thrown on those who sought to reject it, and defended his colleague from a charge of "moral coercion" that had been freely brought against him during the interval of time that had elapsed since his speech.

One of the best of our leading newspapers, commenting at this stage upon the progress of the Bill, described as its "key-note" "religious education without formulas and with a strong Conscience Clause," and showed that three principles must be considered as established by this debate on the secular question; that there was in the nation a great longing for a national system of education, *i.e.* the rapid growth of elementary schools in which children of all religious sects might meet on common ground, and run no risk of being limited to the companionship of those whose parents professed the same faith as their own; 2, that, great as the desire for this was, it was not strong enough to overcome the antipathy of the public to a purely secular system of education, especially for the children of the neglected poor; and, 3, that a uniform system was therefore impossible, and a compromise, giving a great advantage to schools professedly neutral or wide in their religious basis, but also extending a fair amount of help to schools professedly sectarian, on condition that their sectarianism should not be forced upon any child, became necessary. That these principles were virtually accepted by Parliament became clear from the divisions which followed rapidly.

Mr. Richard's amendment was rejected by 421 to 60.

On the one hand a proposal made in the interests of Churchmen by Sir Stafford Northcote, to omit the clause proscribing catechisms and formularies, was lost by 252 to 95; on the other, one made by Mr. Jacob Bright, in the secular interest, to insert a proviso that none of the teaching "should be used or directed for or against the distinctive tenets of any religious denomination," by 251 to 130.

A motion of Mr. Dixon, that any children who dissented from the religious teaching should be withdrawn from the school while it was going on, was negatived by 379 to 35.

Mr. Walter, proposing to compel the formation of School Boards everywhere, was defeated by 303 to 112;

Dr. Brewer, who wished to require every child to receive religious instruction, *unless* his father forbade it in writing, without a division;

Mr. Harcourt, who proposed to let the parents be represented in the management of the denominational schools, by 329 to 81; and, on the other hand,

Sir J. Pakington, who wished to make the daily reading of Scripture compulsory, by 250 to 81.

Thus the compromise was fairly accepted, that the master, subject to the right of the School Board to prohibit religious teaching, might read the Bible and expound it, though without the medium of catechisms or written creeds.

In the rest of its passages through Parliament this great and comprehensive measure underwent no material change; but some important votes were taken before it passed the Commons. It was decided (against a proposal of Mr. Dixon) that education should not be gratis; that one-third of the School Board, when chosen by

a Town Council, should consist of persons not councillors (in the interests of clergymen and women); that every Board should be re-elected triennially; that London should be a single district, with a single Board elected by the whole body of rate-payers; that the maximum rating should be 3*d.* in the pound; and that it should not be levied under a distinct name (Mr. Gladstone declaring that a separate rate would make a revolution in the law of rating); and that the election of the School Boards should be by cumulative voting—a decision remarkable for being the occasion of the first introduction into England of the form of election so much discussed in America, and calculated to secure the representation of minorities.

Mr. Mundella pressed strongly upon the House the principle of universal compulsion; but

Mr. Forster insisted upon his previous arguments as to the time being not yet ripe for its adoption, and his view was adopted by a majority of 138. Permissive compulsion, however—compulsion that is, whenever the Board should think it expedient, was decided upon by a vote of 274 to 119, Mr. Dixon, the champion of the Leaguers, regarding the clause as a “recognition of an important principle,” and affirming that “the general feeling outside was so strongly in favour of direct compulsion, that they preferred compulsion in a permissive form rather than not to have it at all.” It was further laid down that the School Boards should decide on the ages at which children must attend school, the limits being 5 and 13, that grants to denominational schools should not exceed the amount of subscriptions, and that the Educational Department should have the power to dissolve refractory School Boards. In the course of the debates upon these points,

Mr. Richard charged Mr. Gladstone with having “thrown the whole body of Nonconformists overboard,” and Mr. Forster with “mounting the good steed ‘Conservative,’ and charging into the ranks of his friends and riding them down rough-shod,” while

Mr. Winterbotham asserted that the Government had “treated with something approaching to contempt” the objection of a “large and influential section of their supporters,” and described the extension of the denominational grant as an effectual “challenge to the country to continue agitation.”

The Commons in Committee further decided, that the election of School Boards should be by a ballot, which might or might not be absolutely secret—but not without much violent discussion; Mr. Beresford Hope, speaking of the “audacity of foisting in at the fag-end of the Bill the difficult and perplexed question of the ballot,” calling it an “unconstitutional plan,” and “a sort of pilot-balloon measure,” while

Mr. Gathorne Hardy charged “the Department entrusted with educating the people in moral principles” with inaugurating “a system of hypocrisy, treachery, and baseness;” and

Mr. Disraeli thought it a most unfortunate determination on the part of the Government to ask the House to decide on a great principle of politics by a side wind, by remitting to a question which, of all others, widely enlisted the sympathies of all sections and parties in the country working for a common end, another subject upon which great controversy existed." He pleaded for "the usual custom of the country, that which was contemplated by the Government in their original Bill." On the Metropolitan School Board, by a further amendment, an elective chairman was substituted for a nominee-chairman, and after twenty-one days of debate, during which time Mr. Forster was never absent from his place, the Bill passed the third reading unchanged in principle. There was no division; but

Mr. Dixon and Mr. Miall expressed their disapproval of the measure as spokesmen of the secularists and Nonconformists, and attacked the Government for having roused, while obtaining the almost constant and earnest support of the Opposition, the suspicion, distrust, and antagonism of some of their own most earnest supporters.

Mr. Gladstone in reply declared that "support ceases to be of value when accompanied by reproaches such as these." "I hope," he said, "my hon. friend will not continue that support to the Government one moment longer than he deems it consistent with his sense of duty and right. For God's sake, Sir, let him withdraw it the moment he thinks it better for the cause which he has at heart that he should do so. So long as my hon. friend thinks fit to give us his support we will co-operate with my hon. friend for every purpose we have in common; but when we think his opinions and demands exacting, when we think he looks too much to the section of the community he adorns, and too little to the interests of the people at large, we must then recollect that we are the Government of the Queen, and that those who have assumed the high responsibility of administering the affairs of this Empire, must endeavour to forget the parts in the whole, and must, in the great measures they introduce into the House propose to themselves no meaner or narrower object—no other object than the welfare of the Empire at large." The Government had endeavoured to use the great influences they found swaying the community, and to avoid making differences still wider—and for the future of the Bill and their connection with it they should be compelled "to put their trust in the good sense of the country."

The Bill was received with general approval by the House of Lords, the most interesting speech being made by

Lord Shaftesbury, who denied the existence of any "religious difficulty." "The whole argument," he said, "turns upon the supposition that the education is meant for persons of mature age, people with a sort of insatiable appetite for dogma of every description, and who are assumed to be somewhat settled in their mental and physical habits; whereas, in fact, the great bulk of the children whom we seek to educate are of tender years and those of

wandering parents, who never continue in one dwelling for more than three or four months. I do not believe that the religious difficulty has ever had any existence whatever except as a euphonious term for the assault and defence, oftentimes not wisely conducted on the part of the defenders, and certainly not justly on the part of the assailants, of the Established Church." On the question of compulsion he said: "It is the most difficult and complicated question you can well consider—and why? If you had to deal with large masses of children who were in permanent dwellings, who had fixed habits, who were under the charge of parents or guardians, or who resided constantly or for any length of time in the same domicile, they might be brought under a system of compulsion if you thought it just. But look at the character of the population with which you have to deal. It is estimated that school accommodation will be required for about 400,000 children. I think that estimate is too high, but whether the number is larger or smaller fully two-thirds will be the children of a roving population. I went through one district in the Northern part of London, and the clergyman informed me that the whole of the population in his parish had been completely changed in the course of twelve months. I examined one large ragged school, where there were 700 or 800 children, yet not one of them had been there six months. But of the whole 45,000 of those children who are on our books in the ragged schools there are not 2 per cent. who attend for a whole year. A very large proportion attend for six months, a large proportion for three months, and very many for a less time. You have 40,000 or 50,000, sometimes 60,000 persons moving like Scythians round London in search of employment, and who never remain more than three or four months in any one place. It would be impossible," he argued, "to make compulsion effective under these conditions, and even were it possible, how far would it be just to deprive parents of the earnings of their children, on which they, in so many instances, so largely depend for support? In the case of families with children of ten, eleven, and twelve years of age it would be a very serious infliction to deprive them of the earnings of their children, while they would be under the necessity of clothing and feeding them during the time they were being educated." He was astonished to hear of the fears expressed by Secularists and Dissenters in the House of Commons, for it appeared to him evident that the tendency of things in this country was to the establishment of rate-provided schools and the institution of secular education. He did not expect very much from the Bill, for neither in Prussia nor in America had a similar system produced a moral, though it might have stimulated an intellectual life. But he hoped it might produce some good, and held it to be, at any rate, a step in the right direction.

The introduction of the ballot was much canvassed in the Upper as in the Lower House, and an amendment moved by the Duke of Richmond, that the election by ballot should be confined to the

Metropolis, but that in all other districts the election should be conducted in the same manner as that of poor-law guardians, was carried on a division, and agreed to by the Commons. With no other alteration the Elementary Education Bill became the law of the country, a measure whose results cannot yet be estimated, but whose importance can scarcely be over-rated. But it was reserved for the constituency of Bradford to give the first striking proof in connection with it, of the value of continuous and disinterested labour in a national cause. It is difficult to credit the fact that Mr. Forster was rewarded by his constituents, on his meeting them some months afterwards, with a vote of censure.

The story of the Education Act will not be complete without a brief account of the first election of a metropolitan School Board, which took place at the close of the year, and excited great and general interest; chiefly, of course, from its own intrinsic importance, but also from its being the occasion for what were practically the first English experiments in the ballot, in cumulative voting—and, above all, in woman-suffrage and woman's candidature. For the purposes of the election the metropolitan district was formed into ten divisions; the city of London returning four members; the city of Westminster, five; Marylebone, seven; Finsbury, six; Hackney, the Tower Hamlets, and Lambeth, five each; Southwark, Chelsea, and Greenwich, four each; making a total of fifty-nine members. In the first of these divisions only was the voting performed openly. In the other divisions each voter had to go to one of the polling-places, and to receive a voting-paper printed with the names of the candidates proposed; and was to record upon the paper those for whom he chose to vote, but not to sign it with his name. There were nearly three hundred polling-places altogether throughout the whole of London, open from eight o'clock in the morning till eight in the evening, and the number of voters was fully as great as at a central election for Parliament. There was, however, no disorder, and the female voters were in strong force. The arrangements were similar in most of the polling-places. At a table sat a president and two inspectors, attended by a rate-collector with his books, and each voter had to identify himself and establish his right of suffrage before the voting-paper was handed to him. In a quiet part of each room writing-places, in each of which one man could write conveniently, were fitted up, and to one of these each elector retired, and indicated the names of the candidates of his or her choice. In another part of the room was the ballot-box, into which they dropped the voting paper folded.

There were about a hundred and fifty candidates in London for seats at the Board, and the result of the elections was most satisfactory in the variety of interests secured, and the variety of qualifications that were successful. With a few exceptions the *élite* of the candidates were certainly chosen; but it was in Marylebone that the proceedings excited, perhaps, the greatest interest, and that the results were the most interesting. That district returned

Miss Elizabeth Garrett, a lady-physician, and a well known advocate of woman's rights, so effectually at the head of the poll, that she received 20,000 votes more than any other candidate in any part of London, the number recorded for her being upwards of 45,000. Amongst the other successful candidates were Professor Huxley, Mr. Rogers, the Rector of Bishopsgate, a name well known in connexion with education (whose election was a high and spontaneous compliment, as he had come forward late in the day and with very little canvassing), Miss Emily Davies, Lord Lawrence, Mr. W. H. Smith, and Dr. Barry, the Principal of King's College. One working-man alone was returned, Mr. Lucraft, whom Finsbury selected as the last of her successful candidates. The Board comprised three Roman Catholics and one Baptist minister, besides members of other religious communities.

The provincial cities and large towns placed under the new Act also elected their respective Boards at the same period. At Liverpool and at Bradford there was no contest, the leaders of different religious parties and others having met and agreed to nominate a proportionate number of candidates for each interest. In Manchester another lady, Miss Lydia Becker, secured one of the seats, and the elected Board comprised six Churchmen, two Wesleyans, two Roman Catholics, two Secularists, and one Presbyterian. At Leeds an Independent headed the poll with nearly 50,000 votes, and the Board further comprised six Churchmen (one a clergyman), three Wesleyans, two Roman Catholics, one Primitive Methodist, one Free Methodist, and one Unitarian. At other places also the members elected belonged to different persuasions in fair proportion, while at Sheffield a Roman Catholic headed the poll. Under these various conditions even the supporters of the Birmingham League might hope that the new scheme for the education of the people, thus seriously undertaken, after years of talk and procrastination, would bid fairly for success.

#### CHAPTER IV.

*Navy and Army Estimates—The Budget—Local Taxation—Condition of the Money-market and the State of Trade before the declaration of War—Effect of the War upon them—Variations in the Bank rate of Discount—Increased imports of wheat—Minor Acts of the Session—The Clerical Disabilities Act—Married Women's Property Bill—Halfpenny Postage—Disfranchised Boroughs—New Foreign Enlistment Act—Failure of the University Tests Bill—Ballot Bill—Marriage Law Amendment Bill—Motion to inquire into the Commercial Treaty—Condition of Indian Appeals—The Lord Chancellor's Bill—The Greek Massacres—Debates in Parliament upon them—Speeches of Sir R. Palmer, Sir H. Bulwer, Mr. Gladstone, Lord Carnarvon, Lord Clarendon—The Civil Service thrown open—Surrender of the Military Prerogative of the Crown.*

The Navy Estimates were brought forward by Mr. Childers in the first month of the Session, upon a motion that 61,000 men and



boys be employed in the sea and coastguard service for the coming year. He commenced by stating the gross amount of the Estimates at 9,250,000*l.*, and, comparing them with the Estimates of former years, he showed that they were the lowest since 1858-9, and involved a saving of 1,700,000*l.* on the Estimates of 1868-9, and of three-quarters of a million on those of 1869-70. Passing to the particulars of the reduction, he stated that in the vote for pay and allowances there was a saving of 100,000*l.*, there being a reduction of 2000 in the number of men and boys employed. In the vote for clothing there was a saving of 205,000*l.*, stores, 47,000*l.*; ship-building, 300,000*l.*; Civil Department, 10,000*l.*; and Transport Service, 57,000*l.* On the other side there was an increase for the extension of the dockyards, and of 189,000*l.* for the non-effective services. He then proceeded to explain the policy of the Admiralty under the heads of Administration, Ship-building, Employment of our Fleet, Number of Men, and Promotion. Under the first head he described in detail the extensive administrative changes made in the various departments, the effect of which, as a rule, had been not only great economy, but largely increased efficiency, and he claimed for the Admiralty the credit of having carried out the disagreeable duty of reduction with the utmost possible consideration for individuals. Under the head of Ship-building he stated that when the ships now in course of construction were finished we should have 31 broadside armoured vessels, including two of the first class, six of the second, nine of the third, eight of the fourth, four of the fifth, and one of the sixth, and nine turret-ships, in addition to an efficient force of about 100 unarmoured ships, a much stronger force, as he showed by comparison, than was possessed either by France or the United States. Respecting the artificers who had been discharged from Woolwich on the closing of the yard there, out of 2000 men 830 establishment men and 175 others had been transferred to other yards, 200 had been pensioned, 200 granted gratuities, and about 300 assisted to emigrate. The staffs at other yards were also being reduced, and it was the intention of Government to assist the discharged men to go to Canada. Ships would be provided for them, and if space remained, it would be placed at the disposal of the Emigration Commissioners for the benefit of the persons to be taken from dockyard towns, as well as Woolwich and Sheerness. As to the future, the Admiralty, after careful consideration, had come to the conclusion that in ordinary times we ought to build annually above 12,000 tons of armoured, and 7,500 tons of unarmoured ships; 4000 by contract, and the rest in the dockyards. This would require about 6,000 men for building purposes alone, and a dockyard expenditure of about 2,500,000*l.* The shipbuilding programme for the year contemplated 12 new ships, including an improved vessel of the unmastered Thunderer type, and a frigate of a type intermediate between the Inconstant and Volage, all experience pointing to the supreme importance of pushing on the most powerful class

of armoured ships and the fastest cruisers. All our iron ships would be kept in order to go to sea, and the result, with the arrangements for the Reserve which he described, would be that the Navy would be in a more thoroughly efficient condition than at any time in its history. Though satisfied with the Service gun up to the 12-inch gun, the Admiralty had come to the conclusion that it was not powerful enough for the new vessels of the Thunderer type, and they desired, therefore, that there should be a trial between the Whitworth and Service guns, restricted entirely to this particular purpose. In explaining the proposed distribution of the fleet, he announced that another flying squadron would be despatched this year, and that the coastguard district ships would be sent on a cruise, to form a sort of second Channel Fleet, and he described in detail the means by which the Admiralty proposed to get rid of all the useless men in the service, and to strengthen the Reserve, by which he calculated he would secure a Reserve of 37,000 blue jackets and marines. Finally, he gave an elaborate exposition of the new plan of retirement, the basis of which was the compulsory retirement of admirals of the fleet at 70 years of age, of admirals and vice-admirals at 65, of rear-admirals at 60, captains at 55, commanders at 50, and lieutenants at 45. Flag officers, too, would be compelled to retire after ten years of non-service, captains after seven years, and commanders after five years. The scale of retirement, based on age and service, would range from 200*l.* to 800*l.*, and the list of officers would be reduced to 2,336. The financial effect of the scheme would be, beginning with a loss of 54,000*l.* in the first year, to save the country from 300,000*l.* to 350,000*l.* a year. He concluded a three hours' speech abounding in the fullest details about all the departments by claiming for the Estimates that they provided for efficiency in the public service, for economy, and for retrenchment in the Navy.

Mr. Corry, on behalf of the Conservative party, regarded the great reductions the Government were making as ill-timed and in a wrong direction, and declared that they deprived the Admiralty and the dockyards of all power of meeting an emergency. He also found many faults with the building programme; but his remarks, though meeting with much approbation, did not lead to any material modification of the Government plan.

Mr. Cardwell, in moving the Army Estimates a few days later, said that they were founded on the policy he had laid down in the previous year, that, in time of peace, our military power should be maintained in such a position as to be capable of easy extension, and, with reserves close at hand, readily available for a sudden emergency. The total charge they imposed on the country was 12,975,000*l.*, a decrease of 1,136,900*l.* on the previous year (or, taking into view the effective services alone, of 1,183,500*l.*), and on the year before that of 2,330,800*l.* This great economy, he asserted, had been gained without any sacrifice of efficiency. In arguing this point, he pointed out that our undue expenditure

on the military service had arisen from three main causes—our great colonial garrisons, the relation of our military finance with India, and the absence of proper control over the supplies; and he went on to describe in detail the policy of the War-office under these three heads. Our military expenditure on the colonies had been reduced from 3,388,023*l.* in 1868-9, and 2,589,886*l.* in 1869-70, to 1,905,538*l.*; and, including such stations as Malta and Gibraltar, which must be considered Imperial garrisons, the strictly colonial expenditure had been reduced from 1,838,082*l.* in 1868 to 1,216,842*l.* in 1869, and to 674,256*l.* in 1870, and the number of men from 49,000 to 20,941. In addition to this it was proposed to disband the Canadian Rifle Regiment, the Cape Mounted Rifles, the 3rd West India Regiment, and the African Artillery, amounting to 2,530 men. This policy he vindicated as training the colonies to rely on their own spirit and energy, and increasing by concentrating the strength of the Imperial power. Owing to financial causes, there had also been a reduction in the Indian establishment by one-third of its number, 3,201 men. Then arose the question whether the British taxpayer should have the benefit of these reductions by a corresponding reduction of the force at home, and in the decision of this question four considerations had to be kept in view—whether the force at home was adequate, whether its distribution and organisation were such as to make it capable of easy extension, whether we had trustworthy reserves, and, lastly, the manner in which the reduction was to be made. Considering that we had 86,225 men of the regular Army at home, distributed in 105 batteries of artillery, 19 regiments of cavalry, and 68 battalions of infantry, and that the Reserve Forces added to these gave us an army of 109,225 available for foreign war, the Government had concluded that it was their bounden duty to give the country the benefit of the colonial reductions. He then went on to explain minutely the mode in which the reductions of the home establishment were to be carried out, by the reduction of the number of companies in all infantry regiments, with a view to our relation of military finance with India, from 12 to 10, and of troops in a cavalry regiment from 8 to 7; the abolition of second majors and of *depôt* battalions, and certain alterations in the artillery *depôts*. The *depôt* brigade at Maidstone would be abolished, and that at Woolwich much reduced. A prominent feature in the scheme was a reduction in the number of subalterns (the total of the reduction amounting to 1,239 officers, whose annual pay amounted to 164,355*l.*); and in connection with this, Mr. Cardwell explained a complicated plan for the gradual absorption of these officers, and the abolition of the rank of ensign and cornet which, he showed, involved a first step towards the abolition of the purchase system. Everybody on entering the army would enter it as lieutenant, as in the Artillery and Engineers. Passing next to the reserve forces, he announced that, in future, though the enlistment for the regular Army would still continue to be for 12 years, the service in regiments going abroad would be for six years, with the possibility of reducing the term at home to three

years. The remaining six years' service would be in the Reserve, the men being liable to be called out like the Naval Reserve, and receiving a retaining pay of 4*d.* per day. This plan for creating a Reserve he only put forward as an experiment, acknowledging that many great military authorities did not expect it to succeed, but he hoped that it would attract new classes into our military service, and add largely to our Reserve Forces. He passed next rapidly over the changes made in the Estimates with regard to the Militia, Yeomanry, and Volunteers, all of which were of minor importance; and as the general sum of the whole, he stated that our disposable forces for the current year would amount to 376,602—namely, Regulars and First Army Reserve and Militia Reserve (available for foreign service), 109,225; second Army of Reserve, 20,000; Militia (less Militia Reserve), 63,600; Yeomanry, 15,800; Volunteers, 168,477. This force, too, would be made more disposable by the division of the country into great military districts, in which the Regulars and the Reserves of every kind would be included in the same organization. The country would be for this purpose divided into nine great military commands, with fourteen districts within those commands, conterminous with them and with the counties. Next he referred to the introduction of the new Control Department, of the success and increasing efficiency of which he spoke in confident terms; its economy proving itself by the fact that there had been a reduction of 179 officers, and a saving of 45,000*l.* in salaries. Finally, he touched on the contemplated reconstruction of the War Departments, the improvements in military education, the changes as to military prisons, and the step taken to instruct the troops in spade-drill, in telegraphing, and in various handicrafts, and concluded by expressing a confident belief that the Estimates, if adopted by the House, would place the country in a perfectly safe and honourable position.

Sir John Pakington, in commenting on the Army Estimates, would not give an unqualified approval to the scheme, the main foundation of which was a great reduction in the Army. He did not approve of the alienation of the colonies by stripping them of their military defence. The object of the Government seemed to be to keep a large military force in England, where their services were least required. As regards a Reserve Force, it was nonsensical to call 9,000 men by such a name. He approved of the experiment of short enlistment, but doubted that it would have the effect anticipated. He disapproved of a reversion to the old system of making a troop a cavalry unit instead of a squadron, and thought that the Government was reducing the forces of the country to an extent that was hardly wise.

Among the other speakers were Major Walker, Colonel North, Colonel Barttelot, and Captain Vivian, who, while desiring to combine economy with efficiency, and acknowledging the principle of control and reorganization to be effective, questioned the policy of Government in reductions of men, and in entirely depriving our dependencies of military support.

In introducing his statement shortly afterwards, the Chancellor of the Exchequer (Mr. Lowe) observed that the original estimate of the revenue of the year 1869-70 was 72,855,000*l.*, which by the alteration in the method of collecting taxes was increased to 76,505,000*l.*; the expenditure was 68,223,000*l.*, leaving a surplus of 7,982,000*l.* Of this amount 4,600,000*l.* applied to the discharge of obligations incurred on account of the Abyssinian War, and 2,940,000*l.* to the reduction of taxation, leaving a nett surplus of 442,000*l.* The final estimate of revenue, after the agreed reduction of taxation, was 73,515,000*l.* The actual receipts amounted to 75,334,000*l.*—the largest revenue ever raised in this country, with the exception of the three last years of the French war, and one which, despite the reduction of taxation, exceeded that of the previous year by 2,742,000*l.* The expenditure for the year 1869-70 was estimated at 68,408,000*l.* Thanks to the savings which were effected upon the votes for the Army, Navy, and Civil Service, the actual expenditure, notwithstanding certain exceptional charges, showed a diminution, compared with that of the previous year, of no less than 2,468,000*l.*

The revenue for the current year, 1870-71, he estimated at 71,450,000*l.*; and, comparing this with the expenditure, he showed a surplus of 4,337,000*l.* This surplus he dealt with by the removal of a number of small duties involving expense in collection and operating harshly on those who paid them: by the abolition of certain stamps in connection with agriculture, insurance, and bills of exchange; by the abolition of the impressed stamp upon newspapers, and the reduction of the inland postage to a halfpenny for any newspaper of less than six ounces in weight, and a similar reduction for every fraction of two ounces of other printed matter; by the alteration of the tax upon railways from a charge of 5 per cent. upon the receipts from passengers to one of 1 per cent. upon the gross traffic; by a reduction of one penny in the pound income tax; and by a reduction in the sugar duties, giving effect to Mr. Bright's scheme of "a free breakfast table." Meeting the question of malt, he gave permission to farmers to steep their own barley for feeding their cattle, provided that they should have no kiln upon their premises, and that there should be none within a mile of their farms. He closed a speech received with acclamation by informing the House that there would still be an unappropriated surplus of 331,000*l.*

Mr. Goschen on another occasion gave some account of the course adopted by Government with reference to local taxation; and said that the annual expenditure in that direction amounted to nearly 30,000,000*l.*, and that the amount altogether at the disposal of Government for general purposes was about 15,000,000*l.*

On the whole, as we stated in the opening chapter, there was a slight promise of financial and commercial improvement at the commencement of the year, and during the first half of the year the promise was not belied, the prospects and the condition of the

Money Market and the state of trade continuing generally favourable. A month before the declaration of war the promise was especially bright. The "clearing" on the 15th of June was the highest known, amounting to 34,000,000*l.*, and in the cotton market, the dockyards, and the iron trade, increasing activity and a growing sense of confidence were everywhere apparent. The immediate effects of the alteration in the railway tax announced in Mr. Lowe's budget, which at first caused much dissatisfaction and considerable depression, were passing off, and the revenue showed an improvement of half a million on the estimate made at the opening of the year. When the declaration of war took place these prospects were, of course, for the moment darkened by a general depression of trade; and the uncertainty and fear that prevailed, it being at first generally apprehended that England might be drawn into the war through her connexion with Belgium, seriously affected the Money Market also. The average fall in every kind of security, except Consols and Indian guaranteed paper, was from four to five per cent., and it was calculated by experienced men that the total reduction in the saleable value of the paper property of Europe exceeded one hundred millions before a single loan was demanded. But as the fears of England being drawn into the quarrel diminished, there was a general revival, and the introduction of many new loans greatly improved the dealings in foreign securities, while foreign investments in this country were also increased by the war. The Board of Trade returns at the close of September showed a slight advance upon previous seasons, and in Consols there was only a slight decline. The Bank rate of discount was advanced from 3 to 3½ per cent. on the 21st of July; from 3½ to 4, and from 4 to 5 during the same month, and to 6 on the 4th of August. Subsequently, through corresponding stages, it was reduced to 2½ per cent. by the close of September. Whatever its effects on the Money Market, the influence of the war upon the trade of England was, on the whole, materially beneficial, especially, perhaps, upon the iron trade, in which the French had of late become competitors so formidable, that the closing of their works did us more good than the loss of their custom did us harm. On the other hand the Russian difficulty threatened this branch of our trade with great momentary danger, depending for custom, as it does, on the Russians and the Americans more than on any other people; but the danger passed, for the time, at all events, with the difficulty. Corresponding to the prosperity of the iron trade was that of the coal trade, in which branch the exports, by the beginning of October, exceeded by three-quarters of a million those of the previous year. The trade in cotton, lace, and silk were also favourably affected by the war, through the stoppage of the trade of Lyons, Mulhouse, and Calais.

Turning to other matters, the imports of wheat during the year showed a discouraging increase, owing to the bad harvest of 1869 at home, and the goodness of the corresponding season abroad,

while there was a decrease of nearly 200,000 acres, compared to the previous year, in the land under wheat cultivation. The steady growth of the tea trade may be inferred from the consumption, which, at this period, amounted to about a quarter of a million pounds a day, and the reduction of the sugar duties had proportionately increased its consumption from the preceding year by some 50,000 tons. Another trade which was fast growing in popularity was the import of preserved meats from the Australian colonies.

Returning from this brief digression to the proceedings in Parliament, we find among the smaller measures for which the session will be remembered one removing the disabilities of clergymen who abandon the clerical profession; an Act modifying the Law of Married Women's Property; and another establishing a halfpenny postage.

Mr. Hibbert moved the second reading of the first of these Bills, which enabled clergymen to "relinquish the office of priest or deacon" by a given ecclesiastical form, whereupon, after six months' delay interposed to prevent a clergyman who had incurred ecclesiastical censure from thus escaping it, the Bishop was to register the deed, and all civil disabilities be removed. If he wished to revoke his relinquishment and to return to his clerical work; the Bill provided a machinery for his doing so with the consent of the Archbishop.

The Married Women's Property Bill was introduced by Mr. Russell Gurney, but it was so modified by the amendments of the House of Lords (especially amendments proposed by Lord Westbury and Lord Penzance) which were accepted by the Lower House, as to lose much of its original character, and to leave married women, in the eye of the law, "much what they were before"—incompetent to use, bequeath, or hold their own money. The feeling that social discomfort might ensue from a radical change in the practice of the country in this respect, proved too strong for the advocates of woman's rights, however strongly some might think the position of the latter fortified by logic and sense. But the Bill, even as passed, was a first recognition of a new principle, another small sign of the times—ilke the "side wind" that introduced the ballot and lump-voting—that the old creeds were passing away, and, whether for good or for evil, all things becoming new.

The Halfpenny Postage, which reduced the charge on the carriage of newspapers to that sum, and introduced the Halfpenny Card, had its accompanying evil in the abolition of the "pattern-post," while the ludicrous, and not always agreeable results which at first ensued from the use of the card, will be remembered among the minor *memorabilia* of 1870. So much did this new institution seem liable to abuse at first, and for such bad purposes was it made available, that a general feeling began to rise against it, which, however, disappeared as the practical jokes, which were its first result, wore off with the novelty, and as its undoubted recommendations became more apparent by use.

The disfranchisement of Bridgwater, Beverley, Sligo, and Cashel, showed that Parliament was in earnest in its resolution to give effect to the provisions of the New Reform Act; the Bill introduced for this purpose by the Attorney-General being based upon the reports of the Commissioners who had been specially appointed to inquire into the secrets of electioneering, which proved to be among the worst records of corruption contained in its annals.

A new Foreign Enlistment Act, introduced by the Attorney-General, enabled the Government to prohibit the building as well as the escape of Alabamas, but compelled the Admiralty to release them on receipt of a bond to the effect that they were not to be employed for any illegal work; and the introducer claimed for it that it would "go beyond any statute law passed in any country for the purpose of enforcing neutrality."

Among the failures of the session are to be enumerated some of no trivial importance. The University Tests Bill, introduced by Sir John Coleridge, was carried through the Commons, but practically thrown out by the Lords, Lord Salisbury succeeding in having it deferred to another session. The Ballot Bill was not very energetically pushed, and the Marriage Law Amendment Bill, repealing the ecclesiastical prohibition of the marriage of widowers with their sisters-in-law, succeeded in the Commons to fail again in the Lords. Sir George Jenkinson failed to obtain legislative interference with the jurisdiction of the Home Secretary in capital cases, as did Mr. Jacob Bright to remove the political disabilities of women; and the effects of the revived Protectionist agitation was shown in a motion made by Mr. Morley to inquire into the operation of the Commercial Treaty. The debate which followed on this motion, which was defeated, gave an opportunity to Mr. Shaw Lefevre, one of the younger members of the Administration, to distinguish himself by a speech of great ability. Indeed Mr. Lefevre, in the absence of Mr. Bright throughout the year, conducted the business of the Board of Trade, thus thrown upon his shoulders as Under-Secretary, with considerable skill and success both in the House and the Department. The introduction of a measure for the disestablishment of the Welsh Church was defeated by a large majority; and among the abortive measures of the session was one relating to a matter which, though appealing but little, unfortunately, to the personal sympathies or interest of honourable members in either House, involved one of the very gravest scandals of the day. The accumulation of appeals from the High Courts of India before the Judicial Committee of the Privy Council had grown to such an extent that the arrears exceeded, probably, any thing ever known in a court of justice. As much as two years might elapse between the setting down of a cause of this kind for hearing and the hearing itself; and it followed that the arrears were rapidly multiplying themselves, the unavoidable result of this delay being to tempt unsuccessful, but wealthy, litigants, in India, to stave off a final decision against them until the last moment, by



appealing in cases where they had no chance of success. So imperfect, at the same time, was either the constitution of the High Courts in India, or the manner in which causes were brought before them for hearing, that it was found that on mere matters of fact even, a large percentage of their judgments was during every sitting reversed by the Court of Privy Council—another encouragement to appeal. It was obvious that however the second difficulty was to be met, the arrears could soon, but only, be disposed of by a strong paid court of appeal, sitting *de die in diem* till the work was done, whereas the Judicial Committee consisted of unpaid judges, but for whose energy and disinterestedness no appeal would have been heard at all. One ex-Indian judge especially (Sir James Colville) devoted himself to the work of the Judicial Committee with a perseverance and success rare indeed in an unsalaried official. Under these circumstances the attention of Government having been at last called to the matter, sufficient pressure was put upon them to induce them to introduce a Bill professedly for the remedy of this great scandal. But a Government so devoted to economy was not likely to be liberal in a matter which, though affecting most seriously the rights and interests of all the Indian subjects of her Majesty—no unimportant items in her Empire—awakened such languid interest in Parliament. The Lord Chancellor was therefore instructed to introduce a Bill so inadequate in its provisions, and calculated to introduce so inferior a class of men into the Judicial Committee, that it had to be withdrawn under the unanimous disapproval of all qualified to judge of it, who held even further delay better than such an alternative. And so the Indian scandal was left to grow in magnitude with the fast accumulating arrears of unheard appeals.

On the 21st of April, a terrible tragedy occurred in Greece, which created the utmost excitement throughout this country, and for the moment superseded every other topic, to be superseded only by the yet more tremendous European tragedy which was to follow. A party of residents and tourists, comprising Lord and Lady Muncaster, Mr. Herbert, Secretary to the British Legation at Athens, Mr. F. Vyner, Count de Boyl, Secretary to the Italian Legation, Mr. Lloyd, an engineer, his wife and child, set out on the 11th of April from Athens to visit Marathon. The Greek Government reported Attica safe, but granted them an escort of six soldiers, and they were joined *en route* by another party of about twenty-five more. At about half-past four in the afternoon, while traversing a strip of forest, they were attacked by brigands, who carried the party up to Pentelicus, and ordered them to send one of their number to Athens to obtain a ransom. The brigands, who had doubtless been informed by politicians with whom they were in league of the rank of the travellers, at first fixed their ransom at 50,000*l.*, but subsequently reduced it to 25,000*l.*; and this amount the captives undertook to provide. At the same time distinct threats were held out that in the event of pursuit being attempted or any military

operations being undertaken against them, the lives of the prisoners would be forfeited. The duty of proceeding to Athens fell by lot to Mr. Vyner, but he generously waived it in favour of Lord Muncaster in consideration of his wife, and his lordship and the ladies were sent back to Athens. There no difficulty was made about the money, which was at once granted by the relatives of the captives and the Italian Government. Meanwhile the news of the capture had reached England, and the necessary ransom had been provided in London. But the bandits, instigated, as seemed only too clear, by Greek statesmen in Opposition, now demanded an amnesty, as well as the ransom, their advisers' object being, it was supposed, to compel the Government to do an unconstitutional act, and then oust it. The Government, aware of this design, refused the amnesty, though it was pressed upon them by Lord Clarendon, who acted with great promptness and energy in the matter, and by Mr. Erskine, our Minister at the Court of Athens. At the same time the Greek Government solemnly and distinctly pledged themselves, as they had indeed previously done, not to move the soldiers against the brigands till the prisoners were safe. The English Minister, moreover, addressed a direct communication to the brigands, not only assuring them of this solemn engagement, but also informing them that, if they would treat the prisoners well, and descend from their vantage-ground in the mountain to a place where the prisoners might be kept in comparative comfort though in security, they should not be molested. With this request the brigands complied. The prisoners were brought down and conducted across the river Aropus to the village of Oropos, in the plain close by the sea-board, where they seem to have been made as comfortable as circumstances would allow. Then ensued various negotiations, conducted on the one hand by one Colonel Theagénis, on behalf of the Greek Government—on the other by a Mr. Noel, an Englishman resident in Eubæa, who volunteered his services on behalf of the prisoners, and was believed at the time to have all but successfully accomplished their rescue. Mr. Erskine himself, courageously departing from the official reserve which might be supposed to be imposed upon him, went so far as to offer a ship of war to transfer the brigands from Greece with the ransom money if they insisted upon it. And the offer was confirmed by Lord Clarendon. Meanwhile, acting from reasons which could only be guessed, the Greek Government broke their solemn pledge, and for two or three days previous to the 20th of April they silently moved up troops in the direction of the brigands. On the 20th the brigands became aware of this, and remonstrating against it as a breach of faith, repeated in unmistakable terms that, if an attack by the military were made, they would massacre every one of the prisoners. This threat either produced no effect on the mind of Colonel Theagénis, or, if he saw the result, did not deter him. The cordon of troops was drawn tighter, and on the following day the brigands became thoroughly exasperated. Even then, it was afterwards stated by Mr. Noel, if the fatal step had not been recklessly

hurried on, and another day or two had been allowed for negotiation, no life would have been sacrificed. But the troops pressed on; and the brigands, taking alarm, crossed the river and advanced northward. Then finding themselves suddenly in the sight of troops from that quarter, they took to flight. At this conjecture there appeared on the right, on the sea-board, a Greek man-of-war—and the troops attacked and fired on the brigands, who thereupon shot Mr. Lloyd, and then dragging away the remainder of the prisoners, massacred them also one by one, Mr. Vyner being the last survivor. The terrible details of these cold-blooded murders, inexcusable by the wildest brigand-law, and happily unparalleled in modern days, even in a fiction like the “*Roi des Montagnes*,” it is as needless as it would be painful to dwell upon. They are recorded only too fully in the newspapers of that date. The general outburst of grief and rage which the news created in England was natural, but unreasoning in its direction; and all sorts of impossible demands were made both in the country and the House for vengeance upon the brigands—vengeance upon the Greek Government and nation—vengeance *quand même*. It must not be forgotten, however, that the indignation and sorrow professed in Greece were almost as loud, and that the young king even made the chivalrous, if unpractical, offer to become himself a hostage for the captives, while the Greek Government afterwards proffered large compensation to their families. The first fever of indignation had in a measure subsided when the matter was formally brought forward in Parliament, in the Commons by Sir Roundell Palmer, and in the Lords by Lord Carnarvon, but in neither House was any practical conclusion arrived at as to the course to be pursued by England.

Sir Roundell Palmer began by laying down the principles which he contended were applicable to the case; and drew a distinction between the private victims of the outrage and those who had a diplomatic character, which latter he contended were by the law of nations entitled to a special and a pledged security, while the former only came under the general rule of public faith—a legal distinction the inappropriateness of which was very generally felt. He then described at length the circumstances of the outrage, dwelling on the impunity to systematic brigandage allowed by the Greek Government, the absence of all warning to the party that there was danger abroad, and the communication of the brigands with Athens after the seizure, which showed that politics were mixed up with the outrage, and that the Government of Greece was directly responsible for its miserable end, by having put legal and technical obstacles in the way of effecting their release. “We find,” he said, “from the papers that there are at present in Greece two notorious bands of brigands—one called the band of Arvanitaioi, who perpetrated this outrage, and another, a distinct band, under a different leader. Whether there are more I do not know; but I cannot mention the existence of these bands without referring to what is, unhappily, too notorious to all who have paid attention to the affairs of Greece and of the East, to the fact that the system of

brigandage in Greece is no ordinary crime arising from those common causes which lead to crime in all countries of the world. It has, I fear, if not a political origin, a great deal too much of political connexion, and it has been so for a long time. There are in Greece industrious people who, if the Government would rely upon them, would look to their influence and their interests chiefly, most probably would be as capable of raising their own country to prosperity as they are of raising themselves to wealth in other lands. There is another class of Greeks, a class of military ruffians, who are always ready to invade the territory of their neighbours. They are always ready to stir up turbulence abroad, and inflame the public appetite for lawless extensions of territory, or something of that kind; and there is only too much reason to fear that these people and the banditti of whom I speak, are, and have been for many years, too intimately connected, and that persons who are at one time banditti are at other times politicians, taking an active part in such disturbances abroad as those which only too recently this country has been obliged to repress. However that may be, in the present case this is certain—there was this large and notorious band whose existence in the country or the neighbouring districts was known, and who were lying in wait for foreign tourists, American and English. They might not know of these particular travellers. Whether that be true or not, on their own showing they were for a week before lying in wait in the neighbouring mountains for foreign tourists, who at that season of the year are in the habit of visiting places celebrated throughout the world. It appears that many people about Athens knew very well that these persons were in the country, although the Government of the country at that time were supposed not to have known it.” But he then showed from the papers before the House, that on the very day of the excursion, the Minister of the Interior knew there was great reason to fear that the banditti were in the neighbourhood of Marathon. . . . . “When the prisoners had fallen into the hands of the brigands, immediately there began a system of communication backwards and forwards with Athens. Mr. Herbert writes to Mr. Erskine stating that the brigands say that they could be heard of in town, having correspondents at headquarters; and they request that a proper person may be sent to treat with them. They actually themselves sent to the Prime Minister a letter, requesting that he would, without delay, send to them the ransom demanded, threatening to take the lives of the prisoners if it were not sent. The message, the Prime Minister stated to Mr. Erskine, was sent by one of the gendarmes. It is quite evident that the brigands had easy means of communication with Athens, consulted their own lawyers, and conducted their matters on a footing of independent negotiators in a way inconceivable to persons living under the ordinary laws of civilization. . . . . It is quite certain that the Government and the bandits were engaged in communications backwards and forwards, and that

the bandits had their agents in Athens, and persons with whom they were to share the booty. . . . Upon the body of one of the brigands, who was killed, was found a letter, signed, as is believed, in a feigned name, and dated a month or two before the event, upon the 27th of February, in which he speaks of himself as holding an office in the public service at Athens; and he is so spoken of in a letter from Colonel Theagénis to M. Zaimis, the Prime Minister. He says, 'It evidently comes from some one in the public service.' The man speaks of himself as having been prevented from going to see the brigands by being called back to Athens, where MM. Coussei have nominated him to another post. This, as it appears to me, is an extraordinary state of things. The Minister is continually putting it forward that he finds there are two sets of people in Athens communicating with the brigands, the Government and their agents, and other people and their agents. All this is going on and nothing whatever is done, as far as I can see, to find it out and prevent it, or to get hold of the people who do it, and punish them; and all this ends, as the House will see, in the destruction of those unhappy Englishmen. There was a failure" he said, in the performance of those public duties which devolve upon a country like Greece, and he showed that "the concurrent judgment of our own Minister in Greece, of our own Minister at home, and of public opinion in Greece itself, all tended to fix the responsibility for this calamity upon the Government of Greece." And more—that Government had virtually admitted their responsibility, and accepted the whole control and management of the measures for the release of the prisoners, undertaking, practically, to be answerable for the result. After referring to what he said was, perhaps, one of the most remarkable events which has happened in the communications of civilized nations,—the fact that the brigands had absolutely written a letter addressed to the Minister of the two insulted powers, and obliged England and Italy to send them an answer,—he urged that the Greek Government had really, by its blundering incapacity, and by precipitating a collision between the troops and the brigands—contrary to its solemn pledges—made itself doubly culpable for the event, which he described as a "wrong suffered by this country from the Greek Government." After some touching words on the character and conduct of the victims, he said, in conclusion, "If this terrible calamity which we to-day deplore should have the effect of producing a better state of things in Greece, we shall not be without consolation. I cannot but express my opinion that this is an opportunity which this country may most legitimately use—this country which, even as one of the protecting powers, might well interpose—to urge on Greece the necessity of putting an end to this anarchy. And the rights which this opportunity gives us of remonstrance, and more than remonstrance, are such that I own that to me it will be a disappointment if, in the result, it should not happen that, in addition to those strict inquiries after the guilty, and the punishment of the guilty if they are detected, which have

already been demanded—in addition to that reparation which the Greek Government has offered to the only persons connected with this misfortune to whom, probably, any pecuniary reparation would be useful or acceptable—if our Government does not embrace this opportunity to impress on the Greek Government, in a manner that shall be effectual, the necessity and the duty of making the lives of British subjects and those in the employment of the British Crown safe hereafter in that country. . . . I trust that her Majesty's Government will not think it amiss that the question should be publicly put to them which I now venture to ask—namely, whether they are able to state to the House what measures have been or will be taken to obtain from the Greek Government such satisfaction for this unprecedented outrage as her Majesty is entitled to claim according to the Law of Nations, and to ensure the due protection, for the future, of the lives of the diplomatic servants and other subjects of the British Crown within the kingdom of Greece.”

Sir Henry Bulwer thought that Mr. Erskine might have been firmer, but attributed the massacre mainly to the rashness of Colonel Theagénis, the confidential agent of the Greek Government, who “was as much the murderer of the unhappy captives as if he had shot them dead with his own hand, which would have been a less cruel destiny. It may be said,” he added, “that this officer had instructions with which Mr. Erskine was acquainted, and that if he did not act in the spirit of those instructions the Greek Government is not responsible. Nothing was easier than to give instructions to be shown to Mr. Erskine; but I am accustomed to look for the real instructions given to an agent in that agent's conduct. Besides, Colonel Theagénis has neither been disgraced nor reproved. There is nothing to disconnect him with those who employed him, and therefore I am justified in saying, that the real murderers of Mr. Herbert, Mr. Lloyd, Mr. Vyner, and the Italian Secretary of Legation, were—the Greek Ministers. In fact, it appears to me that, from first to last, two parties have been playing their small game of ambition with the lives of our countrymen. Those who were out of office have been endeavouring to compromise those in power by instructing the brigands to make demands which, if granted, might lead to a Parliamentary attack; those who were in office have been determined to avoid giving their opponents this advantage, while they were at the same time anxious to gain some increase of their own authority and prestige by a victory over the outlaws who had been consulting with their rivals, without caring that that victory could only be purchased by the lives of a few foreigners, whether Italians or English.” Distinguishing between the Greek Government and the Greek nation, of whose “brilliant qualities” he spoke with admiration founded on personal experience, he said that what was wanted was a real Government in Greece, though he believed a number of small republics would have been the form of government the best suited to the development of the Greek character. “If,” he concluded, “we had left Greece alone,

or could leave Greece alone, I should not be hasty in advising us again to meddle with it. But we created it, we undertook its guardianship, and the result of our management of one of the most intelligent people on the face of the earth is, after forty years' experience, a complicated machinery of intrigue and plunder, in which the place-hunter and the bandit live alternately on the State and the traveller, and into which we are compelled to inquire by a massacre which the conscience of the Greek Ministers did not permit it to prevent, and a short-sighted view of their interests led them, I apprehend and believe, to connive at. It is under these circumstances that I say—let us not suppose it a duty as the friends of constitutional government to support a Government which is a mockery on Constitutions, but rather let us endeavour, with the sanction of European opinion, to found some system which may not destroy the germs of liberty, but leave them under the shelter of order and law, without the protection of which they can never develop themselves."

Mr. Gladstone, while acknowledging the gravity of the situation, and expressing his belief that there was no great likelihood of any difference of opinion in the House upon the subject, pleaded the necessity for further information before any decided steps could be taken. He defended Mr. Erskine's conduct in the matter, and trusted that redress might be obtained without charging all the mischief on the popular institutions of Greece. "This would have been," he said, "under any circumstances, an event filling us with grief and horror, and that grief and horror have been quickened in the minds of the Government and people of this country by the circumstances of deep and touching interest connected with the persons and characters of the victims of this outrage. . . . But while to us it is a grievous and shocking tragedy, it appears likely to be a great event in the history of Greece. It must tend to an opening-up of circumstances connected with the condition of that country such as probably former times have never afforded an adequate occasion for bringing up. The nature and root of brigandage in Greece is of itself a subject of the utmost interest, because it connects itself with the political position of that country and with the unfortunate and, as it appears on occasions, the almost irresistible temptation, arising, perhaps, from the prevalence of national sympathies, to mix itself in quarrels in which it has no title to interfere that can be recognized by any principles of International Law. Then again comes the question as to what are the institutions of Greece, and I hope my right honourable friend will forgive me if I venture still to cherish a desire that we may be able to discover some other remedy for these mischiefs, and other guarantees against their recurrence in the future than that most unsatisfactory one, which I can only regard as a rough and ready proceeding to which many may be tempted who are friends of constitutional principles, and to which the enemies of constitutional principles will have the strongest predisposition—namely, that of

charging these faults upon the popular institutions of the country. I do not pretend to give any opinion as to the nature of the measures to be taken; but this I must say—that, so far as I have ever been able to consider, the difficulty of Greece lies in the fact that the Turkish domination, which so long subsisted there, erased and effaced from Greek society all the natural influences of superior intelligence, education, rank, descent, and property, and left little but poverty on the face of the land. The consequence is that it is the class called upon to govern that is defective in Greece, far more than the class which is to be governed, and, consequently, the problem is a most difficult one, and will require the most grave consideration from the representatives of this country, which has peculiar obligations in respect of freedom in the face of Europe and the world, before they arrive at the conclusion that it is to popular institutions that this internal disorganization is to be ascribed." The first duty of the Government was to ascertain the facts absolutely, and then it would become their further duty carefully and comprehensively to consider what obligations arose out of a clear view of the facts. In acting on these obligations the safety, honour, and happiness of Greece must be consulted as well as the wounded feelings of England, and whatever served one end should serve both. "It is," he said in conclusion, "a consolation in these circumstances to think there are no selfish purposes to pursue, and no vengeful purposes, because the condition of Greece is such as to make it impossible that she should be, in the body of her people, a fitting object of punishment for the miscarriages or misconduct of her Government, provided we find ourselves in a condition to be able to obtain that best reparation which would consist in securities against the recurrence of similar evils."

In the House of Lords Lord Carnarvon whose cousin, Mr. Herbert, was among the victims, maintained that the Greek Government was in every way responsible for the tragedy. If they had not given the travellers assurances of safety, or if they had granted the amnesty, or if they had not moved troops, the catastrophe would not have occurred. As to Mr. Erskine he regretted that he should have ever given even a qualified consent to the movement of the troops; but he admitted that his position, "left alone and single-handed in the midst of a semi-barbarous people," was one of peculiar difficulty; and he had certainly exerted every effort to secure the release of the captives. If then the Greek Government were responsible, and took the wrong course, was there any motive for their action? "On the first blush," he said, "there is a great mystery. Here are Englishmen and an Italian taken by brigands. An enormous ransom is asked—25,000*l.*—enough to make this small band of twenty-one, rich men for the rest of their lives. The cash is absolutely there, all told out ready for their acceptance. The conditions offered to them are most reasonable, and, on the other hand, brigand law is perfectly well understood. The result of an attack upon brigands is certain, as Colonel Theagénis himself



acknowledged—and yet two days afterwards he makes that attack. Now, I say, on the first blush there is a mystery, and we are not altogether unjustified in asking what motives can be assigned for the course pursued by the Greek Government? Can you say that it was an error of judgment on their part? I wish I could reasonably think so. My belief is that whatever other merits or defects an Eastern people may have, stupidity is not generally one of them. They generally know pretty well what they are doing and what they mean to effect. Consider what the position of the Greek Government was. At the beginning of the month they had formally announced that brigandage through their exertions had been suppressed. They had staked their credit on this fact. A fortnight afterwards their statements are falsified by the capture of these unfortunate persons. We see by the papers that they were already being attacked on all sides. The Opposition threatened a violent attack. The English and Italian Ministers told them in so many words that they would be held responsible for all the consequences; and what did they see before them? They saw as the only probable solution of their difficulties that an English ship of war would transport the brigands elsewhere, and that they would ultimately be called upon to pay the ransom. They must have felt that they would be discredited; that the moment the Legislature met they would lose their places; but, on the other hand, that they would recover their reputation if by a sudden stroke they succeeded in restoring the prisoners to liberty, while they would avoid the payment of money under any circumstances, even if they failed and even if the prisoners fell victims to the brigands. These are strong inducements to men who are actuated by no high principle." He then proceeded to show how, in his opinion, the whole character and conduct of the Government gave colour to this explanation; and, after expressing his respect and sympathy for the King, alone "amid all the wretched scene of political devilry and social corruption," he ended by demanding what he believed the English people desired and claimed—"a full, clear, perfectly just trial of every single person, no matter what his rank or class, against whom there could be any fair suspicion of complicity with these foul murders."

Lord Clarendon, who made his last public appearance in connexion with this painful question, deprecated debate at the moment on the same grounds as Mr. Gladstone. The Government had made all possible exertion, and every information had been laid upon the table at the earliest moment. That very day he announced that a telegram had been received, with the news that seven of the brigands had that morning been condemned to death—investigations of great importance were being conducted at Athens—in Mr. Erskine's opinion as speedily as possible. Therefore, while the evidence was yet incomplete and the case not made up, he was not in a position to make to the House what must be a premature communication as to the course intended to be pursued. He defended his demand for

an amnesty on the ground that the Greek constitution had been so often violated, though he confessed that he had no thought at the time of Sir Roundell Palmer's "diplomatic" distinction between the different prisoners; whatever he did, he had done to save the lives of all four. He did not believe in any special inviolability attaching to travelling diplomatists; but declared that the complete suppression of that brigandage, which was demoralizing all classes in Greece, was "the *sine quâ non* of that progress which the protecting powers had so long and so vainly looked for at the hands of her ruling men." Maintaining that Mr. Erskine had acted well and ably under circumstances of no ordinary difficulty, he declared in conclusion that no effort should be wanting on the part of Government to investigate the circumstances of the crime thoroughly, and in so doing to improve the condition of Greece.

The later debates upon the Greek murders failed to arouse the interest that had attended the earlier ones, owing to the absorbing interest of the war. And the difficulty of taking any definite course in the matter, after the first fever of grief and indignation had passed, was universally felt. The inquiry at Athens, however, was steadily continued, and Lord Granville in this, as in other matters, showed himself well qualified to replace Lord Clarendon, to whose death the mental distress and anxiety caused by the tragedy in Greece probably contributed in no small degree. But by the end of the year the country seemed content to accept the execution of several brigands—the band immediately implicated, indeed, having been nearly extirpated—as atonement sufficient for the blood for which, in April, nothing short of the extermination of the Greek nation seemed likely to be accepted in expiation. The "political devilry and social corruption" of Greece were too deep to be easily removed; and one of the last events of the year was the arrest by the Greek Government, for supposed complicity in the Marathon murders, of the Englishman Mr. Noel, who had been, to all appearances and by universal belief, so active in attempting to rescue his countrymen. The motives for this arrest baffled comprehension at the time.

Pending the discussion upon this dark chapter in the story of the year, a great and important change was effected in our system at home. By an order in Council, dated the 4th of June, it was directed that, from the 31st of August next following, all entrance appointments to all situations in all Civil Departments of the State, except the Foreign Office, and posts requiring professional knowledge, should be filled by open competition; and thus the much-cavassed system of competitive examination, so violently abused and so warmly defended, reached its perfect development. The Order in Council contained two new provisions. It vested in the Chiefs of Departments the power of dismissal, the candidate after his appointment continuing to hold his office at their pleasure; and it provided that the successful candidate in the examination must pass through a six months' probation, during which his actual

efficiency was to be tested as his knowledge had already been. The effect of this great change was to throw open the whole Civil Service of Great Britain to competition as unlimited as that by which the Indian Services were already filled, and to deprive candidates for employment in it of every adventitious advantage. It was not to be expected that such a measure would be received with universal favour among the classes who would suffer most from its operation, but it met apparently with the full approval of the country, and depended upon a principle by this time accepted in England. Almost at the same time, little noted or commented upon at the moment by a country which was thinking of other things, another of our old exclusive traditions was silently done away. The tradition that the Army is governed by Royal prerogative was one of obstinate vitality—the General-in-Chief being the agent of the Crown; and it was very generally believed that there must be a collision between the Sovereign and the Parliament before that prerogative was surrendered. But the Queen never failed to show herself loyally in accordance with the wishes of her Parliament; and on this point, when the time came, she proved herself as ready to adopt concessions as she had been on others; and when Ministers felt themselves compelled to advise that the prerogative should be surrendered, and the General Commanding-in-Chief formally declared to be a subordinate of the Minister of War, her Majesty, with what must have been on her part a great sacrifice of feeling, signed the Order in Council which surrendered it. No doubt the time was ripe for the change, which must ultimately have come; but, while welcoming competitive examinations and rejoicing over the extinction of royal prerogatives, we may be allowed a passing word of regret for an old system which produced Civil servants not all undistinguished, and armies not altogether contemptible.

## CHAPTER V.

The Declaration of War—Public Opinion in England—The effects of Neutrality—Efforts of England to avert the War—Proclamation of Neutrality—The Secret Treaty—Its History—Proceedings in Parliament—Steps taken by the Government to secure our Neutrality—Question of Mr. Disraeli—Mr. Gladstone's answer—Reserved tone of the Government—Vote of additional money and men—Debates on the War—Speeches of Mr. Disraeli, Mr. Gladstone, Mr. Bernal Osborne, Mr. Cardwell, Mr. Childers, Earl Russell, Lord Granville—Triple Treaty between England and the Belligerents—Criticisms of Mr. Osborne and Lord Cairns—Enthusiasm in Belgium—Speech of Mr. Gladstone—Prorogation of Parliament—Progress of the War—Sick and Wounded Fund and other Charities—Their Use and Abuse—Unpopularity of England—Correspondence between Count Bernstorff and Lord Granville—The Russian Note—Excitement in England—Mr. Odo Russell sent to Versailles—Prussia proposes a Conference—Alarm about Luxembourg—Seizure of British Vessels at Duclair—The Signs of the Times—Change of Public Opinion in England in connexion with the War—Attitude of America—The betrothal of the Princess Louise to the Marquess of Lorne.

On the 15th of July, a few days after Lord Granville had undertaken the duties of Foreign Minister, with the assurance of the Permanent Under-Secretary of the Department that the world had never been so profoundly at peace, or the diplomatic atmosphere more serene (a curious comment on the powers of observation possessed by some of our diplomatists abroad), broke out the terrible War of Surprises, in which lookers-on could scarcely believe until the first shot was actually fired. Into the rights and wrongs of the great struggle this is not the place to inquire, but it is certain that the momentous news was received in England with general and loudly-expressed disapprobation of the reckless precipitancy of France; how fatally reckless the future was to show. There were many amongst us even then who believed Prussia and Count Bismarck—the terrible Chancellor, as Mr. Carlyle called him—to be the real mover of the war, and, among military men especially, a chivalrous if not very logical feeling, founded on our former alliance, created a strong sympathy for the cause of the French. But the expressed feeling of the country at large was undoubtedly German, a feeling which subsequent events went far more than to modify. The direct interest and apprehensions of England in connexion with the war lay on the side of Belgium, whose neutrality and security must be seriously endangered by a war between France and Germany. But, Belgium apart, about the attitude to be assumed by England there could of course be no doubt from the first, and the policy of neutrality was instantly proclaimed and steadily adhered to, in the face of an amount of abuse from both the belligerents which has rarely been surpassed, even in the history of wars. In-

deed, the persistent and unreasoning invectives directed by the Germans against England, while going far to make us feel that our importance in the world must be by no means so small as our detractors would have it, and that for a "third-rate power" much unnecessary breath was wasted upon us, did more, perhaps, than even the policy of annexation adopted by the victors, to produce a most unfortunate alienation between the countries. Nor, it is to be feared, did the generous and impartial, if not always wise or discriminating, benevolence of England to the sufferers by the war, meet with much more, from either party, than the proverbial reward of disinterested virtue. Alms, unhappily, rarely make friends, especially if accompanied by much admonition. But perhaps the saddest moral to be drawn from our part in the war was contained in the striking proof it gave that "neutrality" was still considered in itself, in our enlightened nineteenth century, a matter for the blame and ridicule of others, and for apologetic shame in ourselves. Mankind had not yet learned to think or to say that the shame lay not with those who had no thirst for territorial acquisition, and no stomach for fighting for fighting's sake, but with the powers that, whether under the pretext of "natural boundaries," of "military frontiers," and "righteous retribution," or of "rectification of treaties," looked on self-aggrandizement as first among the ends of the nations, and war as the grand means for its accomplishment.

All that diplomacy could do on our part to avoid the war was done, and done with the usual result of similar interference, which in this case, however, requires no justification. When France complained of the nomination of the Prince of Hohenzollern for the throne of Spain (the history of that transaction will be found elsewhere), the British Government intimated to Prussia that in their opinion that nomination should be withdrawn, and, aided by similar efforts from other quarters, the remonstrance was successful. Subsequently they suggested to France that she would not be justified in exacting from Prussia the engagement she demanded for the future, and to Prussia that King William should "responsibly and visibly" associate himself with the withdrawal of the nomination. Prussia again acceded: but France, acting under the influence of the reported insults to M. Benedetti at Ems, on her side refused. The next step on the part of England was to make an appeal to the Protocol of Paris, which was rejected by France as unsuitable to the case, and received by Prussia with the declaration that as France had taken the initiative in the war, Prussia could not take it in recommending mediation. Thus the hopelessness of negotiation became finally apparent, and on the 19th of July the British Government issued their formal proclamation of neutrality. On that same day the French declaration of war was delivered at Berlin, and the North German Parliament opened by King William in a speech received by those who heard it in a spirit which foreshadowed as clearly the iron determination of Germany in the

coming struggle, as did the "cœurs légers" of M. Ollivier and his friends the unready weakness which was to bring such disaster upon France. On that same day, too, the war may be said to have found its first victim in the person of the celebrated M. Prevost Paradol, the French Minister at Washington, whose suicide was committed under alienation of mind, chiefly brought on, as seemed too clear, by his remorse at having taken service under an Emperor who had so suddenly and so soon belied the peaceful professions of his policy.

The excitement in England at the outbreak of the war, and our apprehension for the safety of Belgium, seemed already great enough, when the publication in the *Times* of a draft treaty between Count Bismarck and M. Benedetti, the French Minister in Prussia, increased that excitement to a fever. The authenticity of this treaty, which took the Government by surprise as much as the country, was at first widely disbelieved, but afterwards clearly established. Its terms and its history belong more strictly to another portion of this work, but though in form a proposed compact between France and Prussia, it was in fact a direct menace to us by the former Power, relating as it did mainly to the proposed acquisition of Belgium by her. Kept secret as it had been up to this time by Count Bismarck, although rejected, it was indeed no sign of special friendship on his part towards England; but on the part of the Emperor Napoleon it revealed an almost matchless perfidy. And it would be difficult to point to a more remarkable sign in England's case either of a grand generosity or of an incredible blindness, than the rapidity with which the story of the secret treaty was consigned to oblivion, and its obvious lessons on imperial faith either ignored or misunderstood. The treaty, it afterwards appeared, was communicated to the *Times* by Count Bismarck himself, and he obviously anticipated that its publication would enlist both England and Belgium on the side of Germany, perhaps even as active allies. He certainly could scarcely have expected that many would be found in England, even then, who would discover in the treaty a revelation of design against this country on the part not of France, but of Prussia. The origin of this famous document, which appears among the State papers in the appendix to this volume, appeared, as far as history might judge upon the moment, to have been derived from the times succeeding the signature of the Luxembourg guarantee. In 1867 M. Benedetti, a Corsican by birth, and a devoted adherent of the French Emperor, was employed by him to demand from Count Bismarck the fulfilment of certain vague promises made at Biarritz. The Chancellor, who had made these promises under a belief that France would, at the end of the war, hold the balance of power between Berlin and Vienna, finding his country strong enough to stand alone, and aware that an attempt to concede any thing would undo the moral effect of Sadowa, peremptorily refused to give up an inch of Prussian soil. Upon this some "pourparlers" about indemnifying France by the coveted possession of Belgium seems to have followed, which

resulted in the Corsican being induced to put his propositions on paper, which he did in the draft treaty. The manuscript of this, by a masterpiece of successful diplomacy, Count Bismarck got into his own possession, while absolutely rejecting its proposals, and apparently remarking, with whatever intention, that the proposed treaty would be valueless to Prussia unless she were to take Holland, as it now gave her nothing but what she had otherwise obtained. From this moment it must have been apparent to both sides that war was imminent and inevitable, and then proceeded the preparations which were destined to prove on the one hand so fatally hollow, on the other so fearfully complete. Once more, on the eve of declaring war, if not on the very day of its declaration, the proposal was submitted to the Prussian Government as the only arrangement which could give peace for the present and security for the future. Again did Prussia reject the proposition, and Count Bismarck's next step was to publish the treaty to the world.

The first speeches in Parliament upon the war were clear indications of the prevailing feeling in England. In the brief interval of suspense which separated the nomination of the Hohenzollern Prince for the Spanish crown, and the declaration of war, Mr. Disraeli asked whether the Queen's Government had used their undoubted right of intervention, whether they had tried to prevent the "precipitate settlement" of long existing difficulties, whether they had in fact done their best to prevent "melodramatic catastrophes" belonging to the last century.

Mr. Gladstone said in answer, that there was "nothing in the differences which had arisen to justify, in the judgment and conscience of the world, a breach of the general peace." Both the States concerned had admitted to the full the right of her Majesty's Government to exercise its title to friendly intervention, but the result had thus far not been favourable.

In both speeches was clearly manifest a grave disapproval of the conduct of France. The war declared and the proclamation of neutrality issued, warning all British subjects to abstain from assisting either power, the Government took immediate steps to show that they intended that neutrality to be determined, though at the same time suspending economy for the moment, and ordering important preparations in the Army and Navy Departments. Thus they went so far as to refuse permission to Captain Hozier, an officer in her Majesty's service, to join the Prussian Army as correspondent of the *Times*, which duty he had discharged with marked ability during the Sadowa campaign. They strongly deprecated debate in the Commons on the war, declined to produce papers precipitately, and hinted moderation to the press. Immediately on the publication of the draft treaty in the *Times*,

Mr. Disraeli called attention to it in the House of Commons, as "affecting engagements entered into" with respect to that kingdom which would "demand the gravest consideration not only of the Government, but of the House and the country." Complaining

of the delay of the Government in producing papers and of the reticence maintained upon the subject of the war, he attempted to elicit from Mr. Gladstone an explicit declaration on the subject of Belgium. "I wish to know," he said, "whether her Majesty's Government can throw any light upon that project of treaty which has been published this morning; whether they are in possession of information which may enable them to inform Parliament whether it indicates a policy which, in their opinion, may still influence the belligerents, or either of them; and whether they will give to the House such information as is in their power with respect to a subject which, I think I may venture to say, has occasioned great disquietude in the public mind."

Mr. Gladstone's answer was that the Government had been as much taken by surprise by the publication of the Draft Treaty as every body else had been, and that its "gravity had not been in the slightest degree overstated." But he had no doubt its publication would "immediately draw forth from the spontaneous action of the two Governments (France and Prussia) all the declaration that could be necessary for the fullest elucidation of the subject."

These declarations, when received, did not tend to make matters much better. The authenticity of the treaty was at first denied by France, but afterwards admitted on all hands; though the responsibility was freely thrown by each side on the other. The French Government affirmed that the treaty was suggested by Count Bismarck, and written down at his dictation by Benedetti, while the German Chancellor in a circular addressed to all the German representatives, repeated that since 1862, France had been constantly asking for Belgium and the Rhine, and that he had kept the negotiations secret lest he should precipitate war. But the bad faith of the whole transaction was but too glaring, and it showed but too clearly on how hollow a foundation had rested for years past our belief in the friendship of our neighbour and in the continuance of peace, and how extraordinary must have been the incapacity of diplomatists, in some quarters, to see what was passing under their eyes. With this treaty before the world, and under the general impression which at first prevailed that the early successes of the war, at all events, would probably be achieved by France, the feeling of the insecurity of Belgium, and of the consequent peril in which England stood of being at any moment involved in the war, increased every day; but with it increased also the general determination in this country, not in any way to evade the duties cast upon us. It cannot be said that the Government showed any enthusiasm or took any high tone in the matter, the utterances of the Premier especially being entirely innocent of the self-assertion sometimes charged on English ministers; but Parliament was asked for two millions of money and 20,000 additional men, and gave them readily, the effective strength of the peace-party at such a crisis being indicated by the seven members who voted in the negative. It was also announced



that the Artillery was to be brought up to its full strength, and the iron-clads in reserve to be commissioned.

Great anxiety, however, was felt respecting the intentions of Government, as to which they preserved silence, and on the 11th of August Mr. Disraeli rose in the Commons to give expression to the general feeling. He dwelt on the necessity at such a crisis of "more frank communication between the House and the Ministry, more precision of knowledge, and more clearness of opinion." As for the pretexts that had been made for the war, they were so "ephemeral and evanescent," so "merely the semblance of causes," that they had already disappeared, and its real origin had become apparent enough in the "vast ambitions striving in Europe," which made it "our duty to ascertain as clearly as we can our position with respect to the belligerent powers." There were two "treaties of neutrality" by which England was bound in common with them. "One of those treaties," he said, "is a treaty which secures nominally the neutrality, but really the independence of the kingdom of Belgium. Upon that treaty I would first observe that it is not an ancient treaty; it is not a treaty that we have inherited from the dark period, when this country was governed by a Pitt, or when its affairs were administered even by a Castlereagh. The engagement to secure the neutrality of Belgium is a modern diplomatic engagement, created in the age of 'peace, reform, and retrenchment.' The most distinguished members of the Liberal party negotiated and advised their Sovereign to ratify it amid the sympathetic applause of all enlightened Englishmen. Sir, I have no doubt that the distinguished men who negotiated that treaty, as the representatives of the great Liberal party, were influenced in the course they took by the traditions of English policy. They negotiated that treaty for the general advantage of Europe, but with a clear appreciation of the importance of its provisions to England. It had always been held by the Government of this country that it was for the interest of England that the countries on the European coast extending from Dunkirk and Ostend to the islands of the North Sea should be possessed by free and flourishing communities, practising the arts of peace, enjoying the rights of liberty, and following those pursuits of commerce which tend to the civilization of man, and should not be in the possession of a great military Power, one of the principles of whose existence necessarily must be to aim at a preponderating influence in Europe. The second of these treaties guaranteed the neutrality of Luxembourg; and he hoped that the neutrality of Belgium and Luxembourg was not menaced, as at present it was not outraged. But the fact of the existence of these two treaties, and also of the Treaty of Vienna, should give the Government of England "a claim on the forbearance and deference of the belligerents which no other party could bring forward;" and he advised a "cordial understanding" between England and Prussia as the best means for the restoration of peace, as two powers which "had entered into the same engagements, and might themselves be forced to take

the part of belligerents." For the guarantee secured by the treaty of Vienna was in the case of France dissolved by the existing war; in the case of Austria it had disappeared in 1866, and remained binding on England and Russia only. "With this view," he said, "I, for one, give my support to the policy of the Government as a policy of neutrality, and as far as I can collect from those public sources which are open to every one, having, of course, no private information, the policy of Russia also is a policy of neutrality; but when both these great powers profess the same general policy, and both of them have this particular engagement, it appears to me that here are elements by which the policy of neutrality may partake practically of so active a character that representations at the proper moment may lead to the restoration of peace. I think the House will agree with me that excellent as is the policy of neutrality, the policy of neutrality which cannot on the right occasion speak with authority to the belligerents is really a policy not entitled to respect. The first object of a policy of neutrality is, no doubt, to protect our fellow-subjects from the calamity of war. The second object of a policy of neutrality is to be able on the right occasion—on an occasion such as may be produced by the equal fortunes in the field of the belligerents, or by the overwhelming success of one of them, or by any one of a thousand accidents—to be able to counsel the belligerents and bring about the restoration of peace; because while you impress on the parties the importance of such a result, you show them at the same time that you have the power to enforce, if necessary, the adoption of the course you recommend. Therefore, sir, it appears to me that the policy of England should be not only neutrality, but armed neutrality, and if the policy of Russia happens to be the same—and on the representation of England it may be the same—then, when the opportunity comes—and an opportunity may come sooner than those who believe in long and severe wars contemplate—the joint representation of two such powers as Great Britain and Russia, preserving a neutrality, but exercising an armed neutrality, no one can doubt might exercise a profitable effect on the course of public affairs." "But then," he proceeded, "were our armaments in a condition to enable us to adopt this policy?" and he criticized severely the recent reductions, more especially as he professed himself sure that whatever might have been Lord Granville's ignorance, the Premier at least must have been thoroughly aware of the danger that threatened Europe. "I should have very little confidence," he said, "in his power to steer the ship through the difficulties that await her had he not been so informed." He pressed on Mr. Gladstone the necessity of readiness, and warned him by example. He (the Premier) was at the head of a strong Government, which was no doubt a great advantage for the country; but Lord Aberdeen's Government, in 1853, was stronger, and yet, he said, that "no one could look back to the session of 1853 without shame and humiliation. It was at this very period of the year—it was at the end of July—that, after two

months of hesitation, Russia crossed the Pruth; and we have it upon record—we have it on authoritative and authentic evidence—that Russia would not have crossed the Pruth if England at that time had been decided; if England had told Russia that it was a question of war with England. But Parliament was silent, Parliament was reserved; Parliament thought it would aid the Ministry by its reserve and by its silence. On the contrary, it embarrassed the Government. The Government separated from Parliament, and you had six months and more of discordant councils and infirm conduct. And what did it end in? In the March of the next year you had to go to war with Russia because she had crossed the Pruth in the preceding July and involved herself in war with Turkey. We ought to profit," he said in conclusion, "by this experience. There may be questions at the present day on which if England speaks—I need not say with moderation and temper, but with clearness and decision—war will not occur, because the steps that would lead to war will not be pursued. Do not let us find ourselves again in the same humiliating position which led to the Crimean war, in which our army, no doubt, gained renown, but which no statesman can look back to without feelings of a blended character. That war might have been prevented if the Government of England had spoken with decision. That war would not have occurred; but having occurred, I think it might be logically shown that it was the cause of all the wars that have subsequently agitated and devastated Europe. Let us, I say, profit by that experience. Let the Government of this country feel that the House of Commons, without respect to person or party, is prepared to give them a hearty support. Let them speak to foreign powers with that clearness and firmness which can only arise from a due conception of their duties and a determination to fulfil them. If that course is taken by the Government, I more than hope, I believe, that this country will not be involved in war. I believe more than that—I believe that the influence of England, especially if combined with the influence of the other great neutral powers, may speedily secure the restoration of peace. But I think our course is plain. I think the Government ought to declare in a manner which cannot be misunderstood, that England, as heretofore, will maintain her engagements under treaty, and thereby secure the rights and independence of nations."

Mr. Gladstone replied in a speech which caused dissatisfaction and disappointment, containing, as it did, no announcement of policy whatever in relation to the Belgian difficulty. He admitted that the war had taken him by surprise, as it had the French ministry also, and detailed the negotiations by which the British Government had laboured to avert it. As to the position to be taken by England, he objected altogether to the phrase and the idea of "armed neutrality," as importing the direct opposite to what he hoped to maintain without reserve—"an unequivocal friendliness to both parties." Setting aside all reference to

“guarantees” and the Treaty of Vienna, as inappropriate to the present crisis, and therefore denying the propriety of establishing any special relations with Russia, he described what the duties of neutrals, in his opinion, were; saying, prophetically enough, “They are not easy duties. They are duties which the most sanguine of statesmen or the most sanguine of Governments can hardly hope to fulfil in such a manner as not to give offence to one side or the other, and probably to both. We had that misfortune in the case of the great conflict which devastated the continent of North America. It may be that we shall have to encounter it again, but whatever care, diligence, patience, and temper can do for the purpose of averting even the slightest misunderstanding, by means of an anxious discharge, according to the best of our light and knowledge, of every duty incumbent upon us, I am quite sure the country may anticipate with confidence from my noble friend who holds the seals of the Foreign Office. As these are all subjects of importance, it may be interesting if I mention briefly what are the particular steps that have already been taken in the fulfilment of neutral duties. One of the most important of those steps is already known to the House—namely, the introduction by my hon. and learned friend the Attorney-General of a Bill for the purpose of extending the provisions of our law with a view to the more exact, perfect, and punctual discharge of every duty of neutrality. We have been appealed to with respect to various matters. We have been asked about the assistance given or expected to be given by pilots who are British subjects to the fleets of the belligerents, and the Trinity House has been informed that, in order to conform to our obligations as a neutral power, under the law of nations, the services of pilots should be confined to British waters in the strictest sense—that is to say, to the navigation of the British ports, and a distance not beyond three miles from the shore, and that they should only navigate any vessel in and out of British ports and roadsteads which was not at the time engaged in warlike operations. The case of Heligoland presented peculiar features from its position in reference to the Elbe. The governor of Heligoland accordingly has been directed to warn the pilots of that settlement of the obligations of neutrality imposed by the Queen’s Proclamation and by the Act of Parliament called the Foreign Enlistment Act. With respect to the supply of coal and to coaling ships, we have done every thing we can to place the subordinate departments of the Executive Government on their guard, and to render them vigilant in the discharge of their duties. The officers of Customs have been desired to pay the closest attention to the employment of colliers, especially when the intention is entertained, or appears to be entertained, that they are to act in immediate connexion with a fleet—a course of conduct which I have already had occasion to say would, we believe, bring them within the penal provisions of the law in the character of store-ships. With respect to the building of ships, their attention has been directed again to the observation of what

may be going on in the different ports, so that we may never be taken by surprise with regard to an escape, surreptitiously effected, as unfortunately happened at an early period of the American contest, and that shipbuilders may not render themselves liable to the penalties that may be imposed. Again, it has been proposed to an English company at the present moment to lay down a cable between Dunkirk and a northern point, connected, I believe, with the territory of Denmark. After consulting the law officers of the Crown, we have informed the parties that it would be, in our opinion, a breach of the neutrality if they were, under the circumstances, to execute that operation. In the same spirit of constant and close attention, with entire impartiality of purpose, and with a forgetfulness to inquire, or rather a determination not to inquire, how any given decision may bear on the interests of one side or the other, the duties of the Executive Government will continue to be discharged." As to the reduction in our armaments, he maintained that there had, in fact, been a husbanding and an increase of our real domestic available forces. "What is the use," he asked, "of a system of naval defence which dots your vessels of war over the whole globe, multiplying occasions of differences, of quarrel, of danger, and of conflict, into which Parliament finds itself hurried by the act of some subordinate agent abroad, but which would never have been accepted on the recommendation of a Cabinet? What is the use for the purpose of defending these shores, and of enabling you to assert the dignity of the United Kingdom, at a great European crisis, of that sporadic system which enables you, if you think fit, to vaunt your strength in those parts of the world where the flags of the Queen's ships may be flying, but which, instead of adding any thing, actually deducts from the real strength and energy of the country? The principle on which the Government had endeavoured to act was "with an actual establishment comparatively moderate, to institute Reserves by which it might be greatly raised in case of need." Now, by the establishment of 1868 the actual force at home had been 87,500 men. The First and Second Reserves 19,000. By that of 1870 the former had reached 89,000, the latter 41,000. For the rest, the available fleet was in a state of efficiency, the armaments were perfectly ready to go into the forts as soon as the forts should be ready to receive them. The battalions were to be put upon a war footing at once, and the supply of arms of precision was adequate for every necessary and immediate purpose; and he believed, in conclusion, that the Government would be able "to maintain such a dignified and friendly position as will carry with it no suspicion, and will not, under the idea of securing safety, introduce new elements of danger and disturbance;" and to have the best hope we can possess of accomplishing that which is the object nearest our hearts—namely, to maintain intact the character and fame of England while this unhappy war shall continue, and possibly at some blessed moment to be either alone or along with others, the chosen bearers of a message of peace.

The general disapproval, of which we have spoken, of the tone of this speech, was forcibly expressed in the debate which followed, by Mr. Bernal Osborne. He protested against converting the debate into a party squabble over the Estimates, and charged Mr. Gladstone with "having exhausted the whole fund of official reserve." As to the Draft Treaty, he said, "I view the guilt of its concoction as only equalled by the shabbiness of its concealment. The publication of this document, such as it was, did not come from her Majesty's Government, and here I am inclined to ask what is the good of diplomacy when we get up in the morning and learn the most material event that ever happened in the history of diplomacy from the columns of the *Times*? Was there ever such an exposure of the depths of political perfidy?—an exposure which might well bring to our minds the admonition of the inspired writer—'Put not your trust in Princes.' I think we have heard too little of the views of the Government upon the projected Treaty, and the way in which they mean to deal with it; and when the right hon. gentleman the First Minister finds fault and splits straws in regard to whether our neutrality shall be armed or not, I must say I trust, with the right hon. gentleman the member for Buckinghamshire, that the House and the country will support the Ministry in observing an armed neutrality. . . . I hope some member of the Government will give us some assurance as to what ultimate course they will take in the event of the Treaty of London being violated. I was never more struck than in reading this *Projet de Traité*, with the position of entire nullity which we seem to occupy in the estimation of these two powers. Our existence is altogether ignored by them, except that it may be necessary for them to oppose us. There is, so far, a reason why we should come forth boldly to the world and say what our position is with regard to this Treaty of London. . . . Are you prepared," he concluded, "to see this country fall lower in the estimation of Europe than she now is? I am not prepared for it. I am for security first, and armed neutrality—I shall not quarrel with the right hon. gentleman the member for Buckinghamshire for the word—armed neutrality, if you like, after. I am for neutrality, so long as it can be preserved with honour; but of this I am convinced, that neither honour nor neutrality can be maintained by stifling the free expression of Parliamentary opinion."

As Mr. Osborne declared that it was absurd to talk of the army being efficient,

Mr. Cardwell took up the defence of his department, and maintained that the country had never before been so well prepared. He said, for instance, "In 1868 we had in this country, including the Guards, nineteen regiments of cavalry, and we have now twenty-two. Of infantry we had in 1868 fifty-three battalions, and we have now seventy-five. In 1868 we had ninety-seven batteries of artillery, and we now have 105. In 1868 we had twenty-five companies of engineers, and we now have thirty. The policy pursued has been the prudent

policy of effecting retrenchment, while retaining, at the same time, a power of expansion in times of emergency. The Militia had been recruited to its full number, with the exception of a few battalions, and as to the force at home available for foreign expeditions, it was, in 1820, 64,426; in 1830, 50,856; in 1840, 53,379; in 1850, 68,538; in 1860, 100,701; and in 1870, 110,951. The total number of artillery in 1868 was 15,119; or, excluding those at depôts, 10,857; in 1870, 14,242, or excluding those at depôts, 12,801; and there was artillery for an army of 60,000 men. There were 300,000 breech-loaders in store, and 61,000 had been distributed among the Militia; while he stated that 1,500,000 projectiles for breech-loaders could be made in the course of a week.

Various damaging admissions, however, were made in the course of Mr. Cardwell's speech, and it cannot be said that he succeeded in impressing the House, either by the matter or manner of his communications with confidence in the War Department. Fortunately Mr. Childers was able to give a much more satisfactory account of the Navy. Its real strength, he said, was 61,000 men, and the few reductions that had been made had been almost entirely apart from the seaman class, and we had been able to send out a flying squadron of very great value in the training of both officers and men. As to the iron-clads, he said, "I hold in my hand a carefully prepared account of the iron-clad fleets of England and France. We have afloat, including those now fitting at Plymouth, twenty-eight broadside and twelve special ships; five are in the Channel Fleet, eight in the First Reserve Fleet now at sea under Commodore Wiles, six in the Mediterranean, three on distant stations, and six are fitting out. As now classified, one is of the first, four of the second, nine of the third, eight of the fourth, four of the fifth, and two of the sixth class. They carry 507 guns of six and a half tons and upwards. We have also twelve special—that is, generally, turret-ships: two of the first, four of the second, one of the third, and five of the fourth class. One of these is fitting, three are at Bermuda, three are at home or in the Mediterranean, and the rest in reserve. All these, in commission, in reserve, or fitting, come to forty ships of different classes, mounting 552 guns of six and a half tons and above. I leave all guns of less weight out of the comparison. France has twenty-seven broadside ships and four special ships, in commission, in reserve, or fitting, making thirty-one ships in all, mounting 283 heavy guns. Of the broadside ships, none are of the first class, three of the second, ten of the third, eight of the fourth, and six of the fifth; and of the special ships, one of the first class, one of the second, and two of the third. Twenty-nine of these are at home, in commission or reserve, and two on distant stations. . . . . In addition to the ships which I have mentioned, we are now building four first-class ships and four second-class, with fifty guns. France is building ten—two first-class, three second, three third, and three fourth-class, with fifty-six guns. Adding these to those

afloat, our strength will be forty-eight ships and 602 guns; and that of France forty-one ships, exclusive of batteries, and 339 guns." As to the coal and other stores, they were in good condition; in some places unusually good for a time of peace, and he concluded his speech by saying, "The simple fact is that we have a most efficient Navy, as I have already explained in detail. We have seven iron-clads in the Channel Fleet proper, and nine in our First Reserve Fleet, or sixteen in the Channel at the present time. We have a strong fleet in the Mediterranean, which will join the Channel Fleet this month and exercise with it. We have also a considerable number of ships in reserve, which will be commissioned in the course of the present year. We have a good supply of stores, our Reserves are in admirable condition, and our Coastguard consists of men altogether fit for service. In short, to whomsoever the credit of the present state of things is due, whether to us or to our predecessors, for a peace Navy ours is in a highly efficient condition—more efficient than for many years past; and all we ask of the House is to enable us to carry it beyond that into a state of preparation for eventualities, consistently with our position of secure neutrality in this Continental War."

The bad effect created by Mr. Gladstone's reticence was removed by Lord Granville in the House of Lords. Earl Russell, in a brief and fine speech, recalling something of old days, called on the Government to declare their intentions with regard to Belgium, to which country he said that it would be impossible to conceive "a more specific and defined obligation than ours." "It is," he said, "impossible not to feel some anxiety—some fear—for the future when we read that in 1866, and at more recent periods, the Prime Minister of Prussia and the confidential Ambassador of the Emperor of the French have been considering how that Treaty of 1831 shall be violated, how faith shall be broken, and how the independence of Belgium shall be destroyed. Belgium has given no offence. It is a prosperous kingdom, in the enjoyment of free institutions; and, although there have been disputes from time to time as to the railroads and other insignificant matters, I never heard any one deny that both under the late King Leopold, a most wise and sagacious Sovereign, and under the present King, it has pursued a course friendly to all other States, maintaining its own independence, and offending no other country. It is surely, therefore, an extraordinary discovery to find that the independence of that state has been a matter of concert and arrangement between other Powers. For my part, I confess I feel somewhat as if a detective officer had come and told me he had heard a conversation with respect to a friend of mine, whom I had promised to guard as much as was in my power against any act of burglary or housebreaking; and that two other persons, who were also friends of mine, had been considering how they might enter his house and deprive him of all the property he possessed. I should reply, under such circumstances, that I was very much astonished to hear it, and that I could not, in the future,



feel perfect confidence in either of the parties to that conversation. We are bound to defend Belgium. I am told that that may lead us into danger. Now, in the first place, I deny that any great danger would exist if this country manfully declared her intention to stand by her Treaties, and not to shrink from the performance of all her engagements. I am persuaded, for my part, that neither France nor Prussia would then attempt to violate the independence of Belgium. It is only the doubt, the hesitation that has too long prevailed as to the course which England would take, which has encouraged and fostered all these conversations and projects of Treaties, all these combinations and intrigues. I am persuaded that if it is once manfully declared that England means to stand by her Treaties, to perform her engagements—that her honour and her interest would allow nothing else—such a declaration would check the greater part of these intrigues, and that neither France nor Prussia would wish to add a second enemy to the formidable foe which each has to meet. When the choice is between honour and infamy, I cannot doubt that her Majesty's Government will pursue the course of honour—the only one worthy of the British people. The British people have a very strong sense of honour and of what is due to this glorious nation. I feel sure, therefore, that the Government, in making that intention clear to all the world, would have the entire support of the great majority of this nation." Passing briefly over such other considerations as the material danger which Belgium in the hands of a strong State would prove to England, as "questions of policy which were not the main thing to be considered,"—"The main thing is," he concluded, "how we can best assure Belgium, assure Europe, and assure the world that we mean to be true and faithful—that the great name which we have acquired in the world by the constant observance of truth and justice, and by fidelity to our engagements, will not be departed from, and that we shall be in the future what we have been in the past. The great thing of all is that the members of the Government of this country should declare openly and explicitly that they mean to be true to our Treaties, and faithful to our engagements, and will not sully the fair name of England."

With the general and enthusiastic cheers of the House, Lord Granville made the required declaration. "I venture," he said, "to state most positively that her Majesty's Government are not unaware of the duty which this country owes to the independence and the neutrality of Belgium," and "I trust that, whatever may be the opinion of individual Members of this House, your Lordships will not believe that when once we have made a clear intimation of our intentions in any respect, any thing will prevent us from adhering scrupulously to the position we have taken."

The course which the Government finally adopted met, on the whole, with the approval of the country. A new and Triple Treaty was signed by England, Prussia, and France, recording their determination to maintain intact the independence and neutrality of Belgium

as provided in the Quintuple Treaty of 1839. In the event of either belligerent violating that neutrality, England was to co-operate with the other in such manner as might be mutually agreed upon to insure its observance. But beyond what she might deem necessary for this special purpose, England was to take no part in the general operations of the war. The Treaty was to be binding for a year after the cessation of the French and German war, after which the signatories would fall back on the engagements of 1839.

This new treaty met, as was to be expected, with much criticism in the country and in Parliament, Mr. Osborne giving expression to the views of those who thought it a "childish perpetration of diplomatic folly," and Lord Cairns finding fault with it from a more serious, but a somewhat *nisi prius* point of view. He argued that it would be impossible to confine our operations if we engaged in the war; and that, in order to secure the aid of England, one belligerent might artfully procure the violation of Belgian neutrality by the other. And it was also urged that the Treaty was a mere superfluous repetition of that of 1839. But on the whole, as we have said, the Treaty satisfied the feeling of England, and in Belgium it was enthusiastically welcomed, the Common Council of Brussels voting an address of thanks to our Queen, and presenting it at the British Legation amid great popular excitement. In the last important debate of the session, Mr. Gladstone defended and explained the provisions of the new Treaty. He protested, "with all his heart and soul," against a statement which Mr. Osborne had made, that "if Belgium were in the hands of a hostile power, the liberties of this country would not be worth twenty-four hours' purchase," and declared that our interest in maintaining the neutrality of Belgium was no more or less than that of every great power in Europe. "We stood by Belgium on no selfish grounds. By the regulation of its internal concerns, amid the shocks of revolution, Belgium, through all the crises of the age, has set to Europe an example of a good and stable government gracefully associated with the widest possible extension of the liberty of the people. Looking at a country such as that, is there any man who hears me who does not feel that if, in order to satisfy a greedy appetite for aggrandizement, coming whence it may, Belgium were absorbed, the day that witnessed that absorption would hear the knell of public right and public law in Europe? . . . Would this country," he added, "quietly stand by and witness the perpetration of the direst crime that ever stained the pages of history, and thus become participators in the sin?" The difference between this treaty and the Treaty of 1839 he explained as being that "we should have had to act under the Treaty of 1839 without any stipulated assurance of being supported from any quarter whatever against any combination, however formidable; whereas by the treaty now formally before Parliament, under the conditions laid down in it, we secure powerful support in the event of our having to act—a support with respect to which we may well say

that it brings the object in view within the sphere of the practicable and attainable, instead of leaving it within the sphere of what might have been desirable, but which might have been most difficult, under all the circumstances, to have realized." In conclusion he said, "We are in full communication with friendly and neutral Powers on the subject of maintaining neutrality, and upon every side the very best dispositions prevail. There is the greatest inclination to abstain from all officious intermeddling between two Powers who, from their vast means and resources, are perfectly competent for the conduct of their own affairs; and there is not a less strong and decided desire on the part of every Power to take every step at the present moment that can contribute to restrict and circumscribe the area of the war, and to be ready, without having lost or forfeited the confidence of either belligerent, to avail itself of the first opportunity that may present itself to contribute towards establishing a peace which shall be honourable, and which shall present the promise of being permanent."

On the same day, and in the same tone, was read the Queen's Speech, proroguing Parliament, and closing the session of this memorable year.

By this time the results of the victories of Wörth and Weissenburg began to make themselves clear, and the tide of war rolled on into the heart of France, carrying with it all immediate fear for Belgium; and other considerations connected with the war took the uppermost place in the minds of Englishmen. Our personal share in the momentous events which we watched with keen interest and varying sympathies, was limited, on the one hand, to active perseverance in alleviating the sufferings of the unfortunate soldiers and peasantry who were the victims of the war,—the *petits* who, as usual, "*ont pâti des sottises des grands*"—in every possible way. The administration of English charities is not always of the wisest, and in the present instance it is to be feared that the expenditure of the immense sum which was immediately placed at the disposal of the directors of the "Sick and Wounded" and other Funds, which were set on foot in England, was not always too judicious. Nor is it possible to speak without grave reprobation of the abuse of the privileges of the Geneva Convention, which occurred in too many instances. Great indeed was the good done by the "Red Cross Knights," of both sexes, who fought under its banners and devoted themselves to the work of hospital and ambulance with the truest unselfishness, to be too often only misunderstood in consequence of the proceedings of others, men, some of them, of no mean station, who can only be supposed to have made the privileges of the Convention a cover for the indulgence of a worse than vulgar curiosity. The charitable work of England, however, was on the whole well, as it was most ungrudgingly done, and when the cruel bitterness of the time shall have passed, may one day be less scantily recognized and more generously remembered. During the later part of the year her almsgiving means were taxed to the

utmost by the crowd of unfortunate refugees whom the siege of Paris threw upon her shores, and for whom an organized committee of ladies worked with unflagging energy and great success. Such was the active participation of this country in the war; her passive share was of a less agreeable nature; for never has more universal abuse been lavished upon a neutral. The duties of neutrality were observed as strictly as the Ministry had promised that they should be. But whatever act of ours, from circumstances, was useful to one side and not to the other, was the subject of loudly expressed indignation on the part of the latter. Most especially the export of horses, coals, and, above all of arms, to France, excited the utmost wrath in the German mind, and resulted in a correspondence between Count Bernstorff and Lord Granville, in which the English statesman had unmistakably the best of the argument, with the inevitable result of making Germany more angry than before. But it was noteworthy that while the whole of that country united in condemnation of England, not a word was said against the conduct of America, which, in the matter of the export of arms, was of necessity precisely similar. It was, therefore, not, perhaps, to be wondered at that the large party in England who attributed to Count Bismarck an almost superhuman grasp of malevolent foresight, should suspect that the outcry against this country was the result of determined design. But it must be confessed that during the troublous months that closed the year, the German Chancellor carefully, nay, ostentatiously, avoided all cause of quarrel with England, as was made especially evident on three occasions. The first of these arose in connexion with an event which threw this country, for the time, into the greatest excitement. At the end of October, suddenly, and without previous warning, the Russian Minister, Prince Gortschakoff, addressed a despatch to the European Powers, stating that Russia no longer recognized the obligations of the Treaty of 1856 respecting the neutrality of the Black Sea. The feeling had long been growing, not only in England, but throughout Europe, that the time had come for the removal of the restrictions upon Russia which that treaty imposed, if, indeed, such restrictions upon a great Power were not in themselves originally a mistake. But the high-handed manner in which Russia seized the opportunity afforded by the crippled condition of France, not to ask for a reconsideration of the treaty, but to declare herself, of her own pleasure, no longer bound by it, could not for a moment be tolerated; and Prince Gortschakoff's despatch called forth from Lord Granville a courteous, but firm and decided reply, in which the obligatory character of treaties was strongly insisted upon, and the assent of England to the conditions of 1856 being treated as null and void, absolutely refused. Taken in connexion with the civilities that had recently passed between Russia and Prussia, and the tone of the latter country towards England, there seemed ground for the belief, which was widely entertained, that Prince Gortschakoff's note was a direct menace to England, based

upon a previous understanding with Count Bismarck. But on Mr. Odo Russell being at once despatched to the German head-quarters at Versailles to ascertain the sense of the Prussian Government on the question, he received a positive assurance that they had given no sanction to the step; and at the same time a proposal was made by Prussia for a Conference of the Powers, to be held in London, for the settlement of the question, which was accepted both by Russia and England, on the condition that it should assemble "without foregone conclusions." Thus the cloud from the East, which had for the moment assumed threatening proportions, for the moment passed away<sup>1</sup>. A subsequent alarm about Luxembourg, caused by the declaration of Count Bismarck, that the people of that country had failed in preserving their neutrality, which was, in many quarters, interpreted as portending Prussian annexation in defiance of the guarantee, was quieted by a temperate note from the German Chancellor. Lastly, just before the close of the year, an event occurred which for the moment caused great irritation in the minds of the English. Six British vessels were seized by the Germans at Duclair in the course of their military operations, and sunk in the Seine, their crews being, it was said, treated with great brutality. Here again, however, on explanations being demanded, Count Bismarck showed himself ready and desirous to avoid all cause of quarrel with England, offering a satisfactory explanation of the occurrence, and the fullest compensation to the parties entitled to claim it. Dangerous signs of the times, however, were these with which the year closed. Public opinion in England, which on the declaration of the war had been largely enlisted on the side of Germany, had unmistakably changed since the battle of Sedan. Partly, no doubt, this was due to the exasperating language consistently used towards us in Germany, and partly to sympathy with a losing cause; but mainly it was to be ascribed to the popular disapproval of the German claims, then first put forward, with a semblance of authority, for the annexation of Alsace and Lorraine; the pleas in favour of which measure were believed to be fallacious, and to be advanced only to cover long-chèrished designs of territorial aggrandizement, or the gratification of a national revenge. Meetings of sympathy with the French cause, and loud public expressions of that sympathy, were prevalent both in London and the Provinces, though there could be no doubt that the general verdict still steadily approved the Government's wise and resolute policy of neutrality. But a strong feeling of irritation, caused by the perpetual taunts of other countries, whose cherished desire it would almost appear to be to drive England into war—no matter how or with whom—was growing up in the public mind; the Russian note had re-opened the threatening "Eastern question;" and every mail from America brought the news of fresh political agitations against, and fresh oratorical attacks upon, the well-abused mother-country. The "Alabama claims" were kept sedulously unsettled,

<sup>1</sup> A fuller account of this matter will appear in the Annual Register for 1871.

and the Fisheries Question had been superadded to make bad worse. The violent speeches of American politicians, we were told, were merely "bunkum," traps to catch the Irish vote. But Englishmen were at all events excusable, if they were inclined to take America's friendship at her own valuation. As we looked on all that was passing around us, it was felt that readiness and earnestness alone might save the country from being plunged, within a short time, into all the half-forgotten horrors which the most terrible of European wars had in one moment revived. And thus closed upon us the year which had been welcomed, by others as well as dreamings diplomatists and fond philosophers, with jubilant anticipations of the coming Millennium. Let the record of one pleasant domestic incident vary and close this dark chapter of history. In the autumn of the year her Majesty in Council gave her consent to the marriage of the Princess Louise to the Marquis of Lorne; and thus, amid general expressions of sympathy and approval, was another old landmark of exclusiveness abolished, and an ungracious rule gracefully broken. The known character of both the parties to this fortunate contract was a hopeful guarantee for the results of the experiment; and the sanction of the Queen (which, in the traditions in which she had been brought up and had lived so long, it was felt must have cost her much to give) supplied fresh fuel to the old fire of loyalty, so tenacious of life in the hearts of the English people, at a time when, in the midst of the convulsions around us, it might be well to keep free from rust the sheet-anchor of the old Faith and the old Name.

## CHAPTER VI.

*Affairs in India—Relation of England with her Colonial Empire—The Government Policy—Effects of the Maori Insurrection of 1868-9—Loan guaranteed to New Zealand—Letter of the New Zealand Commissioners—Proceedings of Colonists in London in opposition to the Government Policy—Proposal for a Conference of Colonial Representatives—Lord Granville's Despatch upon the subject—Answers from the various colonies—Despatch from the Council of Queensland—Proceedings in Victoria—Debate in the House of Lords—Speeches of Lord Carnarvon and Lord Granville—Fenian raid in Canada—Promptitude of the American Government—The Rebellion at the Red River—Emigration during 1869—Extract from a Report on the demand for Emigrants.*

During the year 1870 the affairs of our great Indian Empire, however important, presented no topic of immediate interest such as to require observation in a summary so compendious as ours. The visit of a Royal Prince to that portion of the Queen's dominions; the festivities which attended the visits of the Governor-General to different outlying regions of the viceroyalty submitted to his control; some threatenings of frontier trouble towards the North

West ; and the occurrence, unhappily, of one of those local famines which still strive to remind us how little our civilization has as yet effected towards obviating or remedying these terrible visitations (this time, however, beyond the frontier of British India, in the independent states of the North West) : these occurrences can alone be chronicled on the present occasion. But with regard to our Colonial Empire in general, the year 1869 had witnessed a certain amount of excitement, not so much in the colonies themselves as among colonial politicians at home, on the general subject of the durability of the tie which connects the mother country with these dependencies. In a long series of years that tie had been becoming in certain respects less stringent. Our greater colonies had received representative institutions. From representative institutions the next step was to the establishment of what was termed "responsible" government ; a government modelled on that of Great Britain itself, in which the Governor, representing the Crown, exercised no direct political influence unless, indeed, in matters supposed to affect the empire in general ; and all patronage and domestic authority is placed in the hands of ministers, removable by the popular vote. And, finally, the appointment of the members of one chamber by the Crown was in some provinces restricted, in others abolished. Under these circumstances, British statesmen were gradually led to the conviction that the maintenance at British expense of troops in the colonies was, with certain exceptions, not to be justly imposed on the British tax-payer, and injurious at the same time to the defensive energies of the colonists. This course of policy, however, had been only gradually developed. The serious injury, and much more extensive alarm, occasioned in New Zealand by the Maori insurrection of 1868-1869 brought the subject more prominently into notice. For the Government at home, steadily resisting the importunity of the colonists, the strong representations of its own officers in New Zealand, and the pressure exercised by party at home, carried out its predetermined policy, and the last regiment was removed from New Zealand at the end of the latter year.

So far as New Zealand itself was concerned, this much apprehended event led to no special results. The Maori insurrection subsided. New Zealand sent commissioners to London, to treat of her affairs. They did not succeed in obtaining a reversal of our military policy ; but they obtained, instead, a guarantee for a loan of 1,000,000*l.*, which they acknowledged in the following letter (19th May, 1870) :—

"Permit us to thank your Lordship on behalf of the colony for the concession her Majesty's Government have been pleased to make. A long series of discussions, arising out of a war in which the Imperial and Colonial Governments had been jointly concerned for ten years, had unhappily caused misunderstanding between them, and much bitterness of feeling among the settlers. The General Assembly believed this would be set right by personal communication in a kindly and conciliatory spirit ; and they desired

nothing so much as that all grounds of complaint on both sides should be forgotten; and the relations between the two Governments secured on the footing of the most hearty friendship and co-operation. If we have not been able to induce your Lordship to regard in the same light as the Assembly did the question of military assistance, still the chief object of our mission has been gained. It is not a mere matter of money that has been arranged; a lasting tie has been made between the two Governments by their engaging together in objects in which the nation has a common interest with her dependency; in the peopling of a new country which is one of her great offshoots; in the opening up of that country by roads; in the reward, by steady and permanent employment, of those native allies who have so faithfully served the Crown; above all, in the weaning of the turbulent and disaffected tribes from warlike habits to peaceful industry. The pursuit of these objects during many years to come, though this can in practice only be done by the colony, will afford frequent opportunities for the sympathy of the Imperial authority; and if the result shall be, as we believe it will, to bring prosperity to both islands, there will be quite as much pleasure to us as to you, in remembering that you helped us in the means which will have brought it. It is this common interest and object, and not only the saving of the annual interest upon the loan, which will make the present arrangement received with satisfaction throughout New Zealand."

But as regards the general question thus raised between the mother country and the colonies, considerable excitement was produced in the earlier part of the year in those classes which take interest in the subject by the proceedings of a number of gentlemen, purporting to represent colonial feeling, who complained that the tendency of recent changes, and in particular of the sentiments expressed in respect of those changes by the Colonial Office under Lord Granville's administration, tended to loosen yet farther the tie, already so slight, which connected the various portions of the great British dominion.

The leaders of the movement in London addressed (in August, 1869) a circular letter to the governments of the colonies, having responsible Government, suggesting to them the expediency of their sending delegates to "a conference of colonial representatives to be held in London." "As," they said, "the Imperial Parliament will meet probably in February next, it is thought that the proposed conference may conveniently be held about the same time." Lord Granville, in addressing the same governments on the subject of this circular, as Secretary for the Colonies, remarked on it as follows:—

"Independently of the consideration that the project assumes at its outset an attitude of antagonism to her Majesty's Government, my opinion is that it is not in itself calculated to answer its purpose.

"In the first place, the attempt to cover by one arrangement all the principal colonies enjoying Representative Governments appears



to me injudicious. The questions which most seriously affect individual colonies in relation to the mother country, have often in their nature and treatment little connexion with those which arise in others; nor, as far as I am aware, is there any thing in the mode of transacting business between the British and Colonial Governments, which, under their generally cordial relations, obstructs negotiation, or calls for any practical improvement in their means of communication.

“As a general rule, it appears to me that the wishes of the colonists are likely to be more faithfully and effectually brought before the Home Government by the Local Ministers, who are in immediate contact with the Communities which they represent, and through the Governor, who is responsible to her Majesty for furnishing all requisite information, than by a body of gentlemen resident in London, acting in pursuance of their own views or of mere written instructions, under influences not always identical with those which are paramount in the colony, and without the guarantee which their recommendations may derive from having passed through the Governor’s hands.

“It will be obvious to you that these objections to a standing representation of the Colonial Empire in London have no relation to the appointment of several or collective agencies on the system now in force, which, I believe, completely answers its purpose.”

In the course of the early part of this year, answers were received to Lord Granville’s despatch from all the important colonies, which, though in varying language, uniformly discouraged the suggestion put forward by the movers of the scheme in London, and disclosed no readiness to join in a conference of colonial representatives. Most of these expressed themselves satisfied with the administration of their affairs by local governments responsible to their own people, under the general link of Imperial authority, and expressed no desire for closer connexion. The following from Queensland (though one of the last established colonies) may be subjoined as going a little more into detail than others:—

“1. The Council observe that considerable dissatisfaction has for some years past been caused by the mischievous interference of those self-constituted Colonial Societies and other pretended representatives of the Colonies in England, and trust that in future no statement made at Downing Street, by persons not formally and officially accredited by the Government of the colony, may be permitted to influence her Majesty’s Advisers.

“3. That this Government sees no reason to alter the present mode of communication on subjects of mutual interest with her Majesty’s Government. That no desire has ever been shown by the colonists of Queensland to withdraw from the British Empire. On the contrary, they have always manifested the most sincere loyalty and attachment to the mother country; but they observe with regret that their countrymen at home display, through the press and in Parliament, a desire to thrust the colonies out of the empire.

"4. That whenever a serious intention shall be shown in the British Parliament to break the Imperial tie, the colonists will claim their right to be heard against a deprivation of their position and rights as Englishmen without their consent.

"7. That the colonies will doubtless, some day solicit from the British Government a solution of the claims of Great Britain, in respect of what are termed Imperial interests, what she claims in respect of them in time of war, and to what extent she will continue to assert her right of interference with the trade and commerce, and with the commercial or domestic legislation of the colonies, and in the separation of portions of their territories—also whether Great Britain will recognize any *Imperial duties* towards the Colonies in peace or war, and define what they are, and by what means she will perform them, and more particularly whether she will make them such as to entitle her to a complete, or limited, allegiance and support, in the event of war with other countries, and thus afford us a guide to our *Colonial duties* towards her.

"8. That the colony of Queensland has hitherto had no grave cause of complaint."

In the great colony of Victoria the impulse thus given produced, contrary to the intentions of those who produced it, a movement towards loosening instead of tightening the relations between mother country and colony, which, however, proceeded no farther than the introduction into the House of Representatives of certain significant resolutions:—

"1. That the care of the political rights and interests of a free people can be safely entrusted only to a body appointed by and responsible to that people; and that the Legislative Assembly declines to sanction or to recognize the proceedings (so far as the same may relate to Victoria) of the Conference proposed to be held in London, at the instance of a self-constituted and irresponsible body of absentee colonists.

"2. That the people of Victoria, possessing by law the right of self-government, desire that this colony should remain an integral portion of the British Empire, and this House acknowledges, on behalf of its constituents, the obligation to provide for the defence of the shores of Victoria, against foreign invasion, by means furnished at the sole cost, and retained within the exclusive control, of the people of Victoria.

"3. That this House protests against any interference, by legislation of the Imperial Parliament, with the internal affairs of Victoria, except at the instance, or with the express consent, of the people of the colony.

"4. That the official communication of advice, suggestions, or instructions, by the Secretary of State for the Colonies to her Majesty's Representative in Victoria, on any subject whatsoever connected with the administration of the local government, except the giving or withholding of the Royal Assent to or the reservation of Bills passed by the two Houses of the Victorian Parliament, is a

practice not sanctioned by law, derogatory to the independence of the Queen's Representative, and a violation both of the principles of the system of responsible government and of the constitutional rights of the people of this colony.

"5. That the Legislative Assembly will support her Majesty's Ministers for Victoria in any measures that may be necessary for the purposes of securing the recognition of the exclusive right of her Majesty and of the Legislative Council and Legislative Assembly 'to make laws in and for Victoria in all cases whatsoever,' and putting an early and final stop to the unlawful interference of the Imperial Government in the domestic affairs of this colony."

Discussion, of course, ensued, but no definitive action was taken on these resolutions.

Pending the receipt of these communications, on the 14th February, Lord Carnarvon brought the general subject of our colonial relations, under present circumstances, before the House of Lords, on the occasion of the answer to the Queen's speech. He argued that although it might be difficult to point out any substantial instance in which the Home Government had of late years overstepped the self-imposed limit which prevented us from interfering in the domestic affairs of the colonies, yet it was impossible to deny the existence of dissatisfaction on their part; and that the existence of this dissatisfaction indicated the necessity of attempting to strengthen the tie of connexion which as yet subsisted between us. Not a little of this dissatisfaction he attributed to the uncordial and unsympathizing tone of the despatches of Lord Granville, as adding unnecessary annoyance to that occasioned by his colonial policy. "I wish," he said, "it was possible that an Englishman and a colonist, when they passed to their respective countries, should feel that they were members of the same great empire, that they should know no difference whatever except in sky and climate, and that in all other respects the Englishman should feel himself a citizen in Canada, and the Canadian should feel himself no stranger in England. It is impossible not sometimes to indulge in the belief—though circumstances at this moment are adverse—that such a great confederation might even yet be achieved—a confederation of which England might be the centre, and of which all the members would be bound to her by a tie which might go on for uncounted generations. Canada, it is true, entails on us political responsibilities; but I believe that that great dominion which Parliament three years ago built up was created in the interest of Canada, in the interest of England, and also in the interest of that great continent of which she forms a part. New Zealand also entails political difficulties on us; but a Minister must look beyond the present generation, and who can doubt that New Zealand, with her climate and her resources, is destined to be one of the future Englands of the southern sea? Australia I will not say entails any difficulty upon you, for it does not cost you a farthing; but

Australia is interwoven with our Eastern trade, and if you would preserve that trade and retain the great commercial monopoly which you have now created for yourselves, is it not wise—is it not a matter of common prudence—to remain on the most friendly terms with Australia? I know it is sometimes said that if the colonies go trade will remain exactly the same; but depend upon it trade flows greatly in the channels of political influence, and if you break off or impair your political connexion with Australia, your commerce with it will inevitably suffer. Or is it fear of responsibilities that is governing your present policy? Is it fear in North America of the political liabilities to which you would be exposed? Is it some misgiving of yourselves and your own future conduct, if you come into disagreeable relations with the United States? If I thought that, I should say the feeling and spirit of this country had sunk very low indeed. I say, then, if it is not fear of such responsibilities which is determining our course, is it—and that is the last supposition I can make—merely a question of expense? Is our object in the course we are adopting to make some miserable reduction financially; and is it for that purpose that we are jeopardizing our connexion with the whole of our British North American colonies? Now the civil charges of the whole of our colonies are so trifling—so insignificant, so absolutely trumpery—that they are not worth a moment's consideration. The military charges are the only real burden that can be said to weigh upon us." With regard to the proposed withdrawal of troops from Canada, on which Lord Carnarvon had dwelt as the most dangerous feature in the policy of Government, he said that the men of Canada can say with perfect truth—"We have created a militia force of 40,000 men, available almost at a day's notice; and we can bring more than 500,000 men into the field, in case real need for their services should arise." "My Lords, I believe that the Canadian Government will accept the measure we have adopted in exactly the spirit in which it is intended. I believe they will understand that it is not a measure exclusively directed against the Dominion, but that it is based on principles which we think ought to be applicable to all our self-governing dependencies; and I believe they will accept the assurance which has been so often given, that this arrangement is one intended solely for a time of peace, and does not in the slightest degree alter or diminish the mutual obligations which exist between the colony and the mother country in case of war." On this head his lordship argued that to remove troops from the colonies, especially the North American, which were the most open to political contingencies, was a mere idle pretence of economy, unless the Government were prepared to remove the troops so withdrawn altogether from the rolls of the army. "If," he said in conclusion, "the object of our whole national life is to become the mere workshop of the world, to give no hostages to Fortune, to run no risks, to incur no liabilities, but merely to accumulate money, well; but no nation, more than any individual, can afford to live a

selfish life, wrapping itself up in its own miserable interests. If it does, it will inevitably come to disaster abroad and discredit at home—it will lose alike the respect of others and its own. If there is any lesson which we should draw from the loss of the United States, it is the misfortune of parting from those colonies in ill-will and irritation. We parted with those great colonies because we attempted to coerce them; and if we now part with our present colonies, it will be because we expel them from our dominion. The circumstances are different, but the result will be the same; and that result must be the bitter alienation and undying enmity of these great countries. For my own part, I see with dismay the course which is now being taken—a course at once cheeseparating in point of economy and spendthrift in point of national character. I will be no party to it, and I beg to enter my humble and earnest protest against a course which I conceive to be ruinous to the honour and fatal to the best interests of the empire.”

Lord Granville, in reply, vindicated the tone of his despatches. “I have looked,” he said, “once more through these despatches, and I do not find an uncivil phrase in any one of them; and if logic is to be used at all, a little rigour is not, in my opinion, a bad thing. But, as last year, the noble Earl said that there was nothing the colonies more disliked than the appearance of indifference, I conclude the best course to pursue in public as in private life is, when an appeal is made to any person, to give a true reply. The noble Earl suggested the drawing of a despatch to define in black and white the exact relations of the mother country to the self-governing colonies. I may be wrong, but I have great doubts whether such a proceeding would not have the effect rather of dissolving than of cementing the union. Would it not at once excite the greatest possible jealousy among the colonies, and give rise to the greatest suspicion that we intended to take back from the colonies some portion of that perfect freedom which has been granted to them? I do not agree with the noble Earl that the great bond between the colonies and this country is the military protection afforded to the former; for I am of opinion that the ties which bind us together are loyalty to the Crown, goodwill between the colonies and the mother country, and a reciprocity of mutual advantages. When this state of things shall cease to exist, the idea of compelling by force any great and self-governing colony to remain connected with this country is an idea which no statesman would entertain; though no statesman should take too seriously any lightly expressed wish on the part of a colony for separation from this country.”

The general policy of Government as to the withdrawal of troops from the colonies was, however, to a certain extent, interfered with in the case of Canada by two events “of no great importance in themselves, which rendered necessary their employment to a trifling extent.”

The first of these was a reiterated attempt to disturb the peace

of that country by that class of restless adventurers who congregate in some of the great cities of the American Union, and, under the name of Fenians, subsist by contributions from the Irish immigrants who carry to that country their ancient hostility to the union between Great Britain and Ireland. In May a number of these people collected in arms under a so-styled General O'Neill, at two points on the frontier between Canada and New York and Vermont States respectively. The first party, about 2000 strong, under O'Neill in person, crossed from Vermont on the 25th. The United States Government, though charged by Canada and her friends with supineness in allowing these armed bodies to assemble, acted with singular promptitude when the alarm respecting their movements was given. On the 23rd of May the intended invasion was reported at Washington. On the 26th, the President summoned his Cabinet, and framed a proclamation. On the 25th, General Meade left Philadelphia for the frontier, but the necessary work was already done ere he reached it. The Fenians had been repulsed at Williamstown by a detachment of the 69th Regiment and some Canadian Volunteers, under General Lindsay. "The Fenians," says a report of the time, "were ninety minutes on Canadian soil." One man among them was killed. As soon as O'Neill recrossed the frontier, he found the United States Marshal, Foster, in waiting, who arrested him, after some show of resistance, and carried him off in a carriage. On the 27th, a similar attempt was made near Malone by the other band of Fenians, but they were repulsed with the same ease, and in this case also with the loss of one man. The Fenian leaders were tried before the United States' Court, and sentenced to terms of imprisonment, afterwards remitted.

The other cause of trouble which induced the employment of a few British troops this year in Canada arose out of the singular event styled the Rebellion at the Red River. The Hudson's Bay Company, under their Charter from Charles the Second and other authorities, had enjoyed powers of proprietorship and exclusive trade in the vast region north of the American boundary-line, 49° north, to the Frozen Ocean. Early in this century the great projector, Lord Selkirk, had established in the extreme south of this region, and close to the American line, a colony of mixed French Canadians, chiefly half-bred, and English and Scotch descendants of servants of the Company, in a strip of fertile land on the banks of the Red River, flowing from what is now the American State of Minnesota into Lake Winnipeg. These people, though established under a very rigorous winter climate, increased to the number of some eight or ten thousand, living on the rich agricultural produce of their short summer, and on trade with the surrounding Indians. They inhabited, perhaps, the most secluded spot ever reached by European colonists, in the exact centre of the North American continent, equidistant from the Atlantic and Pacific east and west, and from the mouth of Mackenzie's River and that of the Mississippi north and south. The Company sent them supplies by way of a long

land journey from Hudson's Bay, itself inaccessible from ice except for three months in the year. The nearest American railway station is distant from them about six hundred miles; the western end of Lake Superior, in Canada, about four hundred; all between them and these points wilderness of prairie and of forest. This insulated community had been ruled after a fashion by the Company under a "Governor of Assiniboia" and a Recorder. But they had always been troublesome subjects. In 1869 the Company had succeeded in effecting an arrangement for parting with all their general territorial rights in Rupert's Land (that is, their dominion east of the Rocky Mountains) to Canada for 300,000*l.* This cession of course included the "Red River." But its inhabitants had not been consulted, or at least not to their satisfaction. They were themselves divided into two fiercely antagonistic parties, the Canadians, almost all half-breeds, speaking French, and professing the Catholic religion, and a minority, as we have seen, of English and Scotch. The former rose in insurrection against the proposed transfer. They refused to admit into the district Mr. Macdougall, who was sent by Canada as Governor, as the discontented alleged, merely to get rid of a politician who had been an unsuccessful Minister of Public Works. A leading agitator, Louis Riel, was proclaimed (in February) "President of the Republic of the North West." He is described as a young man of pure French Canadian descent who, "although he had not a drop of Indian blood in his veins, had a large number of half-breed relations and connexions, and in order to identify himself as much as possible with the people, he invariably spoke of himself as a half-breed. . . . He is a man of considerable moral determination, although all who know him say that he is wanting in physical courage. His command of language is great, and his power over his audience immense." He and his followers opposed and ill-treated the remaining servants of the Company, seized its property, and completed their career of violence by the deliberate murder of a loyal Canadian "Orangeman and Volunteer" of the name of Hugh Scott. This atrocity roused popular feeling in Canada far more strongly than the political acts of Riel and his followers. These had despatched two delegates, Father Richot and Alfred Scott, to Ottawa, in order to negotiate with the delegates there. These gentlemen were apprehended there (in April) as accessories to the murder of Hugh Scott, the Canadian Government having at the time of the murder acquired jurisdiction over the Red River by the Company's cession. They were, however, discharged, no evidence being preferred. But their mission, the murder of Scott being as yet unavenged, came to nothing.

The Canadian Government came to the conclusion that force must be employed, and the British troops in Canada had to furnish a contingent. One battalion of infantry, two of Canadian Militia, and a small party of artillery and engineers, were selected for the purpose, under command of Colonel Wolseley. The expedition

which followed, though not exciting the same public interest, very much resembled in its general character that against Theodore, King of Abyssinia, in 1868, and illustrated in like manner the power of endurance, resource, and discipline of trained men employed in a very trying service. Between the head of Lake Superior and the Red River, about five hundred miles were to be passed of country without a road (one had been projected by Canada, but a small portion of it only was even marked out) of a region composed of thick forest, swamp, bush-covered rocks, and small lakes of intricate navigation. The route is described by a member of the expedition as "forty-eight miles by road through the forest to Shenandowan Lake, and from thence about three hundred and ten miles by rivers and lakes, with about seventeen portages to the Lake of the Woods. Some of these portages were more than a mile in length, and when it is remembered that all the boats, stores, &c., required for the expedition had to be carried by the soldiers over these breaks in the navigation, an idea can be formed of the physical labour which such an operation would entail. From the Lake of the Woods to Fort Garry was about one hundred miles in a direct line by land, but there was only a road made for about sixty miles of that distance, the unmade portion being laid out over most difficult swamps;" and ultimately it was necessary to avoid the difficulties of this last portion by a circuitous movement down the Winnepeg river.

The expedition reached Fort Garry, the head-quarters of the Hudson's Bay Company, and now of Riel and his rebel followers, on the 23rd of August. They were welcomed enthusiastically by the loyal party, and met with no opposition from the disaffected. Riel had disappeared: the latest accounts represent him as having taken refuge, with a considerable amount of plunder which he had collected, in the neighbouring American territory. The British force did not experience the loss of a single man, thanks in great measure to the foresight and sagacity with which the whole enterprise was conducted. "It had to advance," says an eye-witness, "from its point of disembarkation on Lake Superior for more than six hundred miles through a wilderness of water, rocks, and forests, where no supplies were to be had, and where every pound weight of provisions and stores had to be transported for miles on the backs of soldiers. . . . The total expense was under 100,000*l.*, of which one quarter only was to be paid by England. There was no reckless waste either in material or money. . . . It may be safely asserted that no such distance has ever been traversed by an efficient brigade, numbering about 1400 souls, in any of our numerous little wars, at such a trifling cost." Order was re-established, and the "province of Manitobah" added to Canada.

The amount of emigration from the United Kingdom in any given year affords a very important criterion of the social condition of the country. It is annually published by the Land and Emigration Commissioners; but as the details respecting one year are not



presented to the public until towards the middle of the next, the returns for 1869 come properly within the contents of the ANNUAL REGISTER for 1870.

The following are the most remarkable particulars to be collected from it :—

“ In the emigration of last year,” say the Commissioners, “ the most noticeable fact is the large increase in the number of English and Scotch emigrants. For the first time since we have any trustworthy returns, the number of English emigrants exceeded the Irish. With the exception of 1854 the number was the largest that ever left the United Kingdom in a single year.

“ The emigration of 1869 was thus distributed :—

“ To the United States . . .	203,001
„ British North America . . .	33,891
„ Australia and New Zealand . . .	14,901
„ all other places . . .	6,234
	258,026

“ Of the emigration to the United States,—

The English	formed	31·06 per cent.
The Irish	„	32·75 „
Foreigners	„	25·29 „
Scotch	„	8·48 „
Not distinguished	„	2·42 „

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“ The Irish emigration in 1869, though absolutely larger than in 1868, bore a less proportion to the whole British emigration than in that year. In 1868 it formed 47 per cent. of the British emigration, but in 1869 it formed only 39½ per cent. It was also less than the Irish emigration in any of the five years between 1863 and 1867 inclusive. Probably the vague expectations entertained by the small farmers and their families (who form a large part of the emigration) as to the effect on their position of the forthcoming Land Bill may have had something to do with this result.

“ Of the whole number who emigrated to North America in 1869, amounting to 236,892, no less than 225,685, or 95·27 per cent. went in steamers, and only 11,207, or 4·73 per cent. in sailing vessels. The resort to steamers in the emigration to America has been uninterruptedly progressive. In 1863 it amounted to only 45·85 per cent. of the whole number. In 1867 it had increased to 92·86 per cent., in 1868 to 93·16 per cent., and last year to 95·27 per cent.”

The following extracts from a report on the present demand for emigrants in some of our most important colonies, made by the Colonial Land and Emigration Commissioners to the Colonial Office, in August this year, will throw additional light on a subject of the highest interest to a large class of our population.

“The Governor of the Cape of Good Hope says there is no steady demand for European labour in the colony; that the farmers prefer native labour; and that some years ago very great inconvenience was caused by the presence of the labourers who had been introduced for the construction of the railway and other works, and who were left in a state of destitution. There is clearly no opening for emigrants from the United Kingdom in the Cape.

“The Governor of Queensland says that for some years past the immigration into that colony has, in his opinion, been rather in excess of the demand for labour; that unless the arrival of immigrants be accompanied by the arrival of capitalists ready to employ them, disappointment will follow; that the modern system of enclosing pastoral lands has reduced the demand for shepherds, and that the one class much in demand are female domestic servants.

“The Governor of New South Wales transmits the substance of a series of Reports which he had obtained from residents in the several districts of the colony, generally members of the Legislature or magistrates. The opinions of these gentlemen vary very much, many of them being of opinion that at the present rate of wages no additional labourers could find employment; others considering that there is still a large opening for immigrants of the labouring class.

“The real state of affairs in New South Wales is obvious enough. Wages are at present so high that the amount of capital in the colony available for the purpose of labour is not more than sufficient to pay the existing labourers. The introduction of fresh labourers would, for a time, at least, reduce the rate of wages, and this the labourers are determined to resist. On the other hand, employers are cramped in their operations by the want of additional hands, and unless the want can be supplied, the progress of the colony will be arrested. A determined struggle is therefore continually going on between employers and employed: the one desiring to apply a portion of the public revenue to the introduction of immigrants; the other determined to prevent it. Hitherto the Trades Unions Organization and the numerical preponderance of the labouring class at the poll have enabled them to carry the day. How long this will be the case it is impossible to foresee. Probably, as the wealth of the colony increases, and more men rise from the condition of labourers to be employers of labour, the result may be reversed. But it is clear that the defeat of the labouring class, whenever it happens, would be but temporary, as the immigrants which that defeat introduced would at once recruit its ranks. The result must be a succession of alternate successes and defeats on the part of each, which, unfortunately there is no mediating authority to control or compose.

“Upper Canada, after an apathy of several years, has at last awakened to the importance of encouraging immigration. It has accordingly appointed agents for that purpose in the three divisions of the United Kingdom and on the Continent, and has established

a scheme for ascertaining the number and description of labourers required in each district, and for forwarding emigrants accordingly from Quebec, Montreal, and Toronto. It is calculated that Upper Canada could absorb from 30,000 to 40,000 immigrants of a good description annually; but I was informed by the Immigration Agent at Toronto that the demand for the present year had, in his opinion, been injuriously affected by the indifferent description of some of the immigrants of 1869—a fact which it is very important to bear in mind. There is nothing more certain than that the introduction into Canada of men of bad character, or confirmed idle or dissolute habits, would be strongly resented, and would probably lead to a resistance to immigration generally. It is calculated that well-conducted industrious immigrants can earn in Canada on an average one dollar a day throughout the year, provided they are willing in the winter to turn their hands to such work as the climate will allow. New immigrants, unless possessed of capital, are not calculated for settlement on wild land, the clearing of which requires special skill and knowledge.

“In Lower Canada the demand for immigrants is comparatively small, the French Canadian population being generally sufficient for the cultivation of their own lands. The only district in which emigrants from the United Kingdom would be likely to find employment is the eastern townships, and even there not to any great extent.

“In Nova Scotia and New Brunswick there is ordinarily but little opening for immigrant labour. The construction, however, of the intercolonial railway will create a demand for labourers during the next year or two, though to what extent I am at present unable to say.’

# FOREIGN HISTORY,

## CHAPTER I.

### FRANCE.

New Year's Day at Paris—Ollivier Cabinet—Assassination of Victor Noir by Prince Pierre Bonaparte—M. Rochefort and the *Marseillaise*—Funeral of Victor Noir—M. Rochefort arrested—Riots of February—Debates on Commercial Treaty—Speech of M. Thiers—Strike at the Creuzot Iron-works—Debates in the Chamber—Trial of Pierre Bonaparte—Death of Count de Montalembert—*Senatus Consultum*—Plebiscite proposed—Imperial Proclamation—Beaury Conspiracy—Plebiscite, May 8—Announcement of its result to the Emperor—Imperial Manifesto—Changes in Ministry—Political Parties—M. Gambetta—Want of confidence in Ministry—Affair of M. Clement Duvernois—Debate on St. Gothard Railway—Petition of Orleans Princes—The Drought—M. Prevost Paradol—Budget—Trial of Seditious Operatives.

THE new year at Paris opened with its accustomed ceremonies. At noon on Saturday, the 1st January, the Court of the Tuileries was thronged with visitors and attendants, Ministers of State, officers of the household, Marshals and Admirals, Judges and Privy Councillors, Professors, Clergy, and Municipalities, and the representatives of foreign powers, all coming to offer their salutations to the Emperor Napoleon III. The representatives of the Bonaparte and Murat families were also there, and ladies as well as gentlemen of rank and fashion caused the state rooms to blaze with brilliant costumes. Shortly after the conclusion of mass in the chapel of the palace, the Emperor proceeded to the throne-room, and there delivered, in reply to the congratulations of the Corps Diplomatique, his customary New Year's speech, stating his assurance that he recognized in their address "a new proof of the good relations existing between France and foreign powers," and expressing a hope that the new year would tend to increase concord and the advancement of civilization. On Monday, the 3rd, the Corps Législatif met, and re-elected M. Schneider as its President. On the same day, the new cabinet of M. Emile Ollivier was officially received by the Emperor and Empress. M. Ollivier, deputy for the Var, a member of the Left Centre or moderate Liberal party, had been entrusted with the post of Prime Minister after the retirement of the Rouher Ministry in December; and his advent to office was looked upon as the final and satisfactory triumph of those enlightened opinions which had for long years aimed at restricting the action of personal government and extending the liberties of the subject.

The general election of May, 1869, though nominally the expression of the public sentiment of the French people, had, indeed, been notoriously far more the work of the Imperial prefects, seeking to

turn that sentiment into the channels most convenient for the interests of the supreme power. And yet the real bearings of the event proved to be something very different from its outward aspect. The numerical majority of the Assembly by no means embodied its actual strength. The town population had in a vast majority of instances defeated the systematic efforts of the Government; and the fixed opinion required for victories such as these, represented a much greater amount of moral force than did the inert or interested acquiescence of other constituencies. It was, however, from the Parliamentary majority *pur et simple*, that Ollivier was bound by the terms of his commission to choose his colleagues. Accordingly, he made overtures at first, whether seriously may be doubted, to the members of the "Right Centre" or moderate Imperialists. Ultimately, however, he found his principal colleagues in those who sympathized with his own political views; and the "homogeneous" cabinet which, in accordance with the expressed desire of the Emperor, he succeeded in forming, stood on the 3rd of January as follows:—M. Ollivier, Minister of Justice or Keeper of the Seals; Count Daru, Foreign Affairs; M. Chevaudier de Valdrôme, Interior; M. Buffet, Finance; M. Ségur, Public Instruction; M. Louvet, Commerce: M. de Talhouet, Public Works; and M. Richard, Fine Arts. Of these, Daru, Buffet, Louvet, and Talhouet were strongly pronounced Liberals of the "Left Centre." Marshal Le Bœuf was continued in his post of Minister of War, in which he had succeeded Marshal Niel; and Admiral de Rigault de Genouilly in that of Minister of Marine. Marshal Vaillant also retained his office of Minister of the Emperor's household. Thus, at any rate, the Liberalism of the new Government was not pitched too high for the conservation in part of the traditions of the recent all powerful imperialism. One sacrifice indeed was demanded, which the Emperor demurred to at first. Baron Haussmann, the Autocratic re-builder of Paris, the lavish expender of the national millions, was no longer to be Prefect of the Seine. M. Chevreau, hitherto Prefect of the Rhone, was installed at the Hotel de Ville in his place.

On the very day that the Corps Législatif met to inaugurate the new *régime*, an event took place which, in itself and in its consequences, shook the now somewhat delicate fabric of imperialism, and put to an immediate and severe test the devices by which its chief had laboriously endeavoured to strengthen its foundations. It was one of those incidents which strike, comet-like, across the path of ordinary political evolutions, which no prevision could have anticipated, and whose results are incalculable, because they proceed from the eccentricities of passion, and not from plan or premeditation.

Prince Pierre Bonaparte, third son of Lucien, and, therefore, first cousin of the reigning Emperor, originally a red-hot Republican in his opinions, and a reckless bravo in habits and temperament, after wandering half over the world, and taking part in various revolutionary plots and insurrections in the Eastern and Western hemispheres, fighting duels and incurring personal quarrels innumerable,

had married the daughter of a working man in the Faubourg St. Antoine, and taken up his residence in the Rue d'Auteuil. Neither his opinions nor his habits were to the taste of his imperial cousin; and though he received a pension from Napoleon III., Prince Pierre was not admitted to be a visitor at his Court. When not in action, his turbulent spirit found vent in pen and ink warfare, and in spite of his Republican proclivities, he had lately entered the lists in a feud between two Corsican journals, to defend the memory of his uncle, the great Napoleon, against the organ of the Republican party in the island from whence the Bonapartes drew their origin. The coarse and extravagant abuse he heaped upon his opponents, in an article in the *Avenir de Corse* signed with his name, called forth not only a fairly temperate reply in the rival journal, the *Revanche*, whose Paris representative was M. Grousset, but also a smart personal attack in the famous Paris journal the *Marseillaise*, whose well-known editor was M. Henri Rochefort. On the appearance of the latter article Prince Pierre lost no time in sending a challenge to M. Rochefort. Meanwhile M. Grousset, on his part, resolved to challenge Prince Pierre for the offensive expressions in the *Avenir de Corse*. He entrusted his message to M. Ulric de Fonvielle, one of the staff of the *Marseillaise*, and to another young journalist known as Victor Noir, but whose real name was Salmon. These envoys accordingly proceeded to Auteuil in the quality of M. Grousset's seconds. Arrived at the house of Prince Pierre, they were ushered upstairs into a saloon, where presently the Prince joined them. They handed him M. Grousset's letter. The Prince, read it, crushed it in his hand, and returned it to his visitors, saying, "I provoked M. Rochefort because he is the standard-bearer of crapulism. I have no answer to give M. Grousset. Are you conjointly responsible (*solidaires*) with these carrion (*charogne*)?" "We come," was the reply, "to fulfil a commission courteously." "Do you" persisted the Prince "share the opinion of these wretches?" "We share those of our friends," rejoined Victor Noir. At this instant the Prince struck Victor Noir with his left hand, drew a revolver with his right from his trousers pocket, and fired point blank. Victor Noir received the shot, rushed into the street and dropped down dead. The Prince meanwhile fired at Fonvielle, and while the latter was trying to draw his own revolver out of his case, placed his back against the door and took a second aim. Fonvielle, however, succeeded in escaping through another door, and the Prince rushing after him, fired through Fonvielle's overcoat as he was descending the staircase. Such was the account of the transaction given by Fonvielle himself. The Prince related that after reading Grousset's letter, he observed that "he would fight with Rochefort willingly, but not with one of his workmen." "I had," he said, "my right hand in my pocket, on my little five-shot revolver, and my left hand was raised in an energetic attitude; then the tall man (M. Noir) struck me a heavy blow in the face." He admitted that he then fired point blank at his antagonist. As to the blow on the face no evidence was forth-

coming but his own statement. No mark was discovered on his countenance which could testify to such a blow; and the tightly kid-gloved-hand on the corpse of M. Noir, was afterwards pointed to in disproof of any such violent action. A sword-stick found in the Prince's apartment was claimed by Fonvielle as his property, not his friend's; and the known desperate character of the Prince was alleged as a reason for going to his house thus armed. As soon as the affair became known in Paris, M. Ollivier, as Minister of Justice, ordered the arrest of Prince Pierre Bonaparte, who immediately surrendered.

He was conveyed to the prison of the Conciergerie, where his family and friends were allowed access to him. The Emperor, who heard the tidings, on the fatal Monday, on his way home from a day's shooting at Rambouillet, signed at once a decree, convening the High Court of Justice appointed by the Imperial Constitution, for the trial of any member of the imperial family accused of a criminal offence.

A most violent article came out in the *Marseillaise* of the next day. It was printed in very large type, enclosed in a black border, and without a line of other news. It was read with eagerness and numerous copies were posted on the walls of Paris. Prefixed to M. Fonvielle's narrative of the transaction were a dozen lines of introduction by M. Rochefort, in which he said "he was weak enough to have imagined that a Bonaparte could be any thing else than a murderer, and had ventured to think a loyal duel possible in that family where murder and ambush are traditional and customary. . . . Here are eighteen years," he said, "that France has been in the blood-stained hands of these cut-throats, who, not satisfied with mowing down the Republicans with grapeshot in the streets, entice them into filthy snares, to kill them within four stone walls. Frenchmen! can it be that you do not think you have had enough of them?"

The same day, ascending the tribune in the Corps Législatif, Rochefort called the attention of the Chamber to this murder of "a child of the people," as he styled Victor Noir; and demanded whether, as the murderer was a member of the imperial family, there was any intention of obstructing the course of justice. "The people demanded an ordinary jury," he said, "judges devoted to the reigning family should not be appointed. In presence of the crime just committed, one knows not whether the country is governed by a Bonaparte or a Borgia!"

On the Wednesday the *Marseillaise* was as violent as before, and the issues of both days were seized; and ministers resolved to prosecute M. Rochefort for the inflammatory address which he had prefixed to Fonvielle's narrative on the Tuesday. But first it was requisite to gain the sanction of the Corps Legislatif. A day or two after, therefore, a motion for the purpose was brought forward, and a debate ensued.

A contrary motion by M. Estancelin, a deputy of the Left Centre,

called forth an able speech from M. Ollivier, and a majority of 192 votes was recorded for the minister, the number being 226 against 34. MM. Jules Simon, Ferry, Pinard, and Arago, voted with the opposition.

The funeral of Victor Noir took place on the Wednesday afternoon, in the cemetery at Neuilly. A disturbance was expected, and the garrison of Paris, reinforced by troops from Versailles, Vincennes, and elsewhere, was placed under arms, detachments being posted at the Palais Bourbon to defend the Corps Législatif, at the Champs Elysées, &c. The Minister of War took up his quarters at the Palais de l'Industrie, where troops and munitions were collected. M. Rochefort set out towards the cemetery, but turned faint, and stopped half way. Nearly 100,000 people collected to show their sympathy for the deceased. The horses were taken from the hearse, which was drawn by six men to the place of interment, but no speeches were made. The crowd in returning, met the voiture of M. Rochefort, who turned with them, intending apparently to lead them through the Champs Elysées and the Place de la Concorde, to the Palais of the Corps Législatif. But while descending the Champs Elysées, singing the Marseillaise and cheering Rochefort, they were confronted by a Commissary of Police and by troops of Chasseurs and Guides, and dispersed peaceably on the roll of the drum.

On Saturday, the 22nd, M. Rochefort made default before the tribunal of Correctional Police, on hearing of the proceedings against him. The Advocate Imperial demanded that the lightest possible sentence should be passed consistent with due respect for the maintenance of the law. The court awarded six months' imprisonment, together with a fine of 3000 francs, and without the interdiction of civil rights. M. Rochefort thus retained his seat as deputy; and he had time given him to appeal even against this light sentence; which moreover, if confirmed, would probably not have been carried out, in view of certain contemplated alterations in the law relating to press offences. But M. Rochefort let the time for appeal pass by. He paid his fine, but omitted to surrender himself prisoner. On the 7th of February he published an article in the *Marseillaise*. "I had read indeed," he said, "in certain journals that several old men in black petticoats had mumbled among themselves some words concerning me; but occupied as I was I had no time to think of such puerilities. To-day I received a letter from a law functionary. . . . Through this medium M. Emile Ollivier invites me to constitute myself prisoner. I decline, however, to attend the *Rendez-vous de chasse* at eleven o'clock precisely, which you give me in your palace of Sainte Pélagie." The same day the contumacious member appeared in his place in the Corps Législatif, when M. Crémieux addressed an interpellation to the Minister of Justice, saying that the arrest of a deputy in consequence of the sentence of a law tribunal, could not take place without a special sanction of the Corps Législatif, in addition to the sanction given before any pro-



ceedings before a law tribunal could take place. M. Gambetta argued not against the legality, but against the policy, of the measures intended against M. Rochefort. But though the members of the Left were strong in their opposition, M. Ollivier spoke firmly, and a violent scene outside the Palais de Bourbon was fully expected, when at the last moment the Ministers gave way, and decided that the arrest should be postponed to a better opportunity. M. Rochefort, with his friends, drove off triumphantly amid the cheers of the people. That evening, however, he was entering the Salle Marseillaise, in the Rue de Flandres, at La Villette, for the purpose of presiding over a political meeting, when a body of police seized him, hurried him off to the cab that was in waiting near the police-station, and conveyed him to the prison of Ste. Pélagie. The Assembly congregated in the Salle Marseillaise became furiously excited. M. Gustave Flourens, a writer on the staff of the journal, flourished a naked sword-stick and pointed his revolver at the head of the Commissary of Police, who was attending the meeting: then delivering the Commissary and his two secretaries to the charge of a hundred of his partisans, he declared the Republic *en permanence*, and marched out into the streets at their head. "Vive Rochefort," "A bas les Bonapartes," were cries which now rose from the gathering mob. At the end of the Faubourg du Temple Flourens and his friends constructed a barricade by overturning a couple of omnibuses and several cabs. In the confusion the Police Commissary and his secretaries escaped. The gas lamps were extinguished, more barricades were constructed, and in some streets the rioters held their ground till half-past one o'clock. Entering a gunsmith's shop in the Rue Lafayette, a part of them carried off 150 revolvers and some thousands of cartridges. But by degrees the advancing Sergens de Ville and Gardes de Paris broke up this mob, and before morning the barricades were removed, and peace restored. The next night there was rioting again; more extinguishing of gas lights and forming of barricades, this time in the Rue de St. Maur and near the Canal St. Martin. The Sergens de Ville and Gardes de Paris charged the mob, who took to flight at once, leaving some wounded and some in the hands of the police. Another band of rioters gathered on the Boulevard Montmartre, singing the Marseillaise and shouting, but they, too, dispersed on the arrival of the Sergens de Ville. Once more, on the Wednesday night, attempts were made to throw up barricades at the Faubourg du Temple and at Belleville, but they were frustrated partly by the police and partly by the inhabitants themselves; and with this demonstration the Rochefort riots came to an end. A few lives had been lost during their progress. After their suppression a great many arrests were made, and an uneasy feeling was excited among the people by the rumours that got about of conspiracies detected against the Government and against the life of the Emperor,—rumours which gained all the more force because the examinations were conducted in private, and the official journal observed its customary reticence. So numerous were the

persons apprehended that the prison of the Conciergerie became literally crammed. All the writers in the *Marseillaise*, save Gustave Flourens, who escaped to Brussels, and some of the writers in the *Reveil*, were seized and sent to Mazas. Ulric de Fonvielle alone was released on account of his position as chief witness in the impending trial of Pierre Bonaparte.

No formidable amount of arms was found on the actual rioters of Belleville: twenty revolvers, two guns, and five pistols, 170 cartridges, and about fifty daggers, knives, and sword-sticks were seized; but it was given out that in the arrests subsequently made, more formidable preparations had been discovered. However, as the successive batches of prisoners received sentence or acquittal during the weeks that succeeded the riot, no confirmation of the supposed plot transpired. The severest sentences passed were those on the journalists. A fine of 2000 francs and thirteen months' imprisonment was assigned to the editor of the *Reveil*, for justifying the act of a working man in shooting one of the police officers on duty; fines of 1000 francs and 2000 francs to writers in the *Marseillaise*, for justifying a citizen in refusing to pay taxes. Fines, also, were imposed on editors of Republican journals for refusing to deposit copies of their papers at the office of the Ministry of the Interior.

The Commercial Treaty concluded with England in 1860 had for some time past been a subject of severe reprehension with the Protectionist party, in view of the nearly approaching period when its renewal or non-renewal was to be decided upon in accordance with the original terms of the engagement. On the interpellation of M. Jules Brame, a discussion on this subject was announced in the Corps Législatif during the last week in January.

Objection was taken, by its opponents, to the mode in which the Treaty had been concluded. It was made on the sole authority of the Emperor himself, empowered, as he then was, by a *Senatus Consultum* of 1852, to make Treaties of Commerce on his individual responsibility. It was a commercial *coup d'état*, said the petitioners on the Protectionist side—it was unfairly taken out of the hands of those most nearly interested in the matter. The Ministers maintained that whatever the rights of the Chamber under the new Constitution, they could not nullify the power which the Emperor possessed at the time the Treaty was made.

M. Jules Simon, a Free-trader on the Left side of the Chamber, proved that in 1866 the imports into France taken for consumption, and the exports of French productions, amounted to 5974 millions of francs, as against 3903 millions in 1859. Some branches of industry, he admitted, were in a suffering state, though not on account of the existing treaties; but on the whole he asserted that Free Trade, as far as it was yet recognized in France, had greatly improved the condition of the country, "And, to put its advantages in another light, commercial liberty," he said, "is an indispensable condition of peace; for so long as we continue to have

an army of revenue officers on the frontier, the fraternity of nations will be impossible. But when peoples shall only be rival traders instead of enemies, I defy you to make them fight. By freedom of labour and commerce, will be founded the future of liberty, and all war will be at an end."

The principal speaker on the side of protection was M. Thiers, who talked of "re-establishing prosperity where it no longer prevailed," of "sustaining the national labour of the country, by giving birth to that labour where it does not exist, but especially by keeping it alive where it does exist." He maintained that a system of Free Trade ought not to be the law of the world. "French manufacturers," he said, "are not able to cope with those of England or of Switzerland. The former country possesses an abundance of raw material, an immense market, more machinery, and cheaper coal, and, finally, a great superiority of production, as it works thirty-four millions of spindles against the six millions of France, and manufactures 3,000,000 bales of cotton against 700,000, the entire French number. Switzerland again possesses all the year round hydraulic power, which France can only rely upon in winter, using steam at other times, a more expensive agent; in addition to which the taxation in the one country is at the rate of 15f. per head, and in the other between 60f. and 70f." M. Thiers then proceeded to point out that the chintz-printers of Alsace have taken to printing cheap cottons imported from England or Switzerland instead of French goods, and have thereby sacrificed Rouen, which had already to struggle with England. The consequence was that one-fourth of the spinning factories, one-third of the weaving establishments, and three-fourths of the engineers' shops had been closed. "The same arguments and facts," he said, "apply to the linen and woollen manufactures. The duties are not only insufficient, but they are not fully levied, from the absolute impossibility of examining every piece of imported goods. Out of 500 establishments in Poitou, Brittany, Normandy, &c., for the preparation of charcoal iron, no less than 353 have perished. The result has been that the manufacture destroyed in France has developed itself in foreign countries, and charcoal iron has to be imported from Sweden." M. Thiers then maintained that agriculture had likewise suffered; that the race of French sheep promised to disappear, and that France imported 180,000,000 lbs. of wool against the 70,000,000 lbs. she produced herself. "With respect to corn," he said, "she is unable to compete with eastern Europe. French shipping, too, is in a state of extreme peril, for the laws of 1866 dealt it a death-blow. The trade with England has increased, it is true, but by the ruin of native merchant shipping. England, finding the markets of the United States closed to her, and those of her colonies protected against her, has inundated France with her productions. French workmanship is the perfection of skill, but it is not cheap. Why, then, attempt to rival England in low prices? Her aim is cheapness; the aim of France, excellence. The position of France is still

to be envied, even by that great and admirable nation called England. Heaven preserve me from saying a word of offence against a country which has been an inviolable refuge for the proscribed in all revolutions. For that nation has given us the most glorious model of human liberty, one in which the administration, holding itself at an equal distance from passions both above and below, is in my eyes the ideal of government. But there is in her grandeur something not so solid as the situation of France, who has her consumers at home, and whose market does not depend upon the peace of Europe. England has, on the contrary, a somewhat artificial existence, and the day may come when she will find no purchasers for her productions, which exceed her own requirements tenfold. 'That little island,' said Fox, 'embraces the whole world.' Yes! but in doing so, it is vulnerable every where." M. Thiers' speech was received with loud cheers from the Protectionists.

M. Forcade de la Roquette, late Minister of the Interior, replied *seriatim* to the statements of M. Thiers, denied the accuracy of his figures, and combatted the results which he deduced from them. He attributed the depression prevailing in the French cotton trade to the American War and the centralization of the manufacture, and brought forward an array of statistics in reply to those quoted by M. Thiers. He supported the inquiry, however, feeling assured that a complete justification of the treaties of commerce would result from it. M. Thiers rejoined, impugning in his turn M. Forcade de la Roquette's figures, and the Chamber agreed to the investigation demanded.

Farther than this the Chamber was not prepared to go; for when, in the following week, the question of the condemnation of the treaties was put to the vote, 211 deputies opposed the motion, against 32 who supported it. Before the close of the debate M. Ollivier made a speech which not only carried the Chamber with him, but obtained the warmest approval from the political journals of different parties.

The Rochefort affair was not the only outbreak of popular insubordination which signalized the month of January. M. Schneider, President of the Corps Législatif, was proprietor and manager of the very large steel and iron foundries and machine factories at Creuzot, employing somewhere about 10,000 hands. Some proposition relative to the benefit fund of the establishment, made by the resident manager, occasioned a strike among the workmen, and several turbulent meetings were held. A fitter in the machine department, named Assy, who had taken an active part against the management of the works, was discharged in consequence, and at his instigation the strike was decided on. He was supplied with funds from trade societies in Paris and London; and one of the writers in the *Marseillaise* hastened to Creuzot and encouraged the disappointed workmen. A military force of upwards of 3000 men was sent down by Government, some arrests were made, and the strike was abandoned

Seventy hands were dismissed. M. Schneider, who had gone to the scene of action, returned to resume his presidential functions in Paris. There was a renewal of this strike during the last week of March, when again the President of the Corps Législatif had to go to Creuzot and confront the difficulties of the situation. The chronic state of excitement at this and other great industrial centres of France, during the early half of this year, was connected in some way, which the authorities could not trace, with foreign agencies; and the International Working Men's Society, which extended its ramifications from Geneva to Moscow, from Paris to Vienna, and to Stettin, was suspected of practising more active means of attaining its ends than it professed to recognize.

Meanwhile a new law securing liberty of the Press was announced, giving a fresh token of the reforming spirit of the Ministry. On this subject M. Ollivier addressed a circular to the Procureurs Généraux. He informed them that every class of public sentiment was now to be allowed its free expression, no matter how daring or apparently objectionable the form of such expression might be. Exception was only to be made in the case of insult to the Emperor personally, or apologies for crimes, or incentives to breaches of the law, or attempts to seduce soldiers, especially, from their duty, and these cases were to be submitted to the decision of a jury. Henceforth, said the Minister, the control of a healthy public opinion was the one safeguard to which Government was to look, and which it would be well for the nation in every way to cultivate.

On February 19th M. Jules Favre, a member of the Left Opposition, and one of the Paris Deputies, fulfilled his long-announced intention of addressing the Corps Législatif on the subject of internal politics. He denied that the reforms now in progress were due to the Emperor's initiative. He pointed out that every fresh election since 1852 had increased the number of votes adverse to the Imperial Government. He demanded to know the policy of the new Cabinet. While personal power existed, he said, the authority of Parliament was a semblance, not a reality; the cord was round its neck, and might be tightened at any moment by the sovereign will. Press offences were to be remitted to the decision of a jury. Why not political offences? M. Favre then proceeded to condemn the recent action of Government in the arrest of M. Rochefort; expressed his utter disbelief in the supposed conspiracy, and urged that political meetings should be allowed to take their course. The relations of the Ministry to the representatives, he said, were unsatisfactory. The constitution of the Chamber he complained of as having been tampered with at the late elections, and maintained that a new representation of the country ought to be called for.

Count Napoleon Daru, the Minister for Foreign Affairs, undertook to reply to this onslaught upon the Government. "It is not true," he declared, "that France is any longer under a dictatorial rule. She is past that; she is free." Great applause followed this

declaration. "It is order and liberty," he said, "that France desires, not the excesses of a revolution." The Cabinet had never been in more complete accord within itself. It wished for peace abroad and peace at home. It desired to give France an honest, free, pacific government. It had electoral and municipal laws to bring forward: measures regarding the press, measures to promote decentralization, to abolish the so-called law of public safety; it had its Budget to submit to the Chamber. Count Daru's speech was a success for the Government. On a division 236 votes were recorded for Ministers, only 18 against them.

About ten days afterwards an interpellation was made by Jules Favre and other deputies of the Left regarding official candidatures to the Chamber. During the progress of the discussion the Ministry disavowed all sympathy with the system, and censured the electoral proceedings under the *régime* of personal government. M. Granier de Cassagnac appealed in vain for some acknowledgment of the service of those who had raised the edifice which the present Cabinet was called upon to crown; but M. Ollivier persisted in his condemnation of the past. Shouts and insults followed from the Extreme Right, who saw their own re-election imperilled. During the confusion that prevailed M. Pinard essayed to effect a compromise, suggesting an order of the day to the effect that "a prudent and measured intervention on the part of the Government in elections was, in certain cases, a political necessity." It was however of no use; M. Ernest Picard withdrew his motion, and the order of the day, *pur et simple*, was carried by 185 votes to 56. The effect of this division was to separate the Cabinet entirely from the party of the Extreme Right, which had sat on the Ministerial benches since the first revival of Parliamentary Government under the Second Empire.

In other matters likewise the liberal Opposition made it their endeavour to urge Ministers forward, and prevent them from stagnating under the influence of office. They desired to have a new electoral law passed, more fairly expressive of the nation's mind than that hitherto in force; they demanded a more popular mode of choosing Mayors; they aimed at gaining for the Corps Législatif the right of controlling the year's expenditure; the right of voting the details of the Budget; the right of sanctioning or refusing to sanction declarations of war and of martial law.

The great excitement of the month of March was the trial of Prince Pierre Bonaparte, before the High Court of Justice, assembled at Tours, on the 21st. The day on which the sittings commenced the whole town was crowded; spectators gathered upon the Grande Place and in the Rue Royale, and the streets wore the aspect of a fête day. Inside the Palais de Justice every place was occupied long before the trial commenced. The proceedings began with a charge to the jury from the President of the Court, M. Glandaz. Then came the reading of the indictment, the exhibition of the *pièces de conviction*, the documents, pistols, sword-stick, plans, &c., which

bore upon the crime committed. The Prince was examined in the usual fashion of French prisoners on trial, and required to give categorical answers to the questions of fact addressed to him. He gave his version of the story as we have before related it, and was then confronted with the witnesses for the prosecution. One of the first of these was Fonvielle, who declared that the Prince, after treating his visitors with scurrilous abuse, first struck Victor Noir in the face, and then shot him; and that he, Fonvielle, did not attempt to draw his own pistol till afterwards. In the absence of corroborative evidence it seemed impossible to decide whose veracity was most to be depended upon, Fonvielle's or the Prince's. M. Pascal Grousset and Rochefort were brought from prison in the custody of gens d'armes to give evidence for the prosecution; but they did not add to the force of the case against the accused; and perhaps the virulence with which they took occasion to insult him rather tended to lessen the animus of the public in his disfavour. On Wednesday, the third day of the trial, some altercation having arisen between the prisoner and Victor Noir's counsel, a momentary confusion took place, during which Fonvielle sprang upon his bench, exclaiming vehemently, "You are an assassin, Pierre Bonaparte, for you have basely assassinated my friend, Victor Noir;" and cries of "Death to him!" were heard, which however Fonvielle denied having himself uttered. For this contempt of court he was sentenced to ten days' imprisonment. The trial lasted till Sunday the 27th, when M. Grandperret, the Public Prosecutor, replied to the prisoner's counsel, and President Glandaz summed up the case. The jury retired an hour and a quarter for deliberation, and then brought in a verdict of "Not guilty." M. Laurier, counsel for the Noir family, demanded 4000*l.* damages, with the costs of the suit; but the sum was reduced to 1000*l.* by award of the Court. Prince Pierre Bonaparte was immediately released.

The Liberal party at Paris were both surprised and disappointed at the result of the trial. The so-called "Irreconcilables" were especially bitter, and accused Government of having arranged the whole affair beforehand in their remarks. The *Marseillaise* came out with the following announcement, in type of nearly an inch high, upon its front page:—"Pierre Bonaparte is acquitted; Victor Noir is in the tomb; Ulric de Fonvielle is in prison; Pascal Grousset is in the same case; Henri Rochefort also; as well as Millière, Rigault, Bazire, Dereure. Pierre Bonaparte is acquitted!"

The Ministry of M. Ollivier was fighting its way, with no very consistent or satisfactory result, between Liberal impulses and reactionary tendencies, trying to keep well with the Emperor and yet to justify its popular character; embarrassed with vague controversies as to the scope and limits of the new Constitution, which nobody seemed to understand; pushed from behind by the advocates of democratic progress, yet not daring to do more than meet in a tentative or evasive way the demands of the moment as they arose. A difference of opinion between the chief of the Cabinet and the

Minister of Foreign Affairs (Count Daru) was said to exist at this time as to the desirableness of sending an ambassador extraordinary to Rome to watch the proceedings of the Council, and to protest against the declaration of the Pope's infallibility. Count Daru pressed the point eagerly, and had a long argumentative communication from Cardinal Antonelli in reply. It was decided finally that no special envoy should be sent, but that the existing ambassador at Rome, the Marquis de Banneville, should represent the French Government at the Council. But these were points about which the "Left" did not trouble itself greatly. There was one, and perhaps only one statesman in Paris at this time, to whom the Council and its affairs were matters of absorbing and vital interest. The preceding week there had appeared in print a most eloquent letter from Count Montalembert, the long-recognized champion of Liberal Catholicism in France, deprecating the course which the Papacy was pursuing, and avowing his sympathy with the independent line of sentiment and reasoning advocated by the German bishops of the Coblenz address. On the morning of Sunday, the 13th of March, Montalembert's tongue and pen were silenced for ever. He had been suffering long from a painful malady, but his death was sudden at the last. He had attained the age of sixty.

Meanwhile the Emperor, who found it convenient to have a popular Minister in the foreground, was preparing a policy of his own, which was calculated for purposes apparently quite unsuspected by M. Ollivier. A letter addressed to the Premier, on the 21st of March, broke at once into the tangled maze of political compromises, with a definite proposition of preparing a *Senatus Consultum* for the ratification of the late constitutional changes by the Senate. The text of the letter was as follows:—

"TUILERIES, *March 21.*

"Monsieur le Ministre,—I think it is opportune, under the present circumstances, to adopt all the reforms claimed by the Constitutional Government of the empire, in order to put an end to the immoderate desire for change which has seized on certain minds, and which disquiets public opinion and creates instability. Amongst these reforms I place in the first rank those which affect the Constitution and the prerogatives of the Senate. The Constitution of 1852 was intended, above all things, to confer on the Government the means of re-establishing authority and order. It had necessarily to remain susceptible of improvement so long as the state of the country should not permit the establishment of public liberty on solid foundations; but at the present time, when successive transformations have led to the creation of a constitutional system in harmony with the basis of the plebiscitum, it is important to restore to the domain of the law every thing that is more especially of a legislative order, to give a definite character to the last reforms, to place the Constitution beyond all controversy, and to invite the Senate—that great body which comprises so much intelligence—to lend a more efficacious co-operation to the new



regime. I therefore beg you to come to an understanding with your colleagues for the purpose of laying before me the draught of a *Senatus Consultum* to fix invariably the fundamental disposition contained in the plebiscitum of 1852, divide the legislative power between the two Chambers, and restore to the nation that part of the constituent faculty which it had delegated to other hands.

“ Believe me, &c.,

“ NAPOLEON.”

The *Senatus Consultum* was prepared, and submitted to the Senate on the 28th. By the new Constitution, as therein defined, that body was to be deprived of many of its peculiar prerogatives. It was still to possess the right of initiating measures; but bills for the taxation of the country were first to be voted by the *Corps Législatif*. The number of Senators, not including those who held their seats by right, was to be limited to twenty per annum. The Constitution was only to be modified by the people, at the initiation of the Sovereign. A schedule of thirty-six articles was appended to the *Senatus Consultum*, treating definitely of the various branches of the Legislation.

Scarcely had this project been digested by the public mind, when a much more startling measure was brought forward. The revised Constitution was to be submitted to a plebiscitum, or vote of the people at large. Universal suffrage was to be invoked as it had been at the first institution of the empire, in 1852. “ From whence came the suggestion for this doubtful and dangerous measure?” men asked; and no hesitation was felt in ascribing it to the Emperor himself. Ollivier was but his instrument—his mouth-piece. The Emperor had desired the *Senatus Consultum* in the first instance; and when the Senate, though it gave its sanction as required, seemed scrupulous and distrustful in the emphasis of the guarantee afforded to the imperial reforms, then, taking advantage of a special clause empowering the Chief of the State to submit any political issue to the popular suffrage at his option, the author of these reforms boldly appealed to the plebiscitum. He had gauged the growing demand for constitutional change, he saw the inability of the Ollivier Cabinet on the present footing of things to resist it, he trusted in the manipulation of the multitude by imperial agencies, and he knew that in any case he was likely to be supported by the rural masses, and that the popular sound of an appeal to universal suffrage was calculated to nullify the party cry of the democrats. All this came into the Emperor’s previsions. Ollivier, still fancying himself the master of the situation, followed the lead, without, as it would seem, exactly knowing whither.

A budget of interpellations in the *Corps Législatif* followed on the promulgation of the *Senatus Consultum* and during the ensuing week political meetings of different sections of the Chamber were held to discuss the situation. Councils of Ministers also were held at the Tuileries, the Emperor presiding. On the 4th of April,

M. Ollivier announced that he accepted the discussion in the Corps Législatif. M. Grévy spoke on the Opposition side. He said that he and his friends would have preferred to have the discussion fixed for a later day, but as the Ministry wished for an immediate debate he would briefly show why he considered that the new *Senatus Consultum* made concessions in words rather than in reality. He considered that the constituent power ought to be restored to the nation; but that was not the present proposition. A plebiscitum, on the contrary, was simply a means of confiscating the national sovereignty. The Senate was not only useless, but it was, moreover, a source of embarrassment. The only course to pursue, in his opinion, was to hand over the constituent power to the Legislative Body until such time as France should arrive at the only really logical form of government—i. e., the democratic.

M. Ollivier, in reply, recapitulated all the liberal concessions that had been made. The plebiscitum, he said, would give important strength to the Government in moments of crisis. He was not himself anxious for an appeal to the people, but in the present case he thought that such appeal could not be avoided. When, therefore, the Senate had decided on the proposed changes, they would be submitted to the vote of the people.

M. Picard, M. Martel, the Marquis d'Andelarre, and M. Jules Favre also spoke; and, after a division, the discussion was adjourned to the following day.

At the sitting on the Tuesday M. de Choiseul and Count de Kératry demanded to interpellate the Government in case it should persist in the plebiscitum. They required, first, that it should submit the measure to the consideration of the representatives of the country; and secondly, that they should insert in it a declaration that the Senators were to be chosen by the electors. The adjourned debate on the interpellation concerning the constituent powers was then resumed. Baron Jerome David strongly supported the plebiscitum, and declared it to be the only means of replacing every thing in its proper position, and clearing the ground from Parliamentary intrigues; he had rallied frankly to Constitutional Government, but he was always ready to pay a fitting tribute to the results of personal power which had given to France eighteen years of repose, order; and security. M. Pelletan here interposed, "*Of shame and of crime!*" Great tumult followed, and on his refusing to withdraw the offensive terms, he was formally called to order. M. Gambetta afterwards spoke, and was replied to by M. Ollivier; and after some observations from M. Jules Simon, the discussion closed. M. Guyor de Montpayroux declared that the whole incident was a piece of juggling; and on the Marquis de Talhouet objecting to such language, an altercation ensued. Finally, the objectionable term was withdrawn. Several orders of the day were presented, but M. Ollivier declared that the Cabinet would only accept the following:—"The Legislative Body, after having heard the declarations of the Ministry, and confiding in its devotedness to the Im-

perial and Parliamentary Government, passes to the order of the day." This declaration was signed by Duke d'Albuféra and others of the Right Centre, and by M. Brame and other Deputies of the Left Centre. On a division the numbers were:—for, 227; against, 43. In consequence the Legislative Body adopted the order of the day, so disposing of M. Grévy's interpellation.

The retirement at this juncture of the two members of the Cabinet on whom the Liberal party placed most reliance, MM. Buffet and Daru, did not tend to strengthen public confidence in the newly initiated policy. Jules Favre accused the existing Ministers of being the complaisant servants of personal power; and when told by the Minister of Public Instruction that the extreme opposition party were in reality the worst enemies of freedom, replied that he and his allies were faithful to the principles of 1789 and to the national will.

On Thursday evening (14th) the Deputies of the Left held a meeting at the residence of M. Crémieux to decide how the Radical party ought to vote on the plebiscitum. The discussion between the Irreconcilables and the less violent Oppositionists was so vehement that M. Glais Bizoin had to interpose with an appeal to concord. It was eventually decided, on the motion of M. Gambetta, to draw up a manifesto, to be signed by delegates of the people as well as by the Opposition Deputies, setting forth that the new Constitution did not realize the wishes of the nation; that it left personal Government intact; and that the right of the Sovereign to appeal to a plebiscitum was nothing but the perpetual menace of a *coup d'état*. Fourteen Deputies and eight journalists signed the manifesto.

The Corps Législatif adjourned its sittings till after the vote by the plebiscitum should have been given, the day originally chosen for that proceeding, the 1st of May, being altered for the 8th.

As the appointed day drew on, all parties busied themselves, either to further or to retard the issue so much desired by the Emperor. Committees were formed, and the agents both of Imperial and of Republican propaganda were every where on the alert. The Emperor himself addressed the following proclamation to the nation at large:—

"The Constitution of 1852, drawn up by virtue of the power you entrusted to me, and ratified by the eight millions of votes which re-established the Empire, has given to France eighteen years of calm and prosperity not unattended with glory. This Constitution has secured order, and has at the same time left a way open for every improvement; and, indeed, the more security has been consolidated, the larger has been the share accorded to liberty. But successive changes have altered the bases of the plebiscitum, which could not be modified without a fresh appeal to the nation. It became, therefore, indispensable that the new Constitutional fact should be approved by the people, as were formerly the Constitutions of the Republic, and of the Empire. In those two epochs the belief was, as is my own belief at the present time, that every

thing done without you is illegitimate. The Constitution of France, Imperial and Democratic, when confined to a limited number of fundamental regulations which cannot be changed without your assent, will have the advantage of rendering definitive the progress that has been accomplished, and of shielding the principle of Government from political fluctuations.

“Time, too often lost in fruitless and passionate controversies, may henceforth be more advantageously employed in seeking the means of increasing the moral and material wellbeing of the greatest number.

“I speak to all of you who, since December 10th, 1848, have surmounted every obstacle in order to place me at your head; to you who, for twenty-three years, have incessantly added to my greatness by your votes, supported me by your co-operation, and rewarded me by your affection. Give me another proof of your confidence. By balloting affirmatively you will conjure down the threats of revolution; you will seat order and liberty on a solid basis; and you will render easier for the future the transmission of the crown to my son.

“Eighteen years ago you were almost unanimous in conferring the most extensive powers on me. Be now, too, as numerous in giving your adhesion to the transformation of the Imperial regime.

“A great nation cannot attain to its complete development without leaning for support upon institutions which are a guarantee both for stability and progress.

“To the request which I address to you to ratify the Liberal reforms that have been realized during the last ten years, answer ‘Yes.’

“As to myself, faithful to my origin, I shall imbue myself with your thoughts, fortify myself in your will, and trusting to Providence, I shall not cease to labour without intermission for the prosperity and greatness of France.

“NAPOLEON.”

Just at this time a new chapter of “the unforeseen” came in to bewilder the public mind. It was said that a plot had been discovered against the Emperor’s life. The circumstances were stated to be these:—The French police had warning from London that a man named Beaury, a deserter from the French army, had left for Paris. As it was known that this man was in constant communication with Gustave Flourens, the Belleville agitator, who had made himself so conspicuous on the occasion of the Rochefort riots, it was now believed or asserted that he must have something to do with a treasonable conspiracy, of which the police had already discovered traces. On the intelligence from London the Prefect of Police instituted an immediate search for Beaury. He was arrested, and discovered to be in possession of several compromising documents, among them a letter from Flourens. Beaury, who was a youth of not more than twenty-three years of age, confessed his

intention of shooting the Emperor at the first favourable opportunity. On the afternoon of the following day the police attempted to seize a party of men whom they had been watching for some time past, but owing to assistance given by the people in the neighbourhood, all but one managed to escape. Their lodgings were immediately searched, and at the house where one of them, named Roussel, lived, there was found a box containing twenty-one bombs, together with nails, tubes, and wire handles, and a receipt for making picrate of potassium, contained inside a bust of Garibaldi. An English revolver, precisely similar to that found on Beaury, was also discovered. Roussel himself was sought for in vain, but the maker of the bombs came forward, and related that a man giving the name of Renard had ordered them, saying they were wanted for a new kind of velocipede which he had invented.

A few days after these events a letter was published from M. Ollivier to the Emperor, together with a long report from the Procureur-General, M. Grandperret, on the plot of whose existence Government believed itself to have discovered indications some months previously, indications which the recent arrests had apparently confirmed. An imperial decree was immediately issued, convoking the High Court of Justice to try the conspirators.

On Sunday the 8th, the day appointed for the voting by universal suffrage, Paris was crowded with troops. A large body of artillerymen with several pieces of cannon were stationed in the courtyard of the Luxembourg, and a regiment took up its sleeping quarters inside the palace.

The voting passed off quietly in the metropolis. It had been anticipated that the majority would have been adverse to the Emperor's appeal, and it was so; but that majority amounted to 30,000 only, which was a less proportion than the last elections to the Corps Législatif had seemed to render probable.

The Government met with an adverse vote also from almost all the great cities. Lyons, Nantes, Marseilles, Bordeaux, Brest, Cherbourg, Toulon, Angers, Rouen, and several besides, recorded a majority of *noes*; and the general result of the town voting was considered highly satisfactory by the ardent Revolutionists. It was noticed, however, as an odd circumstance, that while the free-trade towns opposed the Empire, the manufacturing towns of the north, which complained of its commercial policy, voted in its favour. Rouen indeed was an exception; but at Rouen the suffrages were almost exactly balanced, and Imperialism only carried the day by one vote. On the other hand the rural population showed themselves Napoleonists almost to a man. The army also of course swelled the affirmative vote; but here the Emperor met with an amount of opposition which though expressed in a minority inconsiderable in comparison with the majority, still for the first time shook his trust in that body of his subjects on whom he had most entirely relied for the conservation of his Empire. The army recorded over 50,000 votes against him.

The whole result of the plebiscitum in France, showed upwards of seven millions of affirmative, and one million and a half of negative votes; the exact numbers being 7,257,379 and 1,530,000. Besides this was the Algerian vote, about 41,000 against something more than 19,000. The Imperialist party considered it a triumph, inasmuch as it expressed a more loyal state of public opinion than did the parliamentary election of 1869. The Republicans exulted in pointing out that the eight million voices which hailed Napoleon to the Empire in 1852 were no longer to be counted as representing the acquiescence of France after experience of eighteen years of personal rule. But it was the vote of the army which really troubled the Emperor, and in spite of the calm face he put upon it, the certainty of a growing defection in that cherished quarter rankled in him, till it led, along with other influences, to those sinister results which will have hereafter to be recorded. Meanwhile he took care to deny the impression it had made upon him. In a letter addressed to Marshal Canrobert, and by him communicated to the troops of the army of Paris, he said, "Rumours so ridiculous and exaggerated have been spread in reference to the vote of the army, that I feel myself prompted to request you to assure the generals, officers, and privates under your command that my confidence in them has never been shaken. I ask you to inform General Lebrun, especially, that I congratulate him and the troops under his command on the admirable firmness and cool self-command of which they have given proof during the last few days in the suppression of those riots which are troubling the capital."

Many thought he betrayed his uneasiness unwisely in taking any notice at all of these rumours. The riots in question occurred after the plebiscitum was over, on the evening of Monday the 9th, and again on the following day. On the first evening barricades were formed in the Faubourg du Temple, and its neighbourhood, but a body of mounted Chasseurs and Gardes de Paris succeeded without much difficulty in clearing the streets. On the Tuesday the rioting was rather more formidable. On this occasion the mob succeeded in forming four barricades; one in the Rue Fontaine du Roi, another in a little street leading to the church of St. Joseph, and two in the Rue St. Maur. They were taken, however, easily enough by the military, and no more attempts were made to renew them.

On the 21st the formal announcement of the result of the plebiscitum was made to the Emperor, in the Salle des Etats of the Louvre, a hall conspicuous as having been the scene of the principal state assemblages since the institution of the Second Empire. The renewal of the Empire's life, as it were, by the recent contact with its mother earth, was to be solemnized with all due ceremonies. The Place du Carrousel was lined with soldiers, and crowded with carriages bringing ministers, marshals, ambassadors, senators, deputies, civic functionaries, high dignitaries, and councillors of state, to greet the sovereign whose rule and policy had just received the sanction of his people's approval. He himself stood on a dais,

surrounded by the whole of the imperial family. The moment he entered the hall, a shout of acclamation arose and was prolonged until M. Schneider as President of the Corps Législatif advanced to deliver his speech on behalf of that body.

"It is eighteen years," said the President, "since France, worn out by subversion, eager for security, confident in your genius and the Napoleon dynasty, transmitted to your hands, with the Imperial Crown, the authority and power which public necessity required. The expectation of the nation has not been deceived. . . . After twenty years' reign the people, now in its absolute independence, and under conditions which attest the progress and virility of our public customs, has pronounced its approbation with a degree of unanimity the force of which cannot be questioned. In welcoming the Empire by more than seven millions of suffrages, France says to you, 'Sire, France is with you; go on confidently in the path of all realizable progress, and establish liberty, based on respect for the laws and the constitution. France places the cause of liberty under the protection of your dynasty and of the great bodies of the State.'"

The Emperor, in his reply, began by thanking the nation which for the fourth time during twenty-two years had given him "a striking token of its confidence." The ratification by the people of a constitutional reform had been, his Majesty said, the sole object of the plebiscitum, but the discussion had been carried farther, and "the adversaries of our institutions" had raised the question between the Revolution and the Empire. The country had solved the question "in favour of the system which guaranteed order and liberty." The government, thus strengthened, would show its force by its moderation. It would not deviate from its liberal course; "respecting all rights, it will protect all interests without keeping in mind dissident votes and hostile manœuvres. But it will also know how to make respected the national will which has been so energetically manifested, and will maintain it in itself and above all controversy." The Emperor went on,—“ Freed from the Constitutional questions which divide the best minds, we must have but one object in view. To rally round the Constitution which has just been sanctioned by the country, by the honest men of all parties; to ensure public security; to calm party passions; to preserve the social interests from the contagion of false doctrines; to find by the aid of the highest intellects the means of increasing the greatness and prosperity of France; to diffuse education; to simplify the administrative machinery; to carry activity from the centre, where it superabounds, to the extremities where it is wanting; to introduce into our codes of law, which are monuments, the improvements justified by experience; to multiply the general agencies of production and riches; to promote agriculture and the development of public works; and finally, to consecrate our labour to this problem, always resolute, and always seeking to find the best reparation of the burdens which press upon the taxpayers—such is

our programme. In realizing it, our nation, by the free expansion of its powers, will advance the progress of civilization." In conclusion the Emperor said, "We must at the present time more than ever look fearlessly forward to the future. Who, indeed, could be opposed to the progressive march of a dynasty founded by a great people in the midst of political disturbances, and which is fortified by liberty?" Loud cheering followed the delivery of this new imperial manifesto, and was continued until the imperial party quitted the hall.

The partial reconstruction of the Ministry followed close upon the plebiscitum. Three places in the Cabinet of the 2nd of January, vacant by the resignations of Count Daru, M. Buffet, and the Marquis de Talhouet, had to be filled, and it was thought decorous to wait until the national will had pronounced upon the Constitution as the Emperor had remodelled it. The new arrangement was as follows; the Duc de Gramont, Minister of Foreign Affairs; M. Mege, Public Instruction; M. Plichon, Public Works. A new post of Vice-President of the Council was created, which Ollivier took to himself.

Of the new appointments none was so significant at the time, none was destined to such fatal associations in men's memories, as that of the Duc de Gramont to the Ministry of Foreign Affairs. Gramont had been Ambassador at the Court of Austria, was a pliant courtier of Napoleon III., a friend of personal government, and had no sympathies whatever with parliamentary rule; moreover, his anti-Prussian proclivities were well known, and the news of his appointment, together with the mutinous vote of a portion of the French army, awoke even at that period a feeling of uneasiness at Berlin. Baron Werther, the Prussian Ambassador at Paris, however, reported that, having sounded Gramont's sentiments in a personal interview, he had received from him the most pacific assurances.

Violent and precipitate in action as his after-conduct proved the new Minister to be, he was but the means of forcing a political card which the Emperor had already in his hand, and which the army vote tempted him to contemplate with more attention than he had yet ventured to give it. A more cautious statesman at the Foreign Office would have discerned and corrected the misrepresentations of the shallow diplomatic agents who had been for a long time past commissioned to study the opinions, feelings, and material resources of the minor German States, and who reported on the authority, not of the multitude or of the middle classes, but of the "best society" generally, that dislike of Prussia was everywhere combined with a desire to rely on the protection of France, and that the armed interference of the latter power to prevent Prussia's further aggrandizement would be hailed with delight, and met with efficient co-operation. Marshal Lebœuf, the Minister of War, gave his master no less erroneous impressions of the existing state of preparation of the French army than did Gramont of the state of political feeling in Germany. Had that master been what he was a few years before, he would hardly have been satisfied with accept-



ing the second-hand statements of his officials. So it seems, however, that about this time, in his hours of meditation, a new vision of the future took shape. Should occasion arise for that war with Prussia which French politicians had been thinking about ever since Sadowa, the active employment of his vast military forces would, in all probability, lead to triumphs gratifying to the nation, and would be the best possible means of restoring good humour to the army itself, the class of his subjects with whose support he and his dynasty could least dispense. And besides and beyond this, to lead him on, there was the *ignis fatuus* of the Rhine frontier, for which popular statesmanship and sentiment had entertained an inveterate hankering ever since its brief possession by the Great Napoleon. The mechanical improvement in the weapons of offensive warfare had been for some time past a subject of intense personal interest to the Emperor. He had reason to believe that the last inventions would render his armies nearly invincible. If speculations such as these were tending to arouse the Emperor from his habitual irresolution, there was assuredly nothing in the apparent result of his experiment in the path of political constitutionalism to make him satisfied with the "situation" at home. The excitement of the plebiscitum and the appointment of the new Ministers were followed not by a frank and cordial rally of strength to the Government, but by another period of distrust, suspicion, and petty quarrels. M. Ollivier, who had not concealed his uneasiness when the first town votes were announced on the 8th of May, allowed his confidence full play again when the Legislative body resumed its sittings. He was not really trusted by any party,—his impulsiveness and want of consistency made it impossible to know with whom he meant to act. At the same time all parties were languid and dispirited. The political situation was not thoroughly understood by the moderates either of the Right or Left. The extremes on each side alone were conscious of their aims. Nay, the Radicals themselves were divided in their shades of opposition. M. Ernest Picard tried to rally round him a force which should take rank as the Constitutional Left; or, to use his own hair-splitting expression, "the right wing of the army of the Left." M. Gambetta, one of the Paris deputies, repaired to Belleville, the head-quarters of the "Irreconcilables," and traced the programme of a new political Radicalism, which should preserve the name though not the essence of the local disaffection. He repudiated all anarchy, he would have no recourse, he declared, to violence, or riots, or conspiracies; assassins he would deliver with merited scorn to the rigour of the law—his party, he said, should learn to govern themselves before pretending to govern others; it was needful that it should reconcile itself with France, should teach France to have confidence in it again, should show that it did not menace either the moral interests or the material interests, or the social security of the nation. Respect should even be entertained for that universal suffrage which had played the Emperor's game; "for," said Gambetta, "it matters little to

France whether it is governed by this man or by that, provided it be well governed"—All this was moderate doctrine for a so-called "Irreconcilable." If Gambetta, in the political inclinations of the time, stood at the "left" of Ernest Picard, he was assuredly very much to the right of the noisy disorderly crew who owned Rochefort and Flourens as their inspirers. Of this Gambetta we may here pause to say a few more words. He was a young man, not above thirty-two years of age, of Genoese extraction, but born in the south of France. Gifted with great powers of eloquence and an ardent temperament, he had made within the last two years a considerable reputation at the bar, having first attracted notice when he spoke as counsel for the accused under the Government prosecution of 1868. He was returned to the Corps Législatif as one of the Paris deputies in the following year, and immediately distinguished himself by his uncompromising attacks on the imperial policy, and his advocacy of democratic principles. He had more statesmanship, however, than Rochefort, Flourens, and the rest of the Belleville clique, and did not commit himself to any rash alliance with them; more courage and consistency than Ollivier, lately at the head of the party to which he belonged; more fire and enterprise than Ernest Picard.

When the Corps Législatif resumed its sittings, the disruption of parties and uncertainties of their mutual relations were daily more and more conspicuous. The Right Centre, led by Baron Jerome David, seemed merely waiting for an opportunity to overthrow the Ministry. M. Buffet and his friends of the Left Centre admitted that they were giving the Cabinet their support solely in hope of obtaining from it the electoral law, which ought to precede the impending dissolution of the Chamber. M. Ernest Picard's new section of Liberals professed themselves disposed to accept the Empire and the Napoleonic dynasty, but without abating any of the demands on behalf of public freedom which the "Left" in general had advocated for the last thirteen years. The Cabinet seemed to exist on little more than sufferance, or the mutual interest of the various sections of the Chamber in keeping it as the figure-head of the State. It was not a dignified position; but M. Ollivier's vanity or shortsightedness seemed to render him satisfied with it.

At the sitting of the 3rd of June an amendment brought forward by M. Duvernois authorizing reports of the sittings of the Councils-general, and another making the sittings themselves public, were adopted by majorities against the Ministry. On the following day M. Bethmont made an interpellation on a matter connected with these Councils, which brought on an animated debate. During its course M. Ollivier alluded to the check which the Ministry had experienced the day preceding, and called on the Chamber to vote for the order of the day "*pur et simple*;" "Otherwise," he said, we shall believe we have lost its confidence." Upon this Baron Jerome David protested against making a matter of the kind a

Cabinet question; such a course being, he maintained, an act of intimidation. He taunted the Government with being a "Ministry of indecision, adopting at times an arbitrary tone, which their predecessors would never have dared to assume, and at other times an ultra-liberal language that was positively alarming. Still," he added, "as I am unwilling to run the risk of disorganizing the country I shall vote with you." M. Ollivier replied that there existed a feeling of distrust against the Ministry among a certain portion of the Chamber, checking that sympathy which rendered solutions easy and combats light. "Such a situation," he continued, "is false for every one, and we take advantage of the first opportunity to escape from it. We cannot consent to offer to the country the spectacle of men who cling to a power which is escaping from them. I do not, therefore, accept the vote of Baron Jerome David in our favour." At this Baron Jerome David rose to explain, and ended by apprising the Government that in the vote of the day before his party had "given them a first warning." M. Clement Duvernois added an equally insulting observation from the Right, to which he belonged. His party, too, he said, were only biding their time. When the question came to the vote, however, the order of the day, pure and simple, was carried without a division, the Left abstaining from voting in a body. It had been brought to an issue of confidence or no confidence in the Ministry, and none of the hostile parties were as yet prepared to oust them. Taunts and recriminations continued not the less to be bestowed upon them at almost every sitting of the Chamber; and between the distrust of the Sovereign and the distrust of the people, they assuredly occupied a position which was none of the most dignified in a moral point of view. That the Sovereign was playing a game of his own behind their back was evident from the affair of M. Clement Duvernois, which next attracted notice. A few days after the vote of the 4th of June there appeared in the *Moniteur Universel* (evidently with Ministerial approval) an article which informed the public that the Emperor was more than ever determined to support the Cabinet "in the difficult task of combining the principle of authority with the rights of liberty;" and that in order to give the Ministry a signal mark of confidence, the Sovereign had determined to take efficacious measures to prevent the recurrence of the singular incidents which had marked the parliamentary skirmishing (*escarmouche*) of the 3rd and 4th." The writer then proceeded to explain the origin of that *escarmouche* in these words:—"It is well known that a certain journal which is supposed, rightly or wrongly, to be the reflex of the Emperor's opinion, had declared war against the Ministry. This journal hinted very plainly that the Chamber would be doing the Emperor good service by driving from office Ministers who no longer enjoyed his confidence. The devoted loyalty of the Right was misled by these insinuations, and the deputies belonging to that fraction of the Chamber joined their votes to those of the Left,

thereby endangering the safety of the Cabinet. But on the morrow the faithful of the Right, having made due inquiry, found out to their great surprise that they had been led into error, and that their coalition with the Irreconcilables had been in no way agreeable to the Sovereign." So on the morrow, adds the journalist of the *Moniteur*, they were obliged "to adore what they had burned" the day before. But such manœuvres, he says in conclusion, implicate most unfortunately the responsibility of the Sovereign and the dignity of the Ministry; he therefore rejoiced that "efficacious measures" were to be taken to prevent their return.

The journal alluded to as reflecting the Emperor's opinions, was *Le Peuple François*, edited by M. Clement Duvernois. His confidential dealings with the Tuileries were no secret. More than one article of his journal, in former times, was known to have been revised and corrected, if not altogether written, by the Emperor; and his interviews with him were not unfrequent at the present time. M. Ollivier therefore called the Emperor's attention to the necessity of disowning or discontinuing the supposed complicity; and the result was that Duvernois retired from the editorship, assuring his readers, however, that he had "voluntarily quitted, though not without regret, the journal which he had founded," because the policy he advocated was too "bold and liberal" for the paper.

A debate took place on the 20th of June relative to a proposed new railway through the pass of St. Gothard, for which a convention had been concluded in the preceding October between Prussia, Switzerland, and Italy. Subsequent events gave an interest to the subject greater even than was felt at the time, though no small amount of irritation was even then entertained by those politicians who were jealously sensitive to any possible diminution of the external influence of France, and who saw in every advantage gained by Prussia a source of disquietude.

The discussion of the subject drew numerous auditors to the Legislative Chamber; the galleries were filled with ladies. The Duc de Gramont's reply however to the question raised by M. Morny was pacific. He said he would not follow an example given elsewhere, and appeal to patriotism which in France it was unnecessary to excite. If Swiss neutrality were menaced France would be the first to defend it. But Government was perfectly at ease respecting the political consequences of the new St. Gothard Railway, and was neither bound nor indeed entitled to oppose it.

On this ground then it was clear Ministers were not minded to dare the extremity of a quarrel with Prussia; but every fresh cause of public disquietude connected with that Power seemed to bring the probability of a collision nearer; and it was now repeated from mouth to mouth, that France must be on the alert, and not allow herself to be placed in such a position as that she was forced to accept after Sadowa. There was much talk of the great camp at Châlons, where 30,000 men were now assembled, and where the Prince Imperial was to go and receive lessons in military engineer-

ing from his governor, General Frossard. It was said that Châlons was to be made a large entrenched camp and *place d'armes*, capable of sheltering a *corps d'armée* in case of war, and of constituting a magazine for the first army entering the field.

A petition was laid before M. Schneider in the Corps Législatif, at the sitting of the 21st, which led public thought and discussion into a new train. The Marquis de Piré had lately proposed to the Chamber to repeal the law of exile. Encouraged by this suggestion the banished Princes of the House of Orleans now signed a request for the abrogation of the edict in force against themselves. The letter was addressed to the Chamber, and was dated, Twickenham, June 19th. In it the Princes said, "Messieurs les Députés—You have had laid before you a proposal to abrogate the exceptional measures levelled against us. In the face of this proposition we feel bound not to remain silent. Since 1848, under the Government of the Republic, we have protested against the law which exiles us, a law which nothing justified then, and nothing has justified since, and we now renew our protest before the representatives of our country. It is not a favour that we ask; it is our right, a right which belongs to all Frenchmen, and of which we alone are despoiled; it is our country to which we ask to be restored—our country which we love, which our family has always loyally served, from which not one of our traditions separates us, and whose name alone ever makes our hearts beat; for nothing can compensate the exiled for their absent country." This address was signed by the Count de Paris, the Prince de Joinville, the Duke d'Aumale, and the Duke de Chartres. The Duke de Montpensier and the Duke de Nemours did not sign; the first, as was said, because he had become a Spanish citizen, and the second because he wished to consult his absent sons. The letter was referred by M. Schneider to the Committee on Petitions of the Corps Législatif, and on the demand of M. Ollivier, who argued that it ought to have been addressed direct to the Emperor, it was rejected there by eight votes against one. However it was recommended to the Chamber for a full discussion; and this discussion took place on Saturday, the 2nd of July.

The most interesting speech on that occasion was delivered by M. Estancelin, an old schoolfellow of the citizen Princes, who stood up to advocate their cause. He laid great stress on the way in which the Prince de Joinville and the Duke d'Aumale, when the Government of July was overthrown, accepted the decision of the nation, and retired, the one from his command in the Navy, the other from the Army in Algeria. The Princes, he said, had no hereditary right to the throne. Their family had been called by the nation to reign; it had been deposed by the nation, and its members were consequently French citizens, and nothing more. M. Estancelin, who spoke throughout with a moderation which was of great service to the cause of the Princes, denied that they were conspirators. He gave a brief sketch of the conduct of the peti-

tioners during their exile, winding up with a reference to the very creditable manner in which the Duke de Chartres had conducted himself during the Italian campaign, never seeking to get into communication with French officers. For twenty years the Orleans Princes had respected the country, and it was right that the law of proscription should be now rescinded.

M. Ollivier urged, on the other hand, that there were situations stronger than individuals, and that the Princes, if allowed to return, would become centres of disorder and intrigue in spite of themselves. M. Jules Favre, speaking in favour of the petition, took occasion to remind M. Ollivier how a similar law of proscription had been set aside in the case of the present Emperor, adding that the way in which *he* had observed the promises then made might, indeed, be some excuse for suspicion in the present case. M. Grévy, though an austere member of the Left, spoke against the petition, and qualified its supporters as dupes and accomplices, thereby causing a split between himself and M. Favre, and a violent remonstrance from the last-named gentleman. In the end, the petition was negatived by a majority of 143.

A debate which took place on the 1st and 2nd of July, on the Ministerial Bill for fixing the army contingent for 1870 at 90,000 men, deserves special attention in connexion with the catastrophe which this very month was to bring forth, and not least for that sanguine utterance of M. Ollivier, to which events were about to give the lie in so signal a manner. M. Latour opposed the reduction of the contingent on account of the military organization of Germany. M. Garnier Pagès contended that the French system was the most irksome for the people and the most costly to the country, and said that the military expenditure of France exceeded that of Prussia and Austria put together. He advocated an obligatory service for two years on active duty and five years in the reserve, and the compulsory education of the soldiers. M. Jules Favre made a speech, in which he said that the maintenance of the law of 1868 would weaken or ruin France. M. Thiers, he observed, should come to an understanding with his new clients respecting the position of France towards the other States of Europe. This called up M. Thiers, who denied that he had become a Ministerialist, observing, "We have not entire liberty, but some steps have been taken towards it. The two conditions of peace are—first, to be pacific; secondly, to be strong. Prussia requires to be pacific, in order to attract the South of Germany. We need to be pacific in order not to give it her." M. Thiers maintained that after Sadowa it was impossible for France to dispense with her army. Then M. Ollivier, replying to a question of M. Jules Favre, said, "*The Government has no uneasiness whatever. At no epoch was the peace of Europe more assured. Irritating questions nowhere exist.* The European Cabinets understand that treaties should be maintained. We have developed liberty to assure peace, and the accord between the nation and the Sovereign has achieved a French Sadowa, the plebiscitum." M. de Kératry re-

proached M. Ollivier for using the expression, "A French Sadowa." M. Ollivier replied that he attached no meaning of victory or defeat to that expression. The plebiscitum had, however, given the same strength to French policy as Sadowa had to Prussia. M. Ollivier repelled the insinuation of M. Jules Favre, that the will of the Emperor controlled the Ministry. On the contrary, he said, no Sovereign more loyally followed the parliamentary system. M. Jules Favre rejoined, "If all this be true, why not disarm?" This brought on such a tumult that M. Favre was unable to finish his speech, and the House adjourned. The following day the debate was resumed. M. Glais Bizoin's amendment, proposing to fix the contingent at 80,000 men in 1871, was rejected by 191 votes against thirty-nine, and the bill fixing it at 90,000 men for that year was subsequently adopted by 203 votes against thirty-one.

It was just about the same time that in England the Under-Secretary for Foreign Affairs had made to Lord Granville, the newly appointed Minister for his department, a statement similar to that of M. Ollivier in the French Chamber. "Never in his experience," he said, "had there been such a lull in foreign affairs." In point of fact the subject which troubled the French public most at present was one wholly unconnected with politics of any sort. It was the intense and every where prevailing drought, which under the scorching sun of this unusually hot summer, threatened to exhaust all the productive powers of the earth. The Emperor gave orders that the forests belonging to the Crown, as well as those of the State, should be thrown open for grazing purposes to the cattle of the landowners in the provinces. The Minister of War, it was reported, had decided to sell some of the horses belonging to the army, on account of the scarcity of fodder. Strict regulations as to economy in the use of water at Paris were issued. In some places religious processions were organized, prayers offered up, and relics carried round the churches, to propitiate the favour of heaven.

The ravages caused by small pox at Paris had of late been a matter of serious uneasiness. Two hundred and thirty-eight deaths took place in one week in June. The Emperor, whose health was disordered during the early part of this summer by rheumatism or gout, or, as some would have it, by yet more serious maladies, put off his accustomed departure for St. Cloud till the 18th of June. Before leaving the Tuileries, he admitted to an interview his newly appointed Envoy to the United States of America, M. Prevost Paradol, whose acceptance of this post under Government, from a Minister as Imperialist and reactionary in his principles as the Duc de Gramont, was not a little commented upon by his friends of the Liberal party. As a writer, M. Prevost Paradol had long been well known and admired. He had devoted himself to political pamphleteering, and his sarcasms and inuendoes against the Emperor and his regime were models of that dexterous art which can inflict wounds without baring the hand that strikes them. Yet he had, on occasion, been compelled to suffer for his hos-

tility. His reconciliation with the supreme power at this period was a proof of Napoleon's placability as well as of the motives of political expediency by which he allowed himself to be governed. What Paradol's compliance cost himself was revealed by the terrible catastrophe the news of which came to his friends at home on the 19th of July. The intelligence of the fatal complication with Prussia had reached him on his arrival at Washington. He saw the Government to which he had just pledged himself rushing on a career which of all others he would most have deprecated—playing a fearful and desperate stake for Imperialism and the Dynasty. He felt his false position towards his ancient friends of the Opposition Left, he grieved over the coldness or reproaches with which they had already visited his defalcation from their ranks; add to this the withering, exhausting heat of that tropical July acting on a sensitive constitution. The result was a total upsetting of the mind's balance, which led to his death by his own hand—still a young man as years are counted, with apparently several decades of life to work in, and a career of distinguished promise.

The Budget for 1871 occupied three days of debate in the Corps Législatif. The amount required was 2,236,988,589 francs, or 90,439,143*l.* sterling, of which half was for interest on national debt, endowments, customs, excise, and collection of taxes, one-third for Army and Navy, and between two and three hundred million francs only for the interior service of the empire. The opposition to it was lively, and the Ministerial defence not very successful, M. Ollivier's chief assertion, by way of argument, being that France was at that moment in a state of unexampled prosperity.

The trial of the prisoners implicated in the supposed conspiracy against the Emperor's life was fixed to take place before the High Court at Blois on the 18th of July. Upwards of seventy persons were on the list. Ultimately it took place in August, but attracted little attention amid the pressure of greater events.

Another trial that created great interest was one connected with the International Workmen's Society, on occasion of the seditious acts which had accompanied the recent strikes of operatives at Creuzot and elsewhere. The Public Prosecutor opened the judicial proceedings with a history of the society in question, which he denounced as a secret league, menacing every one with danger, and imbued with the rankest doctrines of Communism. On behalf of the defence it was denied that the society in question was a secret society, or that its object was to foment strikes. Some of the prisoners, moreover, maintained that they did not themselves belong to the society. After much wrangling between the Public Prosecutor and the accused, the Tribunal at last gave sentence. Seven of the accused were condemned to a year's imprisonment, and a fine of 100 francs, and deprivation of civil rights for an additional year; and twenty-seven to two months' imprisonment and fifty francs fine; five were acquitted for want of evidence. While this



judgment was being given, intelligence was received in Paris of a great strike that had taken place at the large manufacturing town of Mulhouse, in the department of the Haut Rhin, among a population almost exclusively German in their descent. Beginning with the carpenters and cabinet-makers, it had spread to other trades, till 16,000 hands had quitted their several employments. Troops arrived with a battery of artillery, but they could not prevent the burning of a large factory. It had been preceded by several strikes in the south—at Marseilles, Perpignan, and other places.

## CHAPTER II.

### FRANCE (*continued*).

Prince Leopold of Hohenzollern Sigmaringen's candidature for the crown of Spain—Alarm and anger of the French Government—Remonstrances with Prussia—Explanations in the Chambers—Declaration of War, July 19th—Preparation and Arrangement of French forces by land and sea—The Emperor's arrival at Metz—Proclamation—German Armies—Engagement at Saarbrück—Battles of Wissemburg, Wörth, and Spicheren—Retreat of the French Army—Disturbances at Paris—Resignation of Ministers—Paris placed in a state of defence—Prussians cross the Frontier—Battles near Metz—MacMahon's n.e. march from Chalons—Pursuit by the Crown Prince—Battle of Sedan—Capitulation of the Emperor and entire Army—Excitement in Paris—Republic proclaimed—Provisional Government—Manifesto of Jules Favre—Bismarck's Counter-Manifesto—Political parties—Defences of Paris—Its investment by the Germans—Second Circular of Jules Favre—Unsuccessful negotiations for an armistice—Fall of Laon, Toul, and Strasburg.

In the beginning of July an announcement was made by the Spanish Ministers, of their intention to recommend Prince Leopold of Hohenzollern Sigmaringen, a German prince belonging to a branch of the house widely separated from that which reigned in Prussia, to the long-vacant throne of Spain. Now this was not the first time this Prince's name had been heard by French statesmen in connexion with the candidature. Marshal Prim had stated in the Cortes early in June that an eligible candidate was likely to come forward. The Emperor's ambassador at Madrid certainly knew who was meant, and Prim in all probability believed that the choice was one which the Emperor would not disapprove. At all events, no objections were then raised on the part of France. Moreover, the personal and family circumstances of Prince Leopold allied him in some measure, it might seem, with French and Napoleonic interests. The branch of the Hohenzollerns to which he belonged was Roman Catholic; his paternal grandmother was a Murat; his maternal grandmother, a Beauharnais; his mother was of the house of Braganza Bourbon. It was more than five centuries since he and the King of Prussia had had a common ancestor. Still no doubt that king was his *chef de famille*, and the

circumstance served as the ground of a quarrel, which just then, for political and dynastic reasons, the governing party in France found it convenient to take up. Ever since the German war of 1866, France, it was well known, had existed in mortal jealousy of Prussian aggrandizement. Pretext and opportunity fitting, war with so formidable a rival in the leadership of continental Europe would have been welcome any time within the last four years to a considerable section of the French public: add to this the Emperor's personal fear for his dynasty, after the late plebiscitum had revealed a certain amount of disaffection in his army to the imperial rule; and it seemed as desirable, as it was not difficult, to light the flame of public excitement with suggestions of Bismarckian intrigues, and of design on the part of the Prussian monarch to plant a subservient relative on the southern frontier of France.

On the 4th the Chargé d' Affaires of France at Berlin presented himself at the Berlin Foreign Office to complain of the outrage to French susceptibilities caused by this step. In reply, he was told that it was no affair of the Prussian Government, and that no explanations could be furnished from that source. The following day Baron Werther, the ambassador from the North German Confederation, left Paris to join the Prussian King at Ems, and explain to him fully the state of French feeling.

On the 6th the Duc de Gramont made a speech in the Legislative Chamber. It was undoubtedly true, he said, that Marshal Prim had offered the crown to the Hohenzollern Prince, and that the latter had accepted it; but the Spanish people had not yet declared themselves. It could not be that France was bound to look on quietly if an alien power should disturb the equilibrium of Europe by placing one of her Princes on the throne of Charles V. He trusted to the good sense of the German people, and to the friendship of the Spanish people, to avert such an issue; but if it should arrive, the Government which he represented, strong in the support of the deputies and of the nation, would know how to fulfil its duties. Amidst the vehement applause which interrupted this speech, a few dissentient voices were heard. Garnier Pagès declared that the people's wishes were for peace. Crémieux protested against the Minister's declaration. Ernest Picard demanded that documents should be laid before the Chamber; Glais Bizoin and Emmanuel Arago alike deprecated the warlike tone of the oration. At Ems, application was made to the Prussian King in person, by M. Benedetti, ambassador from France to the North German Confederation, requesting him to forbid Prince Leopold's acceptance of the Spanish crown, but without success. Beyond giving his personal sanction as head of the Hohenzollern family, the King said he had had no hand in the candidature, and he declined to interfere for its withdrawal. Meanwhile, in view of the dangers to the peace of Europe which were arising, Prince Leopold himself decided on giving in his resignation, and a momentary hope arose that the threatened storm had blown over. But enough had not

been done to content Gramont and the war party in France. It was required that the King of Prussia should himself write to the Emperor Napoleon, excuse himself for having personally sanctioned Prince Leopold's candidature, take a definite part in its present withdrawal, and promise that under no circumstances should that candidature be renewed. With these humiliating requisitions M. Benedetti presumed personally to confront the King as he was taking his afternoon exercise in the public gardens at Ems. His abrupt demand was said to have been answered with a curt denial, and he was refused any further interviews.

On the 15th the following explanation was made to both branches of the French Legislature : by Ollivier in the Corps Législatif, and by the Duc de Gramont in the Senate :—

Gentlemen,—The manner in which you received the declaration of the 6th inst. afforded us the certainty that you approved our policy, and that we could count upon your support. We commenced, then, negotiations with the foreign Powers to invoke their good offices with Prussia in order that the legitimacy of our grievances might be recognized. We asked nothing of Spain, whose susceptibilities we did not wish to wound. We took no steps with the Prince of Hohenzollern, considering him shielded by the King of Prussia, and we refused to mix up in the affair any recriminations upon other subjects. The majority of the Powers admitted, with more or less warmth, the justice of our demands. The Prussian Minister of Foreign Affairs refused to accede to our demands, pretending that he knew nothing of the affair, and that the Cabinet of Berlin remained completely a stranger to it. We then addressed ourselves to the King himself, and the King, while avowing that he had authorized the Prince of Hohenzollern to accept the nomination to the Spanish Crown, maintained that he had also been a stranger to the negotiation, and that he had intervened between the Prince of Hohenzollern and Spain as head of the family, and not as Sovereign. He acknowledged, however, that he had communicated the affair to Count Bismarck. We could not admit this subtle distinction between the chief of the family and the Sovereign. In the meanwhile we received an intimation from the Spanish Ambassador that the Prince of Hohenzollern had renounced the Crown. We asked the King to associate himself with this renunciation, and we asked him to engage that should the Crown be again offered to the Prince of Hohenzollern he would refuse his authorization. Our moderate demands, couched in equally moderate language, written to M. Benedetti, made it clear that we had no *arrière pensée*, and that we were not seeking a pretext in the Hohenzollern affair. The engagement demanded the King refused to give, and terminated the conversation with M. Benedetti by saying that he would in this, as in all other things, reserve to himself the right of considering the circumstances. Notwithstanding that, in consequence of our desire for peace, we did not break off the negotiations. Our surprise was great when we learned that

the King had refused to receive M. Benedetti, and had communicated the fact officially to the Cabinet. We learned that Baron Werther had received orders to take his leave, and that Prussia was arming. Under these circumstances we should have forgotten our dignity and also our prudence had we not made preparations. We have prepared to maintain the war which is offered to us, leaving to each that portion of the responsibility which devolves upon him. (Enthusiastic and prolonged applause.) Since yesterday we have called out the reserve, and we shall take the necessary measures to guard the interest and the security and the honour of France."

Simultaneously with this exposition, a credit of fifty millions was demanded by the Minister of War, and granted, though not without energetic opposition from several members of the Left, who declaimed, some against the injustice, some against the danger and impolicy of a war with Germany.

The Senate went on Sunday to St. Cloud to congratulate the Emperor on the decision arrived at. To the populace of Paris the exciting prospect was welcome. Crowds assembled on the Boulevards, singing the "Marseillaise" and "Mourir pour la Patrie," and shouting "Vive la guerre!" "à Berlin!" "à bas la Prusse."

On the 19th of July, war was formally declared. On Saturday, the 24th, a proclamation came out. There were "solemn moments in the life of peoples," it said, "when the national honour violently excited, imposes itself with irresistible force, dominates all interests, and alone takes in hand the destinies of the country. Launched on the path of invasion, Prussia has aroused defiance everywhere, necessitated exaggerated armaments, and turned Europe into a camp where only uncertainty and fear of the morrow reigns. . . . It only remains to us to confide our destinies to the decision of arms. . . . We wish to conquer a lasting peace."

The Duc de Gramont forwarded a lengthy despatch to the representatives of France abroad, declaring that the Hohenzollern candidature had been agitated as far back as March, and as good as disavowed then by the Prussian Government at the remonstrances of France.

The sittings of the Senate and Corps Législatif were adjourned by decree.

The French declaration of war had been sudden; and most military critics expected that it would have been followed by a movement on what is termed the middle course of the Rhine, and an immediate and rapid campaign, allowing no time for the Prussians to concentrate their forces before Germany should be cut through the middle, and North and South separated. Then, such were the calculations of the French war politicians, those German States which had been unwillingly coerced in 1866 into acknowledging Prussian supremacy, would have rejoiced in the opportunity to take part against her, Austria would have re-asserted herself, Sadowa would have been avenged; and, as a final result, France would have remained arbitress of Europe, with the Rhine frontier secured to

her, and with a once more divided Teutonic nation at her side. But the mobilization of the French army brought to light grave facts which had not been previously suspected. The War Minister, Le-bœuf, when he made his official answer to the Duc de Gramont—"Ready? ay, more than ready!" betrayed a fatal ignorance of the real state of things. "I could easily have avoided the war," said Gramont afterwards, "in twenty ways." The correspondence of Napoleon, since found at St. Cloud, and published by the Prussian Government, shows how unprovided were the regiments of the imposing "army of the Rhine" with the most necessary commissariat appliances. Nothing was really ready: invaluable days were lost. The Prussians had time to mobilize their troops; the governments of Bavaria, Wurtemberg, and Baden, far more irritated by an attack on German territory from Germany's old hereditary enemy, than anxious to assert themselves against Prussia's views of unification, unanimously sent in their adhesion to the cause of King William.

But if disappointed in the numbers and the general preparation of the troops under their command, the French commanders at all events placed great reliance on the military weapons which were to be made use of. Ever since 1866 attention had been directed to every means by which the formidable needle-gun of the Prussian infantry could be surpassed; and the chassépôt had already, in the anti-Garibaldian contest of 1867, it was thought, given proof of its capacity to carry bullets to farther ranges, and of its being more readily manageable by the holder, and therefore more deadly in its effects, than the weapon which had won the Seven Days' War.

More recently too, a terrible instrument of death had been invented and put into the hands of the French artillery soldiers. This was the *Mitrailleuse*, a small movable cannon-revolver, which could discharge, from its various mouths between three and four hundred bullets in the space of one minute. With chassépôts and mitrailleuses at their command the officers and soldiers still believed in easy victory.

The French force extended about 150 miles in a slightly curved line from Strasburg to the frontier of Luxembourg. It was divided into seven corps, besides the Imperial Guard. MacMahon commanded the 1st Corps, with his head-quarters at Strasburg. Next in order, northwards, came De Failly with the 5th Corps, near Saargemund (Sarreguemines); then Frossard, with the 7th Corps, opposite Saarbrück; then General L'Amirault, with the 4th Corps; and last on the line, Bazaine, with the 3rd Corps, stationed at Sierck, to the north of Thionville. The 7th Corps under General Felix Douay occupied Belfort, in the Upper Rhine department; the Imperial Guard was at Metz, under Bourbaki; and Canrobert commanded the 6th Corps, being the army of reserve, at Châlons.

The Emperor, in a pamphlet which he afterwards drew up at Wilhelmshöhe, declared that his intention—confided to Marshals MacMahon and Le-bœuf alone—had been to mass 150,000 men at Metz,

100,000 at Strasburg, and 50,000 at the Camp of Châlons. Then immediately to unite the two armies of Metz and Strasburg, and at the head of 250,000 men, to cross the Rhine at Maxau, leaving on his right the fortress of Rastadt. Meanwhile the 50,000 men at Châlons, under the command of Canrobert, were to proceed to Metz to protect the rear of the army and guard the north-east frontier. At the same time the fleet, cruising in the Baltic, would have held a portion of the force of Prussia in check, to guard against invasion from the coast. But under bad organization and insufficient preparation this plan broke down; only 100,000 men were ready for the army of Metz; only 40,000 for that of Strasburg; Canrobert's corps was divided; neither his cavalry nor artillery were ready. To the Emperor's order, that the arrival of the missing regiments should be pushed on, reply was made that it was impossible to leave Algeria, Paris, and Lyons without garrisons. Meanwhile it was left to the Germans to take the initiative, which they did vigorously, both by the Saar and the Rhine.

The French fleet was collected in force at Cherbourg. There the Empress reviewed it on the 21st of July; after which fifteen iron-clad ships and twelve other vessels under Admiral Bouet Willaumez sailed for the North Sea and Baltic, in order to blockade the German ports, and co-operate in any future measures of invasion, should the contemplated advance of the armies on Berlin be carried out; but owing to the turn which military events in the interior took, no such co-operation was in fact required throughout the war, and the French squadron was withdrawn early in October.

Nothing happened in the field up to the end of July save the blowing-up of the bridge of Kehl, on the Baden side, by the Prussians on the 22nd, and a few skirmishes of outposts at or near Saarbrück. On the 28th the French Emperor, leaving the Empress at the head of affairs in Paris, arrived at his head-quarters at Metz, and immediately took the command of his army, to which he issued the following proclamation:—

“Soldiers,—I am about to place myself at your head to defend the honour and the soil of the country. You go to fight against one of the best armies in Europe, but others who were quite as worthy were unable to resist your bravery. It will be the same again at the present time. The war which is now commencing will be a long and severe one, since it will have for the scene of its operations places full of fortresses and obstacles; but nothing is too difficult for the soldiers of Africa, the Crimea, Italy, and Mexico. You will again prove what the French Army, animated by the sentiment of duty, maintained by discipline, and inspired with love of country can perform. Whatever road we may take beyond our frontiers we shall find glorious traces of our fathers. We will prove ourselves worthy of them. The whole of France follows you with her ardent wishes, and the eyes of the world are upon you. The fate of liberty and civilization depends upon our success.

“Soldiers! let each one do his duty, and the God of armies will be with us.

“NAPOLEON.

“The Imperial Head-quarters, Metz, July 28.”

On the 31st the King of Prussia, accompanied by Generals Von Moltke and Von Roon, arrived at Mayence and pitched his head-quarters at Kreuznach; and he likewise assumed the style of Commander-in-Chief, though for the real direction of the campaign he placed entire confidence in the combinations of that remarkable strategical genius, General Von Moltke. The Prussian forces were distributed in three armies. The command of the first army, forming the right wing of the entire force, and consisting of the 1st and 8th North German corps, was assigned to General Von Steinmetz; that of the second, or centre army, to Prince Frederick Charles, the King's nephew; it comprised the 2nd, 3rd, 4th, 7th, 9th, 10th, and 12th North German corps, and the Prussian Guard. The third army, consisting of the armies of the South, i.e. of Bavaria, Wurtemberg, and Baden, and of the 5th, 6th, and 11th North German corps, was commanded by the Crown Prince; this occupied the left of the lines in the neighbourhood of Landau and Germersheim. The whole number of these three armies amounted to about 450,000 men.

On the 2nd of August, three divisions, with 23 guns of General Frossard's division, attacked Saarbrück under the eyes of the Emperor and Prince Imperial, and shelled that open town. The Prussian advanced posts retired; but the French did not attempt to force the heights beyond, or to cross the river, and the only result apparently arrived at by this trifling military demonstration was to point a telegraphic despatch from the Emperor to the Empress, announcing that “Louis” (the Prince Imperial) had gone through his “*baptême de feu*,” and that his presence of mind had drawn tears from the soldiers' eyes.

The first serious military event of the contest wore a very different complexion. On Thursday the 4th, the Crown Prince, at the head of some regiments of the 5th and 11th Prussian, and of the 2nd Bavarian, Army Corps, surprised at daybreak a division of MacMahon's army under General Abel Douay, posted at Wissemburg, on the Lauter. The Germans, who greatly outnumbered their antagonists, stormed a strongly entrenched position at the point of the bayonet, in face of mitrailleuses and chassépots, and put the French to rout, taking 18 officers and 1000 soldiers prisoners. General Abel Douay himself was killed. This German success was followed up two days later by a great battle at Wörth, two and a half German miles south-west of Wissemburg, when the Crown Prince on his farther advance towards the passes of the Vosges encountered the main body of MacMahon's army, under the orders of the Marshal himself. Here again the French were attacked before their forces were in due strength, and the arrival during the course of the day of reinforcements from the corps of Faily did not avail to sustain them against the superior

numbers of their foes. The position of the French was admirably chosen indeed, and they contested the ground desperately for fifteen hours, but in the end the German victory was complete. Two standards, six mitrailleuses, more than 30 guns, and about 6000 prisoners fell into their hands, besides two railway trains laden with provisions, and MacMahon's carriage with all his luggage and papers. The numbers of dead and wounded on the French side were 10,000, on the German side not less than 8000.

Thus of MacMahon's army corps which, on the Thursday morning before the battle of Wissemburg, numbered nearly 40,000 men, scarce 5000 remained on Saturday night to retrace their steps, broken and dispirited, toward Châlons.

Nor was this the measure of the French disasters by the time that Saturday night arrived, for on the same day a desperate fight was going on at the heights of Spicheren, near Saarbrück, between the advanced guard of the 1st German army under General Göben, and the left wing of the French, commanded by General Frossard. Here, too, the French position was a very strong one. The fight began at twenty minutes past ten a.m., and lasted till night fall. Reinforcements came up by train on both sides. General Steinmetz arrived, and assumed the command of the Germans before the battle was over, and Prince Frederick Charles reached the field of action soon after him. The French, beaten back to Forbach, made a vigorous stand there, but the Prussians advanced their bayonets steadily up the height in the face of a deadly fire, and forced them to retreat with the loss of 2500 prisoners, and a vast store of guns, provisions, and camp equipage.

Thus the French army of invasion was routed at all points, and a general retreat upon the line of the Moselle was determined upon. Napoleon said afterwards, in his pamphlet before quoted, that he would have fallen back at once on Châlons, where Marshal Canrobert was stationed in command of the Camp of Reserve, but was prevented by the Ministry at Paris, who urged that the abandonment of Lorraine would produce a deplorable effect on the public mind.

In the capital, where false reports of French success had been industriously disseminated, great was the disappointment and rage caused by the bad news, no longer to be concealed, from the seat of war. "Marshal MacMahon has lost a battle. General Frossard, on the Saar, has been compelled to fall back. The retreat is being effected in good order. *Tout peut se rétablir.*" So ran the Emperor's telegram. It was a humiliating contrast to the *canard* which had set Paris in a frenzy of exultation on the fatal Saturday morning, with the announcement that MacMahon had routed the Prussians, taken Landau, and made 25,000 prisoners, including the Crown Prince himself!

On Sunday, at five o'clock in the morning, the Empress hurried up from St. Cloud to the Tuileries, and issued a proclamation, exhorting the people to be firm and orderly. The Corps Législatif



was summoned, Paris announced to be placed in a state of siege, and the Council of Ministers to be sitting *en permanence*.

On Tuesday the Chambers met. Ministers were greeted with shouts for Henri Rochefort and the Republic. Jules Favre demanded the deposition of the Emperor from the command of the army, and the overthrow not only of the Ministry, but of the Empire itself. A vehement discussion ensued, and the sitting was suspended. After a short deliberation the Ministers decided on yielding to the storm, and the Empress-Regent entrusted General Montauban, styled Count Palikao, a General officer who had gained his title from his success in the Chinese War of 1860, and a well-known adherent of the Emperor, with the formation of a new Cabinet. On the following day, Wednesday 10th, the following list was made public:—War, General Count de Palikao; Interior, M. Chevreau; Finance, M. Magne; Justice, M. Grandperret; President of Council of State, M. Busson-Billault; Foreign Affairs, Prince de la Tour d'Auvergne; Marine, Admiral Rigault de Genouilly; Public Works, M. Jerome David; Commerce, M. Duvernois; President of Public Instruction, M. Brame.

The command of the forces of Paris was assigned first to General Vinoy, and then to General Trochu, an officer of literary merit, whose warning voice on the ill-condition of the army, expressed in a pamphlet of 1867, had it been listened to, might have gone far to prevent the present catastrophe.

Marshal Bazaine was directed to supersede Lebœuf in the supreme conduct of the war; no mention whatever being made of the Emperor; who, however, continued his presence with it; not a little to the embarrassment and hindrance of the military operations, as was afterwards averred.

At Paris things went on as if no Emperor existed. On the 11th M. Gambetta revived the proposition, started by Jules Favre, of a Defence Committee. "We must know," he said, "whether we have to choose between the safety of a country or the salvation of a dynasty." No time was lost in putting Paris in order for the trial that might await her. 12,000 labourers were employed to extend the fosse, cut down trees in the Bois de Boulogne, make roads, fix drawbridges, and strengthen the fortifications generally. Some guns were placed in position. Every sort of provision was ordered to be laid in; and those incapable of maintaining themselves or of facing the hardships of a siege were directed to withdraw. All Germans residing in the city, likewise, were required summarily to depart, on the plea of their possible treachery to the cause of the defenders. A levy of retired soldiers and officers was called out. A new war loan of 1000 millions of francs was subscribed, and a forced currency of bank notes was established. The defence of the town was entrusted to the National Guard and Mobiles, all regular troops being devoted to the army in the field. An application, however, from the Orleanist Princes to be allowed to come over and take part in the defence of their country was refused.

And now, making its First Army the pivot of its movement, the whole German line effected a change of front to the right. On the 11th of August, the King of Prussia moved his head-quarters across the frontier, to St. Avold. On leaving Saarbrück, he addressed the following proclamation in French, to the French people, a proclamation that afterwards served as the text for severe recriminations against German ambition and faithlessness, when the Emperor Napoleon had ceased to represent the national existence of France.

“We, William, King of Prussia, make known the following to the inhabitants of the French territories occupied by the German armies.

“The Emperor Napoleon having made, by land and by sea, an attack on the German nation, which desired and still desires to live in peace with the French people, I have assumed the command of the German armies to repel this aggression, and I have been led by military circumstances to cross the frontiers of France. I am waging war against soldiers, not against French citizens. The latter consequently will continue to enjoy security for their persons and property so long as they themselves shall not by hostile attempts against the German troops deprive me of the right of according them my protection. By special arrangements, which will be duly made known to the public, the generals commanding the different corps will determine the measures to be taken towards the communes or individuals that may place themselves in opposition to the usages of war. They will, in like manner, regulate all that concerns the requisitions which may be deemed necessary for the wants of the troops, and they will fix the rate of exchange between French and German currencies, in order to facilitate the individual transactions between the troops and the inhabitants.”

The French continued in full retreat towards the Moselle. On the 14th the German vanguard, belonging to the army of Steinmetz, came up with the three Corps of Decaen, Frossard, and L'Admiraut, near Courcelles, while they were crossing that river and a sharp contest ensued, in which both sides claimed the victory, but the result was, that the French retired into Metz, while the Germans remained on the field of battle. The next day the Emperor and Prince Imperial started in a carriage for Verdun, and narrowly escaped falling into the hands of the Prussians on their way thither. From Verdun they made their way to Châlons. Then for a time, the Emperor's name passed from mention. The world scarcely knew where he was. Before leaving Metz, however, he addressed the people in a proclamation: “In leaving you to oppose the invading enemy,” he said, “I rely upon your patriotism to defend this great city. You will not allow the foreigners to seize the bulwark of France, and you will emulate the army in courage and devotion. I shall preserve a grateful memory of the welcome I have found within your walls, and I hope to be able to return in happier times to thank you for your noble conduct.” Rumours were afloat that his mind had grown gloomy and unsettled, and that he was constantly complaining of betrayal and false advice.

On Tuesday, the 16th, King William's head-quarters were at Pont à Mousson, between Metz and Nancy. The object of the Prussians now was to cut off the retreat of the French army on Verdun and Châlons. A series of bloody engagements ensued, ending invariably to the advantage of the Prussians. On the 16th, several divisions of the French, with the Imperial Guard, were stopped on their march westwards between Mars la Tour and Gravelotte by General Von Alvensleben with three Army Corps, subsequently reinforced by Prince Frederick Charles and another Corps, and were driven back towards Metz after a struggle of twelve hours' duration. On the 18th, at Rezonville, where they attempted to make a stand, they again suffered a complete defeat; the King of Prussia commanding his troops in person on this occasion. These two battles were desperately contested. It was estimated that, between the 14th and 18th of August, the French lost, in killed, wounded, and prisoners, 50,000 men. But the German losses were also terribly severe. At Mars la Tour they amounted to 17,000; at Rezonville to a higher number still. On the former occasion the 24th Regiment had 47 officers and 1400 killed and wounded, and indeed the whole 3rd Corps remained a mere wreck. The wife of a Prussian officer wrote:—"The first regiment of Dragoon Guards went first into fire, and were so slaughtered that only 120 men were left; the 2nd Dragoons were taken to make up the number of the 1st, and were in their turn cut down. The very flower of the Prussian nobility has perished. Our friends and familiar faces that we had met every year in society are all dead, and there is the saddest desolation." It appears that this great loss was caused by the French infantry, which had masked a line of mitrailleurs and concealed them from the advancing Prussian cavalry, opening out when charged, and leaving the foe exposed to the fire of these machines. Prince Salm Salm, who was with the Emperor Maximilian in Mexico, was one of the victims on this occasion. The remainder of the forces commanded by Bazaine were henceforth effectually shut up in Metz. They had entirely lost their communications both with Paris and with the retiring army of MacMahon. That army, or rather the broken and diminished fragment that remained of it, moved still towards Châlons, where the Army of Reserve under Marshal Canrobert was being diligently reinforced by new levies. To Châlons all eyes were now turned; for it was fully expected that here a great battle would be fought to bar the nearer approach of the Germans to Paris. The vigour and scientific readiness of the German army were shown in the resources which it immediately applied to the work of invasion. Around Metz, barrack huts were rapidly constructed of timber or patch-work; doors and windows from the neighbouring villages being used as material. A telegraph was carried round the whole of the investing camp, and a railroad formed at a little distance from the works, to connect the lines of operation. All the officers were provided with maps of the country, on which the minutest

details were set down carefully, even the trees, hedges, and smallest watercourses being marked.

Meanwhile the Crown Prince, having received large reinforcements from the side of Landau since his battles of Wissemburg and Wörth, detached his Baden contingent to besiege Strasburg, some of his Bavarian troops to besiege Phalsbourg and other fortresses of the Vosges, and with his main army marched westwards across Lorraine, took the town of Nancy without resistance, and crossed the Moselle; then turned northwards, and had joined the direct road from Metz to Verdun, at the time that the armies of Steinmetz and Frederick Charles were occupied in pushing Bazaine back into Metz. These two armies were now left to beleaguer Metz, under the command of Frederick Charles, Steinmetz being removed from his leadership, on account, it was said, of the somewhat prodigal waste of life with which he conducted his military operations. The Crown Prince marched on towards Châlons, and on the 24th, the King, following his movements, had his head-quarters at Bar le Duc. But already, three days before that date, the French camp at Châlons had broken up. MacMahon, with 180,000 men, had begun his, as it proved, fatal movement through Rheims to the north-east, with the view of joining hands with Bazaine, and thus bringing the united armies down on the rear of the Crown Prince, cutting him off from his communications with Frederick Charles and with Germany, or else causing him to retreat hastily in fear of such a contingency. This movement, the Emperor, at a later date, in his pamphlet of *Wilhelmshöhe*, spoke of as undertaken against his own better judgment, and in compliance with the strongly expressed opinion of the Paris Regency. Nothing could have happened more propitious to the strategical provisions of Von Moltke, who had purposely encouraged the idea that the bulk of the German army was marching straight on Paris, and that a comparatively insignificant force only was left with Prince Frederick Charles before Metz. But, in fact, the army of Frederick Charles had by this time so securely entrenched itself round Metz, that it was able to spare the 4th and 12th North German Corps and Prussian Guard to take shape as a 4th Army, 80,000 strong, which was confided to the command of the Crown Prince of Saxony, and called the Army of the Meuse, and this army now marched westward to block the passage of the French down the valley of the Meuse, and to join the forces of the Crown Prince. For, as soon as MacMahon's north-easterly march was ascertained by the Crown Prince, he too struck north to Grand Pré and Varennes. It was a race between the two armies, in which the Germans, as usual, were favoured by the bad organization of their enemies. Commisariat difficulties delayed MacMahon some invaluable days at Rethel. At Beaumont on the 29th, his troops were surprised by two Prussian and a Bavarian Corps, and driven into Mouzon; and at Carignan, on the 30th, they were again defeated, and the Prussians entered the place, taking twenty-three guns and 3000 prisoners. Two days after took place

the great Battle of SEDAN; when the German forces, after twelve hours' hard fighting, succeeded in stretching their lines all round the town, and forcing the diminished and baffled army of MacMahon to take shelter under the walls. A bombardment from the heights was about to be instituted by the victors, when a flag of surrender came in. A great captive had been caught in the toils. The Emperor himself was with MacMahon's army. The story is thus told in the despatch sent on the 3rd by the King of Prussia to Queen Augusta at Berlin:—

“ TO QUEEN AUGUSTA, AT BERLIN,

“ Vendresse, South of Sedan, Sept. 3.

“ You will have learned through my three telegrams the whole extent of the great historical event which has just taken place. It is like a dream, even when one has seen it unroll itself hour by hour; but when I consider that after one great successful war I could not expect any thing more glorious during my reign, and that I now see this act follow, destined to be famous in the history of the world, I bow before God, who alone has chosen my army and allies to carry it into execution, and has chosen us as the instruments of His will. It is only in this sense that I can conceive this work, and in all humility praise God's guidance and grace. I will now give you a picture of the battle and its results in a compressed form. On the evening of the 31st and the morning of the 1st the army had reached its appointed positions round Sedan. The Bavarians held the left wing, near Bazeilles, on the Meuse; next them the Saxons, towards Moncelle and Daigny; the Guards still marching towards Givonne, the 5th and 11th corps towards St. Menges and Fleigneux. As the Meuse here makes a sharp bend, no corps had been posted from St. Menges to Donchery; but at the latter place there were Wurtembergers, who covered the rear against sallies from Mézières. Count Stolberg's cavalry division was in the plain of Donchery as right wing; the rest of the Bavarians were in the front towards Sedan. Notwithstanding a thick fog, the battle began at Bazeilles early in the morning, and a sharp action developed itself by degrees, in which it was necessary to take house by house. It lasted nearly all day, and Schöler's Erfurt division (Reserve 4th Corps) was obliged to assist. It was at eight o'clock, when I reached the front before Sedan, that the great battle commenced. A hot artillery action now began at all points. It lasted for hours, and during it we gradually gained ground. As the above-named villages were taken, very deep and wooded ravines made the advance of the infantry more difficult, and favoured the defence. The villages of Illy and Floing were taken, and the fiery circle drew gradually closer round Sedan. It was a grand sight from our position on a commanding height behind the above-mentioned battery, when we looked to the front beyond Pont Torey. The violent resistance of the enemy began to slacken by degrees, which we could see by the broken battalions that were hurriedly retreating

from the woods and villages. The cavalry endeavoured to attack several battalions of our 5th Corps, and the latter behaved admirably. The cavalry galloped through the interval between the battalions, and then returned the same way. This was repeated three times, so that the ground was covered with corpses and horses, all of which we could see very well from our position. I have not been able to learn the number of this brave regiment, as the retreat of the enemy was in many places a flight. The infantry, cavalry, and artillery rushed in a crowd into the town and its immediate environs, but no sign was given that the enemy contemplated extricating himself from his desperate situation by capitulation. No other course was left than to bombard the town with the heavy battery. In twenty minutes the town was burning in several places, which, with the numerous burning villages over the whole field, produced a terrible impression. I accordingly ordered the firing to cease, and sent Lieutenant-Colonel Von Bronsart, of the General Staff, with a flag of truce, to demand the capitulation of the army and the fortress. He was met by a Bavarian officer, who reported to me that a French *parlementaire* had announced himself at the gate. Colonel Von Bronsart was admitted, and on his asking for the Commander-in-Chief, he was unexpectedly introduced into the presence of the Emperor, who wished to give him a letter for myself. When the Emperor asked what his message was, and received the answer 'to demand the surrender of the army and fortress,' he replied that on this subject he must apply to General de Wimpffen, who had undertaken the command, in the place of the wounded General MacMahon, and that he would now send his adjutant-general, Reille, with the letter to myself.

"It was seven o'clock when Reille and Bronsart came to me, the latter a little in advance; and it was first through him that I learned with certainty the presence of the Emperor. You may imagine the impression which this made upon all of us, but particularly on myself. Reille sprang from his horse and gave me the letter of the Emperor, adding that he had no other orders. Before I opened the letter I said to him, 'But I demand, as the first condition, that the army lay down its arms.' The letter begins thus:—'N'ayant pas pu mourir à la tête de mes troupes, je dépose mon épée à Votre Majesté,' leaving all the rest to me. My answer was that I deplored the manner of our meeting, and begged that a plenipotentiary might be sent, with whom we might conclude the capitulation. After I had given the letter to General Reille I spoke a few words with him as an old acquaintance, and so this act ended. I gave Moltke powers to negotiate, and directed Bismarck to remain behind in case political questions should arise. I then rode to my carriage and drove here, greeted everywhere along the road with the loud hurrahs of the trains that were marching up and singing the National Hymn. It was deeply touching. Candles were lighted every where, so that we were driven through an improvised illumination. I arrived here at eleven o'clock, and drank with those about

me to the prosperity of an army which had accomplished such feats. As on the morning of the 2nd I received no news from Moltke respecting negotiations for the capitulation, which were to take place in Donchery, I drove to the battle-field, according to agreement, at eight o'clock, and met Moltke, who was coming to obtain my consent to the proposed capitulation. He told me at the same time that the Emperor had left Sedan at five o'clock in the morning, and had come to Donchery, as he wished to speak with me. There was a chateau and park in the neighbourhood, and I chose that place for our meeting. At ten o'clock I reached the height before Sedan. Moltke and Bismarck appeared at twelve o'clock, with the capitulation duly signed. At one o'clock I started again with Fritz (the Crown Prince), and, escorted by the cavalry and staff, I alighted before the chateau where the Emperor came to meet me. The visit lasted a quarter of an hour. We were both much moved at seeing each other again under such circumstances. What my feelings were—I had seen Napoleon only three years before at the summit of his power—is more than I can describe. After this meeting, from half-past two to half-past seven o'clock, I rode past the whole army before Sedan. The reception given me by the troops, the meeting with the Guards, now decimated—all these are things which I cannot describe to-day. I was much touched by so many proofs of love and devotion. Now, farewell.—A heart deeply moved at the conclusion of such a letter.

“WILHELM.”

The reply of the King of Prussia to the Emperor Napoleon's letter at Sedan ran thus:—

“Monsieur,—Mon frère,—En regrettant les circonstances dans lesquelles nous nous rencontrons, j'accepte l'épée de votre Majesté, et je vous prie de bien vouloir nommer un de vos officiers munis de vos pleins pouvoirs pour traiter de la capitulation de l'armée qui s'est si bravement battue sous vos ordres. De mon côté j'ai désigné le Général Moltke à cet effet. Je suis de votre Majesté le bon frere,  
GUILLAUME.”

“Devant Sedan, le 1 Sept., 1870.”

In the battle of the 1st, 28,000 soldiers and officers, 28 eagles, and 25 pieces of artillery were captured. MacMahon himself was severely wounded. Part of the French army was pushed beyond the Belgian frontier and laid down its arms in accordance with the obligations of neutrality. In the capitulation of the following day 1 marshal, 39 generals, 230 staff-officers, 2095 other officers, 84,450 subaltern officers and soldiers, with 14,000 wounded, surrendered themselves to the Germans. The spoil comprised also 70 mitrailleuses, 330 field guns, 150 fort guns, 10,000 horses, and the flags of all the regiments. The Germans considerably outnumbered the French at Sedan. They had eight corps and a half present, viz.: the 5th and 11th North German, two Bavarian corps, 4th Guards and Saxons, and 6th and Wurtemberg divisions; in all 220,000 men.

The fallen Emperor's first meeting was with Bismarck, to whom

the King of Prussia, on the receipt of his note, referred him to arrange matters for the royal interview. Bismarck's quarters were at Donchery, a small village near Sedan; and thither at an early hour on Friday morning the Emperor drove, and was met half way by the Count, who conducted him to the humble cottage of a handloom weaver, where, as there was no convenient room inside, they seated themselves on two chairs in the garden front, and discussed the exigencies of the crisis. Bismarck brought forward the question of peace; but the Emperor's answer was that he had no power. He surrendered himself as an individual, but he could not make terms; he could not give orders to the army nor to Marshal Bazaine; the Empress was Regent of France, and upon her and her Ministers must devolve the business of political negotiation. Count Bismarck then observed that farther discussion was useless; and on the Emperor's desiring to see the King added that this could only be after the capitulation was signed. It was past eleven o'clock before the business was concluded, certain conditions as to official parole, &c., having to be settled.

At two o'clock in the afternoon the interview between the two Sovereigns took place at the handsome modern château of Bellevue, near Fresnoy, a few miles out of Sedan. The King and his Imperial captive retired into a conservatory leading from one of the saloons, and had a few minutes' earnest conversation, after which the Emperor spoke to the Crown Prince and expressed his sense of King William's kind and courteous manner. His great anxiety seemed to be not to be exhibited to his own soldiers. In furtherance of this wish his course on leaving had to be altered, to avoid Sedan, and this exposed him to the painful humiliation of passing through the lines of the Prussian army. "He was depressed," said the King, writing to Queen Augusta at Berlin, "but dignified in his bearing, and resigned."

The château of Wilhelmshöhe, near Cassel, a *palais de luxe*, formerly belonging to the Electors of Hesse Cassel, was assigned to the Emperor as a residence by the King of Prussia. He took his departure forthwith, and having passed the Saturday night at Bouillon, went next day by railway to Verviers by way of Libramont and Liége. At Libramont, where there was a delay of an hour, he walked for some time up and down the platform, conversing with Count Montholon and other persons, and also with one of the engineers of the railway. At Jemelle Prince Pierre Bonaparte had a brief interview with him. At Liége it was not generally known that the Emperor was coming that way, but some hundred and fifty persons were waiting to see the deposed Sovereign. They maintained perfect silence. Napoleon did not seem to be at all embarrassed; he drew aside the curtain of the carriage, so as to show himself, and smoked his cigarette. His calmness and self-possession were much remarked.

At the same time that the battle of Sedan was fought, Bazaine made a sortie from Metz. He urged his efforts to break through



the forces of Generals Manteuffel and Kummer, from the morning of August 31st to the afternoon of the following day, but was driven back to his fortifications.

A few hours after the fatal news of Sedan arrived at Paris, Count Palikao summoned the Corps Législatif. The hour fixed for meeting was midnight, but it was five minutes past one on Sunday morning when business actually commenced. The galleries even at that advanced hour were filled by the public, who had been permitted, contrary to usual custom, to enter without tickets. Among the Ministers present were Count Palikao himself, MM. Chevreau, Rigault de Genouilly, Busson, Clement Duvernois, and Brame. Several members proposed that the meeting should be held in secret, but the majority was opposed to such a course, and it was not pressed. The following is from the official report of the proceedings :—

“The President: Gentlemen,—Serious and lamentable news has arrived during the evening. As the elected President of this Chamber I have a duty to perform towards it and towards the nation. Moreover I have been requested to act by many of our colleagues. You have, therefore, been convoked for an extraordinary sitting. I invite the Minister of War to complete the declaration which he made to us this morning.

“Count Palikao: I have the unhappy task of acquainting you with results for which my statement of this morning must have prepared you. That which I had hoped would prove but a mere ‘official’ statement has unfortunately become an official announcement. Our army, after heroic efforts, was driven back into Sedan by superior forces. All further resistance having become impossible it has capitulated, and the Emperor has been made prisoner. In the presence of intelligence so serious and so weighty it would be impossible for the Ministry to enter upon a discussion of the consequences of such events. We therefore ask the Chamber to adjourn the discussion until to-morrow. We have not yet been able to consider the state of affairs among ourselves, for it is but a few minutes ago since I was called out of my bed to attend this sitting. (Movement.)

“The President: The Chamber has heard the proposition of the Minister of War, and his statement that the Ministry is not at present in a position to undertake a discussion. Considering the gravity of an exceptional crisis in which misfortunes of all kinds have presented themselves, and the important duties which the Chamber has to perform, and which it will perform in the fullest manner, the immense responsibility now weighing upon it will no doubt suggest the propriety of mature deliberation. In this state of affairs the Chamber will have to decide in its wisdom whether it will not be right to adjourn further deliberations until to-morrow.

“M. Jules Favre: If the Chamber should be of opinion that in the grievous and grave position of affairs plainly indicated by the communication of the Minister of War it is right to postpone all

discussion until noon, I am not prepared to offer opposition. But as we have to invite the Chamber to consider what steps should be taken in the present suspension of all authority, I have the honour to submit, in my own name and in that of a certain number of my colleagues, the following proposition, which we ask you to deliberate upon:—

“ ‘ 1. Louis Napoleon Bonaparte and his dynasty are declared to be divested of the powers conferred upon them by the Constitution.

“ ‘ 2. A governing Commission consisting of — members shall be appointed by the Corps Législatif, which Commission shall be invested with all the powers of Government, and which shall have for its special mission to offer every resistance to invasion, and to expel the enemy from the territory.

“ ‘ 3. General Trochu is continued in his functions as Governor-General of the city of Paris.’

I have not a word to add. I offer this proposition for your consideration. To-morrow we will state the reasons which have led to it.

“ M. Pinard : We have not the power to declare a forfeiture of authority. (Outcries from the Left.)

“ The President : It is, I repeat, for the Chamber now to decide whether, under existing circumstances, it will proceed immediately to deliberate, or whether after the statement of the Minister of War it will be disposed to adjourn until to-morrow. (Numerous voices : ‘ To-morrow.’)

“ The Marquis de Piré : To-day at noon.

“ The President : It is indeed one o’clock, and therefore the question is whether the Chamber shall adjourn until to-day at noon.

“ The proposition was agreed to, and the sitting closed at twenty minutes after one o’clock.”

When the sitting was resumed at noon on the following day, Sunday, Count Palikao presented a *projet de loi* for the creation of a Council. Thiers proposed a commission for the Government and defence of the country; but in the midst of the deliberation, the populace rushed in from the streets and demanded the downfall of the Imperial dynasty and the immediate proclamation of a Republic. All attempts at restoring order were vain. The greater number of the deputies quitted the Chamber; and the members of the Opposition, left in possession of the field, declared the Emperor deposed from the throne, and proceeding to the Hotel de Ville, headed by the deputy Gambetta, proclaimed the Republic. The next thing was to decide on the composition of a Provisional Government, which, under the title afterwards assumed, of the Government of National Defence, consisted of the following members:—General Trochu, President; Jules Favre, Minister for Foreign Affairs; Gambetta, Minister of the Interior; Ernest Picard, Minister of Finance; Jules Ferry, Garnier Pagés, Glais Bizoin, Eugéne Pelletan,

Rochefort, Emmanuel Arago; Crémieux, Minister of Justice; Jules Simon, Minister of Public Instruction. To these were afterwards added—General Leflô, Minister of War; Admiral Fourichon, Minister of Marine; Dorian, Minister of Public Works; Magnin, Minister of Agriculture and Commerce; Count Kératry, Prefect of Police; Etienne Arago, Mayor of Paris.

The following Proclamation was issued by the new Government:—

“Paris, September 5th.

“Frenchmen! The people have disavowed a Chamber which hesitated to save the country when in danger. It has demanded a Republic. The friends of its representatives are not in power but in peril.

“The Republic vanquished the invasion of 1792. The Republic is proclaimed!

“The Revolution is accomplished in the name of right and public safety.

“Citizens! Watch over the city confided to you. To-morrow you will be, with the army, avengers of the country.”

The palace of the Tuileries was entered by the National Guard and Mobiles. The Empress's unmade bed, and the empty boxes cumbering the room, told of her precipitate departure. The correspondence found in the Emperor's bureau was seized, and in due course of time was published by order of the new Government. It served to prove the signal official corruption which had lain at the base of the imperial system, which the exigencies of that system, as time went on, had rendered more and more indispensable, and which had culminated in an utter negligence or betrayal of duty, truth, and honour by the very Marshals and Ministers whom Napoleon most trusted.

Thus the Second Empire crumbled into dust without a hand being lifted in its defence. The Empress, who was at first unwilling to retire, was persuaded to make her escape by a back door of the Tuileries to the house of an American dentist, Mr. Evans, by whom she was escorted to Trouville and consigned to the charge of an English gentleman, Sir John Burgoyne, just about to sail for England in his yacht. The Prefect of Police, whose unpopularity was great, was fortunate in making his escape also; and in the absence of these principal representatives of the Napoleonic rule, popular passion was content to wreak itself on the pictures, busts, and statues of the late sovereign, on the ornamental cyphers and symbols, and on the street nomenclature which bore witness to his sway. A very few days had passed since that same people were shouting “Vive Napoleon!” on the receipt of false news regarding victories on the Rhine. Even now they managed to console themselves with wild canards.

“If we are to believe the papers here,” says an inhabitant, “Nemesis has overtaken the King of Prussia, who has gone mad, and the day before yesterday reached Varennes, on his road to Berlin. Varennes, murmurs the *Gaulois*, in allusion to the arrest of Louis XVI., ter-

rible augury! Last night, on the Boulevards the news of his Majesty's insanity was attractively announced, and sold off piles of journals. 'Demandez la folie du roi Guillaume, père de Fritz.' 'Lisez les détails de la folie de Guillaume, qui a une araignée dans le plafond' (a bee in his bonnet). 'Voyez! c'est intéressant à lire; l'époux d'Augusta à Bicêtre. . . . Bismarck à Chaillot!' Such were the cries uttered yesterday evening. This morning we were informed that directly the King went out of his mind Count Bismarck took horse and galloped off in the direction of Berlin! This afternoon the *Liberté*, whose reckless writing secures a large sale, opens thus:—'This morning's papers announce that the King of Prussia is mad. . . . This is not a bit of news; it is a fact. If the King of Prussia were not mad enough for a strait-waistcoat, would he have undertaken such an immense act of furious folly against France?'"

Another correspondent, picturing the state of Paris on Sunday night, says:—"Every where they shouted, 'Vive la République!' sang enthusiastically, in irresistible chorus, the 'Marseillaise' or the 'Chant du Départ.' One workman got up on a lamp-post, and led the song with a passionate freedom characteristic of the Frenchman. Again and again the song was sung, and yet again and again, and here and there and every where—now in snatches, now in the regular sequence of the verses, the gestures being always alike—the arms thrown up into the air with an unanimity which was only to be rivalled by the unanimity of accentuation in singing. Then came the National Guard in great numbers across the Place to the Bridge. Whenever a battalion or a company of the Guard appeared they were surrounded by the crowds who followed them shouting 'Vive la République,' and chanting the 'Marseillaise,' as if to make the National Guard thoroughly understand that they must join the people, and that the people were for a Republic. The fury and energy with which they ran after every company of soldiers, and shouted to them, and sang to them, were very wonderful; all the more so as there was no disorder, no maltreatment of any one. I sometimes could scarcely believe my eyes—seeing their gesticulations, and the fire in their eyes; and then the sudden calm which would come upon them—ready for a joke or a smoke. The alternations are extraordinary. Here is a perfect madman before me, yelling for the Republic. I wonder if he will turn round and attack me for not being so excited as himself. Suddenly he turns round, he is as quiet as a monument, and, instead of attacking me for my coolness, he says, 'Permettez-moi, monsieur,' begging for my cigar to light his cigarette. So it was wherever I went—fury of shouting and constant collapse into good behaviour. When I saw this—saw it every where—I could not help concluding, 'This is a most excitable, and yet do-nothing crowd. Who could have expected such excitability to be combined with such futility?'"

The first measure taken by the new Government was to decree the dissolution of the Corps Législatif, and the suppression of the Senate.

The Republic was proclaimed at Lyons, Bordeaux, Marseilles, Nantes, and other provincial cities. By none was it opposed. No-where were passions wrought up to the excitement of sanguinary strife.

No small hopes had been entertained by the lookers-on at this terrible war, that the defeat and capitulation of Sedan, involving, as it did, the deposition of the Emperor, who was its responsible promoter, would have opened a vista of peace in the political prospectus of the new rulers of France, particularly as many of these had lifted their voices in opposition to the Gramont defiance. The Germans themselves, too, having so signally avenged themselves on the invader who had aspired to outrage their national rights and territory, might have been content, it was hoped, with an ample money indemnity for the sacrifices to which they had been compelled. But such hopes were speedily dissipated by the first manifesto of Jules Favre, issued on the 6th of September, and by Count Bismarck's circular in reply, both of them addressed to the foreign representatives of their respective governments. The text of these documents will best explain the moral position now taken up by each of the belligerent powers.

The following is the circular of M. Jules Favre:—

“ Sir,—The events which have just taken place in Paris explain themselves so well by the inexorable logic of facts that it is useless to insist at length on their meaning and bearing. In ceding to an irresistible impulse which had been but too long restrained, the population of Paris has obeyed a necessity superior to that of its own safety; it did not wish to perish with the criminal Government which was leading France to her ruin; it has not pronounced the deposition of Napoleon III. and of his dynasty; it has registered it in the name of right, justice, and public safety, and the sentence was so well ratified beforehand by the conscience of all that no one, even among the most noisy defenders of the power that was falling, raised his voice to uphold it. It collapsed of itself under the weight of its faults, and amid the acclamations of an immense people, without a single drop of blood being shed, without any one individual being deprived of his personal liberty, and we have been able to see—a thing unheard-of in history—the citizens, upon whom the popular voice conferred the perilous mandate to fight and conquer, not thinking for a moment of their political adversaries who, but the day before, threatened them with execution. It is by refusing to their adversaries the honour of being subject to any sort of repression that they have shown them their blindness and their impotence. Order has not been disturbed for a single moment. Our confidence in the wisdom and patriotism of the National Guard and of the whole population permits us to affirm that it will not be disturbed. Rescued from the shame and the danger of a Government which has proved itself a traitor to all its duties, each one now comprehends that the first act of the national sovereignty, at last reconquered, must be one of self-control—the seeking for strength in respect for right. Moreover, time must not be lost;

the enemies are at our gates; we have but one thought—namely, their expulsion from our territory. But this obligation, which we resolutely accept, we did not impose upon France. She would not be in her present position if our voice had been listened to. We have energetically defended, even at the cost of our popularity, the policy of peace. We still maintain the same opinion with increasing conviction. Our heart breaks at the sight of these human massacres, wherein it sacrifices the flower of two nations, that a little good sense and a great deal of liberty would have preserved from such frightful catastrophes. We cannot find any expression capable of rendering our admiration for our heroic army, sacrificed by the incapacity of the supreme commander, but showing itself greater in its defeats than in the most brilliant victory; for, in spite of the knowledge of faults which compromised its safety, the army has immolated itself with sublime heroism in the face of certain death, redeeming thus the honour of France from the stain cast upon her by her Government. All honour to the army! The nation looks towards it with open arms. The Imperial power wished to divide them. Misfortune and duty join them in a solemn embrace, sealed by patriotism and liberty. This alliance renders us invincible. Ready for every emergency, we look with calmness on the position of affairs, made what it is, not by us but by others. This position I will explain in a few words, and I submit it to the judgment of my country and of Europe. We loudly condemned the war, and, while protesting our respect for the rights of peoples, we asked that Germany should be left mistress of her own destinies. We wished that liberty should be at the same time our common tie and our common shield. We were convinced that these moral forces would for ever insure peace, but as a sanction we claimed an arm for every citizen, a civil organization, and the election of leaders. Then we should have remained invincible on our own soil. The Government of the Emperor, which had long since separated its interests from those of the country, opposed that policy.

“We take it up with the hope that, taught by experience, France will have the wisdom to put it into practice. On his side, the King of Prussia declared that he made war, not against France, but against the Imperial dynasty. The dynasty has fallen to the ground. France raises herself free. Does the King of Prussia wish to continue an impious struggle, which will be at least as fatal to him as to us? Does he wish to give to the world of the nineteenth century the cruel spectacle of two nations destroying one another, and in forgetfulness of humanity, reason, and science, heaping corpse upon corpse and ruin upon ruin? He is free to assume this responsibility in the face of the world and of history. If it is a challenge we accept it. We will not cede either an inch of our territory or a stone of our fortresses. A shameful peace would mean a war of extermination at an early date. We will only treat for a durable peace. In this our interest is that of the whole of Europe, and we have reason to hope that, freed from all dynastic considerations, the

question will thus present itself before the Cabinets of Europe. But should we be alone we shall not yield. We have a resolute army, well-provisioned forts, a well-established enceinte, and, above all, the breasts of 300,000 combatants determined to hold out to the last. When they piously lay crowns at the feet of the statue of Strasburg [this city was undergoing its siege], they do not obey merely an enthusiastic sentiment of admiration, they adopt their heroic *mot d'ordre*, they swear to be worthy of their brethren of Alsace, and to die as they have done. After the forts we have the ramparts; after the ramparts we have the barricades. Paris can hold out for three months and conquer. If she succumbs, France will start up at her appeal and avenge her. France would continue the struggle, and the aggressor would perish.

“Such is, sir, what Europe must know. We have not accepted power with any other object; we will not keep it a moment if we should not find the population of Paris and the whole of France decided to share our resolutions. I sum up these resolves briefly in presence of God who hears me, in the face of posterity, which shall judge us. We wish only for peace, but if this disastrous war, which we have condemned, is continued against us, we shall do our duty to the last, and I have the firm confidence that our cause, which is that of right and justice, will triumph in the end. It is in this manner that I invite you to explain the situation to the Minister of the Court to which you are accredited, and in whose hands you will place a copy of this document.”

Bismarck's counter-manifesto was as follows:—

Meaux, Sept. 16.

“Your Excellency is familiar with the circular which M. Jules Favre has addressed to the foreign representatives of France, in the name of the men for the present holding power in Paris, and who call themselves ‘*Le Gouvernement de la Défense Nationale*.’ I have learned at the same time that M. Thiers has entered upon a confidential mission to the foreign Courts, and I may presume that he will endeavour on the one hand to create a belief in the love for peace of the present Parisian Government, and on the other request the intervention of the neutral Powers in favour of a peace which shall deprive Germany of the fruits of her victories, and prevent every basis of peace which would make the next attack of France on Germany more difficult. We cannot believe in the sincerity of the desire of the present Government to make peace so long as it continues by its language and its acts at home to excite the passions of the people, and to increase the hatred and bitterness of a population stung by the sufferings of war, and to repudiate in advance every basis acceptable to Germany as unacceptable by France. By such a course it becomes impossible to make peace, for which the people should be prepared by calm words, and in terms corresponding to the gravity of the situation, if we are to believe that negotiations for peace with us are honestly intended. The demand that we should conclude an armistice without any guarantees for our co-

ditions of peace could be founded only on the erroneous supposition that we lack military and political judgment, or are indifferent to the interests of Germany. Moreover, the hope entertained by the present rulers in Paris of a diplomatic or material intervention of the neutral Powers in favour of France prevents the French people from seeing the necessity of peace. When the French nation become convinced that they having wantonly conjured up the war alone, and Germany having had to fight it out alone, that they must also settle their account with Germany alone, they will soon put an end to their resistance, now surely unavailing. It would be an act of cruelty to the French people for the neutral Powers to permit the Parisian Government to cherish among the people hopes of intervention that cannot be realized, and thereby to lengthen the contest. We are far from any inclination to mix in the internal affairs of France. It is immaterial to us what kind of a Government the French people shall formally establish for themselves. The Government of the Emperor Napoleon has hitherto been the only one recognized by us. Our conditions of peace with whatever Government, legitimate for the purpose, we may have to negotiate, are wholly independent of the question how or by whom the French nation is governed. They are prescribed to us by the nature of things, and by the law of self-defence, against a violent and hostile neighbour. The unanimous voice of the German Governments and German people demands that Germany shall be protected by better boundaries than we have had hitherto against the dangers and violence we have experienced from all French Governments for centuries. As long as France remains in possession of Strasburg and Metz, so long is its offensive strategically stronger than our defensive power, so far as all South Germany and North Germany on the left bank of the Rhine are concerned. Strasburg, in the possession of France, is a gate always wide open for attack on South Germany. In the hands of Germany, Strasburg and Metz obtain a defensive character. In more than twenty wars we have never been the aggressors on France, and we demand of the latter nothing else than our safety in our own land, so often threatened by her. France, on the other hand, will regard any peace that may be made now as an armistice only, and in order to avenge the present defeat will attack us in the same quarrelsome and wanton manner as this year, as soon as it feels strong enough for it from its own strength or from foreign alliances. In rendering it difficult for France, from whose initiative alone hitherto the disturbances of Europe have resulted, to resume the offensive, we at the same time act in the interest of Europe, which is that of peace. From Germany no disturbance of the European peace is to be feared. After having had this war forced upon us, which for four years was our care, and by restraining the feelings of our national self-respect, so incessantly outraged by France, we had prevented, we mean for our future safety to demand the price of our mighty efforts. We shall demand only that which we must have for our defence.



Nobody will be able to accuse us of want of moderation if we insist on this just and equitable demand. Your Excellency will make these views your own and advocate them in discussions.

“ BISMARCK.”

And so, with the opening days of September, the great Franco-German War entered upon its second phase. Dynastic ambition had met its doom at the hands of German patriotism and military prowess. Would Republican self-assertion wield the resources of the French nation to better purpose? A manifesto was addressed by the French International Working Men's Society to the Socialist Democracy of Germany. “ As soon as the Rhine has been recrossed ” they proclaimed, “ we shall stretch out our hands, and shall forget the mutual crimes which despots made us commit. Let us proclaim the liberty, fraternity and equality of the peoples, and let us form United States of Europe. Long live the Universal Republic ! ” Blanqui and his partisans placarded their adhesion to the Provisional Government.

It was an exciting moment for all politicians who had been hitherto relegated to the cold shade of inactivity. Victor Hugo made his way over from Guernsey, and put forth an impassioned address, likening the destruction of tyranny to the breaking up of the frozen rivers of Russia. “ Thou shalt not die, O Liberty ! ” he said. “ One of these days, at the moment when least dreamt of, at the very hour when thou shalt have been most profoundly forgotten, thou shalt arise, O splendour. On a sudden we shall see that day-star, thy face, rise from the ground and flame at the horizon. Upon all that snow, upon all that ice, upon that hard white plain, upon that water turned to stone, upon all that monstrous winter, thou shalt launch thy golden arrow, thy burning and shining radiance—heat, life, life ! And, then, listen ! Hear ye that sullen noise ? hear ye that deep and formidable cracking groan ? It is the breaking up ; it is the Neva crumbling ; it is the river resuming its course ; it is the living water, joyous and terrible, as it heaves and breaks the dead and hideous ice. It was granite, you said ; see, it melts like glass. It is the breaking up ; I tell you it is truth coming back ; it is progress beginning again ; it is humanity putting itself once more on the march, and sweeping up, tearing down, hurrying, bustling, mingling, and drowning in its waves, like the wretched paltry furniture of a hovel, not only the brand-new empire of Louis Bonaparte, but all the constructions and all the works of the old everlasting despotism. See it all go by. It is vanishing for ever. You will never set eye on it again. That book, half sunk, is the old code of iniquity ; that woodwork going under, the throne ; that other disappearing, the scaffold ! And for this prodigious foundering, this supreme victory of life over death, what was needed ? ‘ One glance of thine, O Sun ; one ray of thine, O Liberty ! ’ ” At this juncture, also, the Orleans Princes resumed their application to be allowed to serve their country in *propria persona*. But Jules Favre replied that their presence might be misinterpreted, and appealed to their

patriotism to depart. The Count de Chambord, from a distance, wrote a letter filled with the most patriotic sentiments. "Yes, above all things it is necessary to repulse the invasion," he said: "a true mother would rather abandon her infant than see it perish."

On the 13th General Trochu held a grand review of the National Guard and Mobiles. From 200,000 to 300,000 men were drawn up for inspection. The General was every where hailed as the hero of the Republic. An order of the day was issued, stating that 70,000 men would be required for daily service on the ramparts.

The military resources of France at this moment were thus estimated. General Vinoy was said to have saved 40,000 men from the wreck of MacMahon's forces. The army of Lyons mustered 100,000. Paris held 30,000 regular troops. In the *depôts* were some 50,000, besides regiments of recent formation. The Paris forts and fortifications employed 200,000 Mobiles, and 150,000 National Guards. But the only compacted army that remained of the mass which had moved against the Prussians, was that of Bazaine, now shut up within the fortifications of Metz. This force was nearly 300,000 strong; and sanguine tacticians expected from day to day that it would burst through the surrounding circle of Prince Frederick Charles's army, and either march straight back to the defence of Paris, or catch the German army of the Crown Prince on its flank. It had been a characteristic of the French temper in this ill-starred war, that what it wished to believe, it managed to convince itself of as fact; and so now rumours were constantly afloat that Bazaine had made a victorious *sortie*, and that he and his well trained army were set free for the triumphs in the field which they were sure to gain. It was about this time that the phrase "*la vérité vraie*," for the affirmation of facts that were not wholly the fabrication of sanguine brains, came into vogue within the walls of Paris. As regarded Bazaine, *la vérité vraie* was, that a few ill-managed attempts to break through their *durance* left his troops as hopelessly enclosed as ever; that famine began seriously to tell upon them; and that he himself, after the proclamation of the Republic, disgusted with the new face of things, or conceiving the possibility of playing an Imperial-Restoration game, after the fashion of General Monk, withdrew from any share in the active command, which was assumed by Canrobert. Meanwhile the army of the Crown Prince, relieved from any fear of a rival in the field, set forward by three roads, through the valleys of the Marne, Oise, and Seine, on its southward march to Paris.

On the 5th, King William made his entry into Rheims. On the 14th, his head-quarters were advanced to Chateau Thierry; on the 20th to Ferrières. The French had abandoned the position of Pierrefitte, to the north of St. Denis. To the south, at Sceaux, the 2nd Bavarian corps d'armée, with the 5th and 6th Prussian corps, commanded by the Crown Prince, met three divisions of the corps of Vinoy, and pushed them behind the forts, taking 1500 prisoners and seven guns. On the 19th, General Ducrot, who

occupied the heights of Villejuif with four divisions, advanced against the Germans at Meudon ; but the first regiment of Zouaves was seized with a panic, which communicated itself to other detachments, and he was driven back in confusion and with considerable loss. From that time the investment of Paris by the German troops was complete.

The German troops around Paris consisted of the 4th, 5th, 6th, 11th, 12th North German army corps, and Guards, the Bavarian corps, and the Wurtemberg division ; in all from 200,000 to 230,000 men.

The famous fortifications, constructed thirty years before, projected, according to general reputation, by Thiers, but raised at a cost of 6,000,000*l.* sterling when Guizot was Minister to Louis Philippe, were now about to be put to their first practical test. They consisted, as is well known, of an enceinte of forts placed at varying distances from one to three or four miles beyond the ramparts encircling the town, the circuit embraced by these forts measuring twenty-four miles. A military critic says, " The works themselves are models of their kind. They are of the utmost simplicity ; a plain enceinte of bastions, without even a single demi-lune before the curtains ; the forts, mostly bastioned quadrangles or pentagons, without any demi-lunes or other out-works ; here and there a horn-work or crown-work to cover an outlying space of high ground. They are constructed not so much for passive as for active defence. The garrison of Paris is expected to come out into the open, to use the forts as supporting points for its flanks, and by constant sallies on a large scale to render impossible a regular siege of any two or three forts. Thus, whilst the forts protect the garrison of the town from a too near approach of the enemy, the garrison will have to protect the forts from siege batteries ; it will have constantly to destroy the besiegers' works. Let us add that the distance of the forts from the ramparts precludes the possibility of an effective bombardment of the town until two or three at least of the forts shall have been taken. Let us further add that the position, at the junction of the Seine and Marne, both with extremely winding courses, and with a strong range of hills on the most exposed, the north-eastern front, offers great natural advantages, which have been made the best of in the planning of the works."

The original intention of the Provisional Government had been to convene the electoral colleges all over France for the 16th of October, in order to the choice of a Constituent Assembly which was to establish the government of the country on a legal basis. As events hurried on, some of them desired to fix this event a fortnight earlier. In a circular issued to explain this purpose, Jules Favre took occasion again to declare the position he and his friends had taken up. To many it seemed more mildly expressed than his first circular, and symptomatic of a desire to find a way of peace, even if by partial submission. He said :—

“I will sum up our entire policy. In accepting the perilous task which was imposed upon us by the fall of the Imperial Government we had but one idea—namely to defend our territory, to save our honour, and to give back to the nation the power emanating from itself, and which it alone could exercise. We should have wished that this great act might have been completed without transition, but the first necessity was to face the enemy. We have not the pretension to ask disinterestedness of Prussia. We take account of the feelings to which the greatness of her losses and the natural exaltation of victory have given rise in her. These feelings explain the violence of the Press, which we are far from confounding with the inspirations of statesmen. These latter will hesitate to continue an impious war, in which more than 200,000 men have already fallen. To force conditions upon France which she could not accept would only be to compel a continuance of the war. It is objected that the Government is without regular power to be represented. It is for this reason that we immediately summon a freely-elected Assembly. We do not attribute to ourselves any other privilege than that of giving our soul and our blood to our country, and we abide by its sovereign judgment. It is therefore not authority reposed in us for a day. It is immortal France uprising before Prussia—France divested of the shroud of the Empire, free, generous, and ready to immolate herself for right and liberty, disavowing all political conquest, and all violent propaganda, having no other ambition than to remain mistress of herself, and to develop her moral and material forces, and to work fraternally with her neighbours for the progress of civilization. It is this France which, left to her free action, immediately asks the cessation of the war, but prefers its disasters a thousand times to dishonour. Vainly those who set loose a terrible scourge try now to escape the crushing responsibility by falsely alleging that they yielded to the wish of the country. This calumny may delude people abroad, but there is no one among us who does not refute it as a work of revolting bad faith. The motto of the elections in 1869 was peace and liberty, and the plebiscitum itself adopted it as its programme. It is true that the majority of the Legislative Body cheered the warlike declarations of the Duke of Gramont, but a few weeks previously it had also cheered the peaceful declarations of M. Ollivier. A majority emanating from personal power believed itself obliged to follow docilely and voted trustingly; but there is not a sincere person in Europe who could affirm that France freely consulted made war against Prussia. I do not draw the conclusion from this that we are not responsible. We have been wrong, and are cruelly expiating our having tolerated a Government which led us to ruin. Now we admit the obligation to repair by a measure of justice the ill it has done; but if the Power with which it has so seriously compromised us takes advantages of our misfortunes to overwhelm us, we shall oppose a desperate resistance, and it will remain well understood that it is the nation, properly represented in

a freely elected assembly, that this Power wishes to destroy. This being the question raised, each one will do his duty. Fortune has been hard upon us, but she is capable of unlooked-for revolutions which our determination will call forth. Europe begins to be moved; and sympathy for us is being reawakened. The sympathies of foreign Cabinets console us and do us honour. They will be deeply struck by the noble attitude of Paris in the midst of so many terrible causes for excitement. Serious, confident, ready for the utmost sacrifices, the nation in arms descends into the arena without looking back, and having before its eyes this simple but great duty, the defence of its homes and independence. I request you, sir, to enlarge upon these truths to the representative of the Government to which you are accredited. He will see their importance, and will thus obtain a just idea of our disposition."

It was evident that, as a Provisional Government only, the acts of Messrs. Favre, Gambetta, Crémieux, and the rest had no power to bind the nation to lasting conditions. Their authority was founded on the Paris street-law of the moment. They were, as Bismarck afterwards offended Jules Favre by observing, "Messieurs du Pavé" only. Any succeeding rulers might reject their acts altogether. Count Bismarck himself, as director of the policy of the North German Confederation and its allies, felt fully the diplomatic difficulties of the situation. Had the Emperor, though a prisoner, retained his functional authority, or had the Empress and Count Palikao remained to act as his delegates, some guarantee might have been found for whatever policy should be decided upon as a basis for peace. To allow breathing space, therefore, for the convocation of a Constituent Assembly seemed both reasonable on the part of the French, and desirable in the interests of Germany. Accordingly, M. Jules Favre made known his desire for an armistice; and having ascertained through the intervention of Lord Lyons, the English Ambassador, that Count Bismarck was willing to discuss its possible terms with him in person, he repaired to the Prussian head-quarters at Ferrières on the 19th of September. In the interview which took place the irreconcilableness of the positions occupied by the two negotiators was manifest. The North German Chancellor demanded as the condition of an armistice the cession of Toul, Verdun, and Strasburg. But the first circular of Jules Favre had laid down the principle, "not an inch of our territory, not a stone of our fortresses;" and notwithstanding the impending fall of all the places specified, and the counterbalancing advantages a suspension of hostilities might have afforded to France for the re-organization of her Government and forces, even in the case of resumed war, the terms were peremptorily rejected.

The intervention of the neutral powers before so terrible an outrage to civilization as the bombardment of Paris should begin was still a hope in the breasts of some of the French politicians. Were the positions of the belligerent parties quite incapable of compromise? It was pretty well known that even Favre and his

colleagues would have been willing to concede the vast money indemnity which was one of the conditions understood to be required by Bismarck as the price of peace; and many there were, no doubt, who, if they had dared to raise their voices on the subject, would have confessed that the forfeiture of a fortress or two and a strip of border-land territory would not have been too much to pay in addition for the boon to be acquired; nor, as a matter of principle, would have been an inconsistent method of compensating enemies from whom France herself, had victory crowned her cause, would unscrupulously have exacted the Rhine frontier. It was at this time that M. Thiers undertook a voluntary tour of visits to the Courts of London, St. Petersburg, Vienna, and Florence, in the hope of inducing the several Governments to use their efforts to bring about at least a pause in the operations of the war. The result of his mission will have hereafter to be related. Meanwhile the brilliant capital of Paris was shut out from its ordinary communications with the outer world. Privation, and that bugbear of all Parisians, monotony, unless to be relieved, as they daily expected, by the sharp interruption of a shower of thunderbolts, crashing in their homes, their palaces, and their works of art, lay upon them. The treasures of the Louvre, &c., were indeed removed as soon as possible to cellars and other places of safety; and precautions were taken to shelter life as much as possible from the destruction of the expected bombs. A desert was made of the villas and woods and gardens between the outer forts and ramparts, and the ornamental grounds were turned into potato-fields for the future nourishment of the citizens. A captive balloon, prepared by the genius of M. Nadar, was secured in the Place de St. Pierre, Montmartre, for the purpose of observing the operations of the besiegers. More than this, balloons were now pressed into service both as means for the exit of adventurous individuals who wished to leave Paris, and for the despatch of letters, carrier-pigeons being sent out with them which could be let loose to fly back again with any special information needed.

Ingenuity was every where on the stretch to meet the cruel change in the conditions of life to which this supreme emergency had exposed the inhabitants of Europe's brightest metropolis, and it was generally admitted that, whatever their previous frivolity and excitability had been, they now met the trial before them with courage and composure. The Crown Prince's march to the north-east, however fatal in its results to the French army in the field, had had the advantage for the Parisians of giving them more time to put their house in order.

We now turn to relate the course of events on other parts of the theatre of war. During the month of September three strong places fell into the hands of the invaders. On the 9th, Laon surrendered to the 6th division of Prussian cavalry, commanded by Duke William of Mecklenburg. Just as the capitulation was concluded, and before the French had cleared out of the citadel, an

explosion took place in the powder-magazine, killing fifty Germans and 300 Gardes Mobiles, and injuring, among others, the German commander himself. At first deliberate treachery on the part of the French commandant was suspected, but subsequent inquiry proved the act to have been committed, without authority, by a subaltern officer of artillery.

Toul was taken on the 23rd, after a bombardment of eight days, by the Duke of Mecklenburg-Schwerin. On this occasion 109 officers, 2240 men, 197 bronze guns, and a large store of arms, money, and munitions, fell into the hands of the victors. And here, as a relief from the horrors of war, we insert the account of a curious fraternization which took place between the late besiegers and besieged.

“A peculiar scene (says a newspaper correspondent) was enacted at the surrender of Toul. Instead of the bitter feeling on the one side and exultation on the other usually aroused on such occasions, both parties, when the gate was opened, seemed to meet like the best of friends. The French garrison were delighted to be out of it, and the German besiegers no less so to find their work at an end. There being many Alsations among the garrison, besiegers and besieged at once entered into conversation, shared the contents of their flasks with each other, and but for the stringent rules separating prisoner from conqueror, would doubtless have made a night of it. The inhabitants of the town, too, came out with radiant countenances, and held a regular holiday after their long imprisonment. Excursions into the country were immediately undertaken, and civilians and officers (the latter released on parole) were seen driving about and inspecting the position which had so recently menaced them.”

The last and greatest capture of the month was that of Strasburg, which capitulated at two o'clock on the morning of the 28th. The place had been besieged since the 10th of August. From the 19th of that month to its close, it had been subjected to the horrors of a bombardment, during which the curious and valuable old library had been destroyed, the Commandant, General Uhrich, having with unaccountable negligence omitted to remove the books to a place of safety. From the beginning of September a regular siege had been instituted; and the repulse of various sorties, and the advance of parallels nearer and nearer to the blockaded city had at last brought about the long anticipated result. General Werder, in command of the besieging force, made his triumphal entry on the anniversary of the day when, one hundred and eighty-nine years previously, Louis XIV. had arrived to take possession of the prize he had surreptitiously seized from the German empire. An eye-witness gives the following account of the appearance of Strasburg after the capitulation:—“The raising of the siege had been celebrated in the morning by Catholic and Protestant services in the orangery. The Protestant pastor had welcomed General Werder as their new-found leader, the representative of their true

fatherland. 'Ah,' said a Prussian officer, 'that was a great moment; now will the German fatherland be complete.' As we streamed on through the streets we passed between whole rows of houses unroofed, battered to pieces, and in many places completely gutted by fire. Of the fine old Library, only some portions of the bare walls remain. The adjoining Temple Neuf is equally gutted. On the stone floor of the Library lie masses of broken stone and rubbish among remains of carved enrichments of the pillars, which will no doubt be greedily carried away in a few days by relic hunters. I was contented with some charred fragments of manuscripts, of which masses are blown by the wind into all corners. Not a book or manuscript seems to have escaped the flames. The Cathedral itself, close at hand, has not escaped quite unhurt; but, although so prominent a mark, it has been remarkably spared. The upper wooden roof seems to be quite burned away. A shell falling through the roof has smashed the organ. Some of the upper tier of windows are a good deal damaged, but the lower windows have been taken out, and are carefully stowed away, I believe, intact; so also the window at the east end, and the greater part of the church furniture and the 'trésor.' Here and there the stonework of the outer galleries is slightly injured, but the clock is uninjured, and on the whole the Cathedral has suffered no irreparable damage. The Cathedral swarmed with German soldiers, who had hastened to assure themselves of its safety, and were loud in their exclamations of delight at finding it so little injured. . . . The most frightful scene of destruction is in the suburb known as Schiltigheim, or the Quartier St. Pierre. This has been utterly burned and torn to pieces, chiefly by the guns of the citadel, lest the Germans should find shelter in it. I can compare it to nothing but Bazeilles, and that will only convey an idea to those few who have yet visited the battle-field of Sedan. The streets are strewed with débris; of the houses there remain here some blackened walls, there a heap of stones and brickwork. The signboards, the police announcements, in many places bear testimony to the recent active life which pervaded this mass of ruins; but they rather add to than detract from the bitterness of its desolation."

The number of French officers who capitulated at Strasburg and became prisoners of war was 400; of men, 17,150.

The siege cost the Germans rather less than 1000 men from first to last, including officers. After leaving sufficient numbers for a garrison, 40,000 troops were now set free to support the operations of the invasion elsewhere.

After the victories of August, the conquered districts of Lorraine and Alsace had been organized under two German governors, General Bonin and Count Bismarck Bohlen. On the capture of Strasburg, the seat of government for Alsace was removed thither from Haguenuau. German popular sentiment hailed the return of the ancient imperial city to the membership of the Teutonic family with great rejoicing; more than was felt by the



inhabitants themselves, who for the most part would have preferred to remain under the Gallic rule, to which they had become accustomed. French feeling elsewhere displayed its usual versatile excitement. Strasburg had been cheered, wept over, glorified as the most heroic of cities while she held out against the efforts of the besiegers; the statue of the city in the Place de la Concorde at Paris, as we have seen, had been hung with garlands and verses; Urich was lauded as the most exalted of patriots; but now that Strasburg had at last succumbed, it was maintained that nothing but treachery or cowardice could have brought about such an issue. Gambetta denounced the late Governor as a fit subject for a court-martial.

### CHAPTER III.

#### FRANCE (*continued*).

Numbers and position of the German Armies—King William at Versailles—Cruelties of the War—Franc-tireurs—Fines exacted by the Germans—Gambetta's arrival at Tours—Fresh levies of Mobs—State of Paris—Bourbaki's Mission—Gambetta's Proclamation—Sensation at Paris—Red Republicans—Plebiscitum in favour of the Provisional Government—State of opinion in the Provinces—Futile negotiations between M. Thiers and Bismarck—Paris defences—Fresh levies—Battle of Coulmiers—D'Aurelle de Paladines—Orleans recaptured by Germans—Paris Sortie of Nov. 29th—Fighting on the Loire—General Chanzy—Removal of the Delegate Government from Tours to Bordeaux—The Germans occupy Tours—Sortie from Paris, Dec. 21st—Operations in the North of France—Operations in the East—Garibaldi—Outrage at Lyons—Fall of Verdun and other fortresses—Blockade of Paris—Severe frost—Bombardment of Mont Avron.

When the month of October began, the state of things was as follows:—Nearly a sixth part of France was actually held by the invaders, whose numbers amounted to 650,000. Metz, with Bazaine's army enclosed within its line of forts, held occupied round it eight German army corps, viz., the 1st, 2nd, 3rd, 7th, 8th, 9th, 10th, the division of Hessians, and General Kummer's division of Landwehr; in all sixteen divisions of infantry. Around Paris were posted sixteen divisions, viz., the Guards, the 4th, 5th, 6th, 11th, 12th North German, 1st and 2nd Bavarian corps, and the Wurtemberg division, from 200,000 to 230,000 men. The newly-formed 13th and 14th corps, mostly Landwehr, and some detachments from the corps already named, were left to occupy the conquered country, and to observe, besiege, or blockade those strong places within its limits which still held out. Thus the troops recently besieging Strasburg were sent on to invest Belfort, Schlettstadt, and Neu Brisach; those who had besieged Toul marched on to invest Soissons. The Baden division and one of Landwehr, constituting the 15th corps, and about 60,000 strong, were then alone disposable for active operations; but recruits were constantly passing through the reserve battalion cadres in Germany, to add to the

effective force. Inside Paris the armed force of resistance numbered from 350,000 to 400,000 men, Regulars, Mobiles from the provinces, Franc-tireurs, and all included, and more were being daily disciplined.

The head-quarters of the Prussian King were moved on the 5th from Ferrières to Versailles. He drove with a military escort into the chosen quarter of Louis XIV. amidst a crowd of wondering French, who, along with their patriotic disgust, managed to combine a certain amount of amused curiosity, while gazing at "ce vieux Guillaume;" "un bel homme," as they acknowledged him to be, adding with the national shrug, "mais pourtant, je serais très content de n'avoir pas vu le bon Roi de Prusse à Versailles." A bevy of conquering Princes and Generals followed in his wake. The forms most gazed at, next to his own, were those of Bismarck and Moltke, the two great machinists of his marvellous success. The King took up his residence at the Prefecture. Bismarck and Moltke occupied separate houses in the town. General Voigts Rhetz was appointed Commandant of Versailles.

No signs were given of the expected bombardment. In fact, a circular addressed about this time to the Foreign Powers of Europe by Count Bismarck afforded a tolerably clear intimation that, whether from the inherent difficulties of the undertaking, or, as is more probable, from reluctance to shock the feelings of those who were looking on at this terrific drama, it had been decided to reduce the city by famine and not by fire.

The communication ran thus:—"The terms of the armistice communicated to M. Jules Favre, and destined to usher in an attempt to restore order in France, have been rejected by him and his colleagues, who have resolved on the continuation of a struggle which, after all that has happened, must be regarded as hopeless by the French nation. Since the rejection of our terms any chances of victory France may have had in this pernicious war must have considerably diminished. Toul and Strasburg have fallen, Paris is closely invested, and the German troops have penetrated to the Loire. The considerable forces so long detained by the two conquered fortresses are now therefore free for employment in another direction. France will have to bear the consequences of the resolution taken by her rulers to engage in a struggle *à outrance*. Her sacrifices will uselessly increase, and the destruction of her social system will be all but inevitable. The commander of the German army regrets his inability to prevent this; but he clearly foresees the results of the resistance recklessly determined upon by the rulers of France, and deems it necessary to draw attention to one point in particular—that is, the state of Paris. The two more important engagements before the capital—those of the 19th and 30th of September—in which the most effective portion of the enemy's forces did not succeed in repulsing even the front line of the investing troops, justify the conclusion that sooner or later Paris must fall. In the event of the capitulation being put off by the Provisional Government till

the want of provisions compels the surrender, terrible consequences will ensue. The absurd destruction of railways, bridges, and canals within a certain distance of Paris has not stayed the progress of the German armies for a moment; and all communications by land and water necessary for our purposes have been restored in a very short period. But we have only restored what we require for the military objects we have in view, and enough remains demolished to interrupt easy communication between capital and provinces for a long time to come. The German commander in the case above mentioned will find it absolutely impossible to provision a population of nearly two millions even for a single day. Neither will the neighbourhood of Paris for a distance of many marches supply any means of succouring the Parisians, all that there is in it being indispensably required for the troops. Nor shall we be able to remove a portion of the population by the country roads, as we have no available means of transport. The inevitable consequence of this will be that hundreds of thousands will starve. The French rulers cannot but foresee this as clearly as ourselves. We can only fight out the quarrel forced upon us, but those who bring on such extreme consequences will be responsible for them."

One more attempt was made to stop the progress of hostilities. General Burnside, an American officer sojourning at the Prussian head-quarters, entered Paris with a safe conduct on the 8th, and again a day or two after, bearing to Jules Favre certain propositions from Bismarck for an armistice, in order to the calling of a Constituent Assembly. But whatever the terms were which the Count would have been willing to accord, they were not such as to meet with the approval of the Paris rulers; and they resolved that the struggle should be continued.

Various skirmishings and small engagements took place to the south of Paris, of which the most considerable were at Toury, where the Germans experienced a slight check from General Reyau, and at Epernon on the 5th, where they defeated the French and took the place. At Ablis, south-west of Versailles, on the night of the 7th, a squadron of the 16th regiment of German Hussars was suddenly attacked by a conspiracy of the inhabitants and Franc-tireurs. The village was burnt down as a punishment. The course of the war had now unhappily introduced other elements besides those of regular military tactics into its sanguinary business. Like the Spaniards of 1808, and the Germans themselves of the old Napoleonic times, the French rural inhabitants were assuming the rights of defenders of the soil, and practising, in the character of Franc-tireurs, the surprises and savageries of guerilla warfare. Whatever may be said in justification of the patriotic spirit which prompts such proceedings on the part of ordinarily peaceful and untrained agriculturists or mechanics, it is obvious that it exposes the whole population of a country to dangers and severities from which, under other circumstances, the laws of war would have held it exempt. To

maintain their military communications in a hostile country was a paramount necessity for the German invaders. If every passing peasant under the garb of a blouse might carry a revolver or a Chassepôt, and shoot down scouts or outposts when off their guard, it might well be held indispensable to punish every such act with rigour; nay, to make stern examples by way of preventing their repetition. This was the excuse made for the burnt villages, for the execution even of guiltless peasants where complicity was suspected or possible, for the sacrifice of several lives, on the principle of vicarious expiation, for the outrage committed by one, and for many cruel acts besides, doubtless done without authority at all in moments of individual passion. The German soldiery indeed, observed on the whole a strictness of discipline in which scarcely any other national army could rival them; but they were the executioners of orders which were assuredly terrible in their severity, and which, when committed by an invading army on those who reasonably or unreasonably believe themselves to be fighting for their independence, will, to the outside world sitting in judgment, wear inevitably an aspect of revolting barbarity.

One obvious means of hampering the military operations of the Germans was the cutting of railroads, so as to interrupt and overthrow on-coming trains. This method was resorted to by bands of volunteers, calling themselves "The Wild Boars of the Ardennes" and "The Railway Destroyers." Here again the invaders incurred great odium by announcing that, on the departure of a train in the disaffected districts, the mayor and principal inhabitants should be made to take their places on the engine, so that if the peasants chose to upset the conveyance, their surest victims should be their own compatriots. But no act of war-reprisals made so much impression, or was the cause of so much controversy as to the degree of cruelty perpetrated or provocation given, or indeed as to the actual origin of the catastrophe, as the burning of Bazeilles, a flourishing village near Sedan, which took place on the day of the great battle fought in its vicinity. A visitor, writing some weeks afterwards, speaks thus:—"By this time the name of Bazeilles is known half over the globe as that of the latest illustration of the horrors of war. No description however can convey an idea of the completeness of the destruction which has fallen upon the place. All that can be said is that a month ago there was a bright, busy village, or rather small town, consisting of half-a-dozen streets and numbering nearly 3000 inhabitants. A well-to-do town too, evidently, with plenty of good shops, cafés, rows of neat and even handsome houses, and every sign of comfort and prosperity. Now about one-half of these houses are mere blackened shells, with bulging, tottering walls; the other half are simply represented by heaps of rubbish. From one end of the village to the other there is nothing remaining that can be called a house. . . . The French story is that the Bavarians were irritated by their losses and the obstinacy of the defence of the Marines,

and in revenge burned the place over the heads of the inhabitants. The opposite account says that the inhabitants, even the women, were found with rifles in their hands, firing on the troops, and that as they had already lost severely in this way, it was necessary to make an example at last, to show that the King's proclamation was not to be a dead letter; but that the inhabitants were cleared out before the village was set on fire."

The imposition of a fine of a million francs upon any department in which bands of Franc-tireurs should be met with, was another decree by which the invading authorities strove to keep down the perilous annoyance. From every town which fell into their hands after resistance offered, they made heavy requisitions in money. Under these circumstances it is not to be wondered at that the local municipalities sometimes evinced more prudence than courage. A French observer says, about this time, writing from Orleans, "Our rural municipalities give themselves up to a deplorable panic, and are losing all moral sense. They imagine that the more they cringe before the enemy the less reason they have to fear violence. Listen to a few of their exploits. At Dourdan five Prussian Hussars dashed into the railway-station, cut the telegraph wires and posts, then came to the place pistol in hand, and insolently demanded eight hundred rations from the mayor; and a thousand stupid men stood there, on the market-place of Dourdan, bowing their uncovered heads before five Prussian youths, the oldest of whom was not thirty! While these five pillagers scoured the adjacent communes, the municipality of Dourdan, with a zeal and activity which have never been shown in favour of our French soldiers, hastened to provide for the requisitions of the following day. Nothing was spared to feed the enemy sumptuously. At St. Arnould fifty Uhlans condescended to do honour to a banquet served on the market-place. M. le Maire superintended the waiting, a napkin under his arm. At Trisan the firemen had buried their guns and swords. The maire ordered them to be disinterred, and arranged before the mairie at the service of the Prussians, which was actually done. Last Saturday a peasant was leading a large waggon of hay along one of the roads to Toury. As this is the road which leads to the Prussians, masters of that locality, an astonished foot-passenger asked him what he was going to do with this forage—was he going to give it into the hands of the enemy? 'I have been buying this hay at Orleans,' replied the peasant to his interlocutor. 'I had none left, and as the Prussians ask me for some, I must have some to give.'"

Early in October fresh energy was infused into the French Councils at Tours by the arrival there of the energetic Minister, Gambetta, who made his escape from beleaguered Paris by a balloon, on Friday the 7th at eleven o'clock in the morning, narrowly escaped the Prussian needle-guns which were fired by the troopers below at his aerial conveyance, and after awkwardly hitching in the top of a tree near Amiens, finally made his descent

in that quarter the same afternoon, without more damage than a few bruises. He lost no time in pushing on to Tours, where the people received him with acclamations. Here he at once assumed the post of Minister of War, none of his colleagues contesting the right of his stronger will and indomitable activity. On the 9th he issued the following proclamation to the citizens of the departments:—

“By order of the Republican Government I have left Paris to convey to you the hopes of the Parisian people, and the instructions and orders of those who accepted the mission of delivering France from the foreigner. For seventeen days Paris has been invested; and the spectacle of two millions of men, who, forgetting all differences, range themselves around the Republican flag, will disappoint the expectations of the invader, who reckoned upon civil discord. The Revolution found Paris without cannon and without arms. Now 400,000 National Guards are armed, 100,000 Mobiles have been summoned, and 60,000 regular troops are assembled. The foundries cast cannon, the women make one million cartridges daily. The National Guard have two mitrailleurs for each battalion. Field-pieces are being made for sorties against the besiegers. The forts are manned by Marines and are furnished with marvellous artillery served by the first gunners in the world. Up till now their fire has prevented the enemy from establishing the smallest work. The enceinte, which on the 4th of September had only 500 cannons, has now 3800, with 400 rounds of ammunition for each. The casting of projectiles continues with ardour.

“Every one is at the post assigned to him for fighting. The enceinte is uninterruptedly covered by the National Guard, who from morning until night drill for the war with patriotism and steadiness. The experience of these improvised soldiers increases daily.

“Behind the enceinte there is a third line of defence formed of barricades, behind which the Parisians are found to defend the Republic with the genius of street-fighting. All this has been executed with calmness and order by the concurrence and enthusiasm of all. It is not a vain illusion that Paris is impregnable. It cannot be captured nor surprised. Two other means remain to the Prussians—sedition and famine. But sedition will not arise nor famine either. Paris, by placing herself on rations, has enough to defy the enemy for long months, thanks to the provisions which have been accumulated, and will bear restraint and scarcity with manly constancy in order to afford her brothers in the departments time to gather.

“Such is without disguise the state of Paris. This state imposes great duties upon you. The first is to have no other occupation than the war, the second is to accept fraternally the supremacy of the Republican power emanating from necessity and right which will serve no ambition. It has no other passion than to rescue France from the abyss into which monarchy has plunged her.

“This done, the Republic will be founded, sheltered against conspirators and reactionists. Therefore I have the order, without taking into account difficulties or opposition, to remedy the shortcomings caused by delay, and, if time fails, to make up for it by activity. Men are not wanting. What has failed us has been a decisive resolution and the consecutive execution of our plans. That which failed us after the shameful capitulation at Sedan was arms. All supplies of this nature had been sent on to Sedan, Metz, and Strasburg, as if, one would think, the authors of our disaster, by a last criminal combination, had desired, at their fall, to deprive us of all means of repairing our ruin. Steps have now been taken to obtain rifles and equipments from all parts of the world. Neither workmen nor money are wanting. We must bring to bear all our resources, which are immense; we must make the provinces shake off their torpor, react against foolish panics, multiply our partisans, offer traps and ambushes to harass the enemy and inaugurate a national war. The Republic demands the co-operation of all. It will utilize the courage of all its citizens, employ the capabilities of each, and, according to its traditional policy, will make young men its chiefs. Heaven itself will cease to favour our adversaries; the autumn rains will come, and, detained and held in check by the Capital, far from their homes, and troubled and anxious for the future, the Prussians will be decimated one by one by our arms, by hunger, and by Nature. No! it is not possible that the genius of France should be for evermore obscured; it cannot be that a great nation shall let its place in the world be taken from it by an invasion of 500,000 men. Up, then, in a mass, and let us die rather than suffer the shame of dismemberment! In the midst of our disasters we have still the sentiment left of French unity and the indivisibility of the Republic. Paris, surrounded by the enemy, affirms more loudly and more gloriously than ever the immortal device which is dictated to the whole of France:—‘Long live the Republic! Long live France! Long live the Republic—One and Indivisible!’”

Another noted partisan came forward at the same moment, to give his name and services to the cause of France. This was the Italian patriot Garibaldi, who could not remain quiet in his island home when the so long desired phantasm of a French Republic, which was to propagate liberty and fraternity throughout the Eastern Hemisphere, needed moral and physical support.

Gambetta and Garibaldi made their appearance before the excited multitude at the Prefecture of Tours on the same day, Oct. 9th. To Garibaldi was at once assigned by the self-appointed War Minister, the command of all the volunteer forces of France; and the veteran leader, broken in strength, but indomitable in spirit, departed to join the motley warriors now acting against the Baden troops of Germany in the defiles of the Vosges, and consisting of French, Italian, Polish, Spanish, Hungarian, and American adventurers,

together with a portion of the Pontifical Zouaves; a force not less divided in its opinions than in its nationalities, and of which no inconsiderable number proved themselves far from well affected towards a leader professing ultra-Liberal and anti-Catholic proclivities. The active drilling and disciplining of recruits in the provinces soon showed its results. The young moblots came swarming to fill the ranks. Careless ignorant clods, not willing to be killed, got ready for their work with French good humour and aptitude for soldiering. The song of the Southern moblots had its pathos:—

Nous partons,  
Ton, ton,  
Comme des moutons,  
Comme des moutons  
Pour la boucherie,  
Pour la boucherie!  
Nous aimons  
Pourtant la vie.

Mais nous partons,  
Ton, ton,  
Pour la boucherie!  
On nous massacrera  
Ra, ra,  
Comme des rats.  
Ah! que Bismarck rira!

In the second week of October, the vanguard of the French "Army of the Loire" began to harass the German detachments which were foraging over the country south of Paris. The 1st Bavarian corps under General Von der Tann was despatched against it, and on the 10th defeated the French Commander Reyau at Artenay, and pushed him back upon the Forest of Orleans. The following day Von der Tann encountered the main body of the French under La Motte Rouge; and after a struggle of twelve hours' duration, drove him across the Loire, entering Orleans victoriously at dusk. Six thousand prisoners were captured. The French, being a heterogeneous and imperfectly disciplined levy, gave way in some confusion, omitting to blow up the bridges over the river, which they had previously undermined. The German Commander exacted from the Mayor a contribution of 1,000,000 francs, of which Bishop Dupanloup in vain exerted himself to obtain a partial remission.

About this time the Red Republicans of the Belleville suburb of Paris made another attempt to assert themselves. But the supporters of Government proved too strong for the machinations of Blanqui and Flourens. Even the newspaper called "*La Patrie en danger*" did not respond to the note struck by the extreme party. The 55th battalion of National Guards was sent to occupy Belleville on the night of the 9th. Three battalions of the Mobiles, on whom Major Flourens had reckoned, came of their own accord to defend the Hotel de Ville; and when all apprehension of a riot had subsided, MM. Ferry, Arago, and Rochefort sent to their officers and invited them into the interior. "Long live the Government" was their cry as they departed thence. The 13th was marked by an insignificant sortie of the Paris garrison, and more notably by the burning of the Imperial Palace of St. Cloud, which was occasioned by shells fired by the French themselves from the Fort of St. Valérian. Several strong places fell into the hands of the Germans during the



following fortnight. Soissons capitulated after a siege of four days on the 16th. A Prussian division took Châteaudun by assault on the 18th; St. Quentin was taken on the 21st.; Schelestadt capitulated on the 24th.

Metz still held out, and futile sorties from time to time kept up the fiction of a vigorous defence. But the spirit of the chief defender at all events, was not wound up to the requirements of his position. And here we must notice a transaction which occurred early in October, and which seemed to indicate that Imperialist designs were at that time working in the brain of Bazaine. The affair was encompassed with so much mystification that its exact truth may not yet be ascertainable; but thus much would appear, that a communication reached the Commandant of Metz through the medium of an individual engaged in the Emperor's interests; that General Bourbaki, brother to the Empress's friend and attendant, Madame Le Breton, was sent across the Prussian lines after a previous understanding with the Prussian General; that Bourbaki went straight to England, and had there an interview with the Empress, laying certain propositions before her; that she prudently declined to have any thing to do at present, either for herself or for her son, with political combinations and intrigues; that then, through the intervention, as was said, of the Queen of England, Bourbaki obtained permission to recross the Prussian lines on his return to Metz. From Luxembourg he communicated with Prince Frederick Charles, but instead of the expected permission, was invited to present himself at the Prussian head-quarters. This not suiting his views, he turned aside and went first to Brussels, and from Brussels proceeded to Tours, where he arrived on the 14th of October. A mission undertaken by General Boyer to the head-quarters of Count Bismarck, at Versailles, on the 14th, may also have involved propositions of a political character connected with the approaching capitulation of Metz. But however this may have been, no resuscitation of the fallen cause at this time was written in the destinies of history. Gambetta and Trochu ruled the hour throughout France, and it must be confessed that the unanimity with which, on the whole, they got their fellow-countrymen to work with and under them was a merited reward of their indefatigable and purposelike energy.

General Trochu wrote a letter about this time upon the military situation at Paris, his object being not only to encourage the defenders to resolute endurance and firm resolve, but also to restrain their eagerness to break the monotony of the siege by precipitate sorties. His letter commenced by contrasting the feeling at present animating the population of Paris with that which existed at the time when, after the great defeat of the Army of the Rhine, he was first called upon to take command of the city. Doubts had disturbed the minds of many as to the possibility of the fortifications, constructed many years ago under different conditions of military science, being able without the aid of an external army to withstand

a siege. Others, again, had feared that the population of the luxurious city would be unable to endure the privations which a state of siege would necessitate, and that the military leaders would prove too apt to yield to the pressure of the civil population. Up to the present time these doubts had proved groundless, and the temper of the people had consequently changed: a warlike spirit animated them, and General Trochu's task now lay, he said, not in encouraging, but in keeping under proper restraint their military aspirations. He consequently pointed out that he, as Commander-in-Chief, must alone direct their enthusiasm; and that in doing so he must be guided by the general experience of war and by the special lessons taught by the disasters of the Army of the Rhine. He said distinctly "that no infantry, however steady it may be, can be brought face to face with the Prussian army, unless it can be accompanied by an artillery equal to that which the enemy has at his disposal;" and he added that troops in the open must be armed with rapidly-firing rifles. To provide these two requisites, all his energies, he said, were now directed; and to check the impatience which would impel half-drilled and badly armed troops against the trained and well-equipped soldiers of Germany was one of his hardest tasks. In the concluding paragraph of his letter, General Trochu observed that in the presence of the feeling which had taken possession of the public mind, he met with difficulties which presented a most striking analogy with those which had showed themselves in the past; but he added that he would not cede to the pressure of the public impatience. He stated his belief in eventual success, but declared that this success must not be imperilled by the impetuosity too common to the French nation, and which in his able pamphlet he showed was a rock on which the French army would too probably split. Trochu was a man of plans, not deeds, it was afterwards said.

As for Gambetta, he was the soul and spirit of all the military organizations going on in the provinces. After conferring with Bourbaki at Tours, he sent that general to take temporary command of the Army of the North, then gathering together at Lille. On the 17th he went himself to inspect the armies of the Vosges, where General Cambriel and Garibaldi held somewhat conflicting authority. On the 22nd he issued a decree, establishing four military *régions*: 1, the Northern, to be commanded by Bourbaki, at Lille; 2, the Western, with General Fiereck for its commander, and Le Mans for its head-quarters; 3, the Central, commanded by General Polhés, at Bourges; 4, the Eastern, commanded by General Cambriel, at Besançon. Besides these, General D'Aurelle de Paladines on the Loire (in place of the defeated La Motte Rouge), General Esterhazy at Lyons, Count Kératry in the West, and Garibaldi in the East held distinct commissions; so that the number of generals acting independently of each other was eight. Soon after, Gambetta found it advisable to remove Cambriel from his command, either owing to his ill-success against the German General Beyer, or because of his disagreements with Garibaldi. Bourbaki, too, after organizing the

Army of the North, was removed to take command in that of the Loire.

The financial condition of the country also required urgent attention, and a contract for a new French loan was signed by M. Laurier, Gambetta's chief secretary, with Messrs. Morgan and Co., of London, for a sum of 10,000,000*l.*, in six per cent. bonds, at the outset price of 85 per cent.

As the month of September had its climax in the fall of Strasburg, so the month of October was destined to close with the surrender so long and eagerly anticipated by the invaders, of the "Virgin Fortress" of Lorraine. After some vain *pourparlers* in the hope of securing better terms, and several fruitless efforts to diminish the number of mouths to be fed, by sending bodies of inhabitants to the Prussian lines from which they were inexorably driven back again, the Commandant of Metz signed a capitulation on Thursday, the 27th. Three Marshals of the Empire, Bazaine, Lebœuf, and Canrobert, more than 6000 officers, 173,000 subalterns and private soldiers, 3000 guns, fifty-three eagles, and forty millions of francs in treasure, fell into the grasp of the victors. A capture of such magnitude had hitherto been unheard of in the annals of war. It was estimated that now the whole amount of French prisoners taken by the German armies numbered no less than four Marshals, 140 Generals, 10,000 other officers, and 323,000 rank and file.

The capitulation, however confidently the German Commanders may have expected it to take place, was a matter of much surprise and indignation to the inhabitants:—"When the surrender became known," says a witness, "the people were furious. The National Guard refused to lay down their arms, and on the 29th, in the afternoon, a dragoon captain appeared at the head of a body of troops, who swore they would sooner die than yield; while Albert Collignon, editor of an ultra-democratic daily paper, the *Journal de Metz*, rode about on a white horse firing a pistol, and exhorting them to sally out, and seek death or victory, to escape the impending shame. He was followed by a lady singing the 'Marseillaise,' which produced terrible excitement. The doors of the Cathedral were burst open, and the tocsin and funeral-bell rang nearly all night. When General Coffiniere appeared, to pacify them, three pistol-shots were fired at him. Finally, by the aid of two line regiments, he quietly dispersed the mob. But all night the sounds of grief, indignation, and terror were kept up. Respectable women ran about the streets tearing their hair, and flinging their bonnets and laces under their feet, wildly crying aloud, 'What will become of our children!' Soldiers, drunk and sober, tumbled hither and thither in irregular groups, with their caps off and their sabres broken, crying, sobbing, and weeping, like children, 'Oh, poor Metz! once the proudest of cities! What a misfortune! What an unheard-of catastrophe! We have been sold. All is lost. It is all up with France,' and so on. The civil functionaries asked each

other across the streets, 'Who will be our master? Who will govern us? Where shall we go, so that we may not see the ruin that has come upon the nation?' . . . . At four in the afternoon, Bazaine passed through Ars, on his way to Wilhelmshöhe, in a close carriage, marked with his name, and escorted by several officers of his staff on horseback. The women of the village had heard of his arrival, and awaited him with exclamations of 'traitor!' 'coward!' 'sneak!' 'thief!' &c. 'Where are our husbands whom you have betrayed? Give us back our children whom you have sold!' They even attacked the carriage, and broke the windows with their fists, and would have lynched him but for the intervention of the Prussian gendarmes. At ten o'clock a.m., the forts were taken possession of by the German Artillery of the 7th corps. At one o'clock the 3rd division was reviewed by the Prince—the display being a brilliant pageant—on the Nancy and Metz road, near Tourtebride. Thereupon the Imperial Guard, the élite of the French army, marched out of Metz with their arms, and laid them down at Frescati, while passing in review before the Prince. This honour was accorded to the Imperial Guard alone, all the rest of the troops having deposited their arms in the Metz arsenals, and then marched into their cantonments outside the town to await their transfer to Germany. The Imperial Guard were received by the Prussian troops with respectful dignity, and not a jeering word was heard, nor an indecently exultant look seen." Another correspondent inside the walls of Metz says, "After Sedan and the fall of the Empire, the news of which reached us on the 7th of September, it became evident to all that Marshal Bazaine refused to act on the aggressive. He would not compromise himself in any way—to play a waiting game was his policy. If a strong Republican party could be formed, he could then sell his sword and his services to them. If, as we all thought probable then, Prussia would do any thing to avoid the firebrand of a Republic so near her borders—borders which seem to enlarge day by day; if she would rather foster a regency or repeat the history of those Hundred Days which followed the parallel epoch in the great Napoleon's fate—then Bazaine's power would be at its culminating point. To this course alone is due the abandonment of a fortress almost impregnable, which never fired a shot from its walls, and into which no shot ever fell; which sent away an army 'vanquished by famine' with six days full rations; the soldiers, as I saw myself, handing out from their fourgons huge portions of bacon to the people as they were led away yesterday morning into captivity! From the day of the disastrous and disgraceful battle of St. Privat (August 18), we waited day after day till the 31st of August without a single movement, and at eleven o'clock on that day began a tardy lingering movement from the camps to the front of St. Julien for the attack on St. Barbe, the enemy's position commanding the lower valley of the Moselle. The Prussians, taken, in spite of our warning, at a disadvantage, were allowed time to bring up their reinforcements. Our forces were split up into detached

sections, and on the 1st of September we were driven back to our old quarters, losing, it is true, few men, but much hope and all faith in the capacity of our generals. Never since then has there been one serious effort to make a sortie, not one single attempt to leave in Metz but a garrison sufficient for its defence, and to give the officers that boon they begged for, or grant men that prayer they prayed for—the opportunity to do or die.” Others ascribed the capitulation to the utter want of discipline among officers and men, which had made the army simply unmanageable. No general, it was said, could deliberately betray an army of 173,000 men to an army of 200,000, if they did not want to be betrayed. The officers spent their time in discreditable amusements and luxury, leaving their soldiers to starve and grow mutinous. They dared not trust each other, it would seem, even at the last moment. The terms originally agreed upon were that they should march out of Metz with all the honours of war—bands playing, flags flying, and bayonets fixed; but the French commanding officers represented to the Germans that this was not a desirable arrangement, as they could not trust their men, and they begged in their own interests that the men might be disarmed before they marched out.

To the Prussians this capture of the second of the two great armies, which had marched against them in July with the cry “à Berlin!” was matter of signal triumph. Prince Frederick Charles for the present success, and the Crown Prince for those not less important successes which he had already gained, received from the head of their family the well-earned dignity of Field Marshal on the occasion. To the victorious forces over which he held sway, the King issued this address:—

“Soldiers of the Confederate Armies!—When we took the field three months ago I expressed my confidence that God would be with our just cause. This confidence has been realized. I recall to you Wörth, Saarbrück, and the bloody battles before Metz, Sedan, Beaumont, and Strasburg; each engagement was a victory for us. You are worthy of glory; you have maintained all the virtues which especially distinguish soldiers. By the capitulation of Metz the last army of the enemy is destroyed. I take advantage of this moment to express my thanks to all of you, from the general to the soldier. Whatever the future may still bring to us, I look forward to it with calmness, because I know that with such soldiers victory cannot fail.

“WILHELM.”

The army investing Metz consisted of seven Prussian corps, one Prussian Landwehr division, and the Hessian division; in all 220,000 men. That an army and fortress should capitulate to an army scarcely larger than itself was assuredly a most unusual circumstance. Changarnier is said to have remarked afterwards, that he thought incapacity rather than disaffection was the cause of Bazaine's collapse.

It is but fair to give Bazaine's own account of the transaction in a letter to the *Nord*, dated November 2nd:—

“ I have read your political bulletin of the 1st of November, in which you refer to M. Gambetta's proclamation. You are right; the Army of the Rhine would not have obeyed a traitor. The only reply I shall make to this lying lucubration is to send you the order of the day (already published) which was addressed to the army after the councils of war held on the 26th and 28th of October. M. Gambetta does not seem to be aware of what he is saying, or of the position in which the army of Metz was placed, when he stigmatizes as he does its chief, who struggled for three months against forces double those at his disposal, and whose effective strength was always kept up. I received no communication from the Government at Tours, notwithstanding the efforts made to place ourselves in relations. The Army of Metz had one marshal, twenty-four generals, 2140 officers, and 42,350 men struck by the enemy's fire, and it made itself respected in every fight in which it engaged. Such an army could not be composed of traitors and cowards. Famine and disorganization alone caused the arms to fall from the hands of the 65,000 real combatants who remained. The artillery and cavalry were without horses, it having been necessary to kill them to alleviate the privations of the army. Had the latter not displayed such energy and patriotism it would have had to succumb in the first fortnight of October, when the rations were already reduced to 300 grammes, and later on to 250 grammes of bad bread. Add to this dark picture the fact of there being 20,000 sick and wounded, with their medicines on the point of failing, and themselves suffering from the effects of the torrential rains. France has always been deceived as to our position, I know not why; but the truth will one day prevail. We are conscious of having done our duty.”

The effect of the news on the sanguine French people, whom Gambetta had assiduously dosed with flattering falsehoods till now, was utterly confounding. At once the wrath of the Dictator fulminated against Bazaine. No solution but that of treachery could be for a moment entertained in his eyes. The following proclamation was immediately issued from the Ministerial council-chamber at Tours:—

“ Frenchmen! Exalt your souls and resolutions to the height of the terrible perils which are crushing us down. The country depends upon us to weary out bad fortune, and to show to the universe that this is a great people, who will not perish, and whose courage rises in the midst even of catastrophes. Metz has capitulated. A general upon whom France relied, even after Mexico, has just deprived the country when in danger of more than 100,000 of its defenders.

“ Marshal Bazaine has committed treason. He has made himself the agent of the man of Sedan and the accomplice of the invader, and, disregarding the honour of the army of which he had charge, he surrendered, without even attempting to make a supreme effort, 125,000 combatants, 20,000 wounded, rifles, guns, flags, and the strongest citadel of France—Metz, until now virgin of the con-

tamination of the foreigner. Such a crime is beyond even the chastisements of justice.

“ And now, Frenchmen, measure the depth of the abyss into which you have been hurled by the Empire. For twenty years France has submitted to this corrupting power, which exhausted all her sources of greatness and life. The army of France, deprived of its national character, and unknowingly become the instrument of a reign of servitude, has been engulfed, despite the heroism of its soldiers, by the treason of its chiefs, in the disasters of the country.

“ In less than two months 225,000 men have been delivered up to the enemy,—sinister epilogue of the military *coup d'état* of December!

“ The time has come for us, citizens, to draw closer together, and under the ægis of the Republic, which we are resolved not to allow to capitulate, whether at home or abroad, to derive from the very extremity of our misfortunes the restoration of our morality and of our political and social virility.

“ Yes, whatever may be the extent of our disaster it has found us neither struck with consternation nor hesitation. We are prepared to make the last sacrifices, and in face of enemies whom every thing favours, let us swear never to surrender so long as an inch of our sacred territory shall remain under our foot. Let us firmly hold the glorious flag of Revolution.

“ Frenchmen! Our cause is that of justice and right. Europe sees it and feels it. Witnessing so many undeserved misfortunes, without having received from us either invitation or adhesion, she is spontaneously moved and agitated.

“ No illusions! Let us not permit ourselves to languish or to become enervated. But let us prove, by deeds, that we will, and are able, by our own resources, to maintain our honour, independence, and integrity—all that makes a country free and proud.

“ Long live France and the Republic one and indivisible!

(Signed)

“ CREMIEUX.

“ GAMBETTA.

“ GLAIS BIZOIN.”

At Paris the intelligence was received simultaneously with that of the recapture by the Prussians of the position of Le Bourget, near St. Denis, against which the garrison had moved successfully two days before. The smaller disaster was scarcely needed to aggravate the impression made by the greater. In the general discouragement, the Belleville agitators surmised that councils of peace might begin to make way if they did not seize on the moment for the furtherance of their own party supremacy; and on the 31st its leaders, followed by a portion of the National Guard, interrupted the sessions of the Government at head-quarters. The following is a contemporary account:—

“ At five p.m. the Hôtel de Ville was entered by a crowd, and one of the individuals composing it jumped upon a table, and proclaimed

the deposition of the Government. M. Flourens was at the head of the movement, and he came, he said, to make known the will of the citizens, who had decided on the immediate installation of the Commune by a vote which had been taken on the spur of the moment in a neighbouring hall. M. Ernest Picard, perceiving the danger of the situation, succeeded in effecting his escape and went to the Ministry of Finance, where he took the speediest possible measures for organizing opposition to the Commune, his colleagues being in the meantime detained prisoners by the Revolutionists. M. Picard wrote and signed orders to the staff of the Governor and the staff of the National Guard, and ordered the call to arms to be made in all the quarters of Paris. He had the national printing-office occupied by troops, and prohibited the *Journal Officiel* from printing anything. He also sent word to the different Ministries to hold themselves ready for defence.

“Towards eight p.m. General Trochu and M. Jules Favre were set free by the 106th battalion of the National Guard, which was the first to arrive in the square of the Hôtel de Ville. The other members of the Government remained under the guard of the battalion commanded by Gustave Flourens. A messenger from the Hôtel de Ville came during the evening to the Ministry of Finance, with an order signed by Blanqui. He was arrested, and M. Picard retained possession of the order as proof of Blanqui's guilt in usurping power without the assent of the nation. Admiral de la Roncière and Admiral de Chailli soon came, and placed themselves at the orders of M. Picard, who throughout the affair showed an amount of coolness and presence of mind worthy of the highest praise. Towards ten p.m. M. Picard joined the Governor of Paris, who was taking active measures for the restoration of order, several battalions of Mobiles having assembled at his command, and the National Guard having, at the same time, collected in the Place Vendôme.

“Between eleven p.m. and midnight several battalions of National and Mobile Guards defiled in the direction of the Hôtel de Ville, where MM. Garnier-Pagès, Jules Simon, and Magnin were still kept in confinement as hostages by two battalions from Belleville. M. Jules Favre showed great firmness with the rioters, declaring to them that as he had been chosen by the whole population, he would only retire before a regularly constituted Government. The agitators who surrounded Flourens demanded that the members of the Government should be sent to Vincennes, and some even uttered stronger threats.

“At about half-past twelve seven battalions of Mobile Guard concentrated behind the Hôtel de Ville, in which the battalions from Belleville had barricaded themselves. A company of Mobiles now succeeded in effecting an entrance by a side-door, and thence proceeded to one of the large gates, which they opened, thus admitting a goodly number of their comrades, who gradually drove back the rioters to the upper stories. At the same time numerous battalions of the National Guard arrived on the spot shouting ‘Long



live the Republic,' 'Long live Trochu.' Some shots are said to have been fired in the scuffle, but it is not known by whom, and no one, moreover, was hurt. The Mobiles did not even need to use their bayonets. The Mobiles, once masters of the Hôtel de Ville, shut the rioters up in the cellars, from which they subsequently brought them out, disarmed them, and set them at liberty.

"At three a.m. all was quiet. This termination might easily have been imagined. The movement was indeed merely a surprise, and the National Guard, from six o'clock in the evening, showed by their attitude that they would not ratify what had occurred. The riot might have been suppressed much sooner, the delay being due merely to the wish to avoid bloodshed."

The object of this outbreak was to establish a Committee of Public Safety and of the Commune of Paris, on the lists of which stood the names of Ledru Rollin, Victor Hugo, and Gustave Flourens.

In consequence of it, the Government of the National Defence decided to appeal to the people of Paris on the question of confidence. In answer to the proclamation of the "Red" Committee, calling for the immediate election of a Commune, the following manifesto was issued:—

"The placard posted yesterday, while the members of the Government were prisoners, announcing elections, materially impossible, for to-day, and as to the opportunity of which, the Government ought to possess the opinion of the majority of the citizens, it is therefore forbidden that the different mayors shall commence any electoral operations. The population of Paris are called to vote Thursday next by 'Yes' or 'No' on the question—'Shall the election of the municipality and a Government take place immediately?' Until the result of this vote is known the Government will continue to retain its power and maintain order with energy.

"JULES FAVRE."

The answer given by the plebiscitum of November 2nd was triumphant for the existing Government: 557,996 votes were recorded for them, against 62,638 dissentient. Trochu declared, "You order us to remain at the post of danger assigned to us by the Revolution of the 4th of September. We will remain, with the strength derived from your support and with the consciousness of the great duties imposed upon us by your confidence, and the first of which is that of defence, which will continue to occupy us exclusively. We shall prevent criminal movements by the severe execution of the laws."

Rochefort, the quondam editor of the *Marseillaise* and *Lanterne*, took the occasion of the postponement of the municipal elections, however, to resign his post in the Government, which his relations with the party of Flourens had made somewhat anomalous.

That a vote of confidence at Paris should be taken as representing the confidence of the whole country in the *Messieurs du Pavé* who had placed themselves at the head of the Government, was of course

a political fiction, yet not altogether so much of a fiction as it might seem.

It has always been a characteristic of provincial France to obey the orders of its rulers for the time being, provided those orders are given with sufficient decision by the actual local functionaries. The French peasant thinks little for himself, and scarcely troubles himself to reconcile his traditional predilections with the immediate requisitions made upon him. Differences of traditional opinion, however, did exist in the provinces, and they may be summed up geographically as follows:—In the north and north-east, Normandy, Picardy, Flanders, Artois, Orleanist leanings were perceptible. The Legitimists had their stronghold in Britany, Maine, Anjou, Touraine, Poitou, and Angoumois. Imperialist views prevailed in Auvergne, La Marche, Bourbonnois, Nivernois, &c., and Republicanism has been since the old revolutionary days widely prevalent in the south of France, and in most of the great towns, especially Lyons, Marseilles, Toulouse, and Bordeaux.

Old names and old prejudices came to the surface in the general seething of the waters. A Cathelineau evoked the spirit of the Vendéans. In Britany a religious crusade was preached against the German heretics. It will not be uninteresting to place in juxtaposition an address delivered by a hereditary royalist to the descendants of the Chouans, and Garibaldi's comments on modern Republican degeneracy.

The address of M. de l'Hebergement to the descendants of the Chouans commences as follows:—"Vendéans,—France has been attacked by the savage hordes of Protestant Germany. Within a few days 120 squadrons of Uhlans detached from the enemy's corps d'armée will pour into your departments to deliver them up to pillage, murder, and robbery; to violate women, cut the throats of children, shoot old men, send all able-bodied men to the convict hulks, to pillage houses, burn villages, destroy churches, break the statues of the Virgin Mary, and assassinate prisoners of war. Such is the mode of warfare practised by the Prussians. They seek to treat our country as a conquered land. Vendéans! you will remember that you have never paltered with the religion of your fathers nor with the love of your country. To arms! and let not one of you be wanting at the rendezvous. Let the priests lead the parishioners to the fight. Let the mothers arm the fathers to avenge their sons slain in the carnage fields of Alsace and Lorraine. Take your muskets, take pitchforks, pikes, axes; cast bullets, make gunpowder, and unite yourselves with us to wage with the enemy war to the death, without truce, without mercy."

Garibaldi expressed himself thus in an order of the day:—"Modern Republics, like ancient Carthage, float in gold and luxury, while despots shake hands in the dark that is their element, delighting in and profiting by the misfortunes of a brother people. Helvetia, thinking herself weak, keeps her head bowed, and covers the cash-box of her banks with the holy banner of William Tell. General

Grant, who, by lifting up his fingers, might have sent back Prim's soldiers to Madrid, quietly allows them to murder and destroy an entire population which forms part of Washington's great family, and barely permits the great Republic to fling a word of sympathy to the brave descendants of Lafayette. And thou, the proud classical land of liberty, the home of the exile! Thou who wast the first to proclaim the emancipation of races, and who to-day reapest the triumph of this courageous initiative, wilt thou abandon in this struggle of giants thy sister nation, who marched and yet will march in the van of human progress? The heroic struggle sustained by France has reduced to ruin the army of braves led to defeat by the most stupid of tyrants. But the nation is here, has risen as one man, and will soon make the old autocrat repent of having sought to carry on this human butchery. . . . I have no doubt of your courage. I require of you *sang froid* and discipline—both qualities indispensable in war."

In Orleanist Normandy, again, M. Estancelin issued a stirring address to the National Guards and peasantry. Every tree, he said should ambush a marksman. The time for words had passed. "To arms and to Rouen!" should be their deeds. The special stronghold of the "Reds" was the city of Lyons. There their party had been in possession of power from the first moment of the Empire's downfall. On the 22nd of September, their delegates had had an interview with M. Crémieux at Tours, when it was agreed to conciliate all present differences, and to allow the red flag to remain hoisted at Lyons till the national colours should be decided upon by a regularly chosen Constituent Assembly. But an extreme party, to whom the members of the Provisional Government were men of milk and water, kept up a constant agitation in the great manufacturing metropolis. At Marseilles, also, the "Reds" had a powerful following. M. Esquiros and General Cluseret in both these places favoured the formation of a Southern League for the organization of the National Defence, which was to constitute an independent Republic, embracing the sixteen departments of the Rhone; and their schemes alternately lost and gained ground as against the more moderate Republicans. The Club of the Alhambra at Marseilles, which represented the opinions of these extreme leaders, formally condemned Gambetta as a rogue and an impostor. When the news of the Metz surrender arrived, a fresh impulse was given to party feeling in the democratic communities of the South. At Perpignan there were some frightful excesses. The Colonel in command of the town was attacked and sabred, other individuals obnoxious to the multitude were stoned or cut down. But outrages such as these were rare. Esquiros had the patriotism to resign the post of authority to which the citizens of Marseilles would have appointed him, and entreated them not to allow his name to be a pretext for internal conflict.

On the 28th of October, M. Thiers returned to Paris from his self-imposed mission, having found Lord Granville, the English

Minister for Foreign Affairs, willing to lay before Bismarck a proposition for an armistice, which the French Provisional Government agreed to concur in, if initiated by a third party. Five interviews took place between the veteran French statesman and Count Bismarck, at the quarters of the latter at Versailles. Thiers paid his last visit to the German Chancellor at two o'clock on Sunday, Nov. 6th. On his return, the forts were silent, and for a short interval hopes were entertained within the city that an armistice had been agreed upon. But at six o'clock next morning he set out for Tours, and it was then known that the negotiations had failed.

In a report drawn up by M. Thiers on the 9th October, he thus explains the course which the discussion took. The object of his journey, he told Bismarck, was to obtain an armistice. Count Bismarck admitted the expediency of his mission, though, at the same time, he made certain reserves upon the intervention of the neutral powers in these negotiations. These had for their object the conclusion of an armistice in order to prevent further bloodshed, and to permit France to establish by means of elections, freely held, a regular Government, by which a treaty might be signed in a valid manner. The Chancellor having alluded to the members of the late régime who were endeavouring to reconstitute themselves into a Government at Cassel, M. Thiers replied at once that that Government had for ever ceased to exist, and had no future chance of success. M. de Bismarck then protested against any ideas of German interference in the internal affairs of France. The questions which were mooted during the first conference were, first, the principle of the armistice; secondly, its duration, the freedom of election in the occupied provinces; thirdly, the positions to be retained and relations to be observed by the belligerent armies; and, lastly, the revictualling of all besieged places, and especially of Paris, during the armistice. Count Bismarck did not appear to entertain any insurmountable objections on these questions, and M. Thiers thought that an understanding would probably be arrived at on all the other points. The conferences followed one another, two being generally held each day.

The first two points having been agreed upon, and the duration of the armistice having been fixed at twenty-five days, it was also agreed that nothing would be prejudged by the conclusion of an armistice. With regard to the questions raised relative to Alsace and Lorraine, Count Bismarck said he could not permit any electoral agitation in those provinces, but added that he would not object to their being represented by influential persons without any interference of Germany in the elections; and this point was agreed to by both parties.

On the fourth point several discussions took place between M. Thiers, Count Bismarck, and the Prussian generals, but the question of the revictualling did not at first give rise to any fundamental objection on the part of the Chancellor, who referred it to the mili-

tary authorities. On the 3rd, M. Thiers said that the revictualling of the besieged places had become not a mere question of details, but a *sine qua non*. Count Bismarck, on behalf of the Prussian generals, declared that the armistice was absolutely against the interests of the Prussians, and that he could only consent to the revictualling of Paris if the Government of the National Defence was prepared to concede some military equivalent, as, for example, a military position round Paris. M. Thiers having insisted, Count Bismarck added that by a military position he meant "a fort, and perhaps more than one." Thereupon M. Thiers stopped him immediately, and declared that to refuse Paris to be revictualled was equal to depriving her of her resources for resisting during a month, and that to demand a fort was nothing less than to demand a surrender of the ramparts.

M. Thiers then relates his interview with M. Jules Favre, the rupture of the negotiations, the refusal to proceed with the elections without an armistice, and concludes his report as follows:—

"The time has now come for the neutral Powers to judge if sufficient attention has been paid to their advice, but it is not us they can reproach with having disregarded it, and we make them judges of the conduct of both belligerent Powers. I have used all my efforts to recover for my country the blessings of peace, which it had lost by the errors of a Government whose existence alone was a mistake. France having accepted such a Government, and having abandoned to it, without retaining any control, all her destinies, has committed a great and irreparable fault."

Again we confront the account of the French negotiator with that of Bismarck himself:—

"The fact that a statesman of position and experience like M. Thiers had been accepted by the Paris Government led us to hope that proposals would be made to which it would be possible for us to accede. M. Thiers stated that at the desire of the neutral Powers France would be ready to agree to an armistice. Notwithstanding the objections which stood in the way of a conclusion of an armistice, the King allowed his wish to prevail that steps favourable to the conclusion of peace might be taken. Count Bismarck therefore offered a suspension of hostilities for twenty-five or twenty-eight days on the basis of the military *status quo*. He proposed to fix by a line of demarcation the positions of the two armies in accordance with those respectively occupied by them on the day of the signing of the truce. He also proposed that hostilities should be suspended for four weeks, and that during that time the elections for a National Assembly and its installation should be held. On the French side, the only consequences of the armistice would have been the abandonment by them of the little and inexplicable course they pursue of wasting their artillery munitions by firing from the guns of their forts. As regards Alsace, Count Bismarck declared that he insisted upon no stipulation which could be considered calling in question the possession of this German department by

France before the conclusion of peace, and that we should make no charge against any inhabitant of Alsace for appearing as a Deputy in the French National Assembly. M. Thiers declined these proposals, and declared that he could only agree to an armistice on condition that it should embrace an extensive revictualling of Paris. In reply to the question as to what equivalent he could make for such a concession, M. Thiers said he could offer none other than the readiness of the Paris Government to allow the French nation to choose representatives. The King was justly surprised at such extravagant military pretensions, and deceived in the expectations which he had associated with the prospect of negotiating with M. Thiers. The incredible demand that we should sacrifice the fruits of all the efforts we had made during two months, and the advantages which we had achieved, and restore the conditions of the struggle to the point at which we found them in the beginning of our investment of Paris, once more proved that pretexts are sought in the French capital to deny to the nation the power of recording its votes. At Count Bismarck's expressed wish that an attempt should be made to bring about an understanding upon other bases, M. Thiers, on the 5th inst., had an interview with the members of the Paris Government to propose a short truce, or that elections should be ordered without a regular Convention being signed for the suspension of hostilities, in which case Count Bismarck promised free intercourse, and the granting of all facilities consistent with the security of the German armies. In return M. Thiers communicated merely the instruction he had received to break off the negotiations. The course these negotiations had taken left Count Bismarck convinced that those now holding the reins of power in France were not in earnest from the commencement in the wish to allow the voice of the French nation to be expressed by a Representative Assembly, elected by free votes, and that it was just as little their intention to bring about an armistice. They must have been convinced of the impossibility of their conditions being accepted, and only brought them forward in order not to give a negative reply to the neutral Powers whose assistance they hope to obtain."

The news of the rupture of the negotiations for the armistice did not take the Tours Government by surprise. M. Gambetta never ceased to act upon the assumption that the war would go on. He did not so far put himself in opposition to General Trochu and his colleagues as to refuse to listen to the friendly representations of the neutral Powers, and to proclaim his dissent to an armistice which would really have assured France the benefit of the *status quo*. But a pigeon despatch was sent by him to Paris tendering his resignation, unless substantial guarantees were given that the armistice would not be a snare. His pigeon was crossed by another, bringing the news that the Prussian terms were altogether illusory, and had been rejected at Paris. M. Jules Favre then issued a circular to the French Ministers abroad. Prussia, he said, by rejecting the armistice, had once more proved that she was con-

tinuing the war with a personal object only, and without regard to the real interests of her subjects. "She pretends," he said, "to be forced to prosecute the war by our refusal to cede two provinces which we neither can nor will abandon. In reality she seeks to destroy us, to satisfy the ambition of the men by whom she is governed. The sacrifice of the French nation is useful to them for the preservation of their power, and they coldly profess to be astonished that we should refuse to become their accomplices by falling into the weakness which their diplomacy advises.

"It is not only the French army, but the French nation, that she seeks to annihilate when she proposes to reduce Paris to the horrors of a famine. . . . . To ask of us for a month of our provisions is to ask of us our arms—arms which we resolutely hold in our hands, and will not lay down without fighting." In conclusion, he said, that the pause being now denied them, which they required for the convocation of a National Assembly, being unable to consult the wishes of France at large, the Government of the National Defence had interrogated Paris. "All Paris in reply rises to arms, to show the country and the world what a great people can do when it defends its honour, its homes, and the independence of its country."

And now the measures for the defence of Paris were pushed on with increased activity. Fresh earthworks, redoubts, and rifle-pits were constructed. Trees were cut down for construction and for fuel. The space between the ramparts and the forts became a zone of desolation. Destruction was a work congenial to the spirit of the young mobiles, some of them mischief-loving Parisians, some hardy striplings from the provinces, and they were not slack in performing this part of their duty. The ordinary life inside the capital has been described by various inhabitants who went through that dreary period of duration. A mournful calmness had settled over the spirits of all classes not actively engaged in the work of defence. At first public amusements were interdicted, but after a while it was thought advisable to give some change to thought, and sober tragedies were represented at some of the theatres by actors clothed in the dresses of ordinary wear. Communication with the outer world was only carried on by balloon and carrier pigeons. A regular balloon post was established, "ballon monté," by which letters, if they escaped the look-out of the Prussians, might perchance drop down to some town out of danger, and be transmitted to their destination. Inside the city strict precautions were taken to make the food supply hold out as long as possible. Beef and mutton were doled out to the inhabitants in small fixed rations. Horses, dogs, cats, rats, were sold in the butchers' shops, and gastronomic ingenuity was exercised in making these strange viands palatable. The animals in the Jardin d'Acclimatation were here and there sacrificed, both as being expensive to keep, and as being available for food. Those who had not prudently laid in a stock of salt meat in their private larders were forced to content themselves with very meagre fare. About the middle of November the worst kind of butter was costing 12 francs per pound, a cabbage 1 or 2

francs. Of veal there was none. Beef and mutton, at the end of two or three hours' waiting in a *queue*, might be received to the amount of 240 grammes per head for two days. Donkey ranged from 4 to 6 francs per pound. Eggs were sixpence each; milk was scarcely to be had. On the other hand horses for food were numerous; large quantities of salt meat were stored at the Opera; bread was plentiful, though not of the best quality; and wine and spirits believed to be practically unlimited in quantity. Undoubtedly the provisions proved to be really more abundant than was anticipated by those who only formed their conclusions outside the walls of the blockaded city.

But in anticipation of the surrender, stores of food were already being collected by the investing forces to allay the agonies of hunger which it was believed the inhabitants would be reduced to feel before that crowning humiliation should take place.

The aspect of the defences at this time may be conceived from the following description of the Neuilly side, given by a correspondent of the *Times*:—

“Adjoining the railway station a stone barricade, some five feet high, with apertures left for musketry, has been constructed across the road, and a similar barricade has been erected in the adjoining Avenue de Malakoff. Some little distance behind the above barricade, in the Avenue de la Grande Armée, is a second barricade of earth, while about twenty yards in advance of it one perceives that the gilt-tipped iron railings, which indicate the limit of the octroi, have been lined on the inside with stout timber, pierced with loopholes for musketry, in front of which is raised a wooden stage for the marksmen to stand on, forming altogether no less than three lines of defence behind the ramparts. In advance are the drawbridges, clamped with iron rods and bars, and raised with heavy chains, and flanked with massive masonry, loopholed in thirty-eight places. The side towards the Avenue de Neuilly, together with the massive posts of drawbridges, are tinted green to resemble the turf of the ramparts, and render them undistinguishable from it at night-time. A couple of 24-pounders peep through the embrasures of the flanks of the adjacent bastions, in lieu of the 6-pounder field-pieces formerly mounted there. In advance of the drawbridge an extensive angular-shaped earthwork has been thrown out, stretching some distance into the Avenue de Neuilly, and diverting the narrow roadway leading thereto circuitously to the left. The earthwork is strengthened behind with tall stockades, and has a second row of stockades in the rear, converting it as it were into a veritable redoubt. Other stockades are, moreover, carried across the fossé on both sides of the drawbridge, and one noticed that the large iron gas and water pipes laid bare where the moat has been continued across the road were cased with timber covered over with long iron spikes. On emerging from the narrow circuitous covered way, a scene of utter desolation presents itself. For rather more than 800 feet in advance, which is the distance the ‘Zone des Ser-



vitudes,' as it is styled, extends, all the beautiful trees that lined the avenue have been felled, all the handsome houses on either side razed to the ground, and all the charming gardens destroyed; some little of the débris alone remains, from among which women and children are picking out every morsel of firewood. On one's left hand is the Bois de Boulogne, laid perfectly open at this end to the road, with every tree that came within the inexorable 800 feet felled, some 18 inches or so of the stems being left standing above the ground, all of which are sharply pointed for the benefit of those venturesome Prussians who may chance to trip over them while attempting a night surprise. The little mortuary chapel erected in memory of the Duke of Orleans appears to be the only edifice within the zone which the military authorities have respected. At the foot of the redoubt huge branches of trees, sharpened into innumerable points that thrust themselves menacingly forward, are interlaced together to form a kind of natural and most formidable *chevaux-de-frise*. The slope of the embankment is, moreover, faced with stout planks dotted all over with long, sharp iron spikes, while the top is studded with several rows of short posts, having stout wire running from one to the other a few inches above the ground, to trip up the too confident Prussian, who, having run the gauntlet of the improvised *chevaux-de-frise* and the steep incline of spikes, is determined upon carrying the redoubt. I found the ground in front of this earthwork intersected in various directions with narrow trenches, communicating at intervals from one end of the Avenue de Neuilly to the other, with large deep holes, which were strictly guarded by sentinels, who would allow no one to approach in the vicinity. They were commonly reputed to form part of an extensive system of mines, which is very probable, as an official report recently published speaks of the underground sewers at Boulogne, Billancourt, Neuilly, Clichy, &c., having been transformed into so many mine-chambers."

And not content with strengthening their defences inside the forts and ramparts, the Paris garrison, as the siege went on, pushed out fresh works towards the Prussian outposts, and in a manner besieged the lines of the besiegers, as the Russians had done at Sebastopol in 1855, so that the Germans instead of advancing towards the object of their attack, had rather to keep within their first lines. They maintained their iron girdle, however, which no efforts of the garrison proved able to break through, and waited for the day when famine should induce it to open the gates.

On the outskirts of the besieging army bands of Franc-tireurs and of Mobiles formed as it were a counter-investing force. The German commanders, instead of despatching three or four Uhlans, as at the commencement of the war, to scour the frightened villages, were now obliged to send out their scouts and foragers by squadrons. They would find in every direction deep ditches cut across the roads filled with palisades, or barricaded; bridges destroyed; ambushes laid in every copse. The Franc-tireurs made no prisoners. They

shot down their victims unrelentingly; and would lie on the damp ground all night for the chance of a furtive *battue*. The strongest and best commanded of their bands was that known as the "Mocquards," consisting of 1200 men, mostly a fragment from the beaten army of Sedan.

The so-called levy *en masse* from the provinces, which practically meant no more than arbitrary conscription, proceeded at a rapid pace. Notwithstanding the loss of two armies and the block of 500,000 fighting men in Paris, observers said that the country towns and villages appeared to swarm with strong men. Those who could not procure Chassepôts armed themselves with other weapons. Men of all trades and professions joined the ranks. Old gunners from the navy were found especially serviceable as artillerymen. The troops gathering behind the Loire were being rapidly organized, and heterogeneous as the material was, assumed before long the character and proportions of no contemptible army. Its numbers might have amounted to 200,000 or 250,000 combatants, more or less available; old troopers recalled to the ranks, Papal Zouaves, but chiefly raw recruits and volunteers. Its discipline was vastly improved by the rigorous method of control adopted by its newly appointed commander, General d'Aurelle de Paladines, a Crimean veteran, who punished every act of cowardice or insubordination with death.

We now turn to consider the position of the German armies. The fall of Metz occurred not a day too soon for the exigencies of the invasion. The troops round Paris were beginning to find their position a difficult one to hold between the foes before and behind them. Reinforcements were urgently needed. Again, it was becoming very important to extend the area of occupation in order to find sufficient feeding ground for the forces. Hitherto, with the exception of Von der Tann's raid against Orleans and a subsequent expedition of Wittich's division of the 11th corps against Châteaudun and Chartres, no systematic and sustained attempt had been made to overrun the country. But now 200,000 veteran soldiers were liberated at once for active service. It was incumbent both to strengthen the army before Paris and to attack the concentrating forces of the enemy in other directions. Accordingly while Prince Frederick Charles and the Duke of Mecklenburg with the 2nd corps moved upon the capital, General Manteuffel, in command of the newly constituted First Army, pushed westward through the defiles of the Argonne into Picardy; and the 3rd, 9th, and 10th corps marched to the south of Paris, to reinforce Von der Tann and his Bavarians. Here indeed they were urgently needed. On the 9th and 10th of November Von der Tann encountered a defeat, the first real German defeat of the war. On the first day D'Aurelle, who had his army in force near Marchenoir, threw forward his left under General Reyau so as to threaten to shut in the Bavarians at Orleans, cutting them off from Paris, sending also a separate cavalry column from the east under General Paillières. Von der Tann finding himself too weak to hold Orleans, began a

retreat to the north, but was attacked by overwhelming forces and driven back through Baccon and Coulmiers, with the loss of 10,000 prisoners and two guns, to Artenay. Thence, on the 10th, he further retired to Toury, drawing in Wittich's division of the 11th corps and the cavalry division of Prince Albert from Chartres, thus mustering in all some 40,000 men. Further aid was sent him without loss of time from Paris, in the shape of the 17th division under the orders of the Duke of Mecklenburg, who now assumed the chief command. D'Aurelle had certainly struck a great blow, and caused consternation to the invaders; but at this point his military genius seems to have failed him. After the battle of Coulmiers, instead of following up the Bavarian rear, he marched north and west in the direction of Chartres. The Germans followed this movement by a change of front towards the west, Von der Tann's Bavarians holding the country from Etampes to Ablis, while the 17th and 22nd divisions marched towards Chartres and Dreux. The latter town had in the meantime been reoccupied by French troops; it was supposed that D'Aurelle, reinforced by Kératry and other forces, was trying to turn the army of observation and to arrive suddenly upon the army blockading Paris. So serious did this attempt appear to Count Moltke that he despatched at once the nearest troops, portions of the 5th and 12th corps, to the support of Mecklenburg, and ordered the 2nd Bavarian and 6th North German corps, the 21st, and the Wurtemberg divisions to hold themselves in readiness to march south if required. The reinforcements already sent enabled Mecklenburg to retake Dreux on the 17th, and to follow the enemy up, on the 18th, beyond Châteauneuf.

Between the 24th and 28th Prince Frederick Charles arrived in line between Montargis and the Paris-Orleans road about Toury; and thus the delay of D'Aurelle had given his enemies the power of concentrating *en masse* before him.

On the 28th D'Aurelle made a vehement attack on the left wing of Frederick Charles at Beaume la Rolande, but encountered a signal repulse. On the 30th he directed an attack on the German right where the Duke of Mecklenburg was in command. By dint of overwhelming force the French did succeed in driving their enemies a mile or two back; but the following day the Germans, returning to the attack, more than recovered their lost ground; and on the 2nd of December the French were fairly beaten at Artenay, and driven down the Loire, with the loss of 2000 prisoners and 16 guns. The Grand Duke of Mecklenburg and Prince Frederick Charles then pushed on for Orleans, which was defended by only one French corps. D'Aurelle here acted with great indecision. First rejecting and then following the orders sent him by the Tours Government, he finally decided on awaiting the Germans in the strong entrenchments which he had previously wasted much precious time in constructing outside Orleans. Here, on the 4th December, Prince Frederick Charles fell upon him, and after some severe fighting, the Germans found themselves at midnight in

possession of Orleans, and the French in full retreat. On the same day two of Frederick Charles's corps had fought successfully on the Paris and Fontainebleau roads, at Chevilly and Chilleurs; and the French corps beaten there, with a loss, as was said, of no less than 14,000 prisoners and 77 guns, had retired either across or along the Loire, above Orleans, thus splitting the army of the Loire into two portions.

D'Aurelle's conduct caused great indignation at Tours, and Gambetta threatened to bring him before a military tribunal. It would seem, however, that he had found the raw recruits of which his army was composed but unstable material to rely upon, and was anxious, above all things, to avoid being caught in a trap and forced to capitulate to the Germans, after the fashion of the armies at Sedan and Metz. Popular report said that he had lost his influence with his mostly Republican and free-thinking soldiers, in consequence of having gone to venerate some relics in the Orleans Cathedral, on an altar before which Joan of Arc had seen a vision of the Virgin Mary. He now resigned his command on the plea of ill-health, thus anticipating the result of the inquiry proposed by Gambetta; and the arbitrary War Minister appointed General Chanzy to succeed him with the western portion of the divided army, while Bourbaki rallied the eastern portion at Bourges.

We turn to Paris, where, throughout the month of November, General Trochu had resolutely repressed the eagerness of the garrison for a sortie. He had been preparing, however, after his methodical fashion, for a great effort. All depended on the co-operation of the Army of the Loire; and when, after the victory of Coulmiers, he had reason to believe that D'Aurelle was keeping the rear of the German forces south of the city well engaged, he believed the propitious moment to have come. The news of the battle of Coulmiers, when it made its way within the city, had, naturally enough, excited the liveliest enthusiasm. D'Aurelle de Paladines was nicknamed "Jean d'Arc," or "le Garçon d'Orleans." It was thought by wiser observers than the thoughtless and volatile mob that a tide might indeed have taken place in the disastrous fortunes of France.

Trochu made a short and soldierlike appeal to the citizens, National Guard, and Army. Ducrot, now acting as his second in command, addressed the men of the Second Army of Paris. The hour, he said, had come to break through the iron girdle that encompassed them: a supreme effort, but one not beyond their strength, would have to be made. Should they conquer at the first onset, their success would be assured; for large numbers of the enemy's best troops were on the banks of the Loire. As for himself, he took a solemn oath only to re-enter Paris dead or victorious. Ducrot had, indeed, the best of reasons for determining not to fall into the hands of the Prussians, for he was held guilty of having evaded the obligations of his *parole d'honneur*, given, or understood to be given, on his leaving Metz; and his enemies had sworn to shoot him if ever he should fall again into their power.

The Second Army of Paris began its offensive movements on Tuesday, the 29th, by a feigned sortie from the southern front of the town, in the direction of L'Hay and Choisy le Roi. The real attack was opened on the following morning, when Ducrot advanced on the right bank of the Seine, near its junction with the Marne. A second sortie on the left bank was directed against General Tümpling, and false attacks were made west of St. Denis. The main body of Ducrot's troops passed the Marne on eight bridges, and attacked the three Wurtemberg brigades which held the space between that river and the Seine.

The troops intended for the western attack advanced under protection of the fire of Fort Charenton and the redoubt of La Gravelle upon Mont Mesle, drove in the second and third Wurtemberg brigades, and held the position till Prussian reinforcements from the 2nd corps coming up, they were driven back under the shelter of Fort Charenton. Farther to their left, the French attempted the second attack; they passed the Marne at the upper bend of the river, and took the villages of Brie, Champigny, and Villiers. Matters now looked somewhat serious for the Germans. At this moment Colonel Abendroth dashed into Villiers with a body of Saxons. A dreadful struggle ensued. After an obstinate resistance, the French were driven out.

The position of affairs on the night of the 30th of November was this: the French had taken three villages from the Germans, and still retained two of them. The Saxons stood fast in Villiers, in spite of all that the French troops and the French forts could do to dislodge them. But Brie and Champigny, lying close under the lee of Fort Nogent and a strongly armed earthwork at Faisanderie, on the verge of the forest of Vincennes, overhanging St. Maur, remained in the hands of the French, Brie giving them a footing, so to speak, on the Saxon mainland, while Champigny was the key to the peninsula formed by the loop of the Marne. On the 2nd of December the Germans decided to recover Brie and Champigny from the French.

It was arranged that the Saxons should retake Brie, the Wurtembergers Champigny. The former had a comparatively easy task. The 107th regiment made a dash into Brie out of Rosny early in the morning, and surprised the occupants; some were asleep, others were composedly drinking their coffee. There was but trifling resistance, and nearly 500 prisoners were taken, including eight officers. Almost as soon, however, as Brie was taken it had to be relinquished. The terrible and persistent fire from the forts rendered it utterly untenable. Just before eight o'clock, the Wurtembergers, coming up from their posts on the south, assaulted Champigny with rifle fire. The French replied, and after a struggle, vigorously maintained on both sides, the offensive movement was for a time successful, and the French retired, the Wurtembergers repossessing themselves of the outposts they lost on the 30th. This was on the 2nd.

After this for nearly an hour there was no further fighting, but the French commenced a terrible fire from the forts. It told upon the forces of the besiegers, who were shot down in great numbers. The *Times* correspondent writes :—" Attempts were made by the Germans to bring their artillery into play, but such was the unfavourable nature of the ground that it could only be placed in positions where the shells from the forts would have knocked them to pieces in five minutes. Only one or two batteries fired, and that under circumstances which prevented their being of much service. There was cavalry on both sides, but they took no part in the engagement. The Germans had to depend entirely on their infantry, which behaved admirably, and inflicted very great loss on the enemy. The lines of French were constantly thinned, but they were replaced by others, who kept up the Chassepôt practice at just such a distance as enabled them to be safe from the fire of their own forts. There was a lull now and then in the rifle slaughter as the Germans retreated from the near approaches to the bridges over the Marne ; but the shelling never for a moment ceased, and the mitrailleurs and Chassepôts again performed their work of destruction, and again lines of Frenchmen fell dead and wounded from the fire of the needle-gun as often as the Germans renewed the attempt to get at and destroy the bridges. For miles round the whole earth seemed to shake from the thunder of the forts, and shells were passing over the battle-field and exploding in the woods and on the highways. Some of the projectiles reached a distance of 7000 yards from the batteries out of which they were discharged. Ultimately the Germans were obliged to desist from the attempt on the bridges. It was nearly three o'clock when they did so. The French, who had not crossed the Marne, then retired, and, after a few passing shots, the forts became silent. So ended this second engagement. It is estimated that there were 60,000 French troops out during the day, though not any thing like that number took an actual part in the engagement."

Montmorency, which had been thought out of range, received seventy-two shells, so powerful were the new projectiles used on this occasion for the first time by the French.

On the night of the 3rd the French withdrew across the Marne of their own accord, and without any fresh attack from the Germans. General Ducrot, keeping the letter of his promise, stopped short of the walls of Paris, and issued from Vincennes a proclamation the following day, stating that he had retired in consequence of the vast numbers of the enemy, but that the conflict had only ceased for a moment ; and that the people must still be prepared to sacrifice their lives in the holy cause. The number of French killed and wounded during this memorable sortie was estimated at 10,000. One of the reasons given for the retreat of Ducrot's army from the positions which it conquered on the line of heights from Brie to Champigny was the sudden access of cold, and the want of warm clothing. In the plan of operations undertaken by Trochu and

Ducrot no account was taken of possible changes of weather; all the warm rugs and sheepskins of the troops were left in Paris; and when night came on, with a bitter frost, it was impossible to recover these rugs, although they were all ready, not more than five miles off. The sanguine Parisians, notwithstanding, contrived to comfort themselves for this defeat in their usual way. "Since the 2nd," writes an English inhabitant on the 5th, "there has been no fighting of importance, but Paris is in hourly expectation of seeing D'Aurelle de Paladines, Bourbaki, or Kératry break through the Prussian lines and crumple up King William's hordes like a scroll. On Sunday night the whole city was thrown into the greatest state of agitation by the report that his Prussian Majesty had evacuated Versailles, and was flying before the avenging bayonets of the Army of the West. Immense crowds assembled on the Boulevards, and waited there hour after hour, in spite of the bitter cold, eagerly discussing the topic of the evening, and reading the latest editions of the papers by candlelight, for gas is scarce. No official news arrived to confirm the tidings, and Paris had to go to bed in doubt. The rumour is again current to-day that King William had thought it prudent to retire to Meaux."

The army of Prince Frederick Charles now pushed on in the direction of Tours, and soon had proof that the Army of the Loire, though broken and divided, was still in existence. Its 16th and 17th corps, under General Chanzy, retired to a position between Marchenoir and Beaugency, twelve miles down the river, where they were attacked by the Duke of Mecklenburg in two consecutive actions on the 7th and 8th. Fifteen hundred prisoners and six guns fell into the hands of the Germans. On the 9th and 10th the fighting continued, Chanzy disputing every inch of ground, and for the most part maintaining his positions. But while this front fighting was going on, Prince Louis of Hesse was sent by the Prince Marshal (Frederick Charles) to turn the position of Chanzy by the south bank of the river, advancing upon Blois, and so cutting off his communication with Tours. Blois was entered by the Hessians on the 13th.

The progress of events in this direction made it impossible for the Provisional Government to remain with any sense of security at Tours; and on the 9th its members, all but Gambetta, together with the members of the diplomatic and other public departments, took their departure for Bordeaux. A few days before, only, the inhabitants had been in raptures of delight at the delusive intelligence of a grand Parisian success. Gambetta, in a voice of emotion, had harangued them from the balcony of the Prefecture, pointing to the series of triumphs of which Ducrot's sortie was the commencement. Strange that when the disillusion came, this man should still have been believed in and obeyed. But he was: and even the trained generals to whom he gave his orders dropped or assumed their commands at his bidding without resistance. He now devoted himself to visiting the head-quarters of the several armies. From those of General Chanzy he wrote as follows:—

“10th. I have found every thing here perfectly maintained, owing to the firmness and indomitable energy of General Chanzy. He has not only maintained his positions for the last three days, but repulsed the masses of Prince Frederick Charles, inflicting the severest losses on them. Fighting has been carried on since the 28th ult., and the veracity of General Moltke's assertion that the Army of the Loire is annihilated may be appreciated at its proper value when it is seen that one half of this army, which has alone up to the present time been engaged, is sufficient to hold in check the veteran troops of Prince Frederick Charles.”

“Tours, 11th.—I have returned here, having left General Chanzy yesterday afternoon. His efforts up to the present have been crowned with success; he is protecting the line of the Loire without ceding an inch of ground. I think the position of things is sufficiently satisfactory to allow of my leaving, and I am now on my way to Bourges, to see what can be obtained from the Second Army. Write to me at Bourges; it is from that place I shall send my next despatch.”

On the 14th there was severe fighting again on the Loire. On the 15th Chanzy destroyed the bridges over the river, and retired westwards. Vendome was evacuated by the public authorities, and Chanzy, after another rear-guard affair with Von der Tann at Epinay, on the 17th, continued his retreat unmolested towards Le Mans, there to join his forces with the army forming under Fiereck.

On the 21st of December, the 19th division of the advancing German army arrived at the Bridge of Tours, and summoned the city to surrender. On its refusing to do so, thirty shells were thrown into it; upon which the Mayor hoisted a white flag, and asked for a German garrison. The position, however, was too distant a one to be held profitably, as Prince Frederick Charles's army was already stretching itself to the very outside limits of safety; and Tours was evacuated immediately after it had surrendered.

Count Moltke wrote a letter to the Governor of Paris, announcing the fall of Orleans. It was discussed, according to the Paris correspondent of the *Independance Belge*, at a special meeting of the Ministers. One of them, M. Picard, thought the opportunity should be embraced of considering the question of peace, if it could be an honourable one, and his opinion appeared to make some impression on his colleagues. General Trochu, however, remarked that these overtures proved the critical position of the enemy in the heart of a hostile country, and in the depth of winter; that the German victory might have been less complete than it was represented; that the greatest sacrifices would be demanded at such a moment; that every thing was to be gained by continuing the struggle until help came from the provinces; that Paris could hold out a long time, and that victories might follow reverses. “*Combattre*,” he concluded, “*combattre encore, combattre toujours!*” His eloquence and enthusiasm influenced the Council to decide unani-  
mously on the continuance of the war.



The idea that General Faidherbe was advancing from the North to attack the investing army, encouraged once more the attempt to break through the lines from within. A fresh sortie, which took place on the 21st under the auspices of General Vinoy, resulted, however, again in disappointment. The Government had had another disturbance to deal with from the party of the "Reds." It did not, at the time, reach formidable proportions, indeed, and Major Flourens was put under arrest: but it served partially to distract the attention of the rulers from the military exigencies of the moment, and owing to some mismanagement of General Bellemare, the French troops, after occupying the points of Drancy and Le Bourget, west of St. Denis, were driven back by the 2nd division of Prussian Guards, under Prince Augustus of Wurtemberg, leaving behind them a thousand unwounded prisoners.

We must now relate the position of affairs in the North, and show how General Faidherbe was engaged at the time when his advance was calculated upon by the defenders of Paris. The First German Army, under General Manteuffel, had marched upon Amiens after the fall of Metz, and defeated the French on the 24th of November; and a few days after the citadel of Amiens capitulated. The French Army of the North, under Faidherbe's command, retreated towards Lille, while the Germans advanced to the south-westward, occupied Rouen without resistance on the 5th of December, and exacted a war contribution of seventeen million francs from the city. Manteuffel then pushed detachments out towards Havre, Honfleur, Fécamp, and Dieppe, and threatened Cherbourg. German troops entered Dieppe on December 9th, but having provisioned themselves, left two days after without levying any money requisitions. By the 23rd of December Faidherbe had collected an army 60,000 strong, at Pont de Noyelle, a mile and a half to the north-east of Amiens. On that day he encountered the army of Manteuffel, and from eleven till six p.m. fighting was kept up. Both sides claimed the victory. The French fell back at their own time, taking a north-easterly direction, on the following morning, but without any pressure from the enemy; and it is possible that Faidherbe may have attained his object in merely checking and harassing the Germans. He was far enough, however, from stretching a hand to the beleaguered Parisians.

We have to follow, briefly, one other series of military operations, which took its commencement from the fall of Strasburg. After that event, General Werder was in command of a force whose sphere of action extended from the Vosges to the Jura, through the limits of the ancient provinces of Burgundy and Franche Comté. The French generals in these parts were Cambriel, afterwards replaced by Michel, and Garibaldi and his sons Menotti and Ricciotti, with their free bands. In the month of October, the Germans occupied successively Epinal and Vesoul, defeated the French at Ognon (on the 20th), and took possession of Dijon on the 29th. In the beginning of November, they blockaded Belfort, and pushed their

advanced guard on to Nuits; but on the 19th, Ricciotti Garibaldi obtained a success at Châtillon, when he fell on the rear of Prince Frederick Charles's army, and took between 100 and 200 prisoners. The loss to the Germans was not great; but it made them tremble for their communications, and the defeat of Menotti Garibaldi by Werder at Pasques, a few days later, was not enough to re-assure them. At any rate, General Werder found that a semi-defensive game was the only one he could safely play, and that he must abandon the idea of marching to attack the army of Lyons. On the 18th, the Baden division under General Glumer attacked 19,000 French commanded by Cremer, and stormed the position of Nuits; but not without experiencing losses as great, if not greater than their enemies. Immediately afterwards Werder evacuated Dijon, and moved off in a north-easterly direction. The cause of this retreat would seem to be the untenableness of his position in a place where the inhabitants were so thoroughly hostile to him, and detachments of the enemy ready to harass him on every side. It is surmised, too, that he may have been in fear of an attack by Bourbaki, whose designs, with the army collected under him at Bourges, had been kept profoundly secret. The last day of the year bore telegraphic news that the Germans had evacuated Gray, after a severe engagement with Franc-tireurs.

Garibaldi maintained his position at Autun; but his command had not been the brilliant success his admirers anticipated. With a considerable portion of his troops, and with the peasantry generally, he was highly unpopular. Not content with not sharing in their devout and Catholic sympathies, he made no scruple of outraging them; perhaps in so doing, he designedly indulged the proclivities of another portion of his ill-consorted company. Thus he allowed convents and churches to be turned into barracks—a band of 350 Franc-tireurs might be seen lying wrapped in their rugs on the stone floor of a cathedral, smoking and supping. It is scarcely to be wondered at that at Epinac, near Autun, the curate told his flock in the parish church that the Garibaldians were heretics and heathens, and that the Prussians were their real brothers, and should be received as such—an utterance, it may be added, for which the said curate was placed under arrest; though he was afterwards considerably released by order of Gambetta. An outrage took place at Lyons on Dec. 20th. The population was greatly excited by the news of the occupation of Nuits by the Prussians, and the women were particularly agitated, owing to the report that two battalions of the National Guard of Lyons had been entirely destroyed. A public meeting was held the same evening in the Salle Valentino, at which several speakers of the lowest ultra-radical class delivered inflammatory harangues. The meeting resolved to appoint fifteen delegates in each arrondissement, to call out the National Guards of their respective quarters, and to meet in arms on the Place des Terreaux. One delegation was there to invite the participation of the Mobilised Guards of the Chartreux Barracks,

another to sound the tocsin and beat the générale, while a third was to ask the Commandant if he would support the agitators or not; and, finally, when the whole body of the Guards should be assembled, the Hôtel de Ville was to be cleared. The delegates met in the Salle Valentino on the morning of the 20th, and many violent women, dressed in black, some carrying red and others black flags, were among the crowd. The men wore red cockades. Commandant Arnaud arrived at the Salle Valentino about noon, and requested to be allowed to enter the hall, but was refused. He was then hustled and struck, and his sword broken. He thereupon drew his revolver and fired twice, but was immediately overpowered. He was tried by the rabble in the Salle Valentino, condemned to death, and immediately taken a short distance off and shot by a party of National Guards. The time occupied in conveying Commandant Arnaud to the place of execution was about ten minutes, but no attempt was made to rescue him.

During the months of November and December the following strong places fell into the hands of the Germans. Verdun on Nov. 9th, with 4000 prisoners and 136 guns; Neu Brisach on the 10th, with 5000 prisoners and 100 guns; Thionville on the 24th, with 4000 prisoners and 250 guns; La Fère on the 27th, with 2000 prisoners and 70 guns; Phalsburg on Dec. 12th, with 52 officers, 1837 men, and 65 guns; Montmedy, with 3000 prisoners and 65 guns on or about the 15th. General Talhouet, the Commandant at Phalsburg, showed much spirit. Though informed by the besiegers of the defeat of D'Aurelle on the Loire, he refused to surrender as long as he had any rations left.

The tenacity of the French provincials in defence of their soil, and the enduring authority of the Provincial Government had probably not entered into the calculations of the German leaders when they resolved on prosecuting the war after the victory of Sedan, and making the readjustment of the frontier a *sine qua non*. It was now evident that their forces, thinned by battle and to some extent by exposure and disease, had more than enough to do in maintaining their lines of investment on the one hand, and fighting off the provincial armies of defence on the other. But the struggle, once fairly embarked in, was to be carried out, cost what it might, and accordingly a new levy of German Landwehr, to the amount of some 200,000 men, was demanded from Germany and sent across the Rhine about the middle of December.

Before Christmas the frost set in with a severity such as had not been experienced for many years. The trial to both besieged and besiegers at Paris was terrible. Sentries died at their outposts. Works of offence and defence had to be suspended. At last in the councils of the German army it was resolved that the long threatened bombardment should no longer be delayed. It was necessary to begin with the forts. Fire was first opened from the formidable Krupp guns upon Mont Avron (an improvised work to the north-east of the city, thrown up since the siege began in advance of the forts on the Belleville plateau) on the 27th of

December. After one day's bombardment Mont Avron ceased replying, and on the 29th the 12th German army corps marched up and occupied the position. When the year closed the bombardment was being vigorously and successfully carried on from this position on the neighbouring forts of Rosny and Le Nogent.

The unexpected ease with which the capture of Mont Avron was made was owing to the French having been taken utterly by surprise on the occasion. The Germans, working through ground frozen six inches deep, had constructed their batteries so skilfully and secretly, under the cover of trees and walls, that their position was completely masked, and when the bombardment opened, the astonished French found themselves exposed to a cross fire, one battery sweeping their flank, pouring in shot and shell, whilst the garrison, unable to change front under the heavy fire, could not reply with a single shot. Accordingly they made a rapid retreat that same night, taking some guns with them, and spiking the rest. Some of the German shells that were thrown into Belleville were computed to have gone a distance of nearly six English miles. The siege of Paris was now officially recognized as "active" at the Prussian head-quarters. Lieut.-General von Kameke was appointed chief engineer, and Major-General Prince Hohenlohe was placed in command of the batteries. Colonels Rieff and Bartsch were nominated as chief assistants.

It seems that the failure of the sortie on the 21st December had caused profound discouragement within the walls of Paris. An inhabitant, writing on the 26th, says, "Belleville is causing some uneasiness again, and in spite of the check received in October, the leaders of the 'Red' party are once more clamouring for the Commune as the only means for saving France. In public meetings and in the columns of the *Combat* and the *Réveil* a new 31st of October is openly proclaimed, and we are menaced with an army of 60,000 combatants of both sexes, who intend to establish a government consisting of 400 Republicans, with Garibaldi for president. Flourens is to be drawn from his prison, Felix Pyat from his cellar, Blanqui from his sewer, and Delescluze from his mairie, and with these promising elements the national system is to be reinvigorated and the country rescued. On all sides there is a cry that the Government should give some symptom of vigour, and not go on glimmering feebly. . . . It is almost placed beyond doubt that the Prussians are accurately informed of every move made in Paris, although General Trochu, when he is about to make a grand display, has the gates hermetically closed." Meanwhile the death-rate in Paris had reached to double its ordinary amount. Provisions were getting dearer and dearer. Trochu's grand "plan" of deliverance seemed no nearer its accomplishment.

That expectations of a speedy capitulation of the French capital now began to take shape in the minds of outside observers in general is no matter of astonishment.

## CHAPTER IV.

GERMANY.—North German Parliament—Question of admitting Baden to the Bund—Parties—German Democrats—Particularists—Ammergau Passion-Play—Meeting of Parliament in July—King William's Speech—Iron Cross—Sick and Wounded Societies—German concord—Coast preparations—German Army—Berlin rejoicings at Victories—Opinion on Annexation of Alsace and Lorraine—Dr. Jacoby's Speech—German Unification and Reconstruction—North German Parliament—Imperial Crown offered to King William, and accepted—Russian Note about the Black Sea—Luxembourg Neutrality.

AUSTRO-HUNGARY—Cisleithan Affairs—Giskra Ministry—Changes in the Cabinet—Count Beust's Circular—Dissolution of Reichsrath—State of Opinion about the War—Abrogation of Concordat—Bohemian Difficulties—Transleithan Affairs—Hungary—Prince Gortschakoff's Note—Count Bismarck to Count Beust on the Unification of Germany under the King of Prussia.

## GERMANY.

On the 1st of January, Count Bismarck entered on his duties as Foreign Minister, no longer of Prussia, but of the North German Confederation; henceforth holding that office in addition to his newly resumed functions as Chancellor. Two subordinates were appointed for him in the Chancellorship, whose business it should be to attend to minor details; these were Herr von Thile, who was likewise to act as Secretary for Foreign Affairs; and Herr von Delbrück, to act as Secretary for Home Affairs.

At the opening of the parliamentary year in Bavaria and Saxony the anti-Prussian party seemed to be somewhat in the ascendant. The new Chamber which met at Munich elected as President the Ultramontane Candidate, Herr Weis, by a large majority over Barth, who was proposed by the Liberals. On opening the Diet the King declared his intention of upholding Bavarian independence. At Dresden the first opposition to the policy advocated at Berlin was taken in the Upper House, on the ground of the new federal penal code. Count Hohenthal opposed the extension of the agreement enabling the North German Confederation to dictate laws regarding the internal affairs of the separate States. Professor Heintze censured the proposed mode of dealing with political crimes, as tending to lower the separate States to the condition of provinces, and making their rulers merely mediatised federal princes. Against the strong appeals of the Ministers, also, a motion was carried in the First Chamber, by a small majority, in favour of disarmament.

In the Prussian Diet itself Count Bismarck had to encounter opposition from the non-centralizing party, who wished to continue the separate sittings of the Diet after the assembling of the North German Parliament. Such persistence, he warned them, in treat-

ing the affairs of Prussia on a particularist basis would lead to serious difficulties. On the 12th of February, the Federal Parliament was opened by the King in person. He announced that the Assembly would be called upon to extend and complete the institutions which had been agreed upon by the separate Governments of the Confederation. He adverted particularly to the new penal code, which was to establish a uniform system of criminal procedure throughout North Germany, thereby greatly advancing the work of national unity. Other domestic measures were likewise about to be presented to them. Dr. Simson, the Government candidate, was re-elected President of the Assembly by a large majority.

On the 24th an important debate took place on a resolution brought forward by the National-Liberal party in favour of the speedy admission of the Grand Duchy of Baden into the North German Bund; but the measure was opposed by the great centralizer himself, Bismarck. Whether from fear of hurrying on a quarrel with France, or from whatever reason, he found it in this case expedient to backen the impulse he had himself excited. The adhesion of Baden was not yet desirable, he said, and would tend to retard the natural progress of the South German States if precipitately carried out. The North German Confederation would reserve to itself the right of designating a more favourable moment for the reception of the Grand Duchy as one of its members. But whilst abstaining from any territorial extension of the Bund, he did not neglect to make more sure the ground already gained. Thus, a measure was passed to assimilate weights and measures throughout North Germany in connexion with the intended assimilation of the coinage. A copyright measure was also passed. The Opposition, indeed, carried a resolution in favour of the abolition of capital punishment, which conflicted with the new penal code, and called forth a strong remonstrance from the Chancellor; but this resolution was rescinded in deference to his assurances that the best interests of German unity were involved; and the general penal code for North Germany was finally passed, before the close of the Session. On the 20th of May, the Parliament broke up. The King of Prussia in his closing speech congratulated its members very warmly on the importance of the work they had accomplished. Among other results achieved, he said, the organization of the Army of the Confederation was now complete, and the war force of the Bund was in process of being developed in a manner that promised to lend this branch of the national defences an importance in harmony with the just demands of the German nation. In conclusion he expressed his conviction that the satisfaction felt by himself and the Members of Parliament at the result of their labours was shared "throughout Germany and beyond its frontiers." "The great successes," he remarked, "which have been obtained in a comparatively short space of time in the path of free agreement between the Government and the national representatives, both with each other and among themselves, afford the

German people a guarantee for the fulfilment of the hopes which were raised by the creation of the Bund, for they prove that the German mind, without renouncing that free development on which its strength depends, is able to find the way to unity in the common love all bear to the Fatherland. The same successes, won by fidelity and vigorous labours for the general welfare and education, for freedom and order at home, afford also to foreign countries the certainty that the North German Confederation, in developing its internal institutions and its national treaty alliance with South Germany, is perfecting the strength of the German people, not to the greater danger, but to the more powerful support of universal peace, to the preservation of which the respect and confidence of foreign peoples and Governments will contribute."

As soon as the labours of the session were over, the King, accompanied by Bismarck, left Berlin for Ems, on a visit to the Emperor of Russia.

Preparations by Bismarck for the political incorporation with Prussia of the little Duchy of Lauenburg, which had been annexed to the monarchy since 1865, hardly merit attention amid the larger events which were gathering on the horizon by the middle of the summer. But we may mention, as another instance besides the rejected proposition of Baden, of the growing feeling in the southern portion of Germany for union with the North, a meeting of the so-called German party at Stuttgart in the month of April, at which resolutions were passed to the effect that nothing but an unhesitating adhesion by Wurtemberg to the already united Germany could secure the progress of the country; and that the existing treaty relations with North Germany afforded a basis on which a complete system of Federation could be carried out.

The opinions of the Progressive-unionists, however, were far from being universally prevalent among the so-called Liberals of Germany, either North or South. The social-democratic party had a large following, and this party again was split up into minor sections, of which the one harmonizing sentiment was the vision of an International Working Man's Utopia, involving the downfall of feudalism, and in the meantime, steady hostility to the rule and policy of Count Bismarck. The section called the "Democratic Workmen's" party, nicknamed the "Honest" party, whose headquarters were at Stuttgart and Leipsic, desired to break up Europe, and more especially Prussia and the North German Confederation, into a number of small Communistic Republics. Their leaders were Bebel, a master-turner, and Liebknecht, a journalist; and the paper called the *Volks Staat* (Leipzig) was their literary organ. At first these men acted, in political matters, in harmony with the so-called *Volkspartei*; but the leaders of the *Volkspartei*, though Republican in principle, were not Socialistic; moreover their main strength lay in the middle classes, which the "Honest" party regarded with especial aversion. It did not seem likely, therefore, that the alliance between these two descriptions of German Radicals would

be lasting. Then there was the "Progressive Workmen's" party, whose views were represented in the *Volkszeitung* and the *Gewerbe Verein* (Berlin). The former leader of this section had been Schultze Delitsch, a man of moderate views, who held that there was no "social question" at all; that if the law of supply and demand were left to itself, satisfactory relations between employer and employed would ultimately come to pass, and that, meanwhile, to improve the labourer's condition by means of savings' banks, and loans, and co-operative stores, was the best object to which the efforts of reformers could be directed. But Schultze Delitsch retired into the background: and then more stormy leaders came forward, Hirsch and Dunker to wit; and the gospel of strikes was preached, and the English trades-unions were held up to admiration. Altogether the "platform" was decidedly in advance of that taken up by the "Honest" party. But more advanced still, or at all events more loudly pronounced, were the opinions of the third and most important class of German Socialists, the followers of Ferdinand Lasalle, sometimes called the "German Alcibiades." These men aimed at securing for the labourer a share in the profits of all commercial and industrial undertakings; and in order to obtain this, they demanded State assistance; they unreservedly encouraged strikes; they denounced all indirect taxation; they were the most bitter enemies of the capitalist. After Lasalle's death, the party split into three factions, which warred incessantly with each other as well as with the rest of the world. There were—1, the followers of Dr. Schweizer; 2, the followers of Countess Hatzfeld, the friend of Lasalle and sharer of most of his plans and dreams; 3, the faction of Tauscher, distinguished by its especial aversion to the North German Bund. This faction fused itself with the "Democratic Workmen's" Party, at a meeting held at Stuttgart in the month of June. While such were the ramifications of ultra-democratic opinion in Germany, the old feudal and so-called Particularist principles, at the other end of the political scale—principles which not only upheld Social-Conservatism, but also aimed at the preservation as much as possible of the separate State rights, and repudiated the Pan-Teutonic policy of the North German Chancellor—found their representatives chiefly in Bavaria. Here the Ministry of Count Clovis Hohenlohe, a statesman of moderate views, who would fain have conciliated the Progressist and Particularist parties by a medium course, was forced to give way, in the month of March, before a vote of want of confidence passed by the reactionary majority in the Chamber, and Count Bray assumed the post of Foreign Minister. Bavaria, however, though conservative of the past—and indeed *because* conservative of the past—was opposed to the new Ultramontane influences. She marked her hearty acquiescence in the stand made by Dr. Döllinger at Rome against the doctrine of Papal Infallibility; and the municipality of Munich offered him the freedom of their city on that occasion.

As the glowing days of summer set in, certain highland valleys a little to the south of the Bavarian capital were busily occupied in



preparations for a traditional dramatic solemnity which had lingered as an observance among the simple inhabitants ever since the mediæval Church was wont to exhibit her "mysteries and moralities." The decennial "Passion Play" of the Ammergau had, by the singular taste and truthfulness of its performance, attracted twice within the present century the admiring notice of travellers. Writers, learned and popular, had described it in foreign journals; and a concourse of visitors larger than ever, was expected to throng the highway from Munich to the Vorarlberg, when the representations of the month of July, 1870, should commence. Already, in anticipation, some had gone to the spot to inspect the rehearsals; and descriptions had been circulated, and read with interest, of the dresses, countenances, and characters even, of the principal performers. The regular performances were beginning—five thousand spectators, it is said, were present on the first occasion—when suddenly, into this dream-land of peaceful sacred personification, sounded the disturbing note which was awaking Europe to a war drama of actual life and death. The peasants of the Ammergau doffed their assumed Israelitish garb, and had to march off, with the other children of Germany, to fight the battle against French aggression. For whatever French diplomatic agents might have believed, or brought others to believe, would be the case, the States of South Germany did not, for a moment, when the crisis came, hold back from the roll-call of the Sovereign who presided over the North German Bund.

The steps which led to the outbreak of war have been recounted elsewhere in our History. When the North German Parliament, summoned specially for the occasion, opened on the 19th of July, the King spoke as follows:—

"Honoured gentlemen of the Parliament of the North German Confederation,—

"When at your last meeting I bade you welcome from this place, in the name of the Allied Governments, it was with joy and gratitude that I was able to bear witness to the fact that by the help of God success had rewarded my sincere efforts to meet the wishes of the people and the requirements of civilization, by avoiding any disturbance of the peace of Europe. If, notwithstanding this assurance, the menace and imminence of war have now laid upon the Confederate Governments the duty of calling you together for an extraordinary session, you, as well as ourselves, will be animated with the conviction that the North German Confederation has laboured to improve the national forces, not to imperil, but to afford a greater protection to universal peace; and that when we call upon this national army to defend our independence we only obey the mandates of honour and duty. The candidacy of a German Prince for the Spanish throne—both in the bringing forward and withdrawal of which the Confederate Governments were equally unconcerned, and which only interested the North German Confederation in so far as the Government of a friendly country ap-

peared to base upon its success the hopes of acquiring for a sorely tried people a pledge for regular and peaceful government—afforded the Emperor of the French a pretext for a *casus belli*, put forward in a manner long since unknown in the annals of diplomatic intercourse, and adhered to after the removal of the very pretext itself, with that disregard to the people's right to the blessings of peace of which the history of a former ruler of France affords so many analogous examples. If Germany in former centuries bore in silence such violations of her rights and of her honour, it was only because, in her then divided state, she knew not her own strength. To-day, when the links of intellectual and rightful community, which began to be knit together at the time of the wars of liberation, join the more slowly, the more surely the different German races—to-day that Germany's armament leaves no longer an opening to the enemy, the German nation contains within itself the will and the power to repel the renewed aggression of France. It is not arrogance which puts these words in my mouth. The Confederate Governments, and I myself, are acting in the full consciousness that victory and defeat are in the hands of Him who decides the fate of battles. With a clear gaze we have measured the responsibility which, before the judgment-seat of God and of mankind, must fall upon him who drags two great and peace-loving peoples of the heart of Europe into a devastating war. The German and French peoples, both equally enjoying and desiring the blessings of a Christian civilization, and of an increasing prosperity, are called to a more wholesome rivalry than the sanguinary conflict of arms. Yet those who hold power in France have, by preconcerted misguidance, found means to work upon the legitimate but excitable national sentiment of our great neighbouring people for the furtherance of personal interests and the gratification of passions.

“The more the Confederate Governments are conscious of having done all our honour and dignity permitted to preserve to Europe the blessings of peace, and the more indubitable it shall appear to all minds that the sword has been thrust into our hands, so much the more confidently shall we rely upon the united will of the German Governments, both of the North and South, and upon your love of country, and so much the more confidently we shall fight for our right against the violence of foreign invaders. Inasmuch as we pursue no other object than the durable establishment of peace in Europe, God will be with us, as He was with our forefathers.”

When the House met in the afternoon for the despatch of business, Count Bismarck informed the members that the French *Chargé d'Affaires* had delivered a declaration of war against Prussia. Hereupon all present arose, and greeted the announcement with loud cheering, the persons in the gallery shouting “Hurrah!”

An address was passed unanimously, with assurance of ample support in the war. The Bavarian Chamber voted at once the extraordinary military credit of 18,200,000 florins demanded by Government, and notice was sent to Bismarck that Bavaria would

enter into the contest on the Prussian side. At Darmstadt the sum demanded by Government for the Hessian contingent was voted without a dissentient voice. In the last sitting of the Federal Council, Baron Friesen declared, in the name of the Saxon Government, that Saxony too, gave her entire adhesion to the war policy of Prussia. Wurtemberg and Baden were not behindhand. One determination seemed to take hold of the German people. France's restless jealousy of the progress of Germany towards unity of system and Government should be resisted, repelled; nay, if it might be, signally punished. "In the North," says a contemporary observer, "it is a stern desire for action; in the excitable South the feeling is a more fiery one, and if not universal, it pervades such a vast majority of the people as to impose all but absolute silence upon the Ultramontanes, the Republicans, and other fractions of the Anti-Union party. Whatever remembrances of 1866 may have been lingering in men's minds, they are now submerged in a common hatred of the insulting foreigner."

And this was the answer, practical and effectual, to the suggestions of the leading statesmen of France, who having, together with their master, formed a most erroneous estimate of the feeling of South Germany towards Prussia, had sought to stir up the supposed embers of strife by such an appeal as was circulated by their agents in the territory of Baden. The people of that duchy were urged "to take the opportunity of the Franco-Prussian war to liberate themselves from the dominion of the Hohenzollerns." The national feeling of France "had been justly provoked" by a policy "full of intrigue," this policy was "an insult, not to the dynasty of the Bonapartes, but to the French nation." The Prussians, on the other hand, "wish to oppose the German nation to France—to turn the anger of France at the cabinet policy of the Hohenzollerns on the German people. The war with France is the consequence of Prussian dreams of power, and the German nation is to take the chestnuts out of the fire." After pointing out that the military conventions between Prussia and the South German States were forced upon the latter by the astute policy of Count Bismarck, the appeal concluded thus:—"German princes, Suabian and Bavarian peoples, do you perceive at last that since 1866 you have been Prussians, not Germans? Is a cause which is foreign both to you and to Germany, to claim the sacrifice of your children, your brothers, and your fathers, in order that the new creation which feels unsafe, though supported by a million of bayonets, may be developed with impunity? Germans, awake!"

On July 19th, the King issued a decree reviving the military order of the Iron Cross. This order had been instituted by his father, King Frederick William III, at the time of the Liberation War against Napoleon I., and in memory of the then lately deceased Queen, Louisa, who was so peculiarly associated with all the sentiment of the national uprising. "The Iron Cross," it was now announced, "is to be bestowed without difference of rank or station,

as a reward for merit gained either in the actual war with the enemy, or at home in service connected with the defence of the honour and independence of our beloved country.”

Another decree, put forth from the War Office by order of the King, related to the Voluntary Society for the care of the sick and wounded, together with the kindred brotherhoods of the Knights of Malta and St. John, whose generous devotion led them to take charge of the ambulances on the field of battle, and to see to the supply of material for surgical and other purposes. A royal commissioner was appointed to superintend the agency of these beneficial societies, so that by a good central organization their strength and means might be directed with the best effect. And here we may notice the other agencies of the same nature which brought the services of humane and Christian feeling to bear on the horrors of this direful war. The French had their central committee in the Champs Elysées. The English kept out of active participation in the struggle, utilised their neutrality by impartial assistance to the sufferers out of the resources of the “National Society for giving aid to the Sick and Wounded in the War.”

The zeal and activity of these agencies was abundantly witnessed on the battle-field. It was most conspicuous also in the tract of German country behind the war. Throughout the lines of railway frequented by the troops, stations were to be found turned into temporary hospitals, with piles of lint and bandages in them ready for the wounds of the soldiers returning from the battle-fields, and of the prisoners brought in their train; with refreshments and medicaments ready prepared for the wants of all. The stalls were tended by ladies, doctors, male and female nurses, and other volunteers, all wearing on the left arm the white band with the red cross, and an official stamp besides, to show that they were recognized by the authorities. Day and night, too, men with the same badge might be seen in every train and waiting at every station ready to assist the wounded on their journey, and, if needed, to accompany them to their own homes. These were pictures with which travellers in Germany during the sanguinary summer of 1870 were familiar: we notice them here by anticipation.

Queen Augusta and the Crown Princess placed themselves at the head of the working institutions in Berlin, and superintended the preparation of material for the hospitals, &c. On the achievement of his victory at Sedan, the King sent an order for the foundation of an invalid institution for the sick and wounded in war, to which the name of the “Wilhelm Stiftung” should be given. A general subscription was also proposed for the organization of a United German association, with affiliated branches, to carry out a scheme of charitable help for those belonging to the different German States whom the war had made disabled or destitute; and the exhortation to this subscription was issued by the Crown Prince in quality of leader of the Third Army, an army “in which the Bavarian, the Wurtemberger, the Badener, had fought side by side

with the Prussian." The "waking" of the German people was certainly very complete and effectual; but they woke to view the situation in a light very different from what French statesmanship—with regard to some of them—had calculated.

While a chance of peace remained, the Austrian Cabinet had earnestly endeavoured to dissuade Napoleon from the last extremities. His reply to the Ambassador had been, "Je ne crains rien plus qu'une reculade de la Prusse. Voyez cet enthousiasme de toute la France pour la guerre; je ne le retrouverai jamais." Austria indeed held aloof from the gathering of the Teutons; but even her neutrality in such a war was a great and unexpected blow to France.

Another region of Germany on whose abounding sympathies in a war against Prussia French politicians had reckoned was Hanover; but here too no disposition whatever was shown by the population to resist the military order for a general arming of volunteers and Landwehr, given by General Vogel von Falkenstein, one of the fiercest martinets of the "Seven Days' War," who was appointed to the command over the sea-bordering provinces of the North, in order to guard against a possible descent of French troops on the coast. Had the Emperor's programme of a march on Berlin been carried out no doubt some co-operating military movement of French troops up the Elbe would have been combined with it. Preparations for defence were therefore actively made, by barring up the harbours, raising batteries, and sinking torpedoes. Orders were likewise given to take up the sea-marks, withdraw the light-ships, and extinguish the fixed lights along the coast.

And here a few words as to the strength and constitution of the German military forces.

The whole male population of Prussia may be said to be trained to arms, ready for offensive warfare, either in the army or the Landwehr, from the age of twenty to that of thirty-six; and in the Landsturm, for defensive warfare within the country, up to fifty. The Prussian army is divided into companies, battalions, regiments, and *corps d'armée*. The war strength of a battalion is 1002 men, consisting of four companies. Three battalions go to a regiment, two regiments to a brigade, two brigades to a division. A division includes in addition a proportional force of cavalry, several batteries of artillery, and a battalion of riflemen or of pioneers; while a *corps d'armée*, being considered a unit, complete and independent in itself, carries all the stores and appliances required for a campaign. Including those of the annexed provinces and of the Guards, Prussia had the disposal of thirteen *corps d'armée*.

The total strength of the army of the North German Confederation was, on the peace footing, 319,358 men; on the war footing, 977,262; and it was capable of being raised to the latter standard, by the mobilisation of the reserve troops, within no longer a time than a fortnight. Bavaria numbered 50,000 troops on her peace establishment, and 30,000 more in time of war. Wurtemberg could raise 34,405 men in war-time; Baden 20,722.

The North German fleet numbered five iron-clads, nine corvettes, twenty-two gun-boats, and two small boats; in all thirty-eight vessels, with 320 guns. The greater part of this fleet was in Plymouth Sound, under Prince Adalbert's command, at the time of the first war threats, and quitted in consequence for Fayal, bearing sealed orders, but returned almost immediately to cruise in the Channel.

It was resolved to mobilise the entire army without loss of time. On the 21st the North German Parliament was prorogued after voting 120 millions of thalers for war expenses. Dr. Simson, the President, wound up his closing speech with these words:—"The labours of the people's representatives are for the present at an end, and the work of arms will take its course. May the blessing of the Almighty descend upon our people in this holy war! Long live King William, Commander-in-Chief of the German Army!" The Session terminated amid loud and prolonged cheering.

At Bonn more than 1000 students presented themselves before the authorities and demanded to be instantly enrolled in the defence of the country. At Stuttgart crowds assembled in front of the royal palace to thank the King of Wurtemberg for having joined in the war against France.

From each of the South German Sovereigns the Crown Prince received felicitations on his appointment to the command in chief of the South German armies.

Wednesday, the 27th, was observed as a general Fast Day throughout Prussia to implore God's blessing on the German army. The king proclaimed in the style of martial piety which was characteristic of him:—

"My conscience acquits me of having provoked this war, and I am certain of the righteousness of our cause in the sight of God. The struggle before us is serious, and it will demand heavy sacrifices from my people and from all Germany. But I go forth to it looking to the Omniscient God, and imploring His Almighty support.

. . . From my youth upwards I have learnt to believe that all depends upon the help of a gracious God. In Him is my trust, and I beg my people to rest in the same assurance." The following prayer was inserted in the Liturgy of the Evangelical Church:—

"Almighty and merciful God! Lord of Hosts! we beseech Thee for Thy all-powerful succour for our German Fatherland! Go to war with the German armies, and bless their weapons that they may overcome the enemy. Lead us to victory, and grant us mercy, that we may show ourselves to be Christians, even to our enemies. Let us soon make peace that will surely guarantee the honour and independence of Germany. Be the strong protection and defence of our German Fatherland."

The movements of the German armies when the war began in earnest come into the department of French history. Ever as battalion after battalion moved up to the frontier, deafening shouts greeted the old German river, and generals bared their white heads while the bands played and the soldiers sang in chorus "Die

Wacht am Rhein." The suspense and anxiety felt at Berlin was at first intense. The news of the opening successes came in two short despatches from King William to the Queen, which have obtained historic renown :—

*" To the Queen Augusta.*

*" Mayence, 4th August.*

1. "A brilliant but bloody victory won to-day under Fritz's eyes by the storming of Weissenburg and of the Gaisberg behind it. Our 5th and 11th corps and two Bavarian army corps fought. The enemy in flight; 500 unwounded prisoners, a cannon, and the tents in our hands. General of Division Douay killed. On our side General von Kirchbach slightly wounded. Heavy losses in my regiment and the 58th. God be praised for this first glorious deed of arms! May He continue His aid!"

*" WILHELM."*

2. "What happiness this new great victory gained by Fritz! Praise God alone for His favours! Thirty cannon, 2 eagles, 6 mitrailleuses, and 4000 prisoners taken. MacMahon was reinforced from the main army. A salute of victory is to be fired.

*" WILHELM."*

Then, to the previous nightmare of a conquering French army advancing on Berlin succeeded a heartfelt sense of relief and satisfaction; of stern satisfaction, however, mingled with deep regret for friends and homes sacrificed, and of increased resolution to punish effectually the French aggression, and guard against its repetition. The news of the investment of Strasburg awoke a train of antiquarian and romantic sentiment, as though the German nation were yearning for the recovery of a lost child; the actual French sympathies of the Strasburgers being unscrupulously forgotten or overlooked. Already, before the month of August was over, some of the organs of public opinion were advocating the re-incorporation of all Alsace and Lorraine with Germany as a condition of future peace; and that the Germans might be left to prosecute the war until some such basis for permanent and not mere patchwork peace should be secured, memorials were addressed by the inhabitants of Leipsic and Berlin to their respective Sovereigns deprecating foreign intervention.

The first French spoils taken in the war, consisting of 4 mitrailleuses, 23 guns, and one eagle, were brought in state into Berlin on the 28th of August, and carried through an immense crowd to the Lustgarten. The Queen appeared on the balcony to receive the people's congratulations. All were eager to make acquaintance with those dreaded weapons of the French army whose "hailstones" were to have scattered the men of Germany right and left—the French "demoiselles" as they were sportively nicknamed.

When close upon this followed the news of the victory of Sedan the spirit of national exultation vented itself in uncontrolled jubilee. The demonstration of 1866 after Sadowa, when German

had stood in battle-array against German, was nothing to this, when they had fought side by side against the foreigner. The statues of the national heroes on *Unter den Linden* were decorated with laurel leaves; on the 3rd of September the city was dressed in flags; illuminations and fireworks closed the evening. Sunday the 4th was devoted to thanksgiving services, and on the Monday the Philharmonic Societies of Berlin serenaded the Queen with all the national songs in chorus. Never had Luther's hymn "Ein' feste Burg ist unser Gott," the "Wacht am Rhein," the "Deutches Vaterland," and "God save the King," been sung more lustily.

Measures, too, for quickening the advance of that German Unity which the French invasion had been intended to defeat were not behind-hand. Addresses were sent to King William from all parts, recommending "the immediate re-union of Northern and Southern Germany, as a measure which will make the nation free and strong, and enable it to bear with equanimity the ill-will of so many of its neighbours."

At a Cabinet Council, held on the 9th inst., the Bavarian Government decided on taking the initiative in opening negotiations with Prussia respecting the accession of Bavaria to the North German Bund.

Many numerously attended meetings were held in Munich, and resolutions were passed in the following sense:—After a warm expression of thanks to the heroic German army and its leaders, and of confidence in those at the head of affairs, it was declared that as Germany, united as never before, had fought her battles and beaten the enemy without allies, she would also conclude a peace without the interference of neutrals. "Only a peace which brings the French to a consciousness of their defeat can be lasting; and a false generosity would be weakness, encouraging new attempts. The recovery of Alsace and Lorraine is the only guarantee against that French hankering after German territory which has displayed itself under every new Government. As the Germans went united to the war, so shall peace also find them united, by the accession of the South German States and the acquisition of long-lost territories. The German Bund must comprehend the entire power of the German people. One people, one army, one Diet, one German constitution are the guarantees of lasting peace for Germany and Europe."

Meetings, too, were held in all the great towns of Wurtemberg, adopting the resolution of the Stuttgart meeting of the 3rd. All parties were agreed, and men who had hitherto been the bitterest enemies of Prussia and the reconstruction of Germany now loudly demanded the accession of Wurtemberg to the Bund. The King answered, in the same spirit, that he was determined, as a German sovereign, to contribute his share to such a solution of the question.

Herr Delbrück was despatched from Berlin to Munich to negotiate the bases of the new amalgamation. The Social-Democratic section of German Liberals, meanwhile, were by no means disposed to sympathise with the growing feeling in the public mind for the



annexation of Alsace and Lorraine. To disregard the wishes of a population was in their eyes altogether unjustifiable; and one of their conspicuous orators, old Dr. Jacoby, an enthusiast for the doctrines of 1789, but a somewhat visionary philosopher, whose influence as a party-man, though he was popularly called the "Sage of Königsberg," was even by his own confederates not much accounted of, distinguished himself by making a speech at a public meeting at Königsberg which drew upon him the terrors of authority. What he said was as follows:—

"The chief question, the decision of which alone has any importance for us, is this: Has Prussia or Germany the right to appropriate Alsace and Lorraine? They tell us Alsace and Lorraine belonged formerly to the German empire. France possessed herself of these lands by craft and by force. Now that we have beaten the French, it is no more than what is right and proper that we should recover from them the spoil, and demand back the property stolen from us. Gentlemen, do not let yourselves be led away by well-sounding words, and, though they offer you the empire of the world, be not tempted to worship the idols of power. Test this well-sounding phrase, and you will find that it is nothing but a disguise for the old and barbarous right of force. Alsace and Lorraine, they say, were formerly German property, and must again become German. How so, we enquire? have, then, Alsace and Lorraine no inhabitants? Or are, perchance, the inhabitants of these provinces to be regarded as having no volition, as a thing that one may at once take possession of, and dispose of just as one likes? Have they lost all their rights through the war, have they become slaves, whose fate is at the arbitrary disposal of the conqueror? Even the most ardent and insatiate partisan of annexation allows that the inhabitants of Alsace and Lorraine are in heart and soul French, and wish to remain French. And however much they might have offended us, it would be contrary to all human justice should we try to Germanize them compulsorily, and incorporate them against their will either with Prussia or any other German State. Gentlemen, there is an old German proverb, which has been raised to a universal moral law on account of its being so true—'Do not unto others what you would not they should do unto you.' How should we and our 'national Liberals' feel if at some future time a victorious Pole should demand back and seek to annex the provinces of Posen and West Russia? And yet the same grounds might be urged for this that are now brought forward to support an annexation of Alsace and Lorraine. No, gentlemen! It is our duty to oppose such tendencies of national egotism. Let us hold fast to the principles of justice as much in public life as in private life! Let us openly declare it to be our deep and inmost conviction that every incorporation of foreign territory against the wishes of the inhabitants is a violation of the right of self-constitution common to all people, and therefore as objectionable as it is pernicious. Let us, without being led astray by the intoxication of victory,

raise a protest against every violence offered to the inhabitants of Alsace and Lorraine. Only he who respects the liberty of others is himself worthy of liberty."

To General Vogel von Falkenstein, the military governor of the Northern coast district, and a rigid absolutist and disciplinarian—"Raub" Vogel, as he was sometimes called—this utterance of the Democratic Professor appeared to transgress the bonds of decorum and of safety; and he ordered that the speaker should be summarily arrested and kept in durance as long as the war should last. A semi-official article in the *Kreuz Zeitung* defended this step on the ground that the Socialist party had been discovered by documentary proof found on the occasion of some recent arrests at Brunswick, to be actively engaged in organizing an International Republican Association, and had received orders from a central foreign committee to resist the continuance of the war, and any conquest that should weaken the new Republic of France. For this reason also Falkenstein prohibited the holding of any more Democratic meetings. It was felt by many, however, that the proceedings against Jacoby had been harsh and ill-judged; and a petition was got up at Berlin to induce Count Bismarck to release him. Bismarck refused to interfere with the action of Von Falkenstein in the matter. However, towards the end of October, Jacoby was released by order of the King.

Meanwhile the abrogation of the law of conscription in Alsace and Lorraine, and the organization of the postal service in those provinces in connexion with the postal system of the North German Confederation were indications that permanent annexation was at least contemplated.

It was a subject on which the opinions of German politicians were much divided. There were those who considered the cession of the two provinces requisite on military grounds, as giving Germany an effectual frontier defence against France, and at the same time taking from the latter power her vantage-ground of offence in the formidable military positions of Strasburg and Metz. The *Kreuz Zeitung* and *Allgemeine Zeitung*, journals devoted to court and feudal influences, advocated this view. Secondly, there was the ethnological party, sentimental Liberals, who demanded the annexation of Alsace and Lorraine because the inhabitants were German in race. A few members of this party were consistent enough to recommend that North Schleswig should be restored to Denmark for an analogous reason. The *Kölnische Zeitung* was at this time their journalistic organ. Thirdly, some politicians declared that the cession of Strasburg alone, as an important military position and an old German imperial town, would content them; and fourthly, the Socialist section of Liberals, and many fair and humane thinkers on the popular side, who nevertheless did not share in dreams of a Democratic Republic throughout Europe, objected to all annexation, as contrary to the wishes of the population of the districts in question, likely to be a cause of enduring local hatred between

nation and nation, and also to furnish Germany herself with a chronic political thorn in her side.

Count Bismarck himself had not committed Prussian policy by any means to the measure of annexing the two provinces in question. No definite terms of peace had as yet been discussed, and the utmost the great statesman had suggested, as part of the Prussian programme, had been the cession by France of Strasburg, Metz, and a strip of territory in connexion with the latter citadel, so as to give it a communication with the German frontier. This cession Moltke and the military authorities were understood to insist upon, as being strategically necessary to the future safety of Germany against invasion as sudden and unexpected as that of 1870 had been: as dangerous, or indeed fatal, as that invasion might have proved.

Bismarck was desirous to make his position clear in face of the hysterical and somewhat confused outcry which the French politicians were raising on this question; and in the beginning of October, he issued the following circular to the North German embassies and legations at Foreign Courts:—

“ Ferrieres, Oct. 1.

“ As we learn from the newspapers, the section of the French Government residing at Tours issued an official proclamation, containing a passage to the effect that the undersigned told M. Jules Favre that Prussia would continue the war and reduce France to a second-rate Power. Although such a statement can be intended only to impress such circles as are alike unacquainted with the ordinary language of diplomacy and the geography of France, yet the fact that the said official utterance bears the signatures of ‘ Crémieux, Glais Bizoin, and Fourichon,’ and that these gentlemen form part of the Government of a great European empire, induces me to request your Excellency to comment upon it in your official conversations. In my interviews with M. Favre we never got so far as to open business-like discussion on terms of peace. Only at his reiterated request I communicated to the French Minister a general outline of those ideas which form the principal contents of my circular dated Meaux, the 16th of September. As yet I have never and nowhere raised demands going beyond those ideas.

“ The cession of Strasburg, Metz, and the adjacent territory, alluded to by me on this occasion as part of our programme, involves the diminution of French territory by an area almost equal to that gained by Savoy and Nice; but the population of the territory we aspire to exceeds, it is true, that of Savoy and Nice by three-quarters of a million. Now, considering that France, according to the Census of 1866, has 38,000,000 inhabitants, and with Algeria, which latterly supplies an essential portion of her army, even 42,000,000, it is clear that a loss of 750,000 will not affect the position of France in regard to other Powers, but, on the contrary, leaves this great empire in possession of the same abundant elements of power by which in Oriental and Italian wars it was capable of exercising so

decisive an influence upon European destinies. These few suggestions will suffice to assert the logic of facts against the exaggerations of the proclamation of the 24th ult. I will only add that in our conversations I expressly drew M. Favre's attention to these considerations, and that therefore, as your Excellency will have known without my telling you, I was far from making any offensive allusion to the consequences of this war as affecting France's future position in the world.

“ BISMARCK.”

Thus much for the state of opinion among German thinkers on this deeply interesting question of extension of the national borders. No doubt, a strong public feeling in favour of it had been growing up, as the war went on, among the masses whose philosophy on the subject did not go farther than an increasing desire to have something to show for the national sacrifices, and to punish their aggressive neighbour for her continued refusal to pay the penalty required; and this was a reason alleged by the German leaders in the war for their inability to abstain from all demands of territorial indemnification. How far the feeling had been one of Bismarck's own manufacture in the first instance, as the Democrats maintained, it is not for us here to inquire.

Meanwhile the great internal work of Germany was in steady progress. The bugbear which had hurried France into war, was becoming a reality far more rapidly than it would have done but for her jealous and ill-advised action.

Before the last week in October two Bavarian Ministers, Herren Bray and Prankh, and two Wurtemberg Ministers, Herren Mittenacht and Suckow, in company with the Deputy Chancellor of the North German Bund, Herr von Delbrück, were on their way to Versailles, to consider measures with the King of Prussia and Count Bismarck with reference to the political reconstruction of Germany; and on the 22nd of the month the Wurtemberg Diet was dissolved, expressly, as the Minister Scheurlen stated, in order that the new Federal Constitution, which was in process of negotiation, should be submitted, not to the option of an assembly elected under the old conditions of political opinion, but to one chosen with full knowledge of the great question to be brought before it.

On this subject of reconstruction German opinion seemed to shade into the following varieties:—The *Junker*, or feudal and aristocratic party, which still retained much of its old influence at Court, was in favour of a united empire with King William at its head; and instead of a Parliament of popular representatives, a Council composed of representatives of the various Federal States, which States should retain some of their separate institutions, the central Government dealing only with such matters as affected the interests of Germany as a whole. The South German Liberals, though strongly in favour of union with the North, were for altering the constitution of the Bund so as to make it afford more ample guarantees for public freedom. The National Liberal party, led by Herren Lasker and Unruh, which was the most powerful with

the Government and with the middle classes of the North, advocated the dynastic Empire under the Hohenzollerns, and one Parliament for the whole of Germany; the Upper House comprising the mediatised Princes; the whole civil and military administration of Germany, together with its diplomatic and consular organization, to be eventually concentrated at Berlin. The only real obstacle to the carrying out of this plan of reconstruction was the position taken by Bavaria, which objected to giving over the command of her forces, in peace as well as war, to the new paramount authority of Prussia. Accordingly conventions were first signed with Baden, whose military contingent at once became a direct portion of the Federal Army, and Hesse Darmstadt; then with Wurtemberg. Finally Bavaria was allowed to stand on a footing somewhat different from the rest, as thus :—she was to retain her independent military administration; but the organization and formation of her army were to be in conformity with the rules governing the Federal army. The Federal Commander-in-Chief had the office of inspecting the Bavarian troops in time of peace, and was to have undisputed command of them in time of war. The convention by which Bavaria was henceforth to take her place in the General German Bund was formally signed at Versailles on the 23rd.

The North German Parliament, on the opening of the war, had been prorogued to December 31st. It was now, under the special circumstances of the reconstruction treaties, called together on the 24th of November. Herr Delbrück, in the King's absence, delivered the Royal Message. It began with an acknowledgment of the victories recently gained by the united forces of Germany; enlarged upon the present political situation in France, and the certainty of her future desire for revenge, and observed that security for the future required the acquisition by Germany of a new and defensible frontier. On the reunion of Germany the King's Message said, "The sentiment of unity which has been vivified by the common danger and jointly-won victories, the consciousness of the position which Germany for the first time for centuries has achieved through her unity, the recognition of the fact that only by the creation of permanent institutions for the future of Germany can a fitting legacy of this time of deeds and sacrifices be assured, have, more rapidly and universally than a short time back would have been credible, filled the German people and its princes with the conviction that a stronger link than that afforded by international treaties is needed between North and South. This unanimous opinion of the Government has led to negotiations, the first fruit of which, grown on the field of battle, will be laid before you for approval in the shape of a constitution for a German Confederacy, which has been agreed upon by the North German Confederation and the Grand Duchies of Baden and Hesse-Darmstadt, and which has been unanimously adopted by the Federal Council. The understanding which has been arrived at upon similar bases with Bavaria will also form the subject of your deliberations, and the agreement

of views between the allied Governments and Wurtemberg respecting the object to be aimed at permits us to hope that similar agreement as to the method of attaining it will not be wanting."

The credit demanded by Government of 100 million thalers, to carry on the war, was granted on a third reading by 178 ayes against 8 noes.

The treaties with the Southern States met with some opposition from the party of Unity, who were dissatisfied with the special terms accorded, particularly in the case of Bavaria, and wanted centralization to be more complete and uniform. However Bismarck threatened that if they were rejected, he would himself resign, or dissolve the Parliament, and eventually the objectors gave way or were outnumbered. On other points too the Democratic party made themselves heard. When the war-loan was discussed Herr Bebel excited great uproar by his defence of the new French Government, and his denunciation of the annexation of Alsace and Lorraine. Herr Liebknecht insisted that the policy of the Government was in no way national, or the German Austrians would not have been shut out, and said the war was directed against Republicanism. Why, he asked, was nothing done for the Germans in the Baltic provinces? Because Russia was a despotic State. Had peace been concluded after the fall of the Empire, Germany would now be one, and in a different way from what was now possible. At this point he was called to order by the President, on which he exclaimed, "This is the boasted liberty of discussion! The Opposition in Paris were never treated like schoolboys. They were interrupted, indeed, but they were allowed to speak." The President again, amid cheers, called him to order, and Liebknecht went on to argue that the Government contemplated the Emperor's restoration, alluding, as a proof of this, to Count Bismarck's undeniable negotiations with the Empress.

At the sitting of Wednesday, 7th December, the second reading of the Federal Treaties was adopted; all the amendments being rejected on the statement of the Ministers that they were opposed by the Federal Governments. On the 10th a Bill, determining the amendments of the Constitution necessitated by the introduction of the words "Empire" and "Emperor," was read thrice on the same day, and passed at an evening sitting, the numbers being 188 ayes against 6 noes from the Social-Democratic party. An Address to the King was then voted, and a deputation of thirty members elected to present it to his Majesty in person. After these proceedings the Minister, Von Delbrück, declared the Session to be closed.

The opposition, small as it was, to the measures just passed in the German Parliament, did not come entirely from those who desired more complete centralization. Professor Ewald, the learned Hebrew scholar and historian, boldly stood forth as a champion of divine right, to advocate the interests of the deposed princes of '66: but his crusade was greeted with derisive shouts. The

Progressists and Particularists of the Southern States had alike their reasons for not hailing the new compact with any cordiality. Herr Windhorst did not scruple to say that if Prussia continued her arbitrary policy she would have to demand from France not only Lorraine and Alsace but Cayenne also.

In a subsequent speech delivered in the Chamber at Munich, the grounds of Bavarian acquiescence in the proposed changes were significantly stated by Herr von Leitz, the Bavarian Minister of Justice.

He said that any one "who will consider the state of affairs in Germany with a cool and impartial mind will come to the conclusion that Bavaria has been forced to make the experiment of a reconstruction of Germany." This compulsion, he added, was not effected directly by Prussia, the Power "with whom the compromise was concluded," but "we were forced to enter into negotiations with the North German Bund because we were quite certain that if Bavaria did not join the Bund, Wurtemberg, Baden, and Hesse would have done so, whereby a tolerable existence would have been impossible for us, or, at least, for one of our finest provinces . . . . You know how necessary the Zollverein is to us; and sooner or later, when the time would have come for the Zollverein treaties to be renewed, the necessity would have been imposed upon us of entering the Bund unconditionally." The Minister concluded by assuring the House, from his own official experience, that the longer Bavaria postponed her union with Prussia the harder would be the conditions on which such union would have to be effected. It was the old story of the Sibylline books over again. The proposals made by Prussia to the South German States in 1866 were much more liberal than those afterwards made by the North German Bund, and even the latter would have given Bavaria a much more favourable position than that which she is now compelled to accept."

Nevertheless, it was by the King of Bavaria that the offer of the Imperial dignity was first formally made to the Prussian Sovereign.

He addressed himself first to the King of Saxony and the other German princes, proposing that they should all urge on the King of Prussia to accept the reward of presidential rights in Germany, together with the title of Emperor. To King William himself he wrote the following letter:—

"After the adhesion of Southern Germany to the German Constitutional Alliance the presidential rights vested in your Majesty will extend over all German States. In consenting to those rights being vested in a single hand I have been influenced by the conviction that the interests of the whole German Fatherland and its allied Sovereigns will be effectually promoted by this arrangement. I trust that the rights constitutionally possessed by the President of the Confederacy will, by the restoration of the German Empire and the German Imperial dignity, be recognized as rights exercised by your Majesty in the name of the entire Fatherland, and by

virtue of the agreement effected between its princes. I have therefore proposed to the German Sovereigns, conjointly with myself, to suggest to your Majesty that the possession of the presidential rights of the Confederacy be coupled with the Imperial title. As soon as I have been informed of the resolutions of your Majesty and the allied princes I shall direct my Government to take steps to effect a formal agreement on the subject.—LUDWIG.”

The deputation from the North German Parliament, headed by the President, Dr. Simson, was received by the King of Prussia at Versailles on Saturday, the 17th of December. Dr. Simson spoke as follows:—“Your Majesty has graciously permitted the address adopted by the Reichstag of the North German Bund on the 10th inst. to be presented to you in your head-quarters at Versailles. After adopting the address the treaties with the South German States and two alterations in the Constitution were agreed to, by means of which titles were secured to the future (German) State and to its most exalted head, which were revered for long centuries, and to the restoration of which the yearning of the German people has never ceased to be directed. Your Majesty receives the deputies of the Reichstag in a city in which more than one destructive armed incursion against our country has been considered and put into execution. Near it, under the pressure of foreign force, were concluded the treaties in immediate consequence of which the German Empire collapsed. To-day, however, the nation may from this very spot console itself with the assurance that Emperor and Empire are again erected in the spirit of a new and living present, and that, with the further assistance and the blessing of God, it will secure in both the certainty of unity and might, of right and law, of freedom and peace.”

The King said in reply:—“Gentlemen,—In receiving you here on foreign territory, far from the German frontier, the irresistible prompting of my feelings is to express my gratitude to Providence, whose wonderful dispensation has brought us together in this old French royal residence. God has given us victory in a measure for which I had hardly dared to hope and to ask when in the summer of the year I first claimed your support for this great war. This support has been given to the fullest extent; and I thank you in my own name, in that of the army, and in that of the country.

“The victorious German armies, among which you have sought me, have found in the self-sacrificing spirit of the country, in the loyal sympathy and ministering care of the people at home, and in its unanimity with the army, that encouragement which has supported them in the midst of battles and privations. The grant of the means for the continuation of the war which the Governments of the North German Confederation have asked for in the session of the Diet that is just concluded has given me a new proof that the nation is determined to exert all its energies to secure that the great and painful sacrifices, which touch my heart as they do yours,



shall not have been made in vain, and not to lay aside its arms until German frontier shall have been secured against future attacks.

“The North German Diet, whose greetings and congratulations you bring me, has been called upon before its close to co-operate by its decision in the work of the unification of Germany. I feel grateful to it for the readiness with which it has almost unanimously pronounced its assent to the treaties which will give an organic expression to the unity of the nation. The Diet, like the allied Governments, has assented to these treaties in the conviction that the common political life of the Germans will develop itself with the more beneficial results, inasmuch as the basis which has been obtained for it has been measured and offered by our South German allies of their own free choice, and in agreement with their own estimate of the national requirements. I hope that the representative assemblies of those States before which the treaties have still to be laid will follow the Government in the same path.

“The summons addressed to me by his Majesty the King of Bavaria for re-establishing the imperial dignity of the ancient German empire has moved me deeply. You, gentlemen, request me, in the name of the North German Diet, not to shrink from responding to this summons. I am glad to gather from your words the expression of the confidence and the wishes of the North German Diet; but you are aware that in this question, touching such high interests and grand recollections of the German nation, it is not my own feelings, not even my own judgment, which can determine the decision.

“It is only in the unanimous voice of the German princes and free cities, and the corresponding wish of the German nation and its representatives, that I can recognize that call of Providence which I can obey, and trust in God’s blessing.

“It will be a source of satisfaction to you, as well as to myself, to know that I have received intelligence from his Majesty the King of Bavaria that the assent of all the German princes and free cities is secured, and that the official ratification may be shortly expected.”

The provisions of the new Constitution of Germany are, that the Emperor, as President of the German Bund, should have absolute power of declaring war when there might be danger of invasion, and of making peace under all circumstances. When there is no danger of invasion, the Emperor can only make war with the support of a majority in the Federal Council. The Federal Council has fifty-eight votes, of which seventeen belong to Prussia, six to Bavaria, four to Wurtemberg, four to Saxony, three each to Mecklenburg Strelitz, Mecklenburg Schwerin, and Baden; to the other small states, two or one each.

Any proposed alteration in the Constitution can be vetoed if there are fourteen votes against it. In time of peace the German armies are under separate heads, the King of Bavaria having

exclusive control over the Bavarian troops, and the new Emperor over the others. The difference between the civil codes of certain States are to remain as before. The Prussian military code is to have no force in Wurtemberg; the Bavarian post-office and railways are to retain their independent administration; and the taxes of each state are still to be levied under their separate systems. The Parliament—no longer the North German, but the German Parliament—was to be elected by a wide suffrage, the representation of every state being proportionate to its population.

Now to the patriots of the Unionist party this compromise seemed very far short of the great national amalgamation that was to be desired. They maintained that it was the shadow only, and not the substance, that all the parade of a revived German Empire was to give them. Nay, that the measure was not merely nugatory, but positively prejudicial to the best interests of the German people, in that, without making any important popular concession, it was calculated to hinder the political consolidation of the Fatherland by maintaining special privileges for the benefit of the small sovereigns. Bavaria, Saxony, and Wurtemberg, by combining, could at any time prevent any alteration which should aim at the abolition of these privileges. The bestowal of the imperial title on the King of Prussia, as President of the Federation, was rather a sop to gratify the pride of the smaller kings, to whom his original title would have been offensive under the new conditions. Schulze-Delitzsch, the well-known Liberal philanthropist, declared that by adopting this Constitution the Germans "have sacrificed the unity they have made such efforts to obtain, and for the sake of which they have abandoned so many liberties."

How the unerring argument of events shall prove this to be, when the new Constitution and the spirit of the German people have had time to act upon each other, it is vain now to speculate. The fiery trial of the war may have to teach many lessons both to kings and people. Before the year was over, the Legislatures of the separate German States had ratified the new Constitution.

Count Bismarck was called upon to receive at Versailles, in the middle of November, a visit from an English plenipotentiary, Mr. Odo Russell. His mission was to ask for explanations of the position of Prussia in reference to the Russian Note just issued by Prince Gortschakoff, repudiating the Treaty obligations of 1856, by which the Black Sea had been neutralized. A strong impression existed among the English public that the time and manner chosen by the Russian Chancellor for such a declaration, together with the symptoms of goodwill lately shown by the Czar towards the cause of King William, were indicative of a secret understanding with Prussia; that perhaps in view of possible German expansion towards the Baltic, Bismarck was willing to connive at the revival of the Russian projects in the East. It was known that in 1856 Prussia, though a party to the Treaty of Peace then signed at Paris, was not one of

the five Powers especially concerned in the convention respecting the Black Sea.

Mr. Russell had two interviews with the Chancellor, and obtained from him assurances that Prussia had had no concert with Russia on the occasion, and was taken by surprise by Prince Gortschakoff's circular. Bismarck also expressed his readiness to accede to the proposal of a Conference, as the best means of considering Russia's real claims to redress.

The shock, however, that had been given to the world's faith in subsisting treaties was not by any means got over, and it experienced something of a revival when, on the 3rd of December, Count Bismarck notified in a circular note that certain proceedings in defiance of the neutral obligations of the Grand Duchy of Luxemburg had been allowed to the disadvantage of Germany, and that in consequence the North German Government would hold itself justified in disregarding the stipulations to which it had been bound by the Treaty which ensured Luxemburg's neutrality. "Annexation again!" was the cry from the numerous political observers who dreaded the giant strides of Bismarck. But public apprehensions were somewhat allayed when the reasons and the scope of Prussia's present action were explained. The intended disregard of Luxemburg's neutrality was to have reference to the military exigencies of the present war, not to political eventualities. Bismarck's explanation was as thus: Prussia, at the outbreak of the war, had declared her intention to respect the neutrality of Luxemburg—supposing that France did the same, and that Luxemburg herself sincerely endeavoured to remain neutral. The Government of Prussia has scrupulously observed a strict neutrality, but neither France nor Luxemburg has done so. The hostile sentiments of the population have manifested themselves in the maltreatment of German officials in the Duchy; but Prussia does not hold the Government of Luxemburg responsible for the bad conduct of individuals, although more might have been done to repress it. The provisioning of Thionville, however, by trains run from Luxemburg, was a flagrant breach of the laws of neutrality, which could not have taken place without the connivance of the officials. The Prussian Government at the time lodged a complaint with the Government of the Grand Duchy, and pointed out the consequences to which proceedings of the kind must inevitably lead. The warning was disregarded. After the fall of Metz, numbers of French officers and soldiers, escaping from the captured fortresses, passed through the territory of Luxemburg to evade the German troops, and to rejoin the French Army of the North. In the city of Luxemburg itself the resident French vice-consul had an office at the railway-station designed to assist the French fugitives in reaching their own country; and at least 2000 soldiers had in this manner reinforced the French army. The Government of Luxemburg did nothing to prevent these acts, and the fact undoubtedly constitutes a gross violation of neutrality. The conditions upon

which Prussia had based her neutrality have, therefore, ceased to exist: and, consequently, Prussia declares that on her part she no longer considers herself, in the conduct of her military operations, bound by any regard for the neutrality of Luxemburg, and she reserves to herself the right of claiming compensation from the Grand Ducal Government for the German losses arising through the non-observance of neutrality, and of taking the necessary steps to secure herself against the repetition of similar proceedings. It must be observed also that the Belgian Government expressed its full approbation of Bismarck's line of action in the matter.

But however Bismarck might explain, the patriotic party in Luxemburg took fright at this intimation, and seemed determined to consider it as a case of wolf and lamb. They lost no time in drawing up a manifesto to their Grand Duke, the King of Holland, in the following terms:—

“The population has learned with astonishment the contents of the German Note, accusing them of having openly violated the duties of neutrality, in consequence of which Prussia declares herself relieved from the obligation to respect the fortunate position of the Grand Duchy since the Treaty of London was concluded. The North German Government has been grossly deceived in its appreciation of the conduct of the Luxemburgers. Prince Henry of the Netherlands, the beloved representative of the Grand Duke, has witnessed the unceasing efforts of the Luxemburg Government to secure the maintenance of its neutrality. Neighbouring nations—Prussia, France, and Belgium—can bear witness that Luxemburg has always been first in the ranks of brotherly love and beneficence. The whole of Europe can ratify the assertion, in this solemn moment, of the unhappy people whose only defence is the conviction of what is right and just. Our poor country, more seriously menaced to-day than ever before, in this dread crisis implores your Majesty to save Luxemburg, and not to permit the disposal of her political existence without the consent of the population.”

At the meeting of the Luxemburg Chamber on the 19th, the Minister of State declared that all the grievances put forward by Count Bismarck were founded on false reports. The Minister read the text of the note from the King of Holland, which ran as follows:—“I in every way approve the conduct of his Royal Highness and of the Ducal Government with respect to the Prussian Note. Let us together defend the London Treaty of 1867, and the honour and the independence of the Grand Duchy.” This was received with unanimous cheering.

The Luxemburg Chamber met again the next day, and voted the following order of the day:—“The declaration of Germany that the Federal Government no longer holds itself bound to respect the neutrality of the Grand Duchy in the execution of military operations has produced a deep and painful impression in the country. The Chamber again proclaims the devoted attachment of the inhabitants of Luxemburg to the dynasty and to the institu-

tions of the country, and its members entertain feelings of the deepest gratitude for the devotion which the Grand Duke and Prince Henry have displayed in defending the rights and interests of the Grand Duchy."

It is stated that the popular address to the Grand Duke, which was got up in consequence of Count Bismarck's despatch, in a few days obtained 43,773 signatures; all those who signed it being natives of Luxemburg, over twenty-one years of age, and in the enjoyment of civil rights. The address implored the King to save the country, and never to permit its destinies to be disposed of without a free vote of the population.

#### AUSTRO-HUNGARY.

The dissensions in the Cabinet of Vienna on the subject of the law of elections, with which the year 1869 closed, led to a resignation of office in January by the minority of the Ministers, consisting of Count Taaffe, the President of the Council, or Premier, Count Potocki, and Dr. Berger. The question at issue between them and other members of the Cabinet, of which Dr. Giskra was the principal, was whether the separate nationalities of which the Cisleithan Empire was composed should be previously consulted before the new law of direct elections should be brought before Parliament, or whether the law should first be introduced, and opposition then combated in detail. Giskra had addressed a circular on the subject to the different local governments, and received from them every variety of answer as to the spirit in which their respective Diets would be likely to approach the subject. No general result could be gathered from these replies. The majority of the Cabinet, now, backed by a large majority of the Reichsrath, 114 to 47, were for insisting on the right of that assembly to initiate the new measure of reform. In opposition to this view, the three dissentient Ministers maintained that electoral reform by itself would only aggravate the menacing attitude of the different nationalities; that they would consider it a violation of their privileges; and that the result would be seriously detrimental to the prospects of the constitutional party in the State. They urged that the nationalist pretensions should be met in a spirit of conciliation, and with the distinct prospect held out that the proposed electoral reform would be a step to further constitutional revision, in which national elements should have their full weight in the consolidation of the Empire.

The Emperor and Count Beust, the Imperial Chancellor, were personally inclined to the sentiments of the minority. But their constitutional position prevented them from following their own inclinations as such, and when a strong majority in the Lower House declared in favour of the programme of Giskra and Herbst, there was no choice but to accept the proffered resignation of the Cabinet minority. This victory gained, however, the party of the majority were for a time at a loss how to act. The rivalry be-

tween Giskra and Herbst made it difficult to fill up the Presidency of the Council. At last a former Minister, Hassner, was fixed upon for the office, and in order to fill up other posts it became necessary to have recourse to second and third-rate politicians. The new Ministers had, indeed, no easy task before them. The opposition spirit of the different nationalities had been formidably stimulated. Czechs and Gallicians, Poles, Slovenes, and Tyrolese, were on the alert to thwart all centralizing policy, and at last the Ministers found themselves obliged, in self-preservation, to remodel their programme on the pattern of that which their beaten foes of the minority had so lately recommended. There was no leading principle to guide the ship of state, as Dr. Giskra said, "Es dreht sich im Kreise." He endeavoured first to negotiate with the different national leaders, then to rally his party on the subject of electoral reform, and so to give the go-by to the nationality question; but on every point he was hampered and thwarted: even his colleagues turned against him, and on the 21st of March he, too, sent in his resignation.

On the 31st of March took place a large secession of Poles, Slovenes, Bukovinians and Istrians from the United Cisleithan Parliament; they alleged as their reason, the conviction that the present Government would never satisfy the just demands of their several nationalities. Upon this a Council of Ministers was held to discuss the situation, and it was unanimously resolved to ask the Emperor to dissolve the provincial Diets from which the seceding members of the Reichsrath had been deputed. The Emperor, however, declined to adopt any such coercive measure; and the Hassner Ministry consequently resigned office in a body. In retiring, they sulkily abstained from suggesting or advising as to the choice of their successors. The Emperor turned to Count Potocki, urging the plaintive request "Stiften Sie Frieden zwischen meiner Völkern!" and charged him with the formation of a new Cisleithan Cabinet. The majority in the Reichsrath, angry at the Emperor's refusal to follow the behests of the Hassner ministry, now drew up resolutions and addresses full of personalities and recriminations, and insinuated that the constitution was in danger of infringement. At each step ventured upon by the new Ministry, with a view to the work of reconciliation, they showered calumnies and abuse upon Potocki and upon Beust. The new system was declared to contain no programme of action. No conspicuous politicians, it was said, would give their names to support the Ministry. The fact was, however, that several popular and "constitutional" members of the Reichsrath to whom Potocki appealed, held back only till the Minister should have effected such a compromise between the warring elements he had to deal with, as could make it safe and creditable for them to take office under him; while Potocki himself resolutely declined the proffered aid of the feudal or reactionary party, who expressed their willingness to help him to a *coup d'état*. As his only other alternative, he decided on choosing a working Ministry of officials in association with Count Taaffe as Minister of the Interior.

On the 28th of April, Count Beust, as Chancellor of the Empire, issued a circular to the Austrian diplomatic representatives abroad, in which he explained the programme by which the Minister intended to be guided in the task before him. "That task," he said, "may be stated in a few words, to make parliamentary government a reality; to obviate the ever threatening disorganization of the Reichsrath; to aim at the formation of a complete Parliament by an impartial bearing towards parties, and thereby to assure the co-operation of all or of a majority of the populations of the western portion of the Empire, for the future prevention of any such catastrophes as the Reichsrath has undoubtedly been hitherto exposed to, to the evident lessening of its moral dignity and influence. The present scheme of reform is not only constitutional in the widest sense, but also true to that constitution *κατ' ἐξοχήν*, since it endeavours to consolidate the existing legitimate constitution for the advantage of all provinces and nationalities." This object was to be attained by the re-establishment of a Reichsrath independent of the local Parliaments, and chosen by direct elections; and the circular declared that only by constitutional methods, on the base of the existing public right, and with the metropolis as its focus, could an arrangement be effected with the dissident nationalities. The work was to be done simply through an appeal to the electors, without previous appeals to assemblies of any kind, but only after negotiations with national and party leaders, "in order that the Cabinet might thereby come to a clear knowledge of its fixed object, and of the inviolable limits of its policy of conciliation." After the dissolution and the subsequent new election of the provincial Parliaments, they would have to consider the programme for the enlargement of the national autonomies, and at the same time, a law for the direct election of members for the Lower House of the Reichsrath, and for strengthening the Upper House by elections in the local Parliament. The new Reichsrath was then to proceed to a revision of the constitution, in the sense of "such an enlargement of autonomic privileges and institutions as is inseparable from the introduction of direct Reichsrath elections." This recommendation of the Government, he continued, required the loyalty and conciliatory spirit of all parties, if there were to be any hopes of a successful issue. The good-will of all was to be presupposed. "But should it happen," thus the circular closes, "that, upon these sincere attempts at reconciliation, a party or a nationality should still obstinately insist on remaining an individual and separate part of the constitutional body of Austria, then it would be clearly proved before all the world that both Emperor and Empire have pushed to the extreme limits their regard for its wishes, and that it would itself alone be responsible if history, legislation, and the supreme authority should proceed without listening to it further."

On the 21st of May Count Potocki presented a report to the Emperor proposing the dissolution of the Reichsrath and of all the

Diets except that of Bohemia. The following passages of this document are the most important:—

“Most Gracious Sovereign! In taking the liberty of proposing to your Majesty the dissolution of all the Diets except that of Bohemia, the President of the Council of Ministers thinks it necessary to submit for the judgment and decision of your Majesty the motives of this proposal.

“When the Ministry, responding to the appeal of your Majesty, undertook to deal with the questions which the late complication had left open, it was convinced that it could only faithfully fulfil its duty by acting within the limits of the Constitution. It would have been inconsistent both with the views of your Majesty and the intention of the mission confided to the Ministry, if the latter, on being summoned to give effect to the constitutional rights of the nation, had begun its work by attacking the Constitution.

“If, on the one hand, the demands of certain parties respecting the future development of the Constitution were very open to question, it could not be permitted that the validity of the Constitution itself should be made a subject of discussion, and it was necessary that these parties should be shown that the Constitution is the only source from which they could obtain satisfaction for their demands.

“The Ministry, however, cannot but admit that some of these demands were not without foundation, and that it is only by a careful study of these demands, and, as far as possible, the fulfilment of them, that the foundations of harmony and peace can be laid.

“The letter of the Constitution afforded a basis for constitutional action, but it did not determine all the aims to which this action was to lead. The idea of a dissolution of the legislative assemblies of the empire, in order to give more weight to their opinions and demands by new elections, has therefore long been one of the principal subjects under the consideration of the Ministry.

“It appears to the Ministry that the reorganization of the constitutional rights of the countries represented in the Reichsrath, so as to preserve the general interests, and at the same time to satisfy all just individual claims, can only be effected if the population of those countries is directly given an opportunity of giving expression and due weight to its opinions and political tendencies, by new elections.

“The Ministry believes, however, that an exception to the general dissolution of the Diets should be made in the case of Bohemia. The Ministry has not been able to convince itself that the Bohemian Diet would send deputies to the Reichsrath; and the difficulties of a solution would only perhaps have been increased by new elections and the hostile attitude of the Diet towards the Constitution.”

In consequence of the above report, a decree, signed by the Emperor and all the members of the Ministry, was issued, dissolving



the Reichsrath and all the diets of Western Austria except that of Bohemia.

In Bohemia the Czech element in the population had been for some time steadily on the increase, and the German element proportionately on the decline. In Prague itself the Czech language was being more and more heard in the streets; in many villages it had become the prevailing dialect. This was no doubt in great measure owing to the increasing emigration of Germans from Bohemia either to America or to the German provinces of Austria.

The political aims of the Czech national party at this time were expounded in a curious memorandum addressed to Prince Latour d'Auvergne at Paris, by Dr. Rieger, a well known Czech leader. They are described as aiming at the restoration of an independent Bohemian kingdom, comprising Bohemia, Moravia, and Austrian Silesia, and the subsequent annexation to this kingdom of Prussian Silesia, Lusatia, and the Slovak districts of Hungary. These objects, in Dr. Rieger's opinion, could not be attained by revolutionary agitation, but only by a war in which Austria would become the ally of France against Prussia. The first consequence of such an alliance would be the restoration of the Bohemian kingdom, which would in that case be the natural ally of France, as they would both have the same enemy—Prussia, and the French armies could arrive in Bohemia more rapidly than those of Prussia could at Frankfort.

Nor was it in Bohemia only that disintegrating elements were at work. In the Southern Tyrol the people were becoming more Italian and less German, while in this German portions of this heterogeneous empire, popular instincts with a large number of the inhabitants were gravitating towards North Germany and the national fold of the Federal Bund.

The Social-Democratic parties in North Germany were also extending their influence into the Austrian dominions. This was revealed on the occasion of a trial of certain Socialist workmen which took place at Vienna in the first week of July. Fourteen workmen were charged with high treason. The Public Prosecutor, in his opening address, explained that the prisoners belonged to a committee which was engaged in spreading a Socialist-Democratic agitation in Austria; that they were in communication with trade unions in foreign countries, and, in conjunction with the latter, aimed at the overthrow of all social and state institutions. During the trial a large number of working men gathered in front of the court-house, but there was no disturbance of order.

That the French politicians who watched the progress of German unification through Prussia's preponderance with increasing jealousy, should have believed that their best hope, and, indeed, a very well founded hope, for stopping that process lay in the anti-Prussian proclivities of the Austrian Government, and in the readiness of most classes of Austrians to take revenge, at a fitting opportunity, for the national reverses of 1866, was natural. Throughout South

Germany French agents had long been busily at work searching out and encouraging every symptom of Particularist feeling, and in their reports to their own Government they did not fail to paint the general state of opinion in Austria, Bavaria, and Wurtemberg as strongly antagonistic to Bismarck and his policy.

When war was declared, accordingly, the French Emperor and his reckless minister, the Duc de Gramont, calculated on finding sure allies in Count Beust and his master; and were but ill satisfied with the neutral position taken up at once in the circular which the Austrian Chancellor issued to the representatives of Austria abroad on the policy of his Government in the present crisis. He said that when the candidature of the Prince of Hohenzollern first assumed a menacing aspect for the tranquillity of Europe Austria's only effort was to maintain peace. She did not attempt to pass any judgment on the question in dispute, but confined herself to recommending the withdrawal of the Prince's candidature. The same course was taken, without previous concert, by most of the other Cabinets. Now that war had been declared, it had become the wish of Austria to moderate its intensity, and in order to arrive at this result she would maintain a passive and, consequently, neutral attitude. This attitude does not, however, he said, exclude the duty of the Government "to watch over the safety of the monarchy and protect its interests by placing itself in a position to defend it against all possible dangers." The Count then pointed to the example of Belgium, whose position is guaranteed by international stipulations, and which yet does not shrink from considerable sacrifices so as to be enabled to protect herself in all eventualities. "Such examples," he added, "should not be left unnoticed; they prove how general is the conviction that it is not sufficient to wish to remain neutral, but that a nation must be alive to the necessity of making its neutrality respected." Weakness, as well as passion, may be dangerous to a country in such critical times as these, and Austria cannot permit herself to be diverted, either by pressure or by unreasoning impulse, from the course marked out by her interests. "It is the most eager wish of the Government," he concluded, "to protect Austria from the accidents to which the greater part of Europe must be exposed. We will not cease to direct our attention to this object, and all the measures we shall take will be dictated solely by the wish to secure both the tranquillity and the interests of the nations of Europe."

Still there was at first a considerable party in Austria well affected towards France; and the army, smarting under the memory of its defeats in 1866, was almost unanimous in its dislike of Prussia. A strong turn to public feeling was given by the publication of the Benedetti Secret Treaty. The statesmen at the head of affairs ceased from that moment to entertain any halting opinion as to the possibility of an eventual French alliance. Even the neutral nationalities—Hungarians and Slavs—showed a readiness to stand by Germany should they be forced to take a side. Then came the Prussian successes to add weight to the anti-Gallic scale. Austrian

military men were not altogether sorry that the supercilious criticisms of French tacticians on their defeats in the Seven Days' War, should receive a smart negative refutation in the break-down of the boasted French army now : while a national feeling of pride in German success was not to be concealed. For the strict maintenance of neutrality at the present junction there were material as well as political reasons. We give a contemporary notice of the deficient state of military and naval preparation in Austria.

"The army is very far indeed from being in a state of readiness. A considerable number of the soldiers are yet to be taught the use of the breech-loader, and so many changes have been made of late, not only in the equipment of the troops, but in regimental discipline and drill, that the Minister of War, General Kuhn, is said to have declared that it would be impossible to place an Austrian army in the field with any thing like efficiency in less than twelve months. As for the navy, all Admiral Tegethoff's successes could not make that service popular in Austria. The Istrians and Dalmatians who supply the crews are not very Austrian in sentiment, nor are their nationalities in high esteem with the empire. Numerically superior to Prussia in ships, Austria has not one ironclad equal to the second-class of the Prussian fleet, and the spirit and zeal for the service are far less in the former country than in the latter."

On the 17th of September the Reichsrath met again, without waiting for the Bohemian Deputies, who manifested no desire to obey the Imperial summons. The Emperor, in his speech, said that while a sanguinary contest was spreading devastation over vast territories in Europe, the Austro-Hungarian Empire enjoyed the blessings of peace, and this peaceful character of their foreign relations would serve above all to consolidate the constitutional ordinances of the State. He expressed regret at the absence of the Bohemian representatives. Then he enumerated the measures to be dealt with by the Reichsrath ; and among the most important of these stood the settlement of the relations between the Catholic Church and the State, which had become necessary in consequence of the abrogation of the Concordat hitherto existing with the Papal See.

This abrogation of the Concordat had been decided upon after the declaration of the Dogma of Infallibility at Rome ; and it may be remarked, by the way, that the measure had introduced a very beneficial change in the relations between Austria and the kingdom of Italy. Never had these accustomed foes been brought so near together by a concurrence of interests and feelings as they were now.

At a meeting of the Bohemian Diet on the 29th of September an imperial rescript was read, expressing satisfaction at the testimony borne by the Address to the Throne to the necessity for unanimous co-operation on the part of all the provinces of the Monarchy. The Diet, it said, had, nevertheless, refused to proceed with the elections to the Reichsrath, and had favoured, on the contrary, the adoption of a course inconsistent with the Constitution. His Majesty, to

give fresh guarantees for the indivisibility and inalienability of Bohemia, had resolved to be crowned King of Bohemia. The rescript reminded the Diet that the customs of the country in relation to the Monarch, regarded in conjunction with the Sovereign's relations to the whole monarchy as based on the Pragmatic Sanction, embrace not only the obligations, but also the numerous rights of the Crown, which were exercised exclusively by the Sovereign of the whole country. The Emperor renounced the exclusive exercise of these rights on the introduction of a Constitutional Government. The rescript proceeded to refer to the oft-expressed willingness of the Emperor to allow Bohemia's relations to the whole empire to be revised, and said it would be his Majesty's particular care to do justice to such well-founded claims of the Bohemians as were compatible with the preservation of the power and influence of the Monarchy. The rescript described the cardinal laws of the empire as an unshakable pillar, standing out in public law amid the numerous errors by which it had been assailed, and on the basis of which the understanding desired by all parties was alone attainable. Should the Diet decline to lend its co-operation, asked for on these principles, it would lay upon itself a serious responsibility, increasing with the development of the constitutional history of Austria. The rescript concluded with a reiterated appeal from the Emperor to the Diet to proceed with the elections to the Reichsrath without delay.

In the beginning of October the Reichsrath was prorogued, and an imperial patent was issued directing that elections for it should be held immediately in Bohemia, in virtue of the 7th paragraph of the Fundamental Law of the Empire.

When the Reichsrath met again in November an opposition address to the Emperor was so warmly applauded that Count Potocki tendered his resignation as Minister, which however was not accepted till the following January.

Amidst the inveterate difficulties with which the Government of the Cisleithan provinces of the empire was beset, Transleithan affairs, as regarded Hungary at all events, pursued their course this year with more than usual tranquillity. In May the old democratic leader of 1848, Louis Kossuth, addressed a manifesto to his fellow-countrymen, inveighing against the centralizing tendencies of the Andrassy Ministry, and particularly against the projected law relative to the organization of the departments and free towns laid before the Transleithan Reichsrath of the Minister of the Interior. But the war-credit of five million florins, demanded in the summer, was readily granted; as was the authorization for calling out the military contingent at its proper time.

Prince Gortschakoff's note of November respecting the Black Sea Treaty awoke a new source of apprehension and disquiet in the minds of Austrian statesmen. The perplexities of the Empire's future seemed to increase on every side. With Russian intrigues ready to foment those discontents of the nationalities which had

already given such trouble in every attempt at reconstructing the Empire, might it not be as well if, in conjunction with the other Powers who had been parties to the Convention of 1856, at all events with England and Turkey, the Austrian Government could rush at once into that war which sooner or later seemed inevitable? The English Government, however, was in no humour to stir in such a cause; and calm reflection might well induce the statesmanship of Beust to hang back. The financial difficulties of Austria at this time were not among her least difficulties. Her taxation, quadrupled within a few years, would bear no further extension. The War Budget of the coming year was expected to exceed that of the present year by more than five millions of florins; add to which there would be a demand of six millions for extraordinaries, and a supplementary credit of sixty millions. In English money, twelve millions sterling would be barely enough to meet the total War Budget of 1871. On the whole, Austrian public feeling was glad to escape the certain miseries and possible ruin of an armed struggle.

In the rapidly proceeding construction of a German Empire at its side, the ancient Hapsburg Imperialism had but to look on and acquiesce. Count Bismarck showed himself not unmindful of its susceptibilities, and when he addressed to Count Beust, through the Prussian Ambassador at Vienna, a long and courteous explanation of the scope and purport of the new development by which the North German Bund had allowed itself to transgress the provisos of the Treaty of Prague, during the whole of it he delicately abstained from mentioning the title by which the new chief was to be called. The close of this communication was as follows:—

“The imminent fulfilment of the German national aspirations and requirements will impart a steadiness and safety to the future development of Germany which all Europe, and more particularly our immediate neighbours, will, I trust, see not only without apprehension, but also with satisfaction. The unfettered growth of material interests which bind countries and nations together with so many ties, cannot fail to react beneficially upon our political relations. Germany and Austro-Hungary will, we are convinced, look upon each other with feelings of mutual goodwill, and unite for the friendly promotion of each other’s welfare and prosperity. As soon as the fundamental treaties of the new Confederacy have been ratified by all parties, I shall enable you to communicate them officially to the Chancellor of the Austro-Hungarian Empire. I request you to read this communication to the Chancellor, and to leave a copy of it with him.

“I am, &c.,

“BISMARCK.”

## CHAPTER V.

ROME.—Council—Declaration of Infallibility—End of Pope's Temporal Government.  
 ITALY.—Republican Disturbances—Finances—Invasion of Roman Territory—Plebiscite—Arrival of King Victor Emmanuel at Rome.  
 SPAIN.—Candidature for the Crown—Duel between Duke de Montpensier and Prince Enrique—Marshal Prim's choice of Prince Leopold of Hohenzollern Sigmaringen—War between France and Prussia in consequence—Prim's final choice of Duke d'Aosta—Assassination of Prim—Arrival of the new King.  
 PORTUGAL.—Duke de Saldanha and Iberianism.

## ROME.

The Œcumenical Church Council convened by Pope Pius IX. had assembled at Rome on the 8th of December, 1869. Nine hundred and twenty-one prelates had received summonses to the meeting. The actual number present amounted to 767. Early in the time a movement was made for regulating the value of the separate votes, not as units, but according to the relative population of the different dioceses. The German bishops complained of it as unfair that whereas they, sixty-seven in number, represented a population of forty-six million Catholics, the Italian Bishops, who were 276 in number, and represented only twenty-seven millions, should have individually great weight in the Council. But the suggestion was overruled. "It is an unheard-of thing," said the *Civiltà Cattolica*, the Jesuit journal in Rome, "to introduce this modern theory of numbers into the Church. Bishops are qualified through the holy mystery of consecration to give their votes; and since this consecration is the same every where, the votes of all must be equal: the Bishop of Frosinone, with his diocese of 70,000 souls, has as much weight as the Archbishop of Cologne, with nearly two millions."

The council-hall was a temporary apartment fitted up in a wing of the north transept of St. Peter's. Preliminary meetings were held for the first fortnight. The first public discussion took place on the 28th of December. The Bull *Multiplices Inter*, was issued for the purpose of regulating the order to be observed in the proceedings. It caused no small dismay among the Bishops whose opinions did not go the length of the Ultramontane programme, and who wished to have the subjects which each Bishop or party desired to bring before the Council, fully and freely debated. The remonstrance, however, which they drew up against it, was disregarded. We quote the following account of the Bull in question from an article in the *North British Review*, evidently written by a partisan of the minority:

"The Pope assumed to himself the sole initiative in proposing topics, and the exclusive nomination of the officers of the Council. He invited the Bishops to bring forward their own proposals, but required that they should submit them first of all to a Commission which was appointed by himself, and consisted half of Italians. If

any proposal was allowed to pass by this Commission, it had still to obtain the sanction of the Pope, who could therefore exclude at will any topic, even if the whole Council wished to discuss it. Four elective Commissions were to mediate between the Council and the Pope. When a decree had been discussed and opposed, it was to be referred, together with the amendments, to one of these Commissions, where it was to be reconsidered, with the aid of divines. When it came back from the Commission with corrections and remarks, it was to be put to the vote without further debate. What the Council discussed was to be the work of unknown divines. What it voted was to be the work of a majority in a Commission of twenty-four. It was in the election of these Commissions that the episcopate obtained the chance of influencing the formation of its decrees. But the Papal theologians retained their predominance, for they might be summoned to defend or alter their work in the Commission, from which the Bishops who had spoken or proposed amendments were excluded. Practically, the right of initiative was the deciding point. Even if the first regulation had remained in force, the bishops could never have recovered the surprises, and the difficulty of preparing for unforeseen debates. The regulation ultimately broke down under the mistake of allowing the decree to be debated only once, and that in its crude state, as it came from the hands of the divines. The authors of the measure had not contemplated any real discussion. It was so unlike the way in which business was conducted at Trent, where the right of the Episcopate was formally asserted, where the envoys were consulted, and the bishops discussed the questions in several groups before the general congregations, that the printed text of the Tridentine Regulation was rigidly suppressed. It was further provided that the reports of the speeches should not be communicated to the bishops; and the strictest secrecy was enjoined on all concerning the business of the Council. The bishops, being under no obligation to observe this rule, were afterwards informed that it bound them under grievous sin."

In the first public session of the Council, December 28, the subject debated was a long dogmatic decree, just issued, in which the special opinions, theological, biblical, and philosophical, of the party now dominant at Rome were proposed for ratification. The opposition to this decree, as it stood, was vigorous and unexpectedly effective; two speakers in particular distinguishing themselves, the Bishop of Grenoble, and Strossmayer, Bishop of the Croatian diocese of Diakovar. The next public session of the Council was fixed for the 6th of January.

At the end of December Cardinal Reisach, Archbishop of Munich, who had been first selected as President, died, and in his place was appointed Cardinal de Angelis. He was not very well suited to the exigencies of his post, and the real management fell into the hands of Cardinal Capalti and Cardinal Bilio, neither of them reputed to belong to the extreme party, but not backward, as it proved, to be

pushed in the direction of that party, when the majority took the initiative out of their hands.

Our history for the year 1870 begins, then, on the Feast of the Epiphany, when the Council was collected in the hall of St. Peter's for its second public session. At this time the chief leaders of the Liberal opposition were known to be Cardinal Schwarzenberg, Archbishop of Prague, Dupanloup, Bishop of Orleans, Maret, Bishop of Sura, and Darboy, Archbishop of Paris. There had been a preliminary trial of strength in December, on occasion of the election of the Commission on Dogma. Owing to some mismanagement of their tactics on the part of the French Liberals, the Court party, seemed pretty well to have routed their antagonists. However, the Archbishop of Paris afterwards rallied a force around him, which, acting side by side with the Austro-German clique under Cardinal Schwarzenberg, helped to show a formidable opposition front. Unfortunately, in this opposition their forces were somewhat scattered, owing to their distinct nationalities. The Germans and French had little real intercourse, and neither of them served as a nucleus for their individual sympathizers among other communions. An international centre was attempted by some of the leading men, over which Cardinal Rauscher, Archbishop of Vienna, presided; but though strong in talent, this meeting was too varied in its traditions and shades of opinion to be strong in will.

With elements of possible discord such as these, the Pope and his advisers wished to deal cautiously; and when it became evident that the party which had all along objected to the definition of Infallibility were now haunted by a fear that the dogma was intended to be carried over their heads, on the first favourable opportunity, by sudden "acclamation" in the Council, they did all that was possible to allay the apprehension. It was insinuated from the highest quarters that, after all, no special dogmatic definition was intended: that the Pope desired nothing more than the authoritative confirmation of postulates to which the faithful had already, by silent submission, given their consent; as, for instance, of that 23rd article of the Syllabus of 1864 which pronounced condemnation on the opinion that Roman Pontiffs *had ever* exceeded the just bounds of their authority, in faith, in politics, or in morals.

At the public session of the 6th of January, the first proceeding was the formal presentation by the Pope and each of the assembled Bishops, of a written profession of the Catholic Faith. Then several decrees were discussed, of which the principal were a decree on the duties of the Episcopate and one on the Catechism. The decree on Dogma, which had provoked the discussion of the 28th December, was withdrawn, and referred to the Commission on Doctrine. At this juncture it was that the majority in the Council resolved to push on the declaration of Infallibility, which in their eyes was the main business to be carried out by this important Assembly of the Church Catholic, and which seemed in danger of being sacrificed to the scruples of the French and German opposition prelates. Accord-



ingly, a petition was prepared, really, as it would seem, without the Pope's connivance, and not emanating from the party in personal relations with him, from an independent section of Ultramontanist Bishops, as zealous in their advocacy of dogmatic extremes as were the Schwarzenberg and Dupanloup party in deprecating those extremes. This petition, or, in ecclesiastical language, *postulatum*, for the Definition, began thus:—

“The undersigned Fathers humbly and earnestly beg the holy Œcumenical Council of the Vatican to define clearly and in words that cannot be mistaken, that the authority of the Roman Pontiff is supreme, and, therefore, exempt from error, when in matters of faith and morals he declares and defines what is to be believed and held, and what to be rejected and condemned, by all the faithful.” Then followed the “Reasons for which this definition is thought opportune and necessary.” The Councils of Lyons and Florence were cited, the first of which laid down that “When controversies in matters of faith arise, they must be settled by the decision of the Roman Pontiff;” and the second that “The Roman Pontiff is Christ's true Vicar, the Head of the whole Church, and Father and Teacher of all Christians; and that to him, in blessed Peter, was given by Jesus Christ the plenitude of power to rule and govern the Universal Church.” The petition then proceeded to represent that whereas some professing the name of Catholic were even now bold enough to teach that it was enough to receive the Pontiff's decree in obsequious silence, with a doubtful or only provisional assent, until the approval or disapproval of the Church should be made known, in view of the dangers and practical unbelief to which such opinions were tending, “the public good of Christianity seems to require that the Holy Council of the Vatican, professing, and again and again explaining more fully the Florentine decree, should define clearly, and in words that can admit of no doubt, that the authority of the Roman Pontiff is supreme, and therefore exempt from error, when in matters of faith and morals he decrees and ordains what is to be believed and held by all the faithful of Christ, and what to be rejected and condemned by them.” The petition concluded by refuting the argument of some that schismatics and heretics would be yet further repelled from the Church by such a measure; while if any now in the Church were induced thereby to leave it, “these will be few in number, and such as have already suffered shipwreck in the faith,” &c.

This petition was not presented till the end of January, when it was laid before the Pope, bearing nearly 500 signatures. As soon as the opposition party were aware of its preparation, they got up a counter-petition, to which were appended the signatures of most of the French and almost all the German and Hungarian episcopate—in all 137 names. A third petition was signed by a small party of compromise, consisting mostly of Spanish and English Bishops, and recommending the adoption of some ambiguous formula in lieu of the positive definition demanded by the extreme Ultramontanists.

The great counter-petition, which was written by Cardinal Rauscher, showed an increased aggregate amount in the opposition forces; but it likewise showed how that force was weakened by difference of opinion in detail. To many of the signatures, variations in the expressions of dissent were appended. The address avoided the question of the doctrine itself, and spoke only of the difficulty and danger attendant on its proposed definition. The bulk of the party were evidently desirous to leave things as they were, to provoke no discussion, to accept even practical substitutes for an outspoken Dogma of Infallibility; any thing rather than face the full bearings of their own dissent, and have to resist openly the wishes and the claims of Rome. There were really but a few who accepted the self-suggested mission of actively reforming the Catholic Church from within. Of these, Strossmayer, the eminent Croatian Bishop already mentioned, was one. Ginoulhiac, Bishop of Lyons, is reported to have said to him, "You terrify me by your pitiless logic." Until his speech in the Council of the 30th of December, against the bull *Multiplices*, Strossmayer's name was unknown beyond the limits of his own country. At Vienna, however, he had acquired some notoriety, and in a manner by no means acceptable to Government. For he was a zealous Pan Slavist and anti-centralist, striving, with no small amount of statesmanlike ability, to maintain the autonomy of the small province where his diocese was seated. He wished to see Croatia independent both of Austria and of Hungary. Out of favour with the ruling powers, he looked to the love of his Croatians as his mainstay, and to their improvement as his main object when among them. He displayed immense activity in getting up national schools and promoting national culture in his province. At this very time he projected a Croatian national museum, for which he was purchasing pictures of the ancient Italian masters at great cost. On the 24th of January this energetic prelate delivered a speech in Council, in which he openly demanded the reformation of the Court of Rome, decentralization in the government of the Church, and decennial Councils. Dupanloup, Bishop of Orleans, another of the decided and systematic opponents of the Infallibility Dogma, is too well known to need description here. From having been a champion of the Syllabus in 1864, he had turned to be a zealous upholder of "Gallican" liberties against Infallibility, and after the publication of his famous letter against the Jesuits, and just before the opening of the Council, was both dreaded and hated by the extreme Ultramontanists. He is said to have acknowledged at once, with a noble absence of envy, the superiority of Strossmayer to himself as Opposition orator.

There had been some idea on the part of the French Government of sending a special envoy to watch over the proceedings of the Council, and to protest against any declaration of Papal Infallibility. The idea was abandoned; but in February Count Daru, the Minister for Foreign Affairs, had expressed to Cardinal Antonelli, through the Marquis de Bonneville, the resident French Ambassador, the

desire of the Cabinet to which he belonged, to be informed beforehand of all political measures taken at the Council, and the decided opinion of the said Cabinet against any definition of Pontifical Infallibility.

In reply to this communication, Cardinal Antonelli, a month later, wrote a long despatch, denying that the Concordat existing between France and Rome gave the French Government any right to demand the special information required, and claiming the privilege and duty of the Council to proceed to the doctrinal definition, which he hoped would be greeted by faithful people as "the rainbow of peace and the dawn of a brighter future."

A letter from Dupanloup in answer to one from the Archbishop of Malines was refused permission to be printed at Rome and was published in February or March at Naples. But the Archbishop drew down another and very vigorous reply from the Abbé Gratry, at Paris, in which the case of the heretic Pope Honorius—a bone of contention always between the high and the low Papal parties—was gone into with such perspicuity and effect that the pamphlets were eagerly read at Rome by laity as well as clergy. Gratry declared that the lies by which the Roman theory of Infallibility was propped, were a cause of weakness and discredit to the Church, against which it behoved all true Catholics to pronounce themselves without reserve. "Are we preachers of lies," he asked, "or the Apostles of truth? Has not the time come for rejecting with disgust the frauds, interpolations, and mutilations, which liars and forgers, our cruellest enemies, have found means to introduce amongst us?" Gratry's spirited utterance gave rise to much partisan controversy among the attendants on the Council. So did another manifesto from the most learned of all the writers on the opposition side, the eminent Bavarian theologian, Dr. Döllinger, which appeared about the same time. In some observations which Döllinger drew up on the Petition for Infallibility, he directed his attack not against the inopportuneness of definition merely, but undisguisedly against the doctrine itself. His letters caused considerable excitement, and when he further stated that what he had maintained was nothing more than what the majority of the Episcopate in Germany substantially held, the excitement was by no means diminished. Indeed his declaration frightened not a little that large proportion of the German bishops who wished above all things to escape a point blank conflict with the Pope, and who had taken care so to word their counter-petition as to leave the actual doctrine of Infallibility an open question. They by no means desired the reputation of complicity with so very notorious an opponent as Döllinger: and when some of them, the Bishop of Mayence at their head, proceeded distinctly to repudiate the allegation of anti-Infallibilism, it was manifest that the German opposition camp was dislocated: and that while some were doubtful or dissentient on the point, some there were who really accepted the Dogma in its entirety.

Two months had passed, and the business of the Council had gone on very slowly. The Pope still maintained a prudent neutrality between the two bands of petitioners regarding the Dogma, which was always looming in the region of possibilities. But on the 22nd of February, a new regulation was introduced for the express purpose of quickening the pace of procedure. Power was now given to the President to cut short any speech at his discretion, and to the majority of voices in the Council, to cut short any debate, at their discretion. It was also announced that henceforward the decrees should be carried by a majority of voices. This regulation called forth a protest from the opposition party. They insisted upon the principle that the decrees of a council could only be binding when passed by virtual unanimity of consent. Some even wished at once to declare that they should hold the council invalid unless the new regulation were given up. The protest, however, was eventually confined to the simple negative: and it had the effect of consolidating the ranks of the Opposition, which, as we have seen, had been shaken by the difference of opinion on Döllinger's letter. To carry out the new regulation, however, had become necessary for the Roman party. The action by majority was their only hope of success, and they insisted accordingly. Some of the opposition bishops were for leaving Rome forthwith and breaking up the Council. They drew up a paper declaring that the absolute and indisputable law of the Church had been violated by a regulation allowing Articles of Faith to be decreed on which the Episcopate was not morally unanimous; and that the Council, no longer possessing in the eyes of the bishops and of the world the indispensable conditions of liberty and legality, would be inevitably set at nought.

Meanwhile, the dogmatic decree on the Faith—*De Fide*—which had been discussed in December and referred to the Commission on Doctrine, came back so much altered that almost all the liberal bishops were willing to accept it, if only the preamble, containing an insulting sentence against the possibility of a reunion with Protestants, could be altered or omitted. This was one of their difficulties; the other was as to passing the decree at all under the circumstances of the non-repeal of the regulation against which they had so lately protested as annulling the legality of the Council. On the 22nd of March, Bishop Strossmayer made a speech intended to meet both these questions: a speech which obtained great celebrity at the time, on account of the tumult which it raised in the Council, as well as on account of its inherent force, liberality, and eloquence. We can but extract a few sentences:—"The germ of that Protestantism," he declared, "which is allied to Rationalism, existed already in the 16th century in the so-called humanism and classicism which within the sanctuary itself were incautiously fostered and nourished by men of the highest authority; and if this germ had not pre-existed, we cannot understand how so small a spark could have caused so great a conflagration in the

midst of Europe that up to the present day none have been able to extinguish it. Moreover, a contempt of the Faith and of religion, of the Church and of all authority, sprang up in the midst of a Catholic people, without any alliance or connexion with Protestantism, at the time of Voltaire and the Encyclopædists in the 18th century . . . With regard to Rationalism, I conceive the venerable deputation to have been in error, when in drawing up the genealogy of Naturalism, Materialism, Pantheism, Atheism, &c., they asserted that all these errors were the offspring of Protestantism. . . . . The errors above named are not to ourselves only, but to the Protestants as well, objects of horror and abomination, so that they are of service and assistance to the Church and to us Catholics in opposing and refuting them. Thus Leibnitz, certainly, was a learned and in every respect eminent man; a man just in his judgment of the institutions of the Catholic Church; a man of excellent intentions and deserts in restoring concord among Christian communities." (Loud cries of "Oh! oh!" The President, De Angelis, rang the bell, and said, "This is not the place to praise the Protestants.") "These men, of whom there are many in Germany, in England, and in North America, are followed by a multitude among the Protestants, to whom may be applied those words of the great Augustine:—'They err, but they err in good faith; they are heretics, but they hold us for heretics. They did not themselves invent their error, but they inherited it from perverse parents who had been led into error, and they are prepared to lay down their error so soon as they shall be convinced of it.'" (Here there was a long interruption and ringing of the bell, with cries of "Shame! shame!" "Down with the heretic!") "If these men do not belong to the body of the Church, they belong to its soul, and in a certain measure they participate in the benefits of Redemption. In the love they bear to our Lord Jesus Christ, and in those positive truths which they have saved from the shipwreck of their faith, they possess so many particles of Divine grace, which the mercy of God will make use of to bring them back to their first faith and to the Church, if we do not by our exaggerations and our shortsighted breaches of charity towards them retard the time of the Divine mercy."

As to the new rule of deciding by a majority, he pronounced it to be one of the greatest calamities of the present Council, inasmuch as it would always give a handle for saying that liberty and truth were wanting to its deliberations. A remonstrance had been presented, he said, and that remonstrance required at least a specific and unambiguous answer as to whether the rule was to be insisted on, or not. "I am myself convinced," he added, "that a general, at least morally unanimous consent, always has been and always will be the eternal and immutable rule of faith and tradition. The Council which, disregarding this rule, should proceed to define dogmas of faith and morals by a numerical majority, in so doing would, according to my intimate conviction, forfeit the right of

binding the conscience of the Catholic world under the sanction of life and death everlasting.”

Here the President and the majority of the auditors broke in, and positively forbade him to proceed. On the following day he drew up a protest, complaining of the manner in which he had been interrupted, and renewing his demand for an explicit answer in the next general congregation. “For unless this is done,” he concluded, “I doubt whether I can remain in a Council where the liberty of the Bishops is thus oppressed, and where the dogmas of the Faith are to be defined in a manner new, and until now unheard of in the Church of God.”

The offensive preamble concerning Protestantism was retracted; and another was drawn up by some of the Jesuit party, with such skill and moderation that the objections of the minority were removed. There was a supplement, however, which had likewise been objected to as involving unconditional assent to the much contested Syllabus of 1864, and which the Liberals had been given to understand would be retracted also.

It was now said, that to withdraw this supplement—the preamble having been withdrawn and the decree itself essentially modified—would be equivalent to a confession of defeat for Rome; and, accordingly, the Papal partisans exerted themselves to maintain it at all hazards, not hesitating to explain away its obvious import, where needful. The end was, that in the third public session of the Council, on the 24th of April, the Dogmatic Decree, or *Constitutio de Fide*, including the supplement, was adopted unanimously. Strossmayer alone absented himself on the occasion. Many, however, who gave their vote, did so not without considerable misgiving.

And their misgiving was well founded. The high Papal party now turned round upon the opposition, and informed them that they had in matter of fact accepted the whole doctrine of Infallibility. We here quote from the article in the *North British Review*.

“They had done even more. They might conceivably contrive to bind and limit dogmatic Infallibility with conditions so stringent as to evade many of the objections taken from the examples of history; but in requiring submission to Papal decrees on matters not articles of faith, they were approving that of which they knew the character, they were confirming without let or question a power they saw in daily exercise; they were investing with new authority the existing Bulls, and giving unqualified sanction to the Inquisition and the Index, to the murder of heretics and the deposing of kings. They approved what they were called on to reform, and solemnly blessed with their lips what their hearts knew to be accursed. The Court of Rome became thenceforth reckless in its scorn of the opposition, and proceeded in the belief that there was no protest they would not forget, no principle they would not betray, rather than defy the Pope in his wrath. It was at once determined to bring on the discussion of the Dogma of Infallibility.”

The announcement of this intention was a final and decisive battle-summons to the minority. They had been led into a false position by accepting the *Constitutio de Fide* on the 24th of April; but they were now resolved to face the real exigencies of the case. Pamphlets were written or circulated in the Council, against the Dogma, by Rauscher, Schwarzenberg, Kenrick (Archbishop of St. Louis) and other leading prelates. Several English bishops argued that their political emancipation in 1829 had only been granted on the understanding that they denied the doctrine of Papal Infallibility. It was declared that the promulgation of the Dogma would put an end to the conversion of Protestants, would drive devout men out of the church, would rehabilitate the old theories of persecution, &c.; that the Dogma was unknown in many parts of the Church, was denied by the Fathers, was in itself absurd and contradictory, and was incapable of being made an article of faith by Pope or Council. This was plain speaking, and in the general debate which was carried on for three weeks after the promulgation of the *Schema* for the new *Constitutio de Ecclesia*, as it was styled, the arguments of the minority were boldly and uncompromisingly maintained. Of this *Schema*, which was in circulation early in May, the following is the text:—

“ I. If any one should say that the episcopal chair of the Roman Church is not the true and real infallible chair of Blessed Peter, or that it has not been divinely chosen by God as the most solid, indefectible, and incorruptible rock of the whole Christian Church, let him be anathema.

“ II. If any one should say that there exists in the world another infallible chair of the truth of the Gospel of Christ our Lord, distinct and separate from the chair of Blessed Peter, let him be anathema.

“ III. If any one should deny that the divine *magisterium* of the chair of Blessed Peter is necessary to the true way of eternal salvation for all men, whether unfaithful or faithful, whether laymen or bishops, let him be anathema.

“ IV. If any one should say that each Roman Pontiff, legitimately elected, is not by Divine right the successor of Blessed Peter, even in the gift of the infallibility of *magisterium*, and should deny to any one of them the prerogative of infallibility for teaching the Church the Word of God pure from all corruption and error, let him be anathema.

“ V. If any one should say that general councils are established by God in the Church as a power of feeding the Divine flock in the word of faith superior to the Roman Pontiff, or equal to him, or necessary by Divine institution in order that the *magisterium* of the Roman Bishop should be preserved infallible, let him be anathema.”

The rumour of the approaching event occasioned dismay to the chief Catholic Powers of Europe. M. Emile Ollivier, then acting as Minister for Foreign Affairs, in an interim of Cabinet changes

at Paris, wrote the following letter to the Marquis de Bonneville, the French Ambassador at Rome :—

“ Paris, May 12th, 1870.

“ Monsieur l’Ambassadeur,—The Emperor’s Government has not had itself represented at the Council, although the right of doing so belongs to it in its quality of mandatory of the laics in the Church. To prevent ultra opinions from becoming dogmas, it reckoned on the moderation of the Bishops and on the prudence of the Holy Father; and to defend our civil and political laws against the encroachments of the theocracy, it counted on public reason, on the patriotism of the French Catholics, and on the ordinary means of sanction which it can dispose of. In consequence, it only paid attention to the august character of a meeting of Prelates assembled to decide on great interests of the faith and of salvation, and merely imposed on itself one mission—to assure and protect the entire liberty of the Council. Warned by the rumours current in Europe of the dangers which certain imprudent propositions would entail on the Church, desirous of not finding the aggressive forces organized against religious belief receive any additional strength, it departed for an instant from its attitude of reserve to offer suggestions and give advice. The Sovereign Pontiff did not think fit to listen to the former or to act on the latter. We do not insist upon them, and resume our previous position of abstention.

“ You will not call forth nor enter into any conversation henceforward either with the Pope or with Cardinal Antonelli relative to the affairs of the Council. You will confine yourself to learning and noting down all the facts, all the feelings which prepared them, and all the impressions which succeed each event. Have the goodness to inform the French prelates that our holding aloof does not betoken indifference, but is for them a sign of respect and, above all, of confidence. Their defeat would be exceedingly bitter if the civil power, by its intervention, had not prevented it; and their triumph will be all the more precious if they owe it only to their own efforts and force of truth.—Accept, sir, &c., EMILE OLLIVIER.”

Count Beust also wrote to Count Trautmannsdorf, the Austrian Ambassador, saying that Count Daru had confidentially communicated to him the text of the French despatch to Cardinal Antonelli, in which the French Government pointed out the grave consequences which would follow from the acceptance of certain principles of the Syllabus by the Council, and that Austria could not but express her lively satisfaction “in concurring with the views of France on this as on many other important matters.” Austria, like France, he observed, wishes to render all due respect to the rights and liberties of the Church; she does not claim to exercise any influence on the deliberations of the Council, nor to interfere in any way in debates of a dogmatic nature. But she must reject all responsibility for acts which would cause an evident contradiction to arise between the teachings of the Church and the principles which are recognized by all European Governments and nations.



Such acts "can only be regarded as an attack on the laws under which Austria is governed." It is not, however, "the danger which threatens her institutions, but those dangers which threaten the peace of men's minds and the maintenance of harmony in the relations of the State with the Church" that had moved Count Beust to address these representations to the Holy See—representations which he trusted would be regarded with the less suspicion as they were in conformity with the attitude of an important section of the Fathers of the Council, about whose devotion to the interests of Catholicism there could be no doubt."

The French Government also addressed a second despatch to the Vatican, as a rejoinder to Cardinal Antonelli's reply to Count Daru. In this despatch France declared that she had resolved to abstain from all further interference with the affairs of Rome, and would henceforward confine herself to taking note of the proceedings of the Pope and the Œcumenical Council. The French Government, as a friendly Catholic Power, had done its duty in endeavouring to deter the Holy See from the fatal course on which it had entered. This step had proved fruitless; and, as the Holy See seemed to have determined to pursue a line of action which could only end in its ruin, France would assume the part of a peaceable looker-on. On the day of the declaration of Papal Infallibility the Concordat would cease to be valid, and the relations hitherto existing between the Church and the State would be at an end. "The State will separate itself from the Church, and the French troops will withdraw from the Papal territory."

On the other hand the Jesuit party, the English so-called "Perverts," and the Ultramontanists generally were exultant. An address was signed by 300 foreign Catholic visitors at Rome—princes, nobles, and less distinguished individuals—expressing profound devotion to the Church and to Pío Nono as its head. They said:—"Children of the Church, we unite in declaring our submission to all that the Council assembled by the Supreme Pontiff may decree. We shall regard its decisions as the expression of the will of God, the word of the Holy Ghost, the providential rule which is to be the guide of the present and of future generations. To this profession of our faith we are eager to add the strongest expression of our filial devotion to the person of your Holiness, and our inviolable attachment to the Chair of Peter which you occupy. In you, the Roman Pontiff, we unanimously recognize, as we have been taught from our infancy, 'The Father and the Teacher of all Christians.'" To this address the Pope replied, "I know how unworthy I am to fill the office of the Vicar of Christ. Yet I know I am sustained by God in the course I am pursuing, because I feel it to be the right course, and the opposition which we now behold will not prevail. I am accused of warring against modern society, which is untrue. The maxims of modern civilization are, with certain exceptions, false. To falsehood we must oppose truth. Christ is truth. And it is the duty of all Christians,

in whatever state of life, to maintain the truths which He has taught. This must be your individual line of action in your different countries. If after thus striving we fail in our endeavours to preserve modern society from self-destruction, we shall deplore the catastrophe, but we shall know at least that we have done all in our power to avert it."

It was said at first that the majority, sure of their game, had resolved to treat the arguments of their adversaries with a disdainful silence; but this idea was abandoned before the first meeting for discussion, on the 14th of May. Orations were then delivered in support of the scheme by Cardinal Patrizi and seven other prelates. On the 17th its advocacy was resumed by the Archbishop of Mechlin, and an opposition speech, delivered by Hefele, the Bishop of Rottenburg, which, though it is said to have lacked the fire of a great oration, commanded attention by its logic and historic facts. It conclusively proved that Pontifical Infallibility had never been countenanced by the Church, and at the same time it showed that the intention of establishing the Dogma by the force of numbers was contrary to the whole practice of the Councils. Bishop Hefele energetically denounced what he termed the despotism of the majority, which was attempting to stamp out the minority. In the sitting of the next day he again entered the tribune and read an oration by Cardinal Rauscher in the same key as his own. Speeches were afterwards delivered by Cardinal Donnet and the Archbishop of Saragossa.

In the congregation of the 19th the speakers were Cardinal Cullen (Archbishop of Dublin), Cardinal Moreno (Archbishop of Valladolid), the Patriarch of Antioch, and the Primate of Hungary. The two Cardinals were very vehement for the Dogma, and there was a difference of opinion as to whether the zeal of the Irish or the pious fury of the Spanish prelate most astonished the Fathers. The Patriarch of Antioch, taking a different course, delivered a speech which might be claimed by either side, since it neither condemned nor advocated Infallibility, and sat down without allowing his opinion to transpire. There was something of the same character in the oration of Monsignor Simor, the Primate of Hungary, who formerly displayed great ardour in his opposition, but now spoke so mildly against the Dogma that he might have been mistaken for one of its adherents. The sitting of the 20th was signalized by a speech from Dr. McHale, Archbishop of Tuam, replying in moderate and dignified language to that of Cardinal Cullen in the Congregation of the previous day. Dr. McHale obtained great credit for this oration, which was a logical refutation of the Dogma, and displayed extraordinary learning and research. He was followed by the Archbishop of Paris, who took the same side, and was almost violent in his denouncement of the propositions, declaring that the proclamation of Infallibility would be fatal to the Church and the temporal power.

"The Syllabus," he said, "has spread throughout all Europe,

but what evil has it been able to remedy, even where it has been received as an infallible oracle?" There were only two kingdoms remaining in which religion once flourished and ruled, not *de facto* but *de jure*, Austria and Spain; "but in these two kingdoms this Catholic rule is now falling to the ground, although commended by infallible authority; or rather, in Austria at least, precisely because it is so commended. Let us venture to look at things as they are. The independent Infallibility of the Most Holy Pontiff does not remove the prejudices and objections which pervert many from the faith, but rather increases and aggravates them. No one who is skilled in politics can fail to perceive that our scheme contains the seeds of dissension, and exposes to great perils even the temporal power of the Holy See."

The general debate had lasted three weeks, and forty-nine bishops were still to speak, when the majority in the Council, on the 3rd of June, resolving to act on the late Regulation, called for a division and brought matters to a close. This was actually enforcing against the minority the principle which they had declared to be incompatible with the very essence of a Council, and which they had contented themselves with simply protesting against as long as its application remained in the background. But now they could no longer ignore it, and the question was, what course to pursue? Some were for breaking with the Council at once; but more temporising politics prevailed, and most of the protesting bishops continued to sit through the debates on the special paragraphs of the impending decree.

By the beginning of July changes had taken place in the opposition forces. Several bishops had been, whether through the force of argument or the fear of consequences, gained over to the majority. Several complained of the exhausting heat of the climate, and left Rome. The Pope had been asked to prorogue the Council, but had refused. Things seemed to go smoothly for the passing of the decree. The manifest connexion subsisting between the opposition bishops who remained and the ambassadors of France and Austria was, however, not a reassuring circumstance to the Pope and his adherents.

On the 13th of July the Congregation met to vote the important fourth chapter of the *Constitutio de Ecclesia*, which was that where the doctrine of Infallibility was expressed. The intrigues and influences brought into play during the few days preceding are said to have been countless. Amendments were proposed and rejected; finally the Dogma was enunciated in the following terms:—

"We teach and define that it is a Dogma divinely revealed; that the Roman Pontiff, when he speaks *ex cathedra*, that is, when in discharge of the office of Pastor and Doctor of all Christians, by virtue of his supreme apostolic authority, he defines a doctrine regarding faith or morals to be held by the Universal Church, by the divine assistance promised to him in blessed Peter, is possessed of that Infallibility with which the Divine Redeemer willed that

His Church should be endowed for defining doctrines regarding faith or morals, and that, therefore, such definitions of the Roman Pontiff are irreformable of themselves, and not from the consent of the Church."

The Council voted on the whole definition, and the result showed 400 *placet*, 88 *non placet*, and 60 *placet juxta modum*. Fifty bishops absented themselves from the congregation, preferring that mode of intimating their dissent. The *non placets* included Cardinals Schwarzenburg, Rauscher, and Mathieu; Bishops Dupanloup, Strossmayer, and Hefele. Cardinal Guidi voted *juxta modum*. After the votes the Archbishop of Paris proposed that the dissentients should leave Rome in a body, so as not to be present at the public services of the 18th, when the Dogma was formally to be promulgated. Cardinal Rauscher, on the other hand, advised that they should all attend, and have the courage to vote *non placet* in the presence of the Pope. This bold counsel, however, was rejected.

The day arrived for the fourth public session of the Council. The recalcitrant bishops stayed away to the number of 110. The Pope's partisans mustered 533. When the dogmatic constitution *De Ecclesia Christi* was put in its entirety to the vote, two prelates alone exclaimed *non placet*. These were Riccio, Bishop of Casazzo, and Fitzgerald, Bishop of Peticola, or Little Rock, in the United States. A violent thunderstorm burst over St. Peter's at the commencement of the proceedings, and lasted till the close. The Pope proclaimed himself infallible amidst its tumult. The outward signals of triumph on the occasion, the salvos, and the bell ringing had been countermanded, for the opposition feeling was strong, and that not within the Council only. Few spectators were present at the ceremony. The Austrian, French, and Prussian Ambassadors stayed away. Moreover among the Roman population just now great excitement was prevailing. Bands of Garibaldians were hovering in the neighbourhood, and as the Franco-German war was on the point of breaking out, the French garrison might soon have to be withdrawn. Who could answer twenty-four hours for the stability of the Pope's temporal sway, however his spiritual authority might have been assured by the decree just promulgated?

The Austrian Ambassador left Rome immediately after the event, and in a few days it was officially announced that in consequence of the definition of the Dogma of Infallibility, the Government which he represented had resolved no longer to maintain the Concordat with Rome.

Meanwhile the Bishops in opposition, after renewing their negative vote in writing, quitted Rome almost to a man. They had uttered their final words of remonstrance in two pamphlets: "*Ce qui se passe au Concile*," and "*La Dernière Heure du Concile*." The first was believed to be by the hand of Kenrick, Archbishop of St. Louis; the second was ascribed to M. Loyson, a brother of le Père Hyacinthe. In both, the liberty, and therefore the authority, of the Vatican Council was denied. The *Dernière Heure* expressed a

hope for better days, and encouraged the defeated minority, a little grandiloquently, with recollections of the Spartans and Thermopylæ.

“Let us hope,” it said, “that the excess of evil will provoke the return of good. This Council will have had but one happy result, that of summoning another Council, which shall meet in liberty. The Vatican Council will remain sterile, like all things that have not blossomed under the breath of the Holy Spirit. It will, however, have revealed not only to what point absolutism can abuse the best institutions and the best instincts, but also what justice is still worth, even when there is but the small minority to defend it. If the multitude marches on in spite of every thing (*quand même*), we predict that it will not go far. The Spartans who fell at Thermopylæ to defend the land of liberty, prepared for the pitiless tide of despotism the defeat of Salamis.”

Against the parting shafts of warfare the majority let fly their answering volley in a manifesto signed with the name of the President of the Council, Cardinal De Angelis, and his chief assistants :

“The infamous falsehoods,” they declared, “which have been heaped together in this matter in public newspapers of every tongue, and in pamphlets without the author’s name, published in all places and stealthily distributed, all men well know ; so that we have no need to recount them one by one. But among anonymous pamphlets of this kind, there are two especially, written in French, and entitled ‘*Ce qui se passe au Concile*,’ and ‘*La Dernière Heure du Concile*,’ which for the arts of calumny and the licence of detraction, bear away the palm from all others. For in these not only is the dignity and full liberty of the Church assailed with the basest falsehoods, and the rights of the Holy See overthrown, but even the august person of our Holy Father is attacked with the grossest insults.”

The pause from present conflict brought a change of mind in some quarters. Several of the German Bishops who had taken part in the opposition thought that at this juncture it behoved them, for the peace of the Church, and the respect due to the Dogma once declared, to give way at the end of August. They assembled again at Fulda, and pronounced the acceptance of the decree. “As long as the discussions lasted,” they said, “the Bishops, as their consciences demanded, and as became their office, expressed their views plainly and openly, and with all necessary freedom ; and as was only to be expected in an assembly of nearly 800 Fathers, many differences of opinion were manifested. These differences of opinion can in no way affect the authority of the decrees themselves. . . . . Wherefore, we freely declare that the present Vatican Council is a legitimate General Council ; and moreover that this Council, as little as any other General Council, has propounded or formed a new doctrine at variance with the ancient teaching ; but that it has simply developed and thrown light upon the old and faithfully preserved truth contained in the deposit of faith, and in opposition to the errors of the day has proposed it expressly to the belief of all the faithful ; and lastly, that these decrees have received a binding

power on all the faithful by the fact of their final publication by the Supreme Head of the Church, in solemn form at the Public Session.”

Seventeen names were appended to the declaration. Among them was not that of Hefele, who, it was soon made known, was determined under no circumstances to submit to the decision of the Council. His chapter and the theological faculty of Tübingen, declared that they would unanimously support him. A meeting of the Catholic professors of theology, held at Nuremberg, also agreed upon a decided protest against the absolute power and personal infallibility of the Pope. The German opposition, evidently, was far from being quelled. And the Austrian opposition, led by Schwarzenberg, Rauscher and Strossmayer, remained unbroken.

By the end of August the members of the Council remaining at Rome were reduced to eighty. They continued, however, to sit on through that month and the month of September, discussing various *Schemes* relative to the internal affairs of the Church; and it was not till the 20th of October—when, instead of the long-departed French troops, the Italian King’s garrison were occupying the Papal city—that a short Pontifical Bull was seen affixed to the doors of the principal churches, announcing that in consequence of the sacrilegious invasion of Rome, which might restrict the liberty of the Pope and bishops, and on account of the European War, which was preventing many prelates from leaving their sees, the sittings of the Œcumenical Council were hereafter suspended.

The Council, however, is not dissolved, and that circumstance is a point upon which some of the dissidents from the Dogma which was the great battle-field of the session of 1870 now take their stand. Till a Council is an accomplished fact, as a whole, they argue, its decrees have not attained their binding power.

The narration of the Council proceedings has carried us beyond the regular succession of political events, and now we must return to chronicle briefly the final period of history for the “States of the Church;” in other words, for the temporal sovereignty of the See of Rome.

On the commencement of the outbreak, the Pope wrote to both the contending Sovereigns in the interests of peace. His letter to King William was as follows:—

“Your Majesty,—Under the grave circumstances in which we find ourselves, it will perhaps appear strange to you to receive a letter from me; but as the Vicegerent of the God of Peace upon earth, I think I cannot do less than offer to you my mediation. My wish is to see the preparations for war cease, and to prevent the evils which are its inevitable results. My mediation is that of a Sovereign who, in his capacity of ruler, can excite no jealousy, on account of the small extent of his territory, but who, through the moral and religious influence he personifies, can inspire confidence. May God hear my prayers, and those also which I offer up for your

Majesty, with whom I wish to be united in the bonds of the same Christian love.

“ Pius R. P. IX.

“ From the Vatican, July 22, 1870.”

“ Postscript.—I have written also to his Majesty the Emperor of the French.”

But the order of destiny took its way, and, soon after, the French garrison which had so long guarded the Pope's citadels was summoned to more pressing duty in defence of its own country. On the 3rd of August the Emperor Napoleon's troops evacuated Viterbo. It was affirmed that a portion of the force would still be left behind. The Pope's nearest councillors were now divided. Some, and Cardinal Antonelli among them, were for making immediate terms with the King of Italy; but this step was vehemently opposed by others. As successive reports of Prussian victories came in, and on the 9th the last detachment of the French corps of occupation embarked at Civita Vecchia, consternation for a time increased. The Pope was urged to leave Rome, but this he refused to do. “ At the last,” he said, “ I can but retire to the Catacomb of St. Peter, and they will allow me to remain there.” However, in a few days' time he received, through Baron Arnim, an autograph letter from the King of Prussia, the conciliatory expressions of which gratified and soothed him. The text of the letter was as follows:—

“ Most Illustrious Pope,—I was not astonished, but deeply moved, when I read the touching words written by your hand to make me listen to the voice of the God of Peace. How could my heart not listen to so powerful an appeal! God is my witness, that neither I nor my people have wished or called for war. We draw the sword in obedience to the sacred duties which God has laid upon Sovereigns and nations, to defend the independence and honour of our Fatherland, and we shall be ever ready to lay it down when these blessings have been secured to us. If your Holiness could give me, on behalf of him who has so unexpectedly declared war, the assurance of sincerely peaceful intentions, and securities against the recurrence of a similar attack upon the peace and repose of Europe, I would assuredly not refuse to receive it from the venerable hands of your Holiness, with whom I am united in the bonds of Christian love and of sincere friendship.

“ WILHELM.

“ Berlin, 30th July, 1870.”

And now the Pope's Urban Guard was re-organized, and the force of the *squadighieri* recruited. Part of the Antibes Legion remained in the Papal service; but desertions had been frequent, and no reliance could be placed on it. A few volunteers offered their services, also, for the corps of Zouaves.

Having thus set his house in order to the best of his ability, the Holy Father had but to wait the course of events outside; and in order to proceed with them we must take up first the thread of contemporary Italian history in the dominions of King Victor Emmanuel.

## ITALY.

Nearly all the chief political events of Continental Europe this year derive their interest from their connexion with the great struggle between France and Germany, either as occupying a place in the series of causes which led to that catastrophe, or as modified, if not altogether brought about by its consequences. To the last category it is that the main action of the Italian drama for 1870 belongs. The observer traces at once how the aims and tendencies of political action within the country were made by outside influences to converge to the great revolution which put an end to the Pope's temporal sovereignty, and made Rome the capital of the Italian kingdom—a revolution, indeed, which, were not so much of our space claimed for yet more urgent topics, would well have demanded more detailed description than we are about to give it.

Parliament, which had been adjourned in January, met again on the 7th of March. Business began with a statement by Signor Sella, the minister of Finance, in which he set forth that between the years 1862 and 1867 the revenue of Italy had increased 47 per cent., while the expenditure had diminished 36 per cent. He then explained the position of the Treasury in the two following years, 1868 and 1869, and owed to a deficit still of 110,000,000 of lire, (4,400,000*l.*), to fill which up he proposed various taxes. The general discussion came on later.

With regard to the Council now sitting at Rome, it was announced that the Italian Government, true to its principle of the separation of Church and State, would abstain from all intervention in the proceedings.

A vote of confidence in the Ministry was presently passed, in respect of certain Republican disturbances which had taken place at Pavia and Piacenza, when precautionary measures had been adopted, and some arrests made by action of the authorities.

The present Government—of which Signor Lanza was the head—was, like so many before it, not popular. The efforts to restore balance in the finances, while at the same time maintaining the union of the kingdom, necessitated unwelcome taxation. Results were small, it was said, in the way of national progress and independence. Much complaint was made by the influence of the so-called “*consisteria*” faction—men accused of nominal liberalism and selfish aims, of subserviency to France, and antagonism to reforming progress. Of the old Bourbonist and reactionary opposition sentiment, scarcely any thing remained even in Naples. The danger to be apprehended was entirely from the democratic side.

Symptoms of this danger continued to show themselves through the spring. The University students at Florence and Naples demanded a reduction in their hours of study, purposely that they might have more time to join the political agitation. Bands in red uniform roamed through the Tuscan Maremma and the provinces of Calabria.



Great excitement prevailed in the province of Catanzaro, especially among the men employed on the works of certain railway lines, in which the sons of Garibaldi had interest. Through the length of the land, from Parma to Palermo, the youthful portion of the population—for to the youth the movement in its active symptoms was mostly confined—seemed ready, whether students, artisans or peasants, to take up arms with a confused but ominous cry for “the Universal Republic,” with which was combined a sympathy for workmen’s strikes, and for the doctrines of International Social Communism. Behind the influence of the Garibaldi family, in all this ferment, was every where felt, or suspected, the inspiration of the arch-plotter Mazzini.

Meanwhile the great financial difficulty had to be met. The Finance Minister was sanguine in his pursuit of the phantom “equilibrium.”

In the sitting of the Chamber of Deputies on May 27, the revenue estimates were adopted by 216 against 53 votes without discussion.

Signor Sella, in presenting the estimates for 1871, said, assuming that the estimates of the Government, as modified by the financial commission, would be adopted, the Budget for 1871 shows a surplus of 2,700,000 of lire. Comparing these estimates with those of the current year, which were laid before the House in March last, a reduction of 13,000,000 of lire would be shown in the expenditure of the Ministry of War, and a total reduction of 22,000,000 of lire under the head of “Administrative Expenses.” On the other hand there was an increase of 15,000,000 of lire in the irreducible expenditure, and of 36,000,000 of lire in the Department of Public Works.

The Minister observed that these expenses would be reduced by 20,000,000 should the Government succeed in transferring to a private company the construction of the Calabrian railway system. The ordinary revenue shows an augmentation of 80,000,000 of lire, chiefly owing to an increase of taxes, and the extraordinary receipts an increase of 122,000,000, of which 106,000,000 are obtained by the issue of Rentes to provide for the cost of constructing the Calabrian Railway in case no concession should be granted.

Replying to the arguments of the Opposition, Signor Sella defended the Government Financial Bills respecting the army, and urged the necessity of restoring the finances to a sound condition. In conclusion he said, “If our opponents think they are able to re-establish the finances without resorting to the retrenchments proposed by us, then we would willingly yield them our places. But we could not remain in office should these measures of retrenchment not be adopted.”

After a few remarks from various deputies, the general debate was closed, and, a division being taken, the Government obtained a majority of 165 against 107 votes.

In the beginning of June a bill passed for the special military

reductions proposed. But the course of retrenchment in this direction was suddenly stopped, for by the middle of July the approaching outbreak of war between France and Prussia was shaking to its centre the sensitive fabric of Italian politics. A stormy sitting of the Chamber took place on the 15th. Signor Lanza had announced the new intention of Government to increase the army, as a precautionary measure, and to open a credit with the Bank for the cost. The Opposition accused the Ministry of sending troops to support the Pope against the menaces of the Garibaldian rovers, and clamorously demanded the immediate production of all correspondence on the subject of the foreign complication. Then followed the departure from Rome of the French "Army of Occupation;" and a position more strained than ever, for the Italian Government. An attack was at once opened by the Parliamentary Opposition, on the Convention of September, 1862; but it was met by a declaration on the part of Signor Lanza, that the Government would adhere to the engagements then contracted.

In the middle of August, Mazzini was arrested at Palermo, and sent into confinement at Gaeta. Explanations being demanded in the Chamber, the Minister replied that Mazzini had passed at Palermo under a false name, which was alone a sufficient reason for his apprehension as a measure of caution. Government knew what were his designs in Italy, and considered their prevention to be its duty. As soon as he was arrested, the public prosecutor had been directed to take regular proceedings against him because of his implication in recent prosecutions for conspiracy. His presence in a country so full of inflammable materials as Sicily could not be permitted.

On the 21st, the Ministry succeeded in carrying a vote of confidence in the Chamber of Deputies, which was confirmed by the Senate on the 25th. The new military credits were granted.

With the commencing days of September the exigencies of the situation had become more than ever pressing. Napoleon III., the co-partner with the Italian Sovereign in the Convention of 1862, was no longer ruler of France, nor able to maintain his part of the engagement. The Garibaldian element was pervading the Papal States. Republican agitation seemed likely to upset the Pope altogether. It was bringing all its forces to bear on the Italian Government. To stand still was simply impossible. The King of Italy must make himself recognized as a Power, at Rome, or he must let his imperfectly compacted dominion fall to pieces, and Rome, and Italy too, be given up to anarchy. His choice was taken. His army, under General Cadorna, was ordered to march across the frontier. At the same time he indited the following letter to Pius IX.

"Most Holy Father,—With the affection of a son, with the faith of a Catholic, with the loyalty of a king, with the sentiment of an Italian, I address myself again, as I have done formerly, to the heart of your Holiness.

“A storm full of perils threatens Europe. Favoured by the war which desolates the centre of the Continent, the party of the cosmopolitan revolution increases in courage and audacity, and is preparing to strike, especially in Italy and in the provinces governed by your Holiness, the last blows at the monarchy and the Papacy.

“I know, most Holy Father, that the greatness of your soul would not fall below the greatness of events; but for me, a Catholic king and an Italian king, and as such guardian and surety by the dispensation of Divine Providence and by the will of the nation of the destinies of all Italians, I feel the duty of taking, in face of Europe and of Catholicity, the responsibility of maintaining order in the Peninsula, and the security of the Holy See.

“Now, most Holy Father, the state of mind of the populations governed by your Holiness, and the presence among them of foreign troops coming from different places with different intentions, are a source of agitation and of perils evident to all. Chance or the effervescence of passions may lead to violence and to an effusion of blood, which it is my duty and yours, most Holy Father, to avoid and prevent.

“I see the indefeasible necessity for the security of Italy and the Holy See that my troops, already guarding the frontiers, should advance and occupy the positions which shall be indispensable to the security of your Holiness and to the maintenance of order.

“Your Holiness will not see a hostile act in this measure of precaution. My Government and my forces will restrict themselves absolutely to an action conservative and tutelary of the rights, easily reconcilable, of the Roman populations with the inviolability of the Sovereign Pontiff and of his spiritual authority, and with the independence of the Holy See.

“If your Holiness, as I do not doubt, and as your sacred character and the goodness of your soul give me the right to hope, is inspired with a wish equal to mine of avoiding all conflict and escaping the danger of violence, you will be able to take, with the Count Ponza di San Martino, who presents you this letter, and who is furnished with the necessary instructions by my Government, those measures which shall best conduce to the desired end.

“Will your Holiness permit me to hope still that the present moment, as solemn for Italy as for the Church and for the Papacy, will give occasion to the exercise of that spirit of benevolence which has never been extinguished in your heart towards this land, which is also your own country, and of those sentiments of conciliation which I have always studied with an indefatigable perseverance to translate into acts, in order that, while satisfying the national aspirations, the Chief of Catholicity, surrounded by the devotion of the Italian population, might preserve on the banks of the Tiber a glorious seat independent of all human sovereignty?

“Your Holiness, in delivering Rome from the foreign troops, in freeing it from the continual peril of being the battle-field of subversive parties, will have accomplished a marvellous work, given

peace to the Church, and shown to Europe, shocked by the horrors of war, how great battles can be won and immortal victories achieved by an act of justice and by a single word of affection.

“I beg your Holiness to bestow upon me your Apostolic benediction, and I renew to your Holiness the expression of my profound respect.—Your Holiness’s most humble, most obedient, and most devoted son,

“VICTOR EMMANUEL.

“Florence, Sept 8, 1870.”

The inhabitants of the Papal States received the Italian troops every where with open arms, and they marched steadily forward on Rome. The Pope was not mollified by the King’s letter. He well knew the end was coming, but was not disposed to accept the fact without a protest. He thus wrote to the General of his forces:—

“General,—At this moment, when a great sacrilege and the most enormous injustice is about to be consummated, and the troops of a Catholic king, without provocation—nay, without even the least appearance of any motive—surround and besiege the capital of the Catholic world, I feel, in the first place, the necessity of thanking you, General, and our entire army, for your generous conduct up to the present time—for the affection you have shown to the Holy See, and for your willingness to consecrate yourselves entirely to the defence of this metropolis. May these words be a solemn document to certify to the discipline, the loyalty, and the valour of the army in the service of this Holy See!

“So far as regards the duration of the defence, I feel it my duty to command that it shall only consist in such a protest as shall testify to the violence done to us, and nothing more; in other words, that negotiations for surrender shall be opened so soon as a breach shall have been made. At a moment when the whole of Europe is mourning over the numerous victims of the war now going on between two great nations, never let it be said that the Vicar of Jesus Christ, however unjustly assailed, had to give his consent to a great shedding of blood. Our cause is the cause of God, and we put our whole defence in His hands. From my heart, General, I bless you and your entire army.

“PIO PAPA IX.

“From the Vatican, Sept. 19.”

On the 16th the Royal troops entered Velletri. A flag of truce sent in to Rome by General Cadorna was ill received. Baron Arnim, the resident North German Minister, went to the Italian head-quarters to mediate, and tried unsuccessfully to persuade the Papal garrison to open their gates. In spite of the Pope’s orders that no real resistance should be made, a cannonade of four hours was found necessary before General Cadorna, on the 20th of September, succeeded in entering the city by a breach. The losses on either side, however, were insignificant. Then the struggle was over. After settling with General Kanzler, the Pontifical Commander, the terms of the surrender, Cadorna entered at the head of his forces, and was received with popular cheers for King Victor Emmanuel.

At Florence, the news of the capture of Rome was received with enthusiastic rejoicing. At Naples and at Venice the manifestations are said to have been comparatively tame.

And now the question for the King of Italy was how, with a fair show of popular and moral sanction, to unite Rome to the rest of the monarchy, and make it the capital of the Italian kingdom. It was resolved to appeal to the will of the people throughout the States of the Church, by a plebiscite. The voting took place on the 2nd of October, when the number of votes recorded for the King were 133,681, against him, 1507. On the 11th, General La Marmora arrived, to assume the government of the city, with a council, in his sovereign's name. An amnesty for all political offences was announced, in consequence of which several Roman state prisoners were released. Under the terms of this act, also, Mazzini was allowed to leave his prison at Gaeta.

Parliament was called together at Florence on the 5th of December. The King said, "With Rome for our capital, I have fulfilled my promise, and crowned the enterprise which was begun twenty-three years ago by my magnanimous father. Italy is free and united henceforth, and depends upon herself alone, making her great and happy. Bound to France and Prussia by recent alliances, we were obliged to observe a rigorous neutrality. We are able to interpose an impartial word between the belligerents, joining our efforts to those of other neutral Powers in order to put a stop to a war which ought never to have broken out between two nations the greatness of which is equally necessary to civilization. This policy proves once more that free, united Italy is for Europe an element of order, liberty, and peace. This attitude made easier the task of restoring Rome to herself, to Italy, and to the modern world. We entered Rome by our national right, and we shall remain there, keeping the promises solemnly made to ourselves of freedom to the Church and the independence of the Holy See in its spiritual ministry and its relations with Catholicity. The work which the Government began in this direction will be completed by Parliament. The imminent transfer of the Government to Rome obliges us to study a new system of administration. Projects of law on reform of the army and on the educational system will be brought in. Now that Italy is complete, the only emulation of Italians must be to consolidate by good laws the edifice erected by all. A sister nation has offered its crown to my son. I hope Spain will prosper by the loyalty of her Sovereign and the good sense of her people. This concert is the best foundation of progress and liberty."

The transfer of the capital from Florence to Rome was voted by 192 against 18.

With regard to the Pope, the following arrangements were made:—He was guaranteed his sovereign rights, allowed to retain his guards, and provided with an income of 3,255,000 francs. He was to keep the Vatican, the Church of Santa Maria Maggiore, Castel Gandolfo, and their dependencies; and these were exempted

both from taxes and common-law jurisdiction. The same immunity was extended to any temporary Presidency of the Pope, or Conclave, or Council. The Pope's correspondence was to be free. Even in pursuit of criminals, neither visits nor searches were to be allowed. The Pope was to be free to establish at the Vatican a post and telegraph office, choosing his own officials. The Papal despatches, couriers, and telegrams were to be conveyed as those of foreign governments. Councils would require no preliminary permission for meeting. The Pope might prefer to benefices without royal permission. The oath of the Bishops to the King, the royal Placet, and Exequatur were abolished. The seminaries and other Catholic institutions would derive their authority from the Holy See alone, without any interference from the Italian scholastic authorities. Finally, a credit of 17,000,000 lire was demanded by Government. The deficit had risen to 24,000,000.

Last scene of all in this "strange eventful history," the King of Italy—now literally of all Italy—made his public entry into the new capital of his dominions on the 31st of December. He was well received by all the public authorities of the city; but the Canons of Santa Maria Maggiore and St. John Lateran closed the doors of their churches against him. The crowd was loud in its applause, and called for their Sovereign to appear on the balcony of the Quirinal. At night the city was illuminated.

On the following day, the first of 1871, Victor Emmanuel quitted Rome, leaving behind him a large sum of money to be distributed for charitable objects, in connexion with the damages caused by a tremendous inundation of the Tiber, which took place on the 28th of December, and flooded great part of the city.

#### SPAIN AND PORTUGAL.

We turn now to the country whose internal affairs happened, most unexpectedly, to give the impulse to the great strife on which the European history of this year hinges.

Spain in search of a king had been an item in the world's political inventory ever since the expulsion of the Bourbon dynasty in the autumn of 1868.

When the year 1870 opened, Marshal Serrano, the Regent, and Marshal Prim, the Commander-in-Chief and President of the Council, were still in pursuit of their object. Their last candidate had been Prince Thomas of Savoy, Duke of Genoa, a boy under education at Harrow School in England; but the King of Italy, who was his uncle, declined for him the dangerous elevation. His refusal came at the commencement of the year. It occasioned a change in some of the ministerial arrangements, Admiral Topete, a decided Montpensierist, returning to office, along with Rivero and Monteros Rios. Prim remained always at the head of the Cabinet.

While some to whom the crown was offered proved coy and unpersuadable, as King Fernando of Portugal, and Prince Thomas of

Savoy, two princes there were who were well known to desire it, and who were seeking to accomplish the object of their ambition in different ways. One was Don Enrique de Bourbon, brother of Queen Isabella's husband; the other was the Duke de Montpensier, husband of the ex-queen's sister. Don Enrique indeed possessed a great enthusiasm for Republican doctrines, either because he really desired rather the substance than the name of the kingly dignity, or because he saw that the Republican party would be useful as a stepping-stone. And from the platform of Republicanism he fulminated in very coarse and offensive language against the ambition and double-dealing of Montpensier. The consequence was, that, to the surprise of all who knew Montpensier's peaceful and cautious habits, the Orleanist prince challenged Enrique to mortal duel. The rivals met at Alcorcon, near Madrid, on the 12th of March, and at the third shot Enrique fell dead. Montpensier surrendered himself, and was tried a few weeks afterwards by a court martial, which sentenced him to the not very severe penalty of one month's banishment from Madrid, and the payment of 6000 dollars to the family of his victim.

The Spanish Government, under the Regency of Serrano, seems to have held its way rather by the equilibrium of many contending parties than by real internal harmony. Still, in Marshal Prim it possessed a virtual leader of very considerable prudence and tact, and he proved himself able to carry in the Cortes those measures which he considered necessary for the financial and military administration of the country. Disturbances, indeed, broke out at Barcelona, in April, on account of the conscription, and the Carlists gave trouble in Navarre and Biscay; but the Government forces kept them effectually in check. Prim never allowed the nation to think that he and his colleagues considered themselves more than a provisional Government, and the king question was started afresh whenever an opportunity occurred, or whenever the Opposition looked threatening.

Early in May two candidates were formally before the Cortes: old Marshal Espartero and the Duke de Montpensier, who, having expiated his recent homicide by a month's rustication, had returned to Madrid. Espartero was a very old man, near upon eighty, and was childless. He refused at first to be put in nomination, but the Club of the Progressistas had set its heart on the candidature of the old hero of their party, and he was eventually persuaded to "sacrifice himself," as he said, "for the good of his country." Marshal Prim himself wished for neither of these candidates, but would have preferred to see the present Regent, Serrano, invested with the full powers, if not with the name, of king. His suggestion, however, did not meet with much support, and when the Cortes came to a decision that any candidate, to be successful, must command an absolute majority in the Assembly, viz., 179 votes, instead of the agreement of one-fourth of the members, as at first proposed, it became evident that neither Montpensier nor Espartero

would be carried. And so the great king-question stood over for another month. Meanwhile Prim assured the Assembly that he did not despair of finding an eligible candidate; that he would never consent to the restoration of the Bourbons; and owned that his own favourite vision of the future was the federal union of Spain and Portugal under one head. This brings us to the so-called "Iberian question," and to a short notice of the course of events in Portugal.

The old Marshal Duke de Saldanha, a statesman not less aged than Espartero, a veteran in all the turbulences of ministerial warfare, and a noted upsetter of Cabinets, marched up to the Ayuda Palace at Lisbon, on the 19th of May, at the head of a military force, displaced the troops opposed to him, insisted on a personal interview with the King, and obtained from him the dismissal of the Prime Minister, the Marquis de Loulé, and the appointment of himself, Saldanha, in his place, with the charge of forming a new Cabinet. For the rest, this strange *coup d'état* passed off quietly. Portugal accepted the old Marshal's rule without remonstrance. But the hopes of the Iberian party, whose aim was the union of Spain and Portugal under one Government, were unduly exalted. They found soon that the country was not disposed to back a policy which might seem to be dictated by Spanish influence, and Saldanha, on assuming office, had to declare that he would not work for the union, but would maintain Portuguese independence. Prim had to make a similar declaration in the Spanish Cortes. The union, which he had so recently avowed to be an object of his wishes, he now announced would only be brought about by the mutual inclination of the two nations, never by violent means; and he most emphatically repudiated having had any hand in the recent occurrences in Portugal. The unsettled state of Spain itself during the prolonged *interinidad* was certainly an argument in favour of the Portuguese opponents of Iberianism.

Early in June Espartero withdrew his candidature, alleging his age and the division of parties as sufficient reasons, even if he should succeed in gaining a majority of the Cortes. Neither the cause of Serrano nor that of Montpensier made any way.

On the 25th of the month, the ex-Queen Isabella signed a document of abdication, at her hotel in Paris, in favour of her son, the Prince of Asturias. The document had been submitted beforehand to the Emperor Napoleon and the Spanish Ambassador.

This made little practical difference to the course of events in Spain. Not so the next announcement of a candidate, which was the spark destined to fire a mighty conflagration beyond the boundaries of the Peninsula.

The following communication from Madrid was received at the beginning of July, by the Imperial Government at Paris:—"Our city is in a state of great agitation, and events of vital importance are expected to occur ere long. If my information is correct—and I firmly believe that it is—confidential agents, expressly accredited



by Marshal Prim, have secretly quitted Madrid for Bonn in Prussia, and have offered the Spanish Crown to Prince Frederick of Hohenzollern-Sigmaringen, and the Prince accepts the offer with the greatest eagerness. This act of Marshal Prim's has greatly surprised his friends, who are holding meetings to concert measures for averting, if possible, this disastrous catastrophe. We Spaniards, of all shades of opinion, cannot forget that the Prince of Hohenzollern is grandson of a princess belonging to a family which is execrated in Spain as having caused torrents of the purest Castilian blood to be shed. He is by the maternal side descended from that Murat who bombarded Madrid during the War of Independence, which filled every Spanish household, with mourning, from San Roque to Irun, from the Bay of Biscay to the Mediterranean. No wonder that the name of Murat should be execrated throughout the length and breadth of Spain. A Hohenzollern Murat will never be accepted by the Spanish as their king; but the opinion is entertained in the highest diplomatic circles that should by any fatality—which God forefend!—a Hohenzollern be thrust upon the throne, our unhappy country would be isolated as regards the Great European Powers; order and tranquillity would be overthrown; and commerce would be reduced to a mere shadow of what it is at present." It will be noticed how the first expression of Spanish dissent to Prince Leopold's candidature, was on account of his French, not his Prussian family antecedents. What followed upon the announcement of this candidature belongs mostly to other portions of our history. Marshal Prim's new choice would probably, at its re-assembling, have been rejected by the Cortes, who were not in the humour of favouring the Marshal's policy; but the pride of the nation was roused by the angry menaces of the French Foreign Minister, the Duc de Gramont; and preparations were made for active military resistance. All necessity for war, however, was removed by the following despatch to Marshal Prim from Antony, Prince of Hohenzollern-Sigmaringen, father of Leopold, renouncing the disputed honour for his son:—

"In consideration of the difficulties which seem likely to beset the candidature of my son Leopold for the Spanish throne, and of the unfortunate condition of things which recent events have brought about for the Spanish people, by placing it in the necessity of consulting only its own sense of independence; in the conviction also, that, under such circumstances, its voice cannot be expressed with the impartiality and freedom, on which my son had reckoned when he accepted the candidature, I, in his name, now withdraw that candidature."

Having thus, unintentionally, set Europe on fire, Spain was left to pursue her way for the rest of the year undisturbed by any obligations to French or Prussian partisanship. Carlist risings troubled Navarre and Catalonia in August and September. The Republican party obtained some temporary exaltation in the Cortes by the news of the Paris Revolution of September 4th, and sent a congratulatory

address to the French Provisional Government. But we must pass over the ground rapidly till the third week in October, when it was officially announced that the Crown of Spain had been offered to Amadeus, Duke d'Aosta, second son of the King of Italy, and had by that prince been accepted, conditionally on the acquiescence of foreign powers and due election by the Cortes. On the part of foreign powers no objection was made. The national parties inside and outside the Cortes raised their several voices in opposition, but with no important effect; and in the formal vote of November 16th, the Prince was elected by an excess of eighteen voices over the required majority. The numbers stood thus:—For the Duke d'Aosta, 191; for a Federal Republic, 60; for a Unitarian Republic, 3; for the Duke de Montpensier, 27; for Espartero, 8; for the Prince of the Asturias, 2; for the Duchess de Montpensier, 1.

After this formal expression of the national will, things went on quietly, and Marshal Prim occupied himself in making preparations for the reception of the new Sovereign, whose opening career it was to be his business to inaugurate, and for whose safe guidance it seemed as though his tried tact and knowledge of Spanish character and Spanish parties was in the highest degree needful. But a most unexpected tragedy closed the year. On the evening of Wednesday, the 28th of December, as the Marshal was proceeding from the Ministry of War to the Cortes, shots were fired at his carriage, in the Calle de Alcalá, by which both he and his adjutant were wounded. The assassins, who fired from two cabs, made their escape. At first it was thought that Prim's wounds, which were in the arm, were not dangerous, and that he would recover; but, after the amputation of a finger, inflammation set in, and he expired on the night of the 30th. He retained his consciousness to the last. When made aware of the rapid approach of death, he bade his friends adieu with composure. For the safety of the new King, whose arrival at Madrid was expected only a day or two after, he expressed much anxiety. The Cortes, when it met on Saturday, the 31st, declared that Prim had deserved well of his country. It was voted that his name should be inscribed in the Hall of the Cortes, and his family placed under the protection of the nation. At the same time a vote of absolute confidence in the Government was passed. No traces were found of the plot which had had such direful effect.

On the same day that Prim died, King Amadeus I. landed at Cartagena, and received the sad intelligence from Marshal Topete, who at once became President of the Council, in the place of the deceased Minister.

## CHAPTER VI.

EUROPEAN STATES.—Russia, Sweden, Denmark, Belgium, Holland, Switzerland, Greece, Turkey, and Roumania.

NORTH AMERICA.—United States—Measures in Congress—Fenian Raid—New Elections—Relations to European War—President's Message.

ASIA.—China—Tientsin Massacre.

SOUTH AMERICA.—Paraguay—Defeat and Death of Lopez.

RUSSIA, SWEDEN, DENMARK, BELGIUM, HOLLAND, SWITZERLAND,  
GREECE, TURKEY.

There was nothing in the affairs of RUSSIA during the early part of this year to call for attention in a general survey like the present. We must notice, however, the growing disaffection in the Baltic provinces, where the prevailing German element of the population was being systematically repressed by the Government in favour of the Pan Slavist or "Russification" policy: thereby evoking not only local discontent, but a dangerous expression of sympathy from the newspaper press of Germany. The meeting of the Emperor Alexander with the King of Prussia at Ems on the 2nd and 3rd of June gave rise to a little speculation, and was supposed by some to have reference to the possible assumption by the latter of the imperial title in Germany. When the contest between France and Prussia broke out in July, the attitude of the neutral Powers of course became a subject of deep interest: not least that of Russia. That Russia was occupied with the thought of improving her own position in the Black Sea, even before the commencement of that contest, is proved by an article which appeared in the *Moscow Gazette* about the 8th of July, and which was commented upon at the time by the English press; though in the rapid accumulation of more important events, it was allowed to drop out of sight.

Before the end of July, the intended position of the Russian Government in respect to the war was thus announced: "The Imperial Russian Government has made all possible endeavours to avert the outbreak of war. Unfortunately, the rapidity with which the warlike resolutions were taken rendered our efforts for the maintenance of peace abortive. The Emperor is resolved to observe neutrality so long as Russia's interests are not affected by the eventualities of the campaign. The Russian Government undertakes to support every endeavour to circumscribe the operations and diminish the duration of the war."

As events went on, rumours were rife that this position of neutrality was about to be abandoned in behalf of France: that Russia was resolved to prevent any alienation of French territory: that in conjunction with England and Austria she was about to propose

terms of peace. The newspaper press, in its alarm and antipathy to German ascendancy, almost unanimously advocated the cause of France. So did the so-called "Old Russian" party at Court, with, as it was reported, the Czarewitch at their head. But Prince Gortschakoff, the Russian Chancellor, was opposed to any such partisanship. He exerted himself to maintain friendly relations with the victorious Germans, partly, it might be, from fear of mischief in the Baltic provinces, and partly with a view to those designs with regard to the Black Sea Treaty, for which the prostrated condition of France seemed to present a favourable opportunity. However "French" the tone of general society at St. Petersburg might be, the Czar soon gave evidence of his own real or professed sympathies, by the honours which he volunteered to accord to some of the princely leaders of the German hosts. Thus to the Crown Prince of Saxony, on the 15th of September, he gave "in honour of the successes of the brave" Saxon soldiers, the military order of St. George; and early in November he sent a special envoy to Versailles, to bestow on the Crown Prince of Prussia the appointment of Field Marshal in the Russian army.

It was well known meanwhile that military preparations were being actively pushed on in Russia; and rumours were extant that a demand for revision of the Treaty of 1856 was in contemplation. Immediately after the intelligence of the honour bestowed upon the Crown Prince of Prussia for his successes in the war with France, the English Cabinet was startled by the communication of a circular written by Prince Gortschakoff, abruptly announcing his master's intention to repudiate that article of the Paris Treaty of 1856 which had reference to the neutrality of the Black Sea, inasmuch as its provisions were no longer supportable by Russia itself, and had not been observed to the letter by the co-contracting parties. The course of the negotiations which followed upon the promulgation of this circular, between Lord Granville and Prince Gortschakoff, and of the London Conference to which they led, are matter of English history.

As in the case of Russia, so in the case of the minor States of Western Europe this year, there is little that calls for special notice save the manner and degree in which their affairs were agitated by the central vortex of the Franco-German war. In Russia, and in Italy, as we have seen, that war set other causes in motion, which drew events on in orbits of their own: in the Scandinavian kingdom, in Holland, Belgium, and Switzerland, the interest of local affairs was confined to the direct action of the war or the policy by which they were conducted. The Scandinavian kingdoms were inclined to the French cause by natural sympathy: certainly as to the Court and higher circles, and, in the main, probably as to the lower classes also. In SWEDEN there was the lineal origin of the reigning family to help the inclination of Court policy in the French direction: in DENMARK there was the unforgotten grudge against Prussia for the Schleswig-Holstein War of

1864. Accordingly, it is not surprising that, as the French fleet touched at Copenhagen on its way to the blockade of the Baltic, there was something of an attempt at fraternization on the part of the inhabitants. The "Marseillaise" was sung with Danish words, on the occasion, and sympathetic hurrahs were shouted. And yet it would seem as if, even then, the instinct of a common faith and a kindred race made the Danish people unwilling on the whole to turn against Prussia for the sake of France; while at the head-quarters of Government, the conviction that caution was better than sentiment, led both the Swedish and Danish cabinets to decide at once on a strict but watchful neutrality. It is said that the Danish military authorities, in their recent visits to Châlons, had become convinced beforehand of the vast inferiority of the French to the Prussian army, whose efficiency they had themselves learnt by experience; and as the successive events of the war declared themselves, there was less and less inclination to break with so formidable a neighbour as the North German Bund. It is said, too, that the influence of the Czar and Prince Gortschakoff was strenuously exerted to bring about the neutral attitude of Denmark.

In BELGIUM, where for more than twenty years the Liberal or "Progressist" party represented by the Cabinet of M. Frère Orban had had the management of affairs, there occurred in the month of June a Ministerial crisis which, after lasting a fortnight, was terminated at the beginning of July by the advent to office of a Cabinet based on the clerical reactionary principle, at the head of which stood Baron d'Anethan.

Belgium was the country most nearly affected by the outbreak of the war. She lost no time in preparing for its contingencies. To maintain her independence and neutrality was her one object; and this was carried out by the Government of King Leopold II. with great spirit and effect. The Bank bullion and reserves were at once moved from Brussels to Antwerp. A large war credit was voted. The army, 100,000 strong, was mobilised; large detachments were moved to the frontier, and a strong reserve was massed within the quadrilateral position in front of Antwerp, of which the corners are Fermonde, Malines, Lierre and Diest. But the Government of Belgium openly avowed that its chief support consisted in its confident reliance on the friendship and fidelity of England, and by this avowal it succeeded in arousing, or strengthening, in that country, a sentiment which resulted in the new Treaty engagements proposed to France and Prussia by Mr. Gladstone, and ratified by a vote of the English House of Commons in the month of August.

During the early stage of the German counter-invasion fear occasionally arose that Belgian neutrality would be violated by the necessities of one or other of the belligerents. However, the danger was warded off, and when a considerable portion of the French army routed at Sedan took their flight through Belgian territory, they laid down their arms according to Convention, and were "interned" in the dominions of King Leopold.

In the question of Luxemburg Belgium sided with Count Bismarck's policy as against the attitude taken up by the King of Holland.

Of HOLLAND'S interests involved in that affair of Luxemburg we have already had occasion to speak. Otherwise, her connexion with the war was limited to placing her army on a war footing at its outbreak, and so maintaining it for a few weeks, until the struggle had fairly passed into the heart of France. On the 19th of September, when the King opened the States General, he was able to say that he appreciated the goodwill and patriotism which the Dutch people had displayed amid the grave events of the last months. "The people," he said, "have shown an unanimous will to maintain the independence of the country. The amicable relations which previously existed with foreign Powers have in no way been disturbed by the war." The King announced that it was his decided intention to persist in his neutrality. The general situation of the country and the colonies, he added, was favourable, and financial matters were not unsatisfactory.

SWITZERLAND was concerned early in the summer in a transaction which occasioned some preliminary mutterings of the storm that was soon to break out. In pursuance of a Convention made with the North-German Confederation in October, 1869, her Federal Council granted a subvention of ten million francs towards the construction of a railway through the pass of St. Gothard. The French objectors to the route insisted on the political danger of placing Berlin thereby in such direct and easy communication with Florence; but it was replied that France had been applied to for a co-subsidy by Switzerland in 1868, when the project was first mooted, and that M. Rouher, who was Minister at the time, had expressed himself as favourable to its execution. The discussion in the French Chambers on the subject, in June, 1870, has been elsewhere mentioned. When the war broke out, Switzerland placed her small military force on a war footing; but disbanded it in a few weeks, when the danger of any infringement of her neutrality had passed away.

GREECE obtained a short and painful notoriety in European history this year in consequence of the outrage near Marathon in the month of April, when an English and an Italian Secretary of Legation, and two English gentlemen besides, were captured and eventually put to death by a band of brigands headed by the brothers Arvanitaki. The indignation of the English Government was loudly expressed—first, at the mismanagement or political corruption which could have allowed brigandage of such a formidable nature to exist so near the capital of the country; secondly, at the blundering precipitation of that attack on the brigands by Colonel Théagénis which immediately caused their death. General Soutzos, the Minister of War, to whom the blame was first brought home, resigned office. Seven brigands, captured by the authorities on the occasion of the fatal struggle at Oropos, were executed at Athens a few weeks afterwards. But the keen interest excited by this

affair out of Greece was before long forgotten in the more absorbing excitement of the war news.

TURKEY.—A terrible fire took place at Constantinople on the 5th of June, in that part called the city of Pera. An enormous amount of property was destroyed belonging to the rich American merchants who resided there, and the whole mass of buildings occupied by the English Embassy, from which scarcely any thing but the archives was saved. The loss of lives was estimated at 2000.

The Khedive visited the Sultan in the course of the next month, and was cordially received by him.

Turkey was not immediately affected by the complication of the war between France and Germany, but the ominous preparations of Russia for those designs on the Black Sea which Prince Gortschakoff's circular disclosed, became a subject of pressing anxiety to her in the autumn. The *Times* telegram of November 22 states—"In anticipation of the answer to be returned to the Russian circular, the Porte has instructed its ambassadors at Vienna, London, Berlin, Tours, and Florence to express the painful surprise which the Russian communication has produced in Constantinople, and the hope that the Powers which signed the Treaty would support Turkey in her efforts to prevent the consummation of an act tending to destroy all international relations." At the same time, the Sultan's Government showed itself desirous to avoid a rupture with Russia, and even to forward the discussion of her claims in an international Conference; and after a personal interview between General Ignatieff the Russian Ambassador, and the Sultan, towards the end of November, the panic at Constantinople somewhat subsided.

The constant difficulties and conflicts in the internal affairs of Roumania this year seemed to portend a termination within no long time, to the rulership of Prince Charles of Hohenzollern. The Government took advantage of the Russian Note respecting the Treaty of Paris to follow with an energetic remonstrance as to the intolerable conditions under which the Principalities had been bound by that Treaty, and which threatened to ruin their political existence.

The Ghika Ministry, which had been ousted by its opponents, returned, nominally, to power at the close of the year.

#### AMERICA.

The course of events in the United States this year was prosperous and pacific. The measures which chiefly occupied the Legislature were those which regarded the financial condition of the country, the readmission of the Southern States to Congress, the state of the maritime interests, the extension of the suffrage to the coloured population, the Naturalization Laws, and the relations of the continent to some of the neighbouring islands. Congress passed the bill for the readmission of Virginia in January, with the following conditions:—The State officers were to take a test oath that they were not disqualified by complicity in the rebellion, or else that such disqualification had been legally removed; the State Constitution

was never to be altered so as to deprive negroes of the same rights of suffrage, office-holding, and school privileges as whites, or so as to require any different qualifications between the two classes of its inhabitants, either for holding office or for voting. The State of Mississippi was next admitted to representation under the same conditions, and at once sent a coloured representative to take his seat in the Senate. Mr. Revel made his first speech on the 16th of March in favour of universal amnesty and universal suffrage, and his name stands thus recorded as the first member of the proscribed race who helped to legislate for the nation. Difficulties were afterwards raised, however, about his seat; and it was only confirmed after a debate and a division some weeks later. Bills to admit Texas and Georgia were passed before the end of March.

And now the reconstruction of the Union being complete, the President, on the 30th of March, issued his proclamation declaring the ratification of the Fifteenth Amendment to the Suffrage Bill, whereby the right of voting in every election, State or Congressional, was accorded to all the coloured citizens of the United States. He added a special Message to Congress on the occasion. Four millions of voters, he stated, had been added to the electoral body; and special obligations thereby devolved upon Congress and upon the white population generally. It became the duty of all to promote and encourage popular education, so that those who had been invested with political rights might acquire the knowledge requisite for an intelligent discharge of their duties as citizens of a free country. To the coloured population he urged the necessity of proving themselves worthy of the privilege which had been extended to them.

But it was not enough to enact the new law of franchise. It was obvious that a measure of such vast revolutionary import would be exposed to opposition or evasion in many directions. Accordingly, Government brought in a Bill to enforce the Fifteenth Constitutional Amendment, which, after some party opposition, was passed by Congress at the latter end of May.

The Naturalization Bill, which passed this Session, derived considerable interest from its connexion with the Universal Suffrage Measure just carried out. All American citizens had a right to the franchise, and negroes and their descendants had been declared to be American citizens. Were Indians and Chinese to be included in the same category? There were no less than 90,000 Chinese, as it was estimated, on the Pacific Coast of the United States; and they were continually immigrating and percolating other parts of the Union. Mr. Sumner, the veteran Abolitionist, true to his universalist principles, actually for a moment carried an amendment admitting them to the position of citizens; but it was reconsidered in the Senate, and rescinded on the plea that to admit the Chinese to political rights would endanger both the religious and political institutions of the United States. It was therefore settled that persons of African descent might become American citizens, but not Indians or Chinese.



A somewhat remarkable measure, which passed through the House of Representatives, but did not reach the later stages of legislation this session, was founded on a Bill brought in by Mr. Cullum for the suppression of Mormon practices in Utah. Clauses empowering the President to send an armed force into the Utah Territory were struck out in committee, but it was enacted that polygamy should be held a crime, punishable by forfeiture of the rights of citizenship, and that the property of Mormons who should leave Utah in order to evade the requirements of the law, or who should be imprisoned for resisting it, should be confiscated for the benefit of their families.

The financial measures of Congress were directed mainly to the reduction of the National Debt. The monthly statement of that debt, at the beginning of January, amounted to the figure of 2,658,000,000 dollars; the coin in the Treasury, 109,000,000 dollars; the currency, 12,500,000 dollars. In February, a motion was brought forward in the House of Representatives, for making the principal of the Five-Twenty Bonds payable in currency; but it was rejected by a large majority. A Bill for the issue of additional currency to the amount of 45 million dollars, brought in by Mr. Sherman, received however the sanction of the Senate, by 39 votes against 23; soon after which, the House of Representatives passed a vote in favour of the large additional issue of 50 millions, which it declared to be absolutely necessary for carrying on the business of the country. This vote called forth no small indignation in the eastern parts of the Union, as betokening an intention to dispense with specie payments; and the Senate met it by a resolution declaring any further inflation of the paper currency to be inexpedient.

Meanwhile, the President made a statement as to the Government financial policy, which was received with satisfaction. He said that what had been done by the Administration, to effect an honest collection and economical expenditure of the revenue, was only an earnest of what Government intended to do; and promised that every dollar of superfluous outlay would be cut off. Schenck's Tariff Bill, and the President's own action, with regard to the American Navy Bill, were signs that the doctrine of Protection was still one of the main anchors on which American finance rested its hopes. At the end of February, or beginning of March, the House of Representatives passed a resolution, by 107 against 48, declaring that the interests of the country demanded such a tariff on foreign imports as would best protect home manufactures and industries, without impairing the revenue. On this resolution Schenck based the Tariff Bill, which was soon brought forward for discussion. After considerable debate on the details, however, the consideration of this bill was, on the 16th of May, postponed to another session, by the decision of a majority of 15.

General Schenck's new Funding Bill met with better success than his Tariff Bill. After amendment in the Conference Com-

mittee, it passed both houses—the Senate without a division, and the House of Representatives by 137 against 35. This bill authorized the issue of a thousand million of dollars, in bonds paying 4 per cent. interest, and repayable in thirty years; as also of 300,000,000 dollars, in bonds paying  $4\frac{1}{2}$  per cent. and repayable in fifteen years; lastly, of 200,000,000 dollars, in bonds paying 5 per cent. interest, and repayable in ten years. Mr. Garfield's Currency Bill was another financial measure of the session. When amended in the Committee, it authorized an increase of 54,000,000 dollars in National Bank notes. A bill to reduce taxation, and a bill for reducing the army to 30,000 men, also passed the two Houses of the Legislature. A proposed amendment to the Tax Bill, imposing a tax of 5 per cent. on income derived from the interest of the Government Bonds, was negatived after a sharp debate. The public debt at the close of the year amounted, in round numbers, to 2,332,000,000 dollars, being a decrease of 326,000,000 since January.

The insurrection in Cuba against the Spanish Government had demanded the attention of the United States early in the year. A question was raised as to the recognition of insurgents as belligerents. President Grant was opposed to any such step, and in the middle of June, he sent a message to Congress, in which, while condemning the desperate and inhuman manner in which the conflict in the island was waged on both sides, he declared that the object of the Cubans, in urging the concession of belligerent rights, was to embroil America in a war with Spain, and that he was himself quite unable to see that the present condition of the contest constituted war in the sense laid down by international law. The question of belligerency, he said, was one of fact, not to be decided by sympathies for, or prejudice against, either party. The recognizing State was in no way concerned with the cause of quarrel. It had simply to ask itself the question, Do the relations between the parent State and the insurgents amount in point of fact to war, in the sense understood by international law? To justify a recognition of belligerency, there must be not only actual fighting; there must be "military forces acting in accordance with the rules and customs of war, flags of truce, cartels, exchange of prisoners." And not only this, there must be a *de facto* political organization of the insurgents, sufficient in character and resources to constitute their polity, if left to itself, a State among nations. Now the Cubans had neither an established seat of government, nor towns, nor seaports, nor Legislature, nor civil authorities, nothing in short that constitutes a political organization; and therefore they had none of those qualifications which in international law would fairly entitle them to be considered as belligerents. These were the President's arguments; and at the same time General Grant invited the attention of Congress to the question in all its bearings.

An animated debate ensued. The Republican party was divided. Mr. Banks spoke in severely critical terms of the President's Message, and intimated that the author of the document was

Mr. Caleb Cushing, who had been lately employed as Counsel for the Spanish Government, in a case concerning the seizure of some gunboats. He denounced the course of the Spanish minister, Mr. Roberts, as insolent, and vehemently urged the House to adopt the pending resolutions, declaring neutrality between Spain and Cuba, and protesting against the barbarity with which the island war was carried on. General Butler spoke in defence of the course taken by the Administration; denied that Cushing had written the President's Message; and warned Congress that a war with Spain would prevent the success of the efforts so long persisted in, towards funding the National Debt. General Logan replied, censuring the attitude taken up by Government, and expressing regret that the President had been influenced to sign the Cuban Message. He earnestly appealed to Congress to interfere for the prevention of the barbarities attendant on the war. The end was, that the House, by a majority of 17, passed a proposal, substituted by Mr. Bingham for the "Resolutions," to the effect that the President was authorized to remonstrate against the atrocities of the war, and if he should deem it expedient, might solicit the co-operation of the Government to secure from both the contending parties the observance of the laws of civilized warfare.

The annexation of the Island of St. Domingo to the territory of the United States was a scheme which the President had very much at heart, but for which he failed to obtain the sanction of the Legislature. There was an influential party rigidly opposed to the extension of the United States' dominions beyond the mainland; and though the St. Domingo President, Borez, desired the annexation, and a treaty was drawn up and a favourable vote given upon it by the inhabitants of the island, the Senate's Committee on Foreign Relations, at Washington, to whom it was subsequently referred, reported adversely on the project; and it was decisively rejected by a vote of the Senate itself on the 30th of June.

Another annexation scheme which was mooted, but which was left to stand over for this year, regarded the British settlement of Columbia. A memorial was sent in by some of the colonists, petitioning for admission into the Union; and upon this memorial a resolution was passed, and referred to the Committee on Foreign Relations to consider the expediency of proposing to the British Government a transfer of dominion as the condition of a treaty for settling all disputes between the two Governments.

Unfortunately another cause, or excuse, for ill-feeling against England was given this year by the accidental collision between two vessels, the "Oneida," American war-steamer, and the "Bombay," Peninsular and Oriental Company's steamer, on the 24th of January, near Yokohama, when the American vessel was run down, and 115 lives lost. The Government of the United States complained loudly of the conduct of Mr. Eyre, the British commander, in continuing his voyage without heeding the destruction of the American vessel; and a resolution was passed by the House of

Representatives, and adopted by the Senate, in April, ordering an inquiry into the circumstances of the collision.

More propitious to friendly relations between the Governments were the circumstances attendant on the Fenian raid into Canada.

On the 24th of May the President issued a proclamation saying that he had received information of the preparation of illegal expeditions against the people of Canada by inhabitants of the United States, and that all participation in or furtherance of such proceedings would forfeit the protection of the United States' Government and render the promoters amenable to justice. The proceedings alluded to were those which culminated in the Fenian raid into Canada, when the insurgents advanced two hundred well armed men, under General O'Neill, across the border near Franklyn, Vermont. They were repulsed by the Canadian Volunteers, and, in the flight back over the border, O'Neill was arrested by the United States' officer, Marshal Forster. Another band, under a Fenian leader named Gleeson, crossed the border from Malone; but these men too were repulsed, and in their flight Gleeson and others were captured by the American authorities. The prisoners were placed in confinement to await their trial for a breach of the neutrality laws. For his action in this matter President Grant received an expression of satisfaction from the British Government through Mr. Thornton, the British Minister. The Fenian leaders were tried in the course of the summer, and received sentences of imprisonment, but with recommendations to mercy, which were subsequently acted upon, while at the same time a stringent proclamation against future raids was issued by the President.

The Treaty of Naturalization agreed upon between Lord Clarendon and Mr. Motley, the United States' Minister in London, was published in August. It provided that British subjects who are naturalized according to law within the United States as citizens thereof, shall be held by Great Britain to be in all respects, and for all purposes, citizens of the United States, and shall be treated as such by Great Britain. Reciprocally, citizens of the United States who are naturalized within the British dominions shall be held to be British subjects, and shall be treated as such by the United States. Such subjects shall be at liberty to renounce their naturalization and to resume their nationality, provided that such renunciation be publicly declared within two years after May 12, 1870.

A slave trade Convention with England was also ratified in August, whereby the mixed Courts at Sierra Leone, Cape of Good Hope, and New York were finally suppressed, and their jurisdiction made over to the respective Courts of the two nations.

On the 22nd of August the President issued a Proclamation of Neutrality in respect of the war between France and Germany. At the outbreak of that contest German sympathy ran high in the United States. The German inhabitants of New York celebrated the early victories of their compatriots with animated tokens of rejoicing. After the introduction of the Republican form of govern-

ment in France, however, the balance of sympathy changed, and the public Press of the United States took the French side mostly. The President at once recognized the Government of the Defence Committee.

The State and Congressional elections took place on Tuesday, October 11th, when, under the conditions of the new Suffrage Amendment Act, the whole negro population voted. The result was favourable to the Democratic party. The Republicans lost several Congress votes. It had been proposed by the House of Representatives, early in the year, to fix the numbers of the new House of Representatives at 275, exclusive of the representatives of newly admitted States, instead of the old number, 234; changes had been also made in the redistribution of seats, in accordance with the changes in the relative population of the States; thus some members were taken from New England to be apportioned to the Western States; but these changes were to be partly dependent on the results of the Census which was set on foot this autumn. Except in the case of a riot at New Orleans the elections every where passed off quietly. The Congress assembled at Washington on December 5th, when the President delivered his Message. Unfortunately, during the course of the summer, two new subjects of dispute had arisen with Great Britain, or rather as the front of the offence, with Canada. One related to the fisheries on the Canadian coast; the other to the navigation of the St. Lawrence. On the first of these subjects the President's Message, as summarized, stands thus:—The course pursued by the Canadians towards the fishermen of the United States during the past season had not been marked by a friendly feeling. The President recounts the history of the negotiations and treaties on this subject, and says an irresponsible agent has exercised his authority in an unfriendly way. Vessels have been seized without notice, in violation of the custom previously prevailing, and been taken into colonial ports, their voyages broken up, and the vessels condemned. There is reason to believe that this unfriendly and vexatious treatment was designed to bear harshly upon the United States fishermen, with a view to a political effect upon this Government. The Canadian statutes assume still broader and more untenable jurisdiction over United States vessels; they authorize officers or other persons to bring vessels hovering within three marine miles of the Canadian shore into port, search the cargo, and examine the master on oath, and inflict heavy penalties if true answers are not given. The President recapitulates another Canadian statute on the subject decreeing the forfeiture of vessels. "It is not known," he says, "that any condemnations have been made under this statute. Should the Canadian authorities attempt enforcing it, it will become the President's duty to take such steps as may be necessary to protect the rights of American citizens. The Canadian laws deny American fishing-vessels access to their ports, except for supplies, and then compel departure in twenty-four hours. No seizure is known to have

been made under this law, but so far as a claim for its enforcement is grounded on an alleged construction of the Convention of 1818, it cannot be acquiesced in by the United States, and it is hoped it will not be insisted on by her Majesty's Government. During the conferences preceding the negotiation of this Convention, the British Commissioners proposed to expressly exclude the fishermen of the United States from the privilege of carrying on trade with any Canadian subjects residing within limits assigned for their use, and also that it should not be lawful for vessels of the United States engaged in such fishery to have on board any articles excepting articles necessary for their fishing voyages, and that vessels contravening these regulations would be seized and confiscated. This proposition, identical with the construction now put upon the language of the Convention, was emphatically rejected by the American Commissioners, and thereupon was abandoned by the British Plenipotentiaries, and Article 1, as it now stands in the Convention, was substituted. If, however, it be said this claim is founded on colonial statutes, and not on the Convention, this Government cannot but regard it as unfriendly, and in contravention of the spirit, if not of the letter, of the treaty, for the faithful execution of which the Imperial British Government is alone responsible. In anticipation that an attempt may be made by the Canadian authorities in the coming season to repeat their unneighbourly acts towards our fishermen, I recommend Congress to confer on the Executive power to suspend by proclamation the laws now in force authorizing the transit of goods in bond across the territory of the United States to Canada; and further, should such an extreme measure become necessary, to suspend the operation of any laws whereby Canadian vessels are permitted to enter the waters of the United States."

The complaint about the navigation of the St. Lawrence was thus stated:—

"A like unfriendly disposition has been manifested on the part of Canada in the maintenance of a claim of right to exclude the citizens of the United States from the navigation of the St. Lawrence. This river constitutes a natural outlet to the ocean for eight States, with an aggregate population of about 17,600,000 inhabitants, and with an aggregate tonnage of 661,367 tons upon the waters which discharge into it. The foreign commerce of our ports on those waters is open to British competition, and the major part of it is done in British bottoms. If the American seamen be excluded from this natural avenue to the ocean, the monopoly of the direct commerce of the lake ports with the Atlantic would be in foreign hands; their vessels on transatlantic voyages having an access to our lake ports which would be denied to American vessels on similar voyages. To state such a proposition is to refute its justice.

"During the administration of Mr. John Quincy Adams, Mr. Clay unanswerably demonstrated the natural right of the citizens

of the United States to the navigation of this river, claiming that the act of the Congress of Vienna, in opening the Rhine and other rivers to all nations, showed the judgment of European jurists and statesmen that the inhabitants of a country through which a navigable river passes have a natural right to enjoy the navigation of that river to and into the sea, even though passing through the territories of another Power. This right does not exclude the co-equal right of the Sovereign possessing the territory through which the river debouches into the sea to make such regulations relative to the police of the navigation as may be reasonably necessary; but those regulations should be framed in a liberal spirit of comity, and should not impose needless burdens upon the commerce which has the right of transit. It has been found in practice more advantageous to arrange these regulations by mutual agreement. The United States are ready to make any reasonable arrangement as to the police of the St. Lawrence, which may be suggested by Great Britain. If the claim made by Mr. Clay was just when the population of States bordering on the shores of the lakes was only three millions four hundred thousand, it now derives greater force and equity from the increased population, wealth, production, and tonnage of the States on the Canadian frontier. Since Mr. Clay advanced his argument in behalf of our right, the principle for which he contended has been frequently, and by various nations, recognized by law or by treaty, and has been extended to several other great rivers. By the treaty concluded at Mayence, in 1831, the Rhine was declared free from the point where it is first navigable into the sea. By the Convention between Spain and Portugal, concluded in 1835, the navigation of the Douro, throughout its whole extent, was made free for the subjects of both crowns. In 1853 the Argentine Confederation by treaty threw open the free navigation of the Parana and the Uruguay to the merchant vessels of all nations. In 1856 the Crimean war was closed by a treaty which provided for the free navigation of the Danube. In 1858 Bolivia by treaty declared that it regarded the rivers Amazon and La Plata, in accordance with fixed principles of national law, as highways or channels opened by nature for the commerce of all nations. In 1859 the Paraguay was made free by treaty, and in December, 1866, the Emperor of Brazil, by imperial decree, declared the Amazon to be open to the frontier of Brazil to the merchant ships of all nations. The greatest living British authority on this subject, while asserting the abstract right of the British claim, says, 'It seems difficult to deny that Great Britain may ground her refusal upon strict law, but it is equally difficult to deny, first, that in so doing she exercises harshly an extreme and hard law; secondly, that her conduct with respect to the navigation of the St. Lawrence is in glaring and discreditable inconsistency with her conduct with respect to the navigation of the Mississippi. On the ground that she possessed a small domain, in which the Mississippi took its rise, she insisted on the right to navigate the

entire volume of its waters. On the ground that she possesses both banks of the St. Lawrence, where it disembogues itself into the sea, she denies to the United States the right of navigation, though about one-half of the waters of Lakes Ontario, Erie, Huron, and Superior, and the whole of Lake Michigan, through which the river flows, are the property of the United States.' The whole nation is interested in securing cheap transportation from the agricultural States of the West to the Atlantic seaboard. To the citizens of those States it secures a greater return for their labour; to the inhabitants of the seaboard it affords cheaper food; to the nation, an increase in the annual surplus of wealth. It is hoped that the Government of Great Britain will see the justice of abandoning the narrow and inconsistent claim to which her Canadian provinces have urged her adherence."

The well-worn subject of the "Alabama" claims occupied, of course, a prominent place in the President's Message; but the moderate tone adopted was offensive to some party politicians. The President expressed his regret that no conclusion had been reached for the adjustment of claims growing out of the course of the British Government during the rebellion. The Cabinet at London, so far as its views have been expressed, does not seem willing to concede that the British Ministry was guilty of any negligence, or had done or permitted any act during the war of which the United States have just cause of complaint. Their firm and unalterable convictions are directly the reverse; he therefore recommends Congress to authorize the appointment of a Commission to take proof of the amounts and ownership of the claims, and give notice of them to the representative of her Majesty at Washington; and that authority be given for the settlement of these claims by the United States, so that the Government shall have the ownership of the private claims, as well as the responsible control of all demands against Great Britain. It cannot be necessary to add that whenever her Majesty's Government shall entertain a desire for a full and friendly adjustment of these claims, the United States will enter upon their consideration with an earnest desire for a conclusion consistent with the sense of honour and dignity of both nations.

With regard to internal affairs he remarked to this effect: The United States have kept aloof from the European War, declining intervention, but have used their good offices for the protection of the citizens of the belligerent nations. Should the time come when the action of the United States can hasten the return of peace by a single hour, that action will be heartily taken.

The insurrection in Cuba has not changed its aspect since the close of the last session of Congress. Arbitrary arrests in Cuba by the Executive have interfered with the rights of American citizens there, and negotiations are pending at Madrid for redress, but are not yet concluded. In these the President proposes a joint Spanish-American Commission in the United States, with power to adjudicate claims arising from these arrests. The President hopes that



this plan will be received favourably by Spain. Should the negotiations be concluded, he will communicate the fact to Congress, inviting its action on the subject.

The President regrets that the San Domingo Annexation Treaty failed of ratification by the Senate, and says that as soon as it is known that the United States have abandoned the project of annexing that island a free port there will be negotiated for by European nations. He still strongly urges its acquisition by the United States as desirable, devoting a large portion of his Message to the subject.

A pending question with regard to a boundary-line between one point of the United States territory and that of Canada is thus noticed :

“ In April last, whilst engaged in locating a military reservation near Pembina, a corps of engineers discovered that the commonly-received boundary-line between the United States and the British possessions at that place is about 4700 feet south of the true position of the forty-ninth parallel, and that the line, when run on what is now supposed to be the true position of that parallel, would leave the fort of the Hudson’s Bay Company at Pembina within the territory of the United States. This information being communicated to the British Government, I was requested to consent, and did consent, that the British occupation of the fort of the Hudson’s Bay Company should continue for the present. I deem it important, however, that this part of the boundary-line should be definitely fixed by a joint commission of the two Governments, and I submit herewith estimates of the expense of such a commission on the part of the United States, and recommend that an appropriation be made for that purpose. The land boundary has already been fixed and marked from the summit of the Rocky Mountains to the Georgian Bay. It should now be, in like manner, marked from the Lake of the Woods to the summit of the Rocky Mountains.”

On the subjects of currency and the tariff, the President said :—  
“ The average value of gold, as compared with national currency, for the whole of the year 1869, was about 134, and for eleven months of 1870, the same relative value has been about 115. The approach to a specie basis is very gratifying, but the fact cannot be denied that the instability of the value of our currency is prejudicial to our prosperity, and tends to keep up prices to the detriment of trade. The evils of a depreciated and fluctuating currency are so great that now, when the premium on gold has fallen so much, it would seem that the time has arrived when by wise and prudent legislation Congress should look to a policy which would place our currency at par with gold at no distant day.

“ The tax collected from the people has been reduced more than 80,000,000 of dollars per annum. By steadiness in our present course, there is no reason why, in a few short years, the national tax-gatherer may not disappear from the door of the citizen almost entirely. With the revenue stamp dispensed by postmasters in every community; a tax upon liquors of all sorts, and tobacco in

all its forms ; and by a wise adjustment of the tariff, which will put a duty only upon those articles which we could dispense with, known as luxuries, and on those which we use more of than we produce, revenue enough may be raised, after a few years of peace and consequent reduction of indebtedness, to fulfil all our obligations. A further reduction of expenses, in addition to a reduction of interest account, may be relied on to make this practicable. Revenue reform, if it means this, has my hearty support. If it implies a collection of all the revenue for the support of Government, for the payment of principal and interest of the public debt, pensions, &c., by directly taxing the people, then I am against revenue reform, and confidently believe the people are with me. If it means failure to provide the necessary means to defray all the expenses of Government, and thereby repudiation of the public debt and pensions, then I am still more opposed to such kind of revenue reform. Revenue reform has not been defined by any of its advocates to my knowledge, but seems to be accepted as something which is to supply every man's wants without any cost or effort on his part.

“ A true revenue reform cannot be made in a day, but must be the work of national legislation and of time. As soon as the revenue can be dispensed with, all duty should be removed from coffee, tea, and other articles of universal use not produced by ourselves. The necessities of the country compel us to collect revenue from our imports. An army of assessors and collectors is not a pleasant sight to the citizen, but that or a tariff for revenue is necessary. Such a tariff, so far as it acts as an encouragement to home production, affords employment to labour at living wages, in contrast to the pauper labour of the Old World, and also in the development of home resources.”

Congress adjourned on December 22nd till the 4th of January. Before it broke up, the Senate, in spite of a vehement Opposition speech from Mr. Sumner, passed a resolution, by 31 votes against 9, authorizing the President to appoint three Commissioners to proceed on a visit to San Domingo, in order to make inquiry into its political condition, and report the terms on which its annexation to the United States was desired.

Before the close of the year, the post of Minister to Great Britain, which after the recall of Mr. Motley had been offered in succession to several statesmen, and declined by them, possibly in view of the unsatisfactory conditions and onerous complications of the “Alabama” question, was accepted by General Schenck.

The death of the famous Southern General, Robert Lee, at Lexington, on the 24th of October, was mourned with national honours.

#### CHINA.

A horrible outrage took place on the 21st of June at Tientsin, near Peking, when the French Consulate, the Catholic Mission, and the Hospital of the French Sisters of Charity, were attacked by a

Chinese mob, and the Sisters massacred with the utmost cruelty. M. Fontaine, the French Consul, was also put to death, and some priests and merchants, French and Russian, shared his fate. The children in the hospital were burned, together with the building. Chung How, the Chinese Governor of the city, was appealed to by M. Fontaine, when the outrage commenced, but neglected to take any measures to put a stop to it.

The popular motive for this outrage would seem to have been fanatical dislike to the missionaries of Christianity, founded mainly on fabricated tales of their evil practices in the way of kidnapping and torturing. Directly after the event, an investigation was set on foot by the Chinese authorities; but it was so managed that the question turned not upon with whom the guilt of murdering the Sisters of Charity lay, but upon what cause the Sisters had given for the hatred against them. The powerlessness of the French representative at Peking, under the circumstance of the European War, to take decisive action in the name of his country, encouraged the Chinese authorities in their temporizing course; but at last the serious threats of England, and the appearance of a naval force at Chefoo, had some effect. On the 16th of October, sixteen men were executed as accomplices in the plot; but it was the comparatively innocent only on whom the hand of justice seized: the real instigators were persons of more social and political consideration, and probably had other motives for the deed than those which actuated their underlings, and these were spared.

A money indemnity of 500,000 taels was paid to the French.

#### PARAGUAY.

The war between Paraguay and Brazil was brought to a close by the defeat and death of the Dictator Lopez on the 1st of March. Notwithstanding the triple alliance that had been brought to bear against him, for the Argentine and Uruguay Republics had both made common cause with Brazil, he had retreated to the mountains of the North West, and prevailed on a body of 5000 Indians to join him. The last contest took place on the banks of the Aquidibaniqui river. The forces of Lopez were routed, and he was himself killed in the *mêlée*, having refused the quarter offered him. The war had lasted just five years.

# RETROSPECT

OF

## LITERATURE, ART, AND SCIENCE IN 1870.

WE propose adopting in our Retrospect for 1870, a somewhat similar plan to that we made use of in the preceding year, and to group what we think more especially worthy of notice under certain leading heads. Thus we shall take— 1. Works relating to History, more strictly so called, including therein Notices of Public Records; 2. Biographical Sketches of Eminent Personages, for the most part recently deceased; 3. Miscellaneous Literature, including Travels, Novels, Poetry, &c.; 4. A notice of the Royal Academy and of works relating to the Fine Arts; 5. Science—including Notices of the British Association—and of works relating thereto.

### I. HISTORY.

1. To take first documents relating to History, the public is indebted to that well-known and laborious antiquary Mr. John Gough Nichols for a very interesting and exhaustive account of the MS. historical treasures preserved at Beaumanor, the seat of Mr. Percy Herrick, the majority of which were collected and placed in the chests in which Mr. Nichols found them, by one of the present owner's ancestors, Sir William Herrick, who was for seven years one of the Tellers of the Exchequer. The existence of these treasures was well known in Leicestershire, and a considerable number of them had been made use of by the historian of Leicestershire some sixty years ago; to Mr. J. G. Nichols we owe, however, their complete examination—and the arranging and binding of them so that they may be accessible in future to other students.

The documents preserved may be briefly stated to be as follows: 1. A thin folio volume belonging to the time of Sir W. Bowyer, who preceded Sir W. Herrick in his Exchequer Office, and containing certificates from September 1608 to August 1616. 2. A great ledger for the whole time of Sir W. Herrick being in office from 1616 to 1623, preserved in the original calf binding with the Royal arms in gold on its sides. 3. Five other similar volumes in folio, being receipts and payments of the Exchequer during the same period. 4. Twenty other volumes, in modern binding, containing Debenture Orders on the Exchequer, and receipts for the same, the latter bearing the signatures of many eminent personages, as Ben Jonson, Inigo Jones, and others of their contemporaries—though not, as Mr. Nichols fondly hoped, that of Shakespere. There are eleven other folio volumes containing many matters of great interest, which Mr. Nichols has

arranged as follows: 5. Matters of business public and private from 1571 to 1714, with a short series of MS. news letters, 2 vols. 6. Matters of account, 1 vol. 7. Family letters, together with some poetry and literary fragments, 3 vols. 8. Papers relating to the five sons of Sir W. Herrick, 1 vol. 9. Papers relating to the estates of Sir W. Herrick, in 3 vols.; the first, relating to Beaumanor, the second to the town and county of Leicester; the third, to Richmond in Surrey, London, and other places. It should be added that, *inter alia*, were letters and other documents relating to the poet Robert Herrick, who was a nephew of Sir William Herrick. Many other miscellaneous documents were discovered, as, for instance, two rolls of the new-year gifts at court, one of the reign of Queen Mary and one of Queen Elizabeth in 1599;—many letters patent under the great seals of Elizabeth and James I.;—a plan on vellum of Beaumanor Park, made in 1621;—a court roll of the 21st Edward IV., when this manor was in the hands of Katherine Duchess of Norfolk, one of the King's maternal aunts;—a rent roll of 32 Henry VIII., the admission to a tenement, bearing the autograph signatures of the Lady Frances Duchess of Suffolk and of her then husband Adrian Stocks;—and, after Sir William Herrick acquired the manor, a nearly complete series of court rolls to the present time. There are besides four other very old rolls: 1. The "compotus" of Thomas Hemeri, *serviens* of Beaumanor, 5-6 Edward I., A.D. 1275-1276. 2. The "compotus" of Henry del Peeke, *serviens* of Beaumanoyr, 8-9 Edward III., A.D. 1314-1315, which mentions among other things the building of the stone wall which separates the parks of Beaumanor and Loughborough. 3. The "compotus" of John Godewyn, bailiff, 7-8 Henry IV., A.D. 1405-6. 4. The "compotus" of Mr. John Kirkeby, bailiff, 3-4 Henry VI., A.D. 1424-1425. We think that the public are greatly indebted to Mr. Percy Herrick for having taken such care of these valuable ancestral and historical documents, and for having permitted Mr. J. G. Nichols to give so full an account of them. He has set an example which other owners of MS. treasure would do well to imitate. We should add that, among other curiosities at Beaumanor, Mr. Herrick has the bed on which Richard III. slept the night before the battle of Bosworth Field, 1485.

The report recently laid before the Common Council of London "On the Municipal Archives of London," is most interesting, as showing what an enormous collection of muniments are still in existence in the City. They may be arranged under certain distinct heads as follows:—1. The *Bridge House Records*, being deeds, &c., in ten books bound in vellum, and commencing with Fitz-Ailwyn, mayor in the reign of Richard Cœur de Lion, A.D. 1189, many of these documents bearing his seal. Among them are title-deeds, grants, copies of wills, &c. Some of these deeds have the City seal attached to them, as it existed prior to its alteration by order of the Court of Common Council in 1539. On the reverse is the figure of St. Thomas à Becket, which was then ordered to be destroyed. There is also a large folio volume containing a transcript of nearly all these deeds, which must have been made early in the sixteenth century. 2. *Bridge House Accounts* containing the rolls of the receipts and payments of the bridge-masters, being the weekly receipts of the payments of fishmongers, butchers, &c. for standings in "Stocks Market," the rents of the property belonging to the Bridge House, and of the tolls payable at the bridge—together with a weekly account of the payments to workmen, and the priests and officers of the chapel of St. Thomas on the bridge from A.D. 1382 to A.D. 1405. Besides these are the *Rentals*, commencing in 1404;—miscellaneous *Books of Payments* from 1404 to 1697;—*Corn and Granary* books from 1568 to 1714;—*Passage Tolls*,

exhibiting many ancient City rights, commencing with the Charter of King John in A.D. 1199, with a continuance till 1762; and the *proceedings* of the Court Leet (Hallimote) or Court Baron for the borough of Southwark from 1539 to 1762. There is also an account of the *Council of Basle*, giving copies of the proceedings of the eighteenth general council; with copies, also, of the Bulls of Pope Eugenius and of others in relation to it. The earlier works in the office of the Great Chamberlain were probably burnt in the fire of London, as at present they have not been discovered earlier than A.D. 1681. It is proposed to have a special arrangement of the above most valuable historical collection of papers after the same fashion which has proved at "The Rolls" so successful under the management of Sir Thomas Duffus Hardy. We ought to state that this is the second report, and that the first comprehended the documents preserved in the Town Clerk's and Chamberlain's departments. Many note-worthy facts of City history may be gathered from the examination of these Records—such as the close connexion maintained between the Citizens and the Advisers of the Crown, the interchanged civilities between the Ruler on the Throne and the Civic Functionaries—the grants of money made from time to time by the City—and the part the citizens played in many of the great questions which agitated the nation.

"Analytical Indexes to Vols. VII. and VIII. of the series of Records known as the *Remembrancia*, preserved among the Archives of the City of London, A.D. 1580—1664." Besides the Bridge House documents to which we have just called attention, we have also to thank the authorities of the City of London for the indexes to two out of the nine existing volumes of the *Remembrancia*—containing as these do a great number of most interesting entries, among which we may notice the following:—A complaint against some unauthorized persons for fishing for salmon in front of Chelsea; a letter from the Mayor and Aldermen requesting King James, in 1609, to present his chaplain, Mr. Theophilus Field, to St. Peter's, Cornhill. Field became ultimately Bishop of Llandaff, St. David's and Hereford, and was the brother of Nathaniel Field, an eminent actor, and one of Shakespere's company. An ordinance in A.D. 1633, ordering the "reform of the *March* of this our English nation, corrupted by time and the negligence of drummers . . . . by the establishment of one constant measure . . . . in order that the said ordinance being imparted to the colonels, and by them to the captains of the several regiments of the City, may be duly observed by all masters of the trained bands;" a letter from Charles the First in 1636, requesting subscriptions from the citizens "towards the erection of an academy for the education of the young nobility and gentry in the practice of arms and arts," a request, sneered at, at the time, when the Court was beginning to get unpopular—yet which was really the first conception of what has ripened into the "Royal Academy" and the "Society of Arts;"—many curious notices showing how much interest the Citizens took in the expeditions of Sir Francis Drake and of Sir John Hawkins;—poor archers and bowyers praying that the bowling-greens may be put down, and archery thereby the more encouraged;—and last, not least, an account of the *impressment* of some 200 carts to carry the luggage of James I. to his palace at Greenwich! We hope that the Corporation will go on with the work they have so well begun.

"Calendar of the Carew MSS., preserved in the Archiepiscopal Library at Lambeth, 1601-3." We have before called attention to the first portion of this valuable collection of papers, and expressed our satisfaction that the editing of them had been entrusted to the able hands of Messrs. Brewer and Bullen; and we are glad,

therefore, to find that their labours have been extended for two years longer. The present portion of the work commences with the administration of Mountjoy, who, if he had acted up to the spirit of his own instructions, and had not been repeatedly hampered by the Queen and other personages in England, would have made a model Viceroy, or, as he was then called, Deputy. Thus he orders morning and evening services, with enforced attendance by the soldiers; the punishment of death for blasphemy, duelling, stealing from the Queen's stores, treason with the enemy, desertion, and for sleeping when on guard, with stringent penalties for drunkenness, ill-treatment of women, and perfect silence "when the army is to take lodging or when it is marching or embattling, so that the officers may be heard." But then, as now, no government seemed to be of any avail for Ireland; the power of the priest was greater than that of the sword, and the great chiefs were so selfish or so savage that nothing could be done with them. O'Neil was set at nought by the jealousies of his own followers; Desmond and Ormond could not depend on the Geraldines and the Butlers; Burkes murdered O'Connors, and so on to the end of the chapter. Carew states distinctly that all the native Irish chieftains sought, he says, "Liberty of Irish exactions. Every one to be Palatine in his own country is the true mark they aim at, which, by the aid of the King of Spain, they hope to recover, supposing that the King would leave the country to be governed by themselves." Again, speaking of the opposition he met with himself from a certain Cormack McDermode, he shows that this gave him but little uneasiness, because "I have a strong faction of his nearest kinsmen against him." We will quote a passage which shows how these native lords fed upon the peasantry in the days of Elizabeth—and would again, we suspect, should the Fenian treason ever become triumphant. "*Coyny* is as much as to say as a placing of men and boys upon the country used by a prerogative of the Brehon-law (whereby they are permitted to take meat, drink, aqua-vitæ, and money of their hosts without pay-makin there for; and, besides, rob them when they have done). . . . *Livery* is horse-meat exacted for the horses of them which take *coyny*, or otherwise send them to the poor tenants to be fed. The tenants must find the horses and the boys, and give them as much corn and sheaf-oats as they will have, and for want of oats, wheat and barley. . . . *Foy* is when their idle men require meat out of meal-time, or where they take money for the *coyny* of their host to go a begging to their neighbour. . . . *Coshry* is certain feasts which the lord useth to take of his tenants after Easter, Christenmas, Whitsuntide, and Michaelmas, and all other times at his pleasure. He goeth to their houses with all his train and idle men of his country, and leaveth them not until all they have be spent and consumed."

"Calendar of the Clarendon State Papers, preserved in the Bodleian Library, vol ii." We gladly hail this valuable publication, which extends from the murder of King Charles I., in 1649, to 1654; but do not know why the first volume, which will contain many important documents previous to the King's death, has not been first published. As it is, however, we accept this volume as an interesting instalment of what we hope to receive hereafter. Among the papers in this volume are "Copies of the King's disguised correspondence with the Royalists in England, as well as his letters to members of the royal family, chief among which latter are the interesting letters relating to the attempt of the Queen Dowager Henrietta Maria to force the Duke of Gloucester into a Jesuit college, and to effect his conversion to the Church of Rome, contrary to a promise

of non-interference she had given the King." In Mrs. Green's collection are no letters of Henrietta Maria of the date of 1654. Other papers of importance calendered in this volume are the Mission of Ascham to Madrid, and his murder, and Middleton's expedition to Scotland.

"Willelmi Malmesburiensis Monachi de Gestis Pontificum Anglicorum Libri quinque," which has just been edited for the Master of the Rolls by Mr. N. E. S. A. Hamilton, of the Department of MSS. in the British Museum, is one of the most careful pieces of editing with which we have met for a long time, and a most interesting book it is. What, too, is of the greatest value is the fact, discovered by Mr. Hamilton, that the MS. from which this edition has been taken, and which is now in the library of Magdalen College, Oxford, *is actually the autograph of William of Malmesbury himself*. William of Malmesbury was born about A.D. 1095, entered the Convent of Malmesbury as a novice when a boy, in due time became monk, and ultimately præcentor and librarian, declining, however, when offered, the rank of abbot in favour of a friend who set more store by this dignity than he did. We congratulate the Lord Commissioners of her Majesty's Treasury in having been able to secure the services of an editor so thoroughly competent for this work as Mr. Hamilton has proved himself to be.

"Alfred the Great," by Thomas Hughes, M.P. We confess to serious doubts whether this new publication of Mr. Hughes' will serve any good purpose, beyond showing us, as all readers of "Tom Brown's School Days" knew long ago, the kindly, manly spirit of the writer, and also, we must add, his eccentricities. History it can scarcely be called, for it adds nothing to what we knew before. Moreover, it is crammed with an over-abundant supply of sentiment, which neither the subject nor Mr. Hughes' readers want in the slightest degree. We regret this the more as coming from a man like Mr. Hughes, who has been so long associated with the so-called "working" classes, and who has shown himself on all occasions their warmest, though not always their most judicious, advocate. With the utmost respect for King Alfred, we do not believe, as Mr. Hughes appears to believe, that *because* that great King always carried the Psalms of David in his pocket, this habit ensured him the victory over the Danes at Ashdown; anyhow, if he still carried this sacred volume close to his person, this does not seem to have availed him much in averting his subsequent defeat, his expulsion from the throne, his hiding among the marshes, and the pillage of his country and people by the conquerors. Nor are we inclined to think that all the virtues of the period were on the side of the long-suffering Christians, and all the vices on that of the Pagan Danes, when we remember that the story of those days has been handed down to us wholly by the hands of ecclesiastical writers. Mr. Hughes thinks, we suspect alone, that the Danish invasion was a good, in so far that it "awoke a natural life;" much on the same principle, we suppose, with the ancient proverb that "The blood of martyrs is the seed of the Church." Yet calmer students will, we imagine, fail to see much good in the wasting of whole districts, the depopulation of towns and villages, the destruction of agriculture, and the ruin for years of all hope of improvement in the land at large. Mr. Hughes also has notions about "special" judgments we must venture to call peculiar even in him, and assuredly not likely to be accepted by the managers of the "Sunday Library for Household Reading," for which much of his book was originally composed.



Admitting his learning and his research, we do not, generally, care much for Mr. E. A. Freeman's writings—his pen is generally so steeped in acids, and his belief manifest that no one can know any thing of English history but himself. We gladly hail, therefore, two books of his which have recently appeared—one, "English History for Children" and the other a "History of the Cathedral Church of Wells." Both are simply admirable. In the first instance, future children ought to be grateful for so genial and so able an instructor, who tells them the oft-told tales of our early history, but tells them, too, with such unaffected simplicity as well as power. In the second we find an admirable embodiment of long and continuous reading brought to the elucidation of the history of one of the noblest of our English churches. Mr. Freeman is an advanced Church Reformer, and we cordially agree with him in many of his suggestions. We quite accept his view that the cathedral is the mother church of the diocese, and wish with him for services in the nave as well as in the choir.

First part of the "Royal Commentaries of the Yncas," by Clements R. Markham, and "The Fifth Letter of Hernan Cortes to the Emperor Charles V., by Don Pascual de Gayangos," are two very interesting documents, which it is as well to class together. In the first, Mr. Markham gives us a translation of the original work of the Ynca Garcilasso de la Vega, a work of the highest importance for the study of the history of Peru, being, as he knew he was, the son of one of the first conquerors and a near relation of the original rulers of that country, his father having married the niece of the great Ynca Huayna Ccapac. There can be little doubt that his narrative is a truthful one, and that he has succeeded in defending the Yncas against Mr. Prescott and Mr. Helps, who maintained that they practised human sacrifices. In the second, Don Pascual de Gayangos gives an excellent translation of the letter in which Cortes gives his account of his famous journey from Mexico to Honduras, in quest of his rebellious captain, Christobal de Olid. This letter was discovered by Robertson, the historian, in the Imperial Library at Vienna.

Societies for the publication of old documents have their value, and the Chetham Society has ere now published some valuable and interesting works, but we cannot see why they should have issued their present volume—"Tracts written in the Controversy respecting the legitimacy of Amicia, daughter of Hugh Cyvelisk, Earl of Chester, A.D. 1673—1679," by Sir Peter Leyester, Bart., and Sir Thomas Mainwaring, Bart. Such documents can hardly, we think, be of interest to even a Cheshire antiquary; by any other readers they are simply unreadable.

Of a different class, and unreadable, because simply worthless, is Mr. Saxe Bannister's "Some Revelations in Irish History, or Old Elements of Creed and Class Conciliation in Ireland," a work which shows that much writing is not enough to make a style worthy of perusal, and, that having accomplished some thirty books before 1844, is no proof whatever of the author's ability to write a better one in 1870. The best part of Mr. Bannister's new production is the portion that does not relate to Ireland.

We cordially agree with Mr. John Cordy Jeaffreson, in a work he has just published and misnamed, "Annals of Oxford" that "it is no such difficult matter to write history in the absence of facts," if this compilation of trash and affected fine writing can be deemed by any one to be even history travestied. What can have possessed Mr. Jeaffreson, once we believe a sub-editor of the "Athenæum," and the author of one or two respectable and amusing books, to string together two volumes which have not one

new fact in them—though many facts are wholly mis-stated, a *recoltauffée* badly enough made up from Wood's *Fasti*, Aubrey, *Terra filius*, the "*Oxford Sausage*," Amhurst, "Evelyn's Diary," and other authors, good and bad indifferently, we cannot imagine. Such a production hardly deserves to be called a "Book about Oxford"—"Annals of Oxford," we are happy to say, it is not—could hardly be imagined to be by the most ignorant penny-a-liner. We do not think that in our reading we have ever met with such a gross instance of mere book-making, unrelieved by any grace of style or any other excellence on the part of the individual book-maker. Mr. Ward Beecher has somewhere said, speaking of the tendency in America to create new and unnecessary sects, that it is hardly fair to paint a wart upon a man's nose and to call the picture "*a new man*," but this is what Mr. Jeaffreson has done, or tried to do. He collects all sorts of stories gleaned from the above-mentioned and other sources, puts them together higgledy piggledy with scarcely any connexion but some exuberant rubbish of his own—and then calls his performance "*Annals of Oxford*," and describes a book so composed as "*a cup*" in which are mixed "*old story and new thought*." What "*new thought*" there may be in it, we shall be surprised if any readers can detect. They will however find the English-written language, as perverted by Mr. Jeaffreson, contains many excellent words not in usual use, alas! as "*row*" and "*shindy*," "*cash*" for "*money*," "*pins*" for "*legs*," and many other like amenities.

## II. BIOGRAPHY,

Few men in their day exercised, in Scotland especially, and to some degree in England too, so considerable a power over the students of metaphysical philosophy, as did the late Sir. W. Hamilton, for many years Professor of Logic and Metaphysics in the University of Edinburgh. We are glad, therefore, to find in Mr. Veitch's memoir of him a fair account of his life and labours. Educated in early life at Balliol College, Oxford, from which he obtained a first class in classics in 1810, Sir William proceeded at once to the great business of his life, the dealing with many of the highest problems of intellectual philosophy. His especial object was to break down the despotism of class-schools in science and literature; he was, in fact, as has been well said of him, an intellectual Luther, lifting up his voice against the absolute *dicta* of the leading teachers of his time, and, in the first instance, especially, against the cant of the professors of medicine, to which he was himself at first attached. By nature a man of the most modest character, and singularly averse to courting effects of any kind, it may be truly said that the writing of such a life as his could hardly have been committed to a later period of time, but needed all the care and judgment of a friend and contemporary. We think, therefore, all will rejoice at the issue of the present volume, interesting as it is in all its details, and a real service to literature.

Perhaps a more simple nature could scarcely be found than that of Hamilton. Men wondered who knew him not well, that there was no show about the man; and when the fame of his achievements came, not from his countrymen and townsmen, but from far distant lands, that he was still the same unmoved gentle being, scarcely remarkable for aught but the large number of personal friends, many of them twenty years younger than himself, who attached themselves to him when those years made all the difference between the sage and the youth; and who forgot his age, while feeling his superiority. His view of the human mind was clearly this, that in the work of the human intellect there is

nothing common or unclean—hence, his prodigious reading through the ponderous tomes of the fathers, schoolmen, civilians and canonists, early physicians and naturalists, not forgetting even the Monkish chroniclers, in the belief that he might thus discern the more clearly what the human intellect had really achieved, and thereby be the better prepared for his examination of its nature and capacity.

With this extraordinary labour his education and professional projects were singularly in harmony; for, during the course of his life, he may be said to have belonged—so far as study could give him this position—to each of the three learned professions, Medicine, Law, and Divinity. Medicine he took up first, and this, too, not theoretically, but with a view to practice. From this he turned to Law, and joined the bar, with an equal determination to surmount, by means of his powerful intellect, the subtlest intricacies of this most difficult of professions for an honest man. The third, however, was probably the choice of his heart. No man loved more thoroughly intellectual polemics; hence, no man could be better fitted to appreciate the great masters in that art, Luther and Calvin. Indeed so highly was he thought of abroad for his knowledge of this branch of literature, that the Dutch bestowed on him a title which reads curiously as one given to a layman—viz., that of Doctor in Divinity in the University of Leyden. But he had another quality of mind which served him greatly in his researches, and this was, the fixed unalterable determination that nothing was to be taken for granted, nothing to be believed or disbelieved, except on trial. Perhaps his chief difficulty was, when he began to methodize his knowledge on any great subject—for, owing to his wonderful power of memory, such crowds of facts were apt to crush in upon one another, that he could not always find the right place for each. Still, in such cases, this very power did him good service, so that, when the matter in hand was in any sense of a limited kind, he was provided with every element necessary to create or to adorn it. We will select one specimen of his conscientious mode of conducting inquiries, viz., the methods whereby he investigated the claims of phrenology and mesmerism to be considered sciences. The physiological and anatomical studies on which he determined to rest his conclusions were continued for many years subsequently to 1826 and “extended to points which Sir William had not originally intended to embrace, such as the weight and various relative proportions of the brain of men and animals under varying circumstances.” “It was certain discoveries,” he tells us, “which I made in regard to the laws of development and the functions of this organ (the *cerebellum*), and the desire of establishing these by an induction from as many of the species as possible of the animal kingdom, that led me into a more extensive inquiry than has hitherto been instituted by any professional physiologist. . . . My tables extend to above 1000 brains of about 50 species of animals accurately weighed by a delicate balance.” Professor Veitch adds that “he conducted his numerous experiments with his own hand—sawing open skulls, dissecting and testing the weight of brain.” “So tolerant,” adds his friend Mr. George Moir, “was Sir William of all opinions, that I may say phrenology was the only doctrine he could not tolerate. He had studied it with care, and mastered very completely the anatomy of the brain. The result was that he had come to look on phrenology as a mischievous humbug.” Those who wish to see the results of his inquiries on this subject will find them in Dr. Monro’s “Anatomy of the Brain,” 1831, in the “Edinburgh New Philosophical Journal,” 1850, and in the “Medical Times,” 1845.

It was in just the same spirit that he dealt with mesmerism. "Before," he said, "you set aside the science of the mesmerist, you ought to read the evidence in its favour given by all the greatest medical authorities in Germany;" indeed, as another of his friends has recorded, "Sir William had no doubt of the power of mesmerism on nervous temperaments to produce sleep and other cognate phenomena; but he utterly disbelieved *clairvoyance*—and, when Mr. Colquhoun used to bring forward instances to that effect, he would remind him of the story of the bank note for 1000*l.* which had been lying sealed up for years to be delivered to any *clairvoyant*—who, without opening the envelope, should read its contents."

Among Sir W. Hamilton's intimate friends were several who have, in many walks of science or literature, made names for themselves, which will be remembered for a period scarcely less than his own. Among these we may notice those of George Brodie, John Riddell, Dr. Thomas McCrie, Dr. John Brown, Jamieson, Thomas Thomson, James Semple, and John Colquhoun—not forgetting three others who have left their mark on the world's history—James Ferrier, William Spalding, and Thomas De Quincy.

Sir William Hamilton was struck down by paralysis in 1844, and though his powerful intellect ultimately recovered itself, those about him recognized a sad and painful change in his aspect and his ways. Then it was, that he felt the full value he had in the possession of so large a circle of friends, who cheered him by their reminiscences of the old topics they had so often discussed together. Then, more than ever, it was, that he found the true value of that untiring amanuensis, his wife, of whom Mr. Veitch gives us the following graceful description. He is alluding to what was one of the great fears of Sir William's friends that, with his almost uncontrolled love of accumulating materials on almost every literary subject, he would never bring himself to be what his position, as a Professor, most of all, required from him, a good or methodical teacher. Their fears, too, had been greatly increased by his suggestion that the lectures should themselves be postponed for one session, in order that he might the better be able to perfect them for the next. Professor Veitch adds, "This course of five lectures was composed during the currency of the session of five months. He gave three lectures a week, and each lecture was, as a rule, written on the night preceding delivery. The lecture hour was one o'clock in the afternoon, and the lecturer seldom went to bed before five or six in the morning. He was generally aroused between ten and eleven, and then hurried off to the College, portfolio under arm, at a swinging pace. Frequently, notwithstanding the late hour of going to bed, he had to be up before nine o'clock, to attend the Teind Court. All through the session, Lady Hamilton sat up with her husband, each night until near the grey dawn of the winter morning. Sir William wrote the pages of the lectures upon rough sheets, and his wife, sitting in an adjoining room, copied them as he got them ready. On some occasions, the subjects of the lecture would prove less easily managed than on others, and then Sir William would be found writing as late as nine o'clock of a morning, while his faithful but wearied amanuensis had fallen asleep on a sofa. Sometimes the finishing touch to the lecture was left to be given just before the class-hour."

It is very interesting to hear that when attacked by the paralytic seizure he sent for Dr. Maclagan and calmly discussed with him the question how far impaired articulation was capable of cure, thus recalling his own early medical researches. "The difficulty of articulation," says Dr. Maclagan, "of which he

was painfully conscious, had evidently been uppermost in his mind, and upon this subject he began to question me, or rather to discourse to me on the occasion referred to. He spoke of the views of Sir Charles Bell and of other modern physiologists, and referred to a paper in one of the older scientific academies—Belgian—according to my recollection, in which was enumerated the connexion of the ninth pair of nerves with movements of the tongue—a subject on which he had himself written.”

The “Life and Letters of Faraday, by Dr. Bence Jones,” is just the sort of book we like to have for the commemoration of such a man as Faraday, one whose childlike simplicity fitted him to be the follower of that great philosopher who, at the end of his days, said he could only think of his career on earth as that of a man “picking up a few pebbles on the sea-shore.” We therefore hold Dr. Jones to be deserving of high commendation as the biographer of Faraday’s private life, which is only less, if at all less, interesting than the account by Professor Tyndall, of Faraday’s public career. Faraday was the son of very humble parents, and his father pursued the business of a blacksmith: he came originally from Clapham, near Ingleborough, and settled in Gilbert-street, Newington, where his son was born Sept. 22, 1791. He was the third child and second son. As might be expected, his parents had but little over, to enable them to give him any instruction; and we may believe the truth of his own words when he says, “My education was of the most ordinary description, consisting of little more than the rudiments of reading, writing, and arithmetic, at a common day-school. My hours out of school were passed at home and in the streets.” When twelve years of age, he became an errand boy to a Mr. Riebau, a bookbinder, who, after a year’s probation, took him as an apprentice, his indenture stating that “in consideration of his faithful services no premium is given.” Here he obtained what he had long in vain sought, an opportunity of studying a variety of scientific books, a taste his master wisely encouraged. Faraday himself says, “I loved to read the scientific books which were under my hands, and among them delighted in *Marcel’s Conversations on Chemistry* and the electrical treatises in the *Encyclopædia Britannica*. I made such simple experiments in chemistry as could be defrayed by the expense of a few pence a week, and, also, constructed an electrical machine, first, with a glass phial, and afterwards with a real cylinder, as well as other electrical apparatus of a corresponding kind.”

His love for science was still further stimulated by the opportunity of reading the article on electricity in an *Encyclopædia* he was employed to bind. Shortly afterwards, having had the chance of hearing a course of lectures by Sir Humphrey Davy, he took the bold step of writing to the great philosopher and of enclosing to him a short abstract of his lectures. Sir Humphrey was much struck by the talent of the young man, and, though he dissuaded him from the pursuit of science as a means of livelihood, not long afterwards obtained for him his appointment to the Royal Institution, with a salary of 25s. per week, as an assistant in the laboratory, with the use of two rooms at the top of the house. Nor was his place there either a sinecure or free from danger; on the contrary, he was nearly blown to pieces by an explosion of detonating powder. As he says himself, “Of these the most terrible was when I was holding between my finger and thumb a small tube, containing about  $7\frac{1}{2}$  grains of it. My face was within twelve inches of the tube, but fortunately I had on a glass mask. It exploded by the slight heat of a small piece of cement, that touched the glass about half-an-inch from the substance, and on the outside. The explosion was

so rapid, as to blow my hand open, tear off part of the nail, and has made my fingers so sore that I cannot yet use them easily. The pieces of tube were projected with such force as to cut the glass face of the mask I had on." In the autumn of the same year, he accompanied Sir Humphrey Davy on a tour of a year and a half on the Continent—a record of which he has left in a long series of letters which Dr. Jones has published. They are valuable chiefly as showing what a warm heart throbbed in Faraday's bosom. On his return he was promoted to a higher step in the Royal Institution, and, in the following year, gave his first set of public lectures, at the City Philosophical Institution. In 1821 he married; and, in 1824, was elected F.R.S. In 1831, he began to make known his greatest discoveries—the induction of the electric currents—which Dr. Bence Jones has well summarized—"Then," says he, "they (the discoveries) were continued with terrestrial magnets—electric induction; then the nature of the electric force or forces, and its character in the *gymnotus*; then the source of power in the voltaic pile; then the electricity evolved by the friction of steam; then the magnetization of light and the illumination of the magnetic lines of force; then new magnetic actions, and the magnetic condition of all matter; then the crystal line, polarity of bismuth, and its relation to the magnetic form of force; then the possible relation of gravity to electricity; then the magnetic and diamagnetic condition of bodies, including hydrogen and nitrogen; then atmospheric magnetism; then the lines of magnetic force and the employment of induced magnets—electric currents as their test and measure; and lastly, the constancy of differential magne-crystalline force in different *media*, the action of heat on magne-crystals, and the effect of heat on the absolute magnetic force of bodies." No doubt the great charm of Faraday was his child-like simplicity of character, which led him to be beloved by every one with whom he came in contact, and which secured for him the affection of children, to whom he never tired to make known, so far he could in the simplest language, the hidden mysteries of science, no less than the reverence of his brother men of science. One only dispute was he ever involved in, and that was when, in publishing the results of experiments in electro-magnetic rotation, he was accused of stealing the views and suggestions of Dr. Wollaston. Though it was soon proved that the charge arose from the confusion of two experiments, and, though he was warmly defended by Sir Humphrey Davy, he felt deeply hurt at it; and the sting of the accusation remained for some time. Let us thank Dr. Bence Jones for the good service he has done his friend, in thus making known the inner and private life of a man who was, assuredly, one of the greatest philosophers of this century.

"Lives of the Lord Chancellors, &c., of Ireland, by J. Roderick O'Flanagan," is a work of much interest, though not equal in point of execution to the more celebrated lives of the English Lord Chancellors, by the late Lord Campbell. We think, however, that Mr. O'Flanagan's labours show far greater impartiality than those of Lord Campbell, who, but too frequently, shows that, off the Bench, he could not preserve the impartiality of a Judge. The "Lives of the Irish Lord Chancellors" was begun five-and-twenty years ago, but abandoned, it would seem, from the belief that Lord Campbell had contemplated doing the same work on the completion of his English "Lives." The two best, as they would, from the period they embrace, be the most important, are those of Lord Clare and of Lord Plunket. We have, however, only room here for the short summary Mr. O'Flanagan gives of the character of Lord Clare, which we insert, as a good

specimen of the writer's style, and to show how fairly he can write of one, who, more than any one else, has been bespattered by the mire of mere writers for party. "The habits of labour and application to business," says he, "which he acquired in his school days, remained with Lord Clare through life. They shone conspicuously at the bar, where he never was found unprepared; they accompanied him to the House of Commons, where he was always ready to discuss the question of the day; and he practised them on the Bench when he sat as Lord Chancellor. He did much to establish equity practice in Ireland on a solid basis; he reformed abuses with no niggard hand, and purged the Court of much that called for Reform. Fraud fled before him; for, when grasped, he punished it with relentless vigour. The decisions of Lord Clare were not regularly reported, but . . . sufficient appears to display his great legal mind, and, I must add, despotic disposition."

"Life of Henry John Temple Viscount Palmerston, with Selections from his Diaries and Correspondence. By the Right Hon. Sir Henry Lytton Bulwer." The work before us, of which we have only the commencement, in two volumes, is interesting from the manifest air of truth which breathes through all its pages, and also because, so far as it has yet gone, we have the story of Lord Palmerston's life almost entirely told by himself, with but very few notes and comments from the pen of Sir Henry Bulwer. And the impression left on our minds is that, which was the judgment also of most of those who knew him best, that Palmerston was neither a very clever nor a very brilliant person, but rather a man of strong natural common sense, who had carefully trained himself in each position in which he was placed, till, at length, by the force of circumstances, not by any scheming or plotting on his own part, he found himself in the highest position to which a subject can in England attain. Educated in early life at Harrow, where he had as his contemporaries Peel and Byron, and subsequently at Cambridge, where he left behind him, if report speaks truly, the reputation of having been a sound mathematician, Palmerston was, almost as soon as he could be, in the arena of public life, continuing, as we all know he did, to wear the harness of office with only one long interval till the day of his death. It is remarkable how unwilling he showed himself to be put forward by his own party, even when there could be no doubt of his fitness for the proposed office; thus, when he was only twenty-five, he refused the grand position of Chancellor of the Exchequer, with a seat in the Cabinet, for the far humbler post of Secretary at War; and, so late as 1827, declined the offer of the Leadership of the House, for which he was, unquestionably, by that time well fitted. The best parts in the two volumes are those portions of his correspondence in which he gives his judgment, often one amusingly satirical, of the people—English or foreign—with whom he happened to be thrown in contact, judgments not always, perhaps, perfectly just, but very characteristic of the man.

Thus speaking of a famous Westminster Election, he says, "Sheridan and Hood stood upon Government interest against Paull . . . Paull, being the greatest blackguard of the two, quite supplanted him (Sheridan) in the affections of the Covent Garden electors." Again, speaking of his own election at Cambridge in 1825 when what were called "Catholic Claims" was the chief subject of the day, he writes, "I am going on as well as I could expect, in fact, as well as possible; I think I shall have all the Johnsons and most of the Trinity men. The Protestants will support me as a Tory; and the Whigs as a Catholic." Again, writing to King William the Fourth, Palmerston says, "The truth is,

however reluctantly one may avow the conviction, that Louis Philippe is a man in whom no solid trust can be reposed. However, there he is, and we call him our ally; only we ought to be enlightened by experience and not to attach to his assertions or professions any greater value than really belongs to them, more especially, when, as in the case of Egypt, his words are not only at variance with his conduct, but even inconsistent with each other." Some of his remarks about the French character and the mode in which English people ought to deal with the French are singularly pertinent. Thus, writing against Talleyrand's plan of bullying the Dutch in order to support the Belgians, he says, "The French Government are perpetually telling us that certain things must or must not be done, in order to satisfy public opinion in France; *but they must remember* that there is a public feeling in England as well as in France; and that, although that feeling is not as excitable upon small matters as the public mind in France, yet there are points (and Belgium is one) upon which it is keenly sensitive, and upon which, if once aroused, it would not easily be appeased." He further ordered the English Ambassador to use the following language: "It may not be amiss," he says, "for you to hint, upon any fitting occasion, that although we are anxious to cultivate the best understanding with France, and to be on the terms of the most intimate friendship with her, yet that it is only on the supposition that she contents herself with the finest territory in Europe, and does not mean to open a new chapter of encroachment and conquest." It is very curious to read many of Palmerston's letters written years ago—and to note how, by just transposing a few names, they might have as well been written during the present year. Thus, speaking of the French in 1831, he observes, "They miscalculate their chances however, I think; and they will find that a war with all the rest of the world, brought upon them by a violation of their word, will not turn to their advantage or redound to their honour. . . . The Chambers will soon be sick of barren glory, if they succeed, or of defeats brought needlessly upon them if they fail; the Ministry will be turned out and the kings may go with them." Is not this a good deal like prophecy? Might it not have been aptly penned during the June or July of the present year?

The "Confidential Letters of the Right Honourable John Wickham," though rather dry, and sometimes too verbose, will be useful as filling up some gaps in that interesting portion of "Modern History" which extends from 1794 to about 1800. Mr. Wickham, after an education at Harrow and Oxford, where he made the acquaintance of Lord Grenville, was Minister Plenipotentiary to the Swiss Cantons in 1795—subsequently, for a short time, in 1798, Under-Secretary of State for the Home Department—and then, again, at his post in Switzerland in 1799. Among the miscellaneous correspondence will be found many interesting letters between him and MM. Mounier, De Précý, and Pichegru, from Lords Grenville and Auckland, from the unfortunate Duc D'Enghien begging for a salary, and many important notices of the state of parties both abroad and at home, during that eventful period, with a notice of General Hoche's project for a descent upon England and Ireland, and a very curious account of the famous Suwarrow.

In "Macmillan's Magazine" for April, those—and their names are legion—who were either personally acquainted with or have taken an interest in the career of the late Sir George Cornwall Lewis, will find a short but admirable memoir of that distinguished scholar from the pen of Mr. J. H. Fyfe. The world knew that, during a political career of about thirty-five years, there was no one who had



filled, and filled with credit, so many of the highest offices under the Crown, but the world probably did not know, that from the time he obtained at Oxford a first class in Classics and a second in Mathematics (in the year 1828) to his death Sir Cornewall Lewis was engaged in literary labours which would alone have made the fortune of more than one scholar. The translation from the German of C. O. Müller's "Dorians" in conjunction with his friend Mr. Tufnell, his admirable Essay on the "Romance Languages," his edition of "Babrius," his essays on the "Administration of Great Britain from 1782 to 1830," his last great work on the "Astronomy of the Ancients" with other and various papers on "Roman and International Law," on methods of political reasoning and on forms of Government, were nearly all worked out during periods when he was supposed by most people to be altogether engrossed with affairs of State. The fact was, as has been well said of him, "he worked with the coldness and precision of machinery," and it was just testimony to him when Dean Milman said of him, that he was not only eminent as a statesman, and one of the most profound scholars of his day, but, further, that he might "have done honour as Professor of Greek to the most learned University in Europe." In hours snatched from public business, he performed "feats of scholarship which would try the erudition and the research of the most mature student." We should add that many of his letters have been recently published by his brother, and have been of great value to Mr. Fyfe in the general sketch he has given of his public character.

"The Life and Writings of Joseph Mazzini," vol. vi., will, we believe, surprise not a few readers who have probably judged of Mazzini as an impracticable Republican, who, when more than two-thirds of the objects to which he had devoted his life have been accomplished far more completely than he could ever have dreamt of in his wildest hours of imagination, such as the emancipation of all Italy from Austrian rule, the downfall of the Neapolitan Bourbons, and the ensuring Rome as the capital of an united Italy, yet still absolutely refuses to recognize these goods without adding to them the illusory nonsense of a Republic for a race who are even less fitted for such a thing than the French or the Spaniards. Yet those who take up these volumes will find that Mazzini is deserving far more commendation than that of a mere hopeless dreamer; and that, on the contrary, he possesses in him some of the highest qualities of a critic. Turn to his papers on Goethe, Byron, and Lamennais, and no one can doubt that, had he devoted himself to literature with the zeal he has to politics, Mazzini would have been among the highest critics of his day. "Motion," Lamennais once observed, "is the soul of literary style"—"Discouragement is but disenchanting egotism," adds Mazzini, both sentences serving well to portray the similarity, as well as the remarkable energy, characteristic of these two men. Doubtless they were, in more than one way, kindred spirits; neither would admit faintheartedness in any thing—neither could have slumbered at what they regarded as their watches. It is curious to find Mazzini writing in the rapturous style he does of Georges Sand, and placing her above even Byron and Goethe for her first work, the "Letters of a Traveller." We rejoice, however, to find that with her later productions he has no sympathy—that he reproves Goethe for his selfish doctrines, and Byron for his immoralities.

"A Book of Memories," by Mr. S. C. Hall, is sure to be well done by a man who has been, perhaps, more closely and longer associated with literary men than any other living person, and who therefore comes to the task he has set himself with

facilities that scarcely any one else could have had. The subject of his volume, briefly told, is a concise biography of about one hundred of the leading literary men of this century. The chief charm of the book is its thorough reality. He tells us what he felt of the men and women whom he has seen, to whom he has spoken, and with some of whom he has lived on terms of close intimacy. So long ago as 1838 Mr. Hall published a book to which almost all the then living poets contributed autobiographies. He was also long connected with the magazine edited by Thomas Campbell and Theodore Hook. We commend this volume to those who have little opportunity for more serious reading, but who may yet be desirous of knowing something of the writers who have adorned the century in which we are now living.

The lives of both Sir Charles Eastlake and of John Gibson are very interesting, and Lady Eastlake deserves the credit of having made the most of the materials she had at her command. We confess our sympathies are wholly with that of Sir Charles Eastlake; indeed, but for the period during which, and the city in which, he lived, we question much whether Gibson would have attained the reputation he did get. His works, no doubt, exhibit much technical excellence, and, that they found purchasers, we learn from a list at the end of the volume, which shows that he made as many as forty copies (or *replicas*, as they are often called) of ten of his most admired productions. We doubt still more whether this reputation will really have any long duration, for his famous "Venus," coloured or uncoloured, has little real value beyond the fact that it is like any tolerably well made naked woman. Surely the true work of that half-starved artist Watson, who could not afford to pay for marble, but modelled in plaster "Sleep and Death bearing away the body of Sarpedon," will outlive the dilettanteism of Gibson and his followers. The "Contributions to the Literature of the Fine Arts," by the late Sir Charles Eastlake, which, besides the sketch of his life, is a very important part of Lady Eastlake's editing, will well repay perusal. They at least show that, if Sir Charles was not himself a very great artist, he knew, like poor Haydon, of what stuff a painter should be made. We may add that many of those papers will be new to the miscellaneous public. Perhaps, the best is one entitled "How to Observe," an essay intended as a guide to a sensible examination of works of art. Others are, an essay "On the Difference between Language and Art," on "The Sublime and Beautiful," on "Representations of Our Saviour," and a discourse, the text of which is, "The excellence of any one of the fine arts consists chiefly in those qualities which are unattainable by its rivals"—a just statement, which Sir Edwin Landseer would have done well to have remembered ere, being eminent as a painter, he attempted sculpture by modelling the lions at Charing Cross.

Mr. W. C. Cartwright has done well in "The Memorial Sketch" he has published of "Gustave Bergenroth," to whose labours in the cause of English history among the archives of Simancas we called attention on a former occasion, and whose death from fever, at Madrid, in February, 1869, every student of history will have lamented. Bergenroth was born in 1813, and, following his father's profession (the law), rose rapidly to the post he attained in 1843, of Assessor to the High Court of Berlin, with great hopes of far higher advancement: these were, however, destroyed by the Radical tendencies of his opinions, which led him to take part with the extreme section of Prussian Liberals in 1848. After this period he withdrew from the Prussian service, paid a hasty visit in 1850 to California with some brother Democrats, and finally, after various

journeys in Europe, settled in England, in 1856, with the object of collecting from the Record Office materials for a History of the Tudors. From 1860, where his discoveries at Simancas were so great that the Master of the Rolls was induced to send Mr. Brewer thither to report on them, Mr. Bergenroth laboured, with hasty visits to Madrid, London, Brussels, &c., till he died. Few men have worked harder than he, amid deprivations which would soon have wearied out a braver and less energetic spirit, passing his whole life in a village where, as Mr. Brewer wrote to Lord Romilly, "all is as primitive as nature and as shameless as in the days of Adam." "Samancas," the same writer adds, "is a collection of wretched hovels, half buried in dust and sand. The one in which Mr. Bergenroth lives belongs to a farm-bailiff, and consists of two storeys; all the rooms of plaster, and the floors of brick. No fireplace in any of the rooms, and as the winter is very intense here from November to February, and the walls full of holes, nothing but the strongest desire to do service to history would reconcile any man to so much hardship; and Mr. Bergenroth, in speaking of his residence there, does not exaggerate when he calls it the life of a hermit, and complains of his total isolation." Mr. Cartwright says of him, "The single literary work of any compass Bergenroth had lived to accomplish was the editing of several volumes in the series of State Paper Calendars in course of issue under the direction of the Master of the Rolls. But volumes containing abstracts of State Papers, however precious these may be, and with however striking introduction they may be prefaced, never can become popular reading." Besides these more laborious works, however, Mr. Bergenroth found time to draw up various detached papers of great merit, such as an essay on Wat Tyler, the story of Queen Joanna, from the supplementary volume of the "Calendar of Spanish Papers," an article on the "Vigilance Committee of California"—of which he was himself, for a while, a member—and an abstract of the startling account of the murder by Philip II. of his son, Don Carlos, drawn up by his confessor, Fray Juan de Avila.

"Biographies of John Wilkes and William Cobbett," by the Rev. John Watson, is a cleverly written and painstaking work, with an honest appreciation of what was good in the lives of these two remarkable men, and an evidently honest desire not to be led into the style of vulgar abuse too commonly applied to both of these personages. Mr. Watson, in remembrance of his sacred profession, does not slur over the immoral life of the one, or the disbelieving spirit of the other; but, in all his criticisms, he has written, we think, with fairness and to the point. We fear that but little can be said in favour of John Wilkes, whose whole life was a melancholy story of utter selfishness; principles we can hardly say he had any; still less, real independence of character. He married for money—then squandered his wife's income—then lived on his friends, till they were alienated from him one by one, and then he died insolvent. If he has obtained a name in English History, it must be remembered what were the "signs of the times" in the half-century during which he flourished—that the "illustrious House of Hanover" had been on the throne some fifty or sixty years—that England was just recovering from the rule of the "Great Commoner"—that we had just succeeded in goading from us, by a mistaken pertinacity, our American colonies, "the brightest jewel in the Crown of England"—that our Prime Ministers had been Bute, Newcastle, and North, and that "Heaven-born Pitt" was scarcely out of his teens. The Government, if not itself corrupt, when measured by the contemporary corruption in other countries, did enough to point the shafts of Junius, and to give play for such

powers as a man so unprincipled as Wilkes could give currency to. "What," said Dr. Johnson, "must be the priest where a monkey is the God? What must be the drudge of a party of which the heads are Wilkes and Crossley, Sawbridge and Townsend?" Wilkes had no idea of religion, and sneered at Christianity, though he professed he would die a member of the Church of England. He writes to his daughter Mary an account of a pretended Christmas dinner, consisting "of the Pascal Lamb with the fry; St. Peter's Cock à la Cock-a-leekie; a cod's head from the Miraculous Draught; a calf's head à la Golgotha;" and more miserable blasphemy of the kind. The only time when his life was respectable was after he became Chamberlain to the City of London—an office he held till his death, performing the duties of it, we believe, conscientiously. The life of William Cobbett, though of greater length, is less interesting and better known; but we cannot say we rise from its perusal with any relish for the man. In some ways we like Wilkes the best of the two. It is clear the one man sinned with imperfect knowledge of the sin, while the other was too shrewd not to know well the consequences of his acts and of his writings, yet was ready to play the Devil's game none the less. If not so selfish as Wilkes, Cobbett has little of the play of mind, which made the former at least agreeable in society. Perhaps the best that can be said of him is that his English writing is perfect in style.

The recent publication of the *Memoirs of General von Brandt* (*Aus dem Leben des Generals* (Dr.) *Heinrich von Brandt*: Berlin, 1868-9), revives pleasantly the history of the Old War amid the clash of modern arms; and, as a career, shows that of its hero to have been one of the most remarkable in modern times. Von Brandt (though his name is obviously Teutonic) had the peculiar advantages of being a Pole by descent, a German by education at the University of Königsberg, and a military officer—first for a short time in the Prussian uniform, then for the longest period of the war in the French, and then again till his death, in the Prussian, army. A brief notice, however, of his various employments is all we have room for here. After studying for awhile at Königsberg, he obtained his first commission after Jena in 1807, but was soon discharged, on the complete overthrow of the Northern Alliance, the result of the fatal battle of Friedland and of the overthrow of Benningsen. Not liking, however, to be long unemployed, he repaired shortly afterwards to Blucher and Schile, but from neither of them obtained any real support. Accidentally, however, he became known to Davoust, and, through him, joined the Polish Legion, and marched with it through France to Spain. There he served with much distinction under Lannes, being present at the memorable siege and ultimate capture of Saragossa by that marshal. Then, under Suchet, who appreciated his high character, through 1810-11, till, on the defeat of Blake, the Eastern side of Spain fell entirely under the power of that eminent French general, who showed his confidence in Von Brandt, by assigning to him the duty of guarding the escort of Blake, who had surrendered, adding these words: "Treat him like a Commander-in-Chief, but watch him as you would a rascal." The account of Von Brandt's Spanish experiences is told with evident truth, and not the least pleasant is a notice of what he calls the "Idyll of my Life"—some innocent love adventures he had at Catalayud with an ex-novice, named Inez. Her guardian, he says, was a stern uncle and thorough hater of French rule, who quickly disposed of his niece as soon as the attachment became apparent. As he observes, it was probably the best thing that could have happened to either

of them, though he admits that the sorrow of this separation lasted through fifty years of a prosperous after-life, and a long and happy marriage with one of his own rank and nation. In his Spanish reminiscences, he gives a vivid description of Arragon, Catalonia, and Valencia, and shows how his rough Poles appreciated the productiveness of the last-named province—the “Paradise” of the Peninsula. One of his soldiers, he says, made the remark that “one can live better there by soldiering than by hard work in our own country”—words which clothe with a singular reality the old tale of the delight with which the Barbarian invaders of the Roman Empire found themselves among the sunny lands of Southern Europe.

Marching through France, and arriving at Paris, Von Brandt was present at the review by Bonaparte of some of the troops destined for the Russian campaign, and had the pleasure to be noticed by the Emperor himself, who asked him how often he had been wounded to get the Cross of the Legion d'honneur, which had been conferred on him by Suchet himself, adding, “You are young enough still; you will be a captain in due time.”

Passing on through the country about to become the scene of one of the bloodiest campaigns in history, we find Von Brandt pointing out with singular impartiality how little Prussian rule had been appreciated in Polish Prussia, and that, in spite of all the exactions of the French, the Government of the Grand Duchy of Warsaw, as arranged by Napoleon, was preferred to that of the Princes of the House of Hohenzöllern. We find, also, *inter alia*, some interesting notices of Napoleon himself, who left a most unpleasant impression among the educated classes of Warsaw. “His manners are thought bad, his voice sharp and croaking, his address imperious and overbearing;” or, as a Polish nobleman of the old Court of Stanislaus expressed himself, Napoleon was “*Nec affabilis nec amabilis nec adibilis.*” The account of the Russian campaign is told with great power, and the enormous loss of the French mainly traced to the utter want of discipline in their vast host; indeed, he adds, had the Russians taken the advantage they ought to have taken, not one Frenchman would have been allowed to recross the Beresina. Severely wounded himself, he did not see the final close of the campaign, though he recovered sufficiently to be able to take a part in the bloody combat at Leipsic, where he was nearly killed. At the close of the war, his high character recommended him to the King of Prussia, and his talent as a writer of military articles led to his appointment as Military Commissioner on the part of Prussia to report on the condition of the French army under the new régime, introduced by Louis Philippe after 1830. At the camp of Compiègne, Von Brandt met again many of his old Napoleonic generals, among whom was Soult; and there, too, he met M. Thiers, and saw a young Lieutenant of the First Cuirassiers twice thrown from his horse. This young Lieutenant, Von Brandt lived to see the conqueror of Magenta; now, we regret to add, the defeated of Sedan. The memoirs of the career of Von Brandt are as instructive as they are amusing. They show the value of early training, and that, though in the case of some of the Marshals of the old Empire there may be brilliant examples of men who have acquired renown with a very slender early education; and, further, that even a good classical education is not wasted on the youth of a man who aspires to be a great soldier.

“A Life of the Author of the ‘Ingoldsby Legends,’” if fairly done, promised, naturally, much amusement. We are glad, therefore, to say that Mr. Barham has very efficiently put together all that was necessary to be arranged for the life of his father, the Rev. R. H. Barham; and we thank him for it. The life

of Mr. Barham was uneventful, and, but for his literary rank and his connexion with literary men, would have no especial interest. The author of two or three novels—which did not “take”—Mr. Barham is best known for his “*Ingoltsby Legends*,” which were chiefly published in “*Bentley*” and the “*New Monthly*.” Mr. Barham was educated at St. Paul’s School, and Brazenose College, Oxford, and, after holding some minor pieces of preferment, finally settled in London in 1821, as a Minor Canon of St. Paul’s. He, at various times, was editor of the “*London Chronicle*,” a contributor to “*Blackwood*,” “*John Bull*,” and other periodicals, and, in connexion with a Mr. Gordon, compiled a *Biographical Dictionary*. The chief interest, however, of this biography lies in the innumerable anecdotes it contains, and the celebrated men of humour with whom Barham so much lived. Theodore Hook, the elder Mathews, Sydney Smith, Hood, John Hamilton, Reynolds, and George Raymond, were constantly with him—indeed from 1825 to 1845, when he died, Mr. Barham may be said to have been the central figure among the best wits of those years. The impression left of some of the men, and specially of Theodore Hook, is far better than has been gathered from the previous notes of his rather unhappy career; and it is clear that he was a hard worker as well as a brilliant conversationalist. One good saying of his we must quote from Mr. Barham’s amusing volume. Hook was writing at the Garrick when a noisy procession passed with a band. “What is all that?” said he, without looking up from his book. “A temperance procession,” was the reply. “What nonsense!” he quickly retorted; “I don’t make such a row when I get sober.” There is also an excellent note from Sydney Smith, thanking Mr. Barham for some game: “Many thanks,” says the witty Canon, “for your kind present of game. If there is a pure and elevated pleasure in the world it is roast pheasant and bread sauce: barn-door fowls for Dissenters; but for the real Churchman—the thirty-nine times articulated Clerk—the pheasant! Ever yours.” The present volumes, we should add, are an expansion of a previously published brief life, and contain, *inter alia*, many pleasant and clever letters addressed by Mr. Barham to Mrs. Hughes, the widow of a former Canon of St. Paul’s, who had been herself an intimate friend of Sir Walter Scott. Mrs. Hughes’s son was the author of the witty poem, “*The One Horse Shay*.” Her grandson is the author of “*Tom Brown*.”

### III. TRAVELS.

Mr. J. C. Parkinson, in his “*Ocean Telegraph to India; a Narrative and a Diary*,” has contributed a work of much more general interest than its title would at first lead a reader to imagine. Simply as a diary from day to day of the wonderful story of the laying under the ocean the great telegraphic cable from Suez to Bombay, Mr. Parkinson’s book would have been well worthy of perusal, it being a record of one of the greatest scientific enterprises which has been as yet accomplished. How great this work really was, may be judged from the fact that the *Great Eastern* carried in her tanks not less than 2375 miles of cable, the rest (1225 miles) being stowed in the four other ships which accompanied her. Some idea, too, may be formed of the value of such a ship as the *Great Eastern* for the purpose of laying these great cables when we state that the heaviest part of the 600 miles of Red Sea cable was as much as three and three-quarter tons to the mile, and the lightest not less than two and three-quarter tons per mile, while that for the longest distance, viz., from Bombay to Aden, amounted to one and three-quarter tons. The whole cable must, therefore, have weighed between

7000 and 8000 tons, exclusive, be it remembered, of the heavy machinery, &c., required for paying it out successfully. The whole work was accomplished between January 28, 1870, when the Great Eastern arrived off Bombay, and March 26, when the cable was finally opened for public use. The tank in which the cable was stored on board the Great Eastern was, Mr. Parkinson tells us, "sixteen feet more in diameter than the ring at Astley's."

Mr. Parkinson has great descriptive powers; take the following, an account of the view he saw from the top of Jibbel Sham-shan (1800 feet high) at Aden: "The Great Eastern," he says, "dwarfed to the size of her consorts, and the Hibernia and the Chiltern converted in their turn into tiny toy ships, the boats of the fishermen and the tenders attached to the harbour mere black dots upon the water, speak of the extent of the elevation we had attained, but it is the ghastly scorched up rugosity, the silence of the stony expanse around, which impress one with the sense of dread. Some of the cinderous mountain-tops have strange shapes, as of stony fiends grinning at the intruders on their domain—others have the expression of a human face in pain—and others again are like unnatural animals or rude heraldic devices distorted and turned into rock. It is an awesome place. Happily the man who lives up here and whose task it is to watch for the steamers from the summit, and to let off guns and hoist signals at their approach, is a native; for the daily contemplation of such a view is enough to turn an European brain. A long and narrow strip of sand, washed by the sea on each side, constitutes the boundary between Arabia and Aden, just as the neutral ground does between Gibraltar and Spain; and the smiling beauty of the sea and the brightness of the yellow sands make the harshness of the burnt-up rock they encircle the more horrible. As we gaze down, a solitary vulture circles round and round, as if eager for human flesh, while below, in a hollow which has been apparently scooped out of the hot rock, we see the crater of an extinct volcano; rows of white barracks looking from this height like children's toys; the cluster of flat-roofed houses forming the town; and the long lines of military fortification, slender streaks of white on a black background—which make the place practically impregnable."

Very interesting, too, is a dialogue Mr. Parkinson gives between himself and his Parsee servant on a Sunday when they were resting from their labours. "These are my prayers, sir," said the Parsee; "it is my religion to tell prayers." "No sir, we don't want to make all the world same as Parsees; and we don't want Christians to change. Good men never change the religion they have been brought up in, bad men change for money or to get praise. Is there not good in every religion? Is not your 'charity covereth a multitude of sins' and your 'love your neighbour as yourself,' good religion, think you? Why should you give it up then? Our good books would only tell you to do the same. And then a man who changes once, why shouldn't he change again for money? Christians are very clever in business, you know, but they don't care for religion, they like to make much money, except some of the Missionary Christians, who, though I don't know any, are, I am told, very good." "Don't Parsees care for money?" I ask. "Yes, of course," is the prompt reply, "but they do all that their religion tells them. We believe, sir, in the One God, and we regard all fire as the emblem of Him. It is, therefore, against my religion to waste fire. No Parsee, for instance, smokes, because lighting a cigar wastes some of what we say is an emblem of God. We do not worship fire except as an emblem. Yes, I can read all the prayers in my book. Understand them all? No, I under-

stand some of them, and I read all. What good is it to me, you say, to read what I don't understand? Sir, it's my religion. If I do what that tells me to do, I shall go to Heaven; if I don't——. Here Sorabjee paused, and admitted that he had not studied the result of a contingency which he had never contemplated as possible.

He does not eat beef, because "our fathers," the Parsees who came first to India, promised that if they were allowed to stay, they would never kill or eat the sacred animal of the Hindoos—but his answer to other questions concerning his habits, is simply, "it's my religion," and his creed when summed up appears to be "my life is governed by certain rules that suit me perfectly, but which one of your strange, unaccountable race could neither submit to nor comprehend. I should as soon think of asking a wild animal to share my religious belief as an Englishman, so let us go our own way, believing that if we do our duty in our several walks we shall be taken care of at last." This combination of an indifferent optimism with a scrupulous observance of external forms, must be a terrible barrier to missionary effort. "Your religion is probably good for you, so keep it; but for our own faith, we neither wish to vaunt its excellence, nor are capable of arguing upon it. We take it upon trust." To men with whom the external ordinances of religion, the prostration in public, the ablutions and the turning to the sun, are all in all, Christian privacy is altogether unaccountable; and the shrewd and damaging implication of the Muhammedan donkey-boy at Cairo, is echoed in spirit by many varieties of Indian orthodoxy. "Take my donkey, master, him very good donkey, sir. Try him, master, him Christian donkey, *he never go down on his knees.*"

"Sorabjee is very contemptuous when I ask him if he puts all religious outsiders on the same footing, whether, for example, he ranks Christians with Hindoos." "Hindoos, whew! why they are idol-worshippers! They don't believe in One God, and, as a freemason, think you that we could admit them into our order? Zoroaster, whose picture in gold is on my little book of prayers, was a great freemason, and the Parsee lodges are among the best (for working you understand) in India. But Hindoos, why when they asked to be made freemasons too, they were refused. Idol worshippers and those who do not believe in the One God, can't be freemasons, and are quite different in our eyes to Mohammedans and Christians." I should add that Sorabjee is a slow thinker and deliberate speaker, weighing each word before it is delivered—he is moreover scrupulously and imperturbably courteous. "Do you want me to dance a war-dance round you?" shouted an irritable Englishman the other day—at his failure to make his instructions understood. "No, sir, thank you, I am much obliged," answered the Parsee politely, touching his forehead at the same time, in gratitude for the offer.

"Brittany and its Byeways. Some account of its Inhabitants and Antiquities," by Mrs. Bury Palliser, is one of the pleasantest little books we have seen for a long time, and is, we doubt not, a very faithful portrait of a population who have retained their peculiar traditions and habits longer than any people of Western Europe. Even now, the Bretons talk of themselves and of the French as distinct nations, being, however, far more pleasant in their way of maintaining this ethnological fact than are our friends the Welsh and the Irish, when they happen to be at variance with the English, or, as they prefer to call us, the Sassenach or Saxons. Mrs. Palliser visited most of the places of interest in Brittany, commencing her tour at Cherbourg, which she fully describes, and passing on through Coutances, Avranches, Dinan, St. Brieuc, &c.; and her



notices of the places themselves, and of the many curious superstitions still latent among the common people are well worth reading. The Breton language, as is well known, has a strong affinity with the Welsh, being one of the six Celtic dialects, of which the Cornish has ceased to be spoken with the last century. The illustrations of Mrs. Palliser's little book are excellent.

"Now-a-days; or, Courts and Courtiers at Home and Abroad," by J. R. Digby Beste, Esq. Mr. Beste has been a considerable traveller—indeed, has seen apparently a good deal that ordinary travellers do not see, and if he were rather less of a grumbler, what he has narrated would be interesting enough; as it is, the value of his work depends mainly on how far reliance can be placed on his facts, about which, except from his own word, we have no sufficient authority. His residence in Italy, and especially at Rome, is the most interesting part of his volumes; and the picture he draws of the moral state of society there is certainly any thing but pleasant. According to him, every thing is utterly inefficient, and we are left in doubt what is really the worst where all is so bad—in the laziness of the administrative departments, in the inefficiency of the police, in the treacherous secrecy of its tribunals, and in the utter inadequacy of the punishments inflicted. Sloth, according to him, is the besetting sin of the whole people, two-thirds of the electors not taking the trouble to go to the poll, while no one dares express pity for a victim, and journals hesitate to record the trial and punishment of a criminal. "The Italian populace," adds Mr. Beste, "men, women, and children, are the greatest blasphemers in the world," many of the revolutionary papers being filled with paraphrases of the prayers of the church, which naturally find acceptance with a people who have but too good reason to be dissatisfied with their Government and its deeds.

We are indebted to Mr. Beste for one or two good stories, which we will preserve here. Here is one:—Passing through Portugal, he spent some time in Lisbon, and was admitted to the best Portuguese society—nay, more, himself gave a ball, at which party politics were for the time forgotten. Politicians of all shades met together to share the Englishman's hospitality. The following morning his daughters were out walking, when they were joined by the King, Il Re Fernando, who asked them why he was not invited to their party of the previous evening. "Papa and mamma," they replied, "could not take such a liberty." "Not at all," said his Majesty; "I don't see why I am to be excluded from a pleasant party. Tell them that, if they give another, I shall come. But why, young ladies, are you not at the bull-fight, which is being held at the Plaza dos Toros?" "We had no wish to see such cruel sports," answered Lucy. "Quite right," said the King; "none with a good heart could enjoy such fights." Indeed, it is to the credit of the Portuguese that, now many years since, they abolished the most cruel part of the Spanish bull-fights, and that their own are tolerably humane (and very dull) amusements, the *sauce piquante*, the element of cruelty, necessary for Southern Europe, having been eliminated. In Portugal you are allowed to stick javelins into bulls, bearing each a white flag; and when you are tired of such sports, you may take the cows to them to comfort them; but the further cruelties, incident to the genuine bull-fight of the adjacent country are not allowed by law. It is possible that some of the acrimony with which Mr. Beste has written is due to the troubles that befell him in his own family, the evil tidings of which recalled him to England very soon after he had settled in Rome. It appears that a young girl whom he had adopted as his child had entered a convent in Blandford-square, but after a while the convent decided that she was not fitted

for a Sister of Mercy in that house, and so she was removed. Thence she went into another convent in Chelsea, and underwent another novitiate of three years. There, also, she was pronounced to be unfit to be a nun. On hearing this, Mr. Beste went off to Chelsea, but only to find his daughter had left the house half-an-hour before, the convent people declining to tell him where she was; and a further appeal to Cardinal Wiseman proved equally useless, though it is certain the Cardinal knew where she was. The usual myrmidons of the law—detectives, police, magistrates, even the Lord Chancellor—were of no more avail. *When, however, the Catholics found that she was not entitled to any large property, she was at once given up.* Let English people who advocate convents reflect on this story.

Captain Richard Burton has added to his many valuable contributions to literary history and philological research a very valuable little work, which he calls "Letters from the Battlefields of Paraguay," and which gives, with his usual clearness of judgment and decision of language, an excellent account of the war between the President Lopez and Paraguay on one side, and the Brazils and her allies of the River Plate on the other. This war, it should be remembered, was not terminated by the overthrow and flight of Lopez—when Capt. Burton's narrative was sent to the press. "The war in Paraguay," says he, "impartially viewed, is no less than the doom of a race, which is to be relieved from a self-chosen tyranny by becoming *chair-à-canon* by the process of annihilation. It is the Nemesis of Faith—the death-throe of a policy bequeathed by Jesuitism to South America; it shows the flood of time surging over a relic of Old World semi-barbarism—a palæozoic humanity." Paying full tribute to what was worthy of note in Lopez—his marvellous energy and unquestionably great abilities—Capt. Burton declares his firm conviction that, whatever may from time to time have been the faults of her government, to the Brazils is destined the throwing open to real civilization and commerce the magnificent interior of South America, with the noble and easily-accessible river communication, which exists all along the eastern side of the Andes, inviting, as this does, extensive immigration and settlement, which at no distant period may make it the worthy rival of the great Republic of the North. He thinks that the Guarani race—noble as have been some of the qualities it has shown, especially in courage and energy of character—must be shortly exterminated; and that a people who could be the willing tools of such despots as Francis and Lopez, can have no place in the development he expects will follow from the complete success of the Brazilian arms. Capt. Burton, we should add, was not himself present at any of the greater battles; but he has had abundant opportunity of comparing together the accounts he has received from many of the actors in those bloody fields.

"A Ride through the Disturbed Districts of New Zealand, with some Account of the South Sea Islands," by the late Hon. Herbert Meade, R.N., is a very pleasant and thoughtfully-written little book, which we prize the more, as the lamented author of it was killed two years since while making experiments with a torpedo he had invented. Lieut. Meade was sent by the Governor of New Zealand, in 1864, to visit the interior of New Zealand, and to ascertain, so far as he could, the actual state of some of the partially disaffected populations. This little book contains the result of his observations, some of them showing no little ability for one so young, and the result of his trip is cheerfully and manfully told. The most interesting part is his account of the hot springs of the village Ohinemutu, in the neighbourhood of which there are many places where the ground has about the strength and consistency of a tea-cup, and where the

traveller is liable to be boiled alive by the ground giving way under his steed. The ladies and gentlemen of this place are wont to have their evening *réunions* by the side of the lake, and Mr. Meade and his friends when there were entertained by a chorus of youthful maidens specially performed for their amusement. The greatest hot spring bears the name of Te Tarata, and the beauty of the scenery around it is stated by Mr. Meade to be indescribable. The remarks which Mr. Meade has made during his stay among the wild races, both of New Zealand and of other of the islands of the South Seas, are extremely judicious; and we feel, in reading them, that the unfortunate accident which deprived this young and promising young man of his life, has also deprived his country of the services of one who would, in all probability, have added lustre even to the naval service of England. Lieutenant Meade's little work has been carefully edited by his brother, the Hon. H. R. Meade, and is illustrated by some excellent coloured drawings, made with much artistic skill by the gallant sailor himself.

Mr. Barber Gillmore's "Hunter's Adventures in the Great West," is one of the most readable books on this class of subjects we have fallen in with for some time, and we rejoice to find that Mr. Gillmore does not seek to render his work more attractive to a certain class of readers than its natural merits ought to make it, by giving us romantic descriptions of impossible Indians, after the fashion of Cooper, Irving, Mayne Reid, and other expounders of this nauseous form of romance. His description of an old Indian widow, with whom he spent some time, is very good. "She was," he tells us, "a woman, a squaw, and, as squaws run, not a bad-looking one, although sufficiently aged to be beyond the mark of youth, for where teeth should have been visible, there were none. Her manner was timid, but not distrustful. Broken English, interspersed with an occasional word of French, she spoke fluently;" but when he bade her adieu, he has reluctantly to add his regrets "that so worthy and genuine a woman should possess so little regard for cleanliness and knowledge of those conventionalities of civilization that are absolutely necessary to render feminine society attractive to a person of what may possibly be called 'my fastidious taste.'" Perhaps the only piece of fun in the volume is the way in which Mr. Gillmore was clung to by this ancient female, who treated him much as the Old Man of the Mountain is said to have treated Sinbad. As he adds, somewhat drily, when, accompanied by the lady, he arrived at the Trapper's Camp, no one there would believe that the widow was only his friend—his very good friend; and he was disgusted at hearing the chief of the party say—"Come, Cap, that's all like enough; but the yarn about the squaw won't go down no how you like to fix it"—"and so," Mr. Gillmore ruefully complains, "others have since said."

To give us some conception of the state of the distant land of China, we have two books before us, both in their way useful, and, so far as we can judge, truthful. Mr. Moule in his "Four Hundred Millions—Chapters on China and the Chinese," though a missionary, writes sensibly, and does not, apparently, exaggerate the successes he and his friends have had in their attempt to convert the native Chinaman from practical Atheism, though nominal Theism. Twelve illustrations of Chinese daily life give additional interest to Mr. Moule's volume. To Dr. George Thin, Vice-President of the North China Branch of the Royal Asiatic Society, we owe a clear, but painful, account of the Tientsin massacres of June last. Dr. Thin tells us that it is quite a mistake to suppose (as most people do) that the Chinese have a natural hostility to all foreigners; on the contrary, he speaks well of their kindly nature, of their generally pacific

character, and of their hospitality. It is only when their passions are unusually excited that they commit the cruelties he describes.

"Reconnoitring in Abyssinia," by Col. St. Clair Wilkins, is an excellent account of the proceedings of the reconnoitring party before the arrival of the main body of the Expeditionary Field Force, and is well worthy of perusal as a record of preparations for a campaign memorable for the skill with which it was planned, and for the energy with which it was brought to successful issue by British perseverance. The reader will find attached to it an excellent route map and several coloured sketches of the more striking natural features of the country. Colonel Wilkins received his orders from the Governor of Bombay in Council on Sept. 15, 1867, next day sailed from that port, and on Oct. 1 reached Massowah. Not liking this as a point of debarcation, he went on to Adnegus, which proving no better, he went to Zulla (the ancient Adulis), where he finally established his camp. How useful his services were, Lord Napier and his army can tell better than any one else.

"Westward by Rail—the new Route to the East," by W. F. Rae, is a very interesting volume, bringing up to the present time our knowledge of what has been achieved, for the advantage of travellers, by our Transatlantic friends. We rejoice to say that, unlike too many works we have recently had on this and kindred subjects, Mr. Rae's object has been obviously *not* book-making. He went to see for himself, and no one will regret that he has thought fit to record what he did see. He went to the United States with the object of reaching California by the Pacific Railway, of making a personal study of the Far West, and of that curious Polygamist settlement from which it is best known. We owe to him a calm record of facts, which contrasts pleasantly with Mr. Hepworth Dixon's high-flown bombast.

The first place of importance Mr. Rae visited was Chicago, a city well worthy of his study, as one which has, more than any other in the whole world, shown what real progress means. In 1830, perhaps 100 persons formed its whole population; in 1847, it had about 8000 people; in 1857, 100,000; and at present, or rather last year, the number estimated was 300,000 souls. In other words, in *twelve* years, its population had trebled. "In every quarter," says he, "hundreds of workmen are labouring at the erection of new houses, or at the substitution of larger for smaller dwellings;" and, again, as "the chief halting-place between New York and San Francisco, the future of Chicago promises to be even more brilliant and extraordinary than its marvellous past." "The Garden City," he adds, "is the Paradise of the modern man of business. Compared with the bustle of Chicago, the bustle of New York seems stagnation." Thence he went to Omaha, the capital of the Nebraska Territory, and the frontier city of civilization; thence to Wyoming Station, on the edge of the Rocky Mountains; and thence, along the great basin of the American Continent, shut in, to the East by the Rocky Mountains, and to the West by the Sierra Nevada, until he arrived at the Great Salt Lake, and a view, which, before the tried eyes of the traveller, seemed almost like a glimpse of Paradise. The beauty of its situation, the fruitfulness of the soil, and the richness of the scenery around the Mormon city, were not lost on Mr. Rae, nor were also lost the debased and sensual character of Mormon social life, or the revolting tyranny of the Mormon Government. The recruits to the settlement are, he tells us, chiefly from our own uneducated population; *the rulers are all Americans*. The Mormon system of religion he considered to be a degrading superstition; its social system a revolt against the fundamental

principles of civil society ; its government a vulgar despotism, upheld by spies and enforced by secret murder. "The Mormons themselves I found," says he, "very backward and ignorant when compared with the other dwellers upon the American continent. I found them reluctant to embody their thoughts in words, afraid to speak their minds, lest they should be punished for giving utterance to what was obnoxious in high places. The leaders and saints of the Mormons are, for the most part, shrewd and determined Yankees, who exercise over the multitude a control as grinding and despotic as that of the worst tyrants in history. Neither Jew nor Christian can safely or easily establish himself in Utah, either for the sake of pleasure or for the purposes of trade." Mr. Rae believes that the time is not distant when it will become the duty of the United States Government to put an end to such a system. It is not alone its polygamy which renders it obnoxious ; no man, not a Mormon, can get justice in Utah, and the laws of the United States there are powerless to protect their own citizens.

"The Innocents Abroad—a Book of Travel in Pursuit of Pleasure," by Mark Twain, is a very amusing book, whether it is to be taken *au sérieux*, as the editor of it, Mr. Hingston, evidently wishes us to take it, or, as we should rather have imagined it to be, a clever satire by a Yankee on one of his own countrymen, who had left "The States" to "do" England in three days, and the rest of Europe in as many weeks. We are, however, informed that Mark Twain is a reality—in all except his name—the sub-editor of a paper in a Western city, and we become astounded at an ignorance, which is wonderful even in a Yankee. Thus, when we hear that "Raphael pictured such infernal villains as Catherine de Medici seated in Heaven and conversing familiarly with the Virgin Mary and the angels," the suggestion at once occurs to us, that, though Raffaele might—perhaps would—have done this had he been able, he simply could not do so, because the said Catherine was only born one year before Raffaele died. Again, when he tells us of a certain Yankee Commissioner who called himself Commissioner of the United States of America to Europe, Asia and Africa, he only puts in another form the old joke of the White Elephant, who had to be brought to Europe in *two* ships. "To my thinking," he remarks, "when the United States considered it necessary to send a dignitary of that tonnage across the ocean, it would be in better taste and safer to take him apart and to cart him over in sections in several ships." Again, observing that the Italians spell a word Vinci, and pronounce it Vinchy, he adds that "foreigners always spell better than they pronounce."

Some of his remarks, on the way in which sight-seers are pestered with guides, who thrust themselves upon them at every corner, and weary out their lives with their tedious playing at *cicerone*, apply to other countries nearly as well as to Italy. We quote, however, the following amusingly absurd passage, as it "points a moral" as well as "adorns his tale." "In this connexion I wish to say one word about Michael Angelo Buonarrotti. I used to worship the mighty genius of Michael Angelo—that man who was great in poetry, painting, sculpture, architecture—great in every thing he undertook. But I do not want Michael Angelo for breakfast—for luncheon—for dinner—for tea—for supper—for between meals. I like a change occasionally. In Genoa, he designed every thing ; in Milan, he or his pupils designed every thing ; he designed the Lake of Como : in Padua, Verona, Venice, Bologna, who did we ever hear of, from guides, but Michael Angelo ? In Florence, he painted every thing, designed every thing nearly, and what he did not design he used to sit on

a favourite stone and look at; and they showed us the stone. In Pisa, he designed every thing but the old shot-tower, and they would have attributed that to him, if it had not been so awfully out of the perpendicular. He designed the piers of Leghorn and the Custom House regulations of Civita Vecchia; but here—here it is frightful. He designed St. Peter's—he designed the Pope—he designed the Pantheon—the uniform of the Pope's soldiers—the Tiber—the Vatican—the Coliseum—the Capitol—the Tarpeian Rock—the Barberini Palace—St. John Lateran—the Campagna—the Appian Way—the Seven Hills—the Baths of Caracalla—the Claudian Aqueduct—the Cloaca Maxima—the eternal bore designed the Eternal City—and, unless all men and all books do lie, he painted every thing in it! Dan said the other day to the guide—'Enough, enough, enough! Say no more! Lump the whole thing! say that the Creator made Italy from the designs of Michael Angelo!' I never felt so fervently thankful, so soothed, so tranquil, so filled with a blessed peace as I did yesterday, when I learned that Michael Angelo was dead." But it is not Italy alone which is blessed or cursed with the *cicerone* nuisance, though this may not assume the form here that it assumes under the benign protection of the Vatican. If we have not the *cicerone*, we have the equally offensive chatterer about "High Art," and plenty of such. Go to our National Museum, and there we find that Phidias made every thing in the Elgin Room with his own fingers; go to our National Gallery or to South Kensington, and we are drenched with Reynoldses, Holbeins, &c. Our would-be critics deny us calm judgment and quiet study. We must accept their lectures unrequested and unsought for as they generally are; worse still, we have to be thankful for them. How much better if this small fry could but recollect what was said of one of the greatest painters and wisest men of his day:—

"When they talked of the Titians, Correggios—and stuff,  
He shifted his trumpet and only took snuff."

#### IV. MISCELLANEA.

"Lectures on Food," by Professor Letheby. Remembering that it is now more than ten years since the Act was passed for the prevention of the adulteration of articles of food and drink, and that Dr. Letheby was appointed Food Analyst to London, we confess we had hoped for some results a little superior to what he tells us is really the case. During nine years, he says, only fifty-seven articles have been submitted to him for examination, though, of these, twenty-six were found to be either of bad quality or adulterated; moreover, no case founded on these analyses has found its way into a magistrate's court: so that for all practical purposes the Act is simply a dead letter. "*Populus vult decipi et decipiatur*" is, therefore, the inevitable conclusion. The world loves adulteration just as it loves lies. Nor do we think it at all comforting or creditable to scientific research, if the following remarks of Dr. Letheby are strictly correct. We confess we should like to know not only what we eat, but why one kind of food is better under different circumstances than another. Yet it does not appear that the second of these two apparently simple wishes can at present be gratified. Speaking of tea and coffee, Dr. Letheby observes:—"We have got to learn what are the special actions of these beverages; and why it is that they have been used in all times and in all countries, as the means of supplying some natural want which science is unable to discover; that, every where, the poor and the needy, the aged and the infirm, will make a sacrifice of

even nutritious food for some such beverage as tea and coffee; that not less than 500 millions of the human race should make use of an infusion of tea; that more than 100 millions should drink coffee—about 50 millions cocoa; and that not less than 10 millions of the inhabitants of Peru, Paraguay, and the Brazils, should use an infusion of mati or guarana. In this country alone, there is over 100 millions of pounds of tea consumed annually, and, perhaps, about half as much of coffee. All this looks like the influence of some deep-seated necessity, which our philosophy is unable to fathom." We had thought, but are perhaps wrong, in thinking that Professor Johnstone had given good reasons for the use of tea and coffee, in that they check the wasting of the tissues; but this may be an error.

In another part of his book, Dr. Letheby tells us an uncomfortable tale, in that the dietary supplied to the worst criminals in our gaols is superior to what is given to the workhouse pauper, and what used to be given to insolvent and imprisoned debtors, showing, as he does clearly, that this better food acts as a stimulant to crime rather than as a check to it. The scoundrel soon finds out that, barring personal liberty, he is much better off in than out of gaol, especially in severely cold weather. This is surely not as it should be. Dr. Letheby states that "in the prisons of England, Scotland and Ireland, the several dietaries for short terms of imprisonment, as well as for longer periods, and for hard labour, vary respectively to so great an extent as to furnish an inducement for the commission of crime in certain districts rather than in others, because of the richness of the prison rations; and, in all cases, the dietaries of prisons are so greatly in excess of those of the union, that, in times of distress, they offer encouragement for misdemeanour, in order that the prison may be reached in preference to the workhouse; in short, while the day's ration of an unfortunate inmate of a union contains only about 17 oz. of dry nutritious matter, that of a destitute debtor contains about 19·4 oz., and that of a convict 22 oz.; moreover, a prisoner confined for more than a month, without hard labour, in the gaols of England, Scotland and Ireland, would have 18·8 ozs., 22·4, and 23·9 of dry nutriment respectively; the average rations for hard work containing about 21·7 ozs., 31·5, and 25·6 in the prisons of the three countries." Can we wonder that our gaols are full, and that the poor and the honest complain bitterly they are taxed to pamper the appetites of these overfed gaol-birds?

We will only add here some very just remarks of Dr. Letheby with regard to the punishment of those who sell knowingly diseased meat. "As it is very difficult," says he, "to trace the immediate connexion of bad food with subsequent disease, there being so many circumstances to weaken the connexion, it is not surprising that differences of opinion should exist as to the morbid effects of unsound meat; nothing, in short, but an experimental inquiry into the subject, as has been done in Germany, in the case of parasitical diseases, will bring the question to rest; and I see no reason why such an investigation should not be made on the persons of those who send diseased meat to the public market for sale; for as the common defence of their conduct is that the meat is good for food, they cannot surely object to the penalty of being made to eat it." We have all heard of the engineer, "hoist by his own petar," and of the happy application to Dr. Guillotine, the inventor of the guillotine, of the Roman poet's lines:—

Nec lex est justior ulla  
Quam necis artifices arte perire sua.

Do these poisoners of human food deserve any better fate?

The once popular notion, chiefly caused by the adoption of the feeble historic

writers of the eighteenth century, of the "Dark Ages," for those periods of history they had not the time or the ability to investigate as they really deserved, was first dispelled in great measure by Dr. Maitland's book, the "Dark Ages," in which he showed how much more light there was, in truth, than modern sciolists had cared to discern. Much more has been done since in the same direction, and by few with more zeal and judgment than by Mr. Thomas Wright, whose new work, "Womankind in Western Europe, from the Earliest Times to the Seventeenth Century," we gladly hail as a most valuable, as it is a most interesting, monument of sober and sensible research. Those who affectionately hug apes as the "missing links" between their remote ancestry and themselves—and, who would, therefore, object, as the Parisians are said recently to have objected, to eat these early representatives of their race,—doubtless do care little enough what women were like in Anglo-Saxon or Mediæval times. As, however, we are of a different opinion, we rejoice to find, as we do from Mr. Wright's volume, that our Anglo-Saxon ladies were neither illiterate nor uninstructed; that, if they made the clothing themselves, their husbands, and their children wore, they yet found time to take a prominent part in such accomplishments as were accessible to them.

Doubtless, in the earlier times, the Saxon origin of our words, "LORD" and "LADY" (viz. *hlaford*, the "bread-winner;" and *hlafwig*, the "bread distributor"), mark fairly the special part the women had to play in their husbands' houses; but we soon find them distinguished by their artistic productions, William of Poitiers expressly stating they were so famous as "embroiderers" that the best work of this kind was generally known as "*Opus Anglicum*"—"English work." To Ethelburga's influence over her husband, the Northumbrians owed the first blessings of Gospel light, and, like her, were Ethelburga, Queen of Ina of Wessex; and Sexburga, of the same province—as Mr. Wright justly remarks, "the only Anglo-Saxon lady who has left us the example of a reigning Queen." Such, too, was Elfgiva, the mother of King Edgar; such the noble Ethelfleda, "who was known to her admiring countrymen as the 'Lady of the Mercians;'" such, too, was Edith, "the daughter of Earl Godwin, and the wife of King Edward the Confessor, distinguished equally for her beauty, her piety, and her learning; for learning was looked on as an accomplishment in Anglo-Saxon ladies;" not forgetting another Mercian lady, the Lady Godiva, the heroine of the legend of Coventry.

Nor was the prevalence of the Feudal system, on the whole, injurious to the female character; for the "Lady of the Castle" was there by undoubted and unquestioned right—the acknowledged head of her Earl's household, free and independent, and in no sense her husband's slave and property. Hence arose "courtesy," which represented the manners in the Baron's household or "Court;" and in later times "chivalry," which carried to its highest pitch the Christian doctrine of reverence for women. To such an extent, indeed, were the women in early times identified with the households they adorned, that the distaff (in French *quenouille*) "was so completely the woman's implement, that, during the feudal period, property which went in the female line was said to descend to the *quenouille*, or distaff, and an heiress in France was called an heir *de quenouille*." . . . . . The popular proverb told of the time, "when Adam delved and Eve span," and in that charming illuminated manuscript known as Queen Mary's Psalter (MS. Reg. 2 B. vii., fol. 4, V. of the beginning of the fourteenth century) the first pair are represented thus employed, Eve seated with her



distaff, with the marginal explanation—"Here Adam digs ground in the world; Eve spins to make dresses;" and hence the present legal term "spinster," to denote an unmarried woman. The ladies of the Middle Ages seem to have been at least as fond of music and dancing as are their descendants now; and life in the Castle was, apparently, of a somewhat free and easy fashion. Chess was one of their most loved games of skill. Mr. Wright gives us some amusing extracts on the great subject of a lady's deportment in public. Thus, says he, the author of the *Menagier de Paris*, compiled in 1393, gives his young wife, to whom it is addressed, especial advice as to the manners of a lady in walking in public. "As you go," he says, "look straight before you, with your eyelids low and fixed upon the ground, at a distance of five toises (thirty feet) and not looking at or turning your eyes to man or woman, who may be to your right or left, nor looking upwards nor changing your look from one place to another, nor laughing nor halting to speak to anybody in the street." Other similar instructions bear the same spirit. An English metrical code of instructions, compiled probably some thirty or forty years later, is printed in Mr. Furnivall's *Babees Book*, under the title of "How the good wiif taughte her Doughtir." Among other things, she is told when she goes in public—

"And when thou goest in the way, go thou not to (too) faste;  
Braundish not with thine heed; thi schuldris thou ne caste;  
Have not thou to many wordis; to swere be thou not leefe (ready);  
For alle such maneres comen to an yvil preefe (result)."

When will people be so good as to let the "Revelations" alone? It would be a positive blessing if no so-called "Interpretation of Prophecy" were to be published for the next century. Surely, we have not yet digested Faber and Elliot—to say nothing of the host of minor "interpreters"—and here we have again our "voluminous," not "luminous," Dr. Cumming, with the awful title, "The Fall of Babylon foreshadowed in her teachings, in History, and in Prophecy." We don't like Rome or Roman teaching. We hold with our ancestors of the English Reformation, that, for her lust of power and other selfish reasons, Rome has, for centuries, overladen the pure doctrines of the Gospel with an enormous amount of corrupt, because merely human, teachings; but we don't, therefore, believe that Dr. Cumming is the man to set all this matter straight, or to convince any but those who were convinced already. The book is a striking example of bigotry and intolerance—we fear we must add of ignorant intolerance—and the interpretations in it of many portions of prophecy are not unlike his many previous predictions (all of which have failed to come to pass when Dr. Cumming said they would), and for which, to the detriment of true religious belief, Dr. Cumming's name is unfortunately notorious. Dr. Cumming tells us that he has been extremely careful to say nothing that can give the slightest pain to any member of the Roman Catholic Church, and that he has spoken out only in the interests of Truth. Yet he says of that Church, that, "with the loudest pretensions to be the Bride of the Lamb, she exhibits in her character the most distinct brands of 'the woman' throned on seven hills, whose history is written in blood; whose ascendancy has been the decay or death of freedom, science, social purity, and national greatness; whose doom is destruction, near, terrible, and unsparring." And again, "If the Inspired Word of God has any weight, and is true, the Roman Church is fearfully guilty. Her crimes are awful, her corruption of vital truth unpardonable, and her destruction of the freedom, the rights, the liberties, the happiness, and the souls of millions of mankind such and of so great guilt that she is not to be forgiven, but punished and utterly destroyed amid consuming retributions

(what can these be?) before Heaven and Earth." Assuredly the "Romans" must be models of forgiveness and of Christian charity if they can love the man who thus assails them, however great may be the "zeal" he pleads for the "Lord of Hosts."

"When falls the Coliseum, Rome shall fall—  
And when Rome falls—the World"—

may be a majestic image in poetry, but we don't see that Rome is showing any signs of decay at present, and we suspect she will be still alive, and vigorous and green, even in her old age, long after the last sheets of Dr. Cumming's last "counter-blast" have been exhausted in the last butter-shop.

A very different book from Dr. Cumming's we find in Lord Lindsay's four Letters on "Œcumenicity in relation to the Church of England," which, like every thing that comes from his pen, is deserving of careful reading and of serious thought, whether or no we agree with all his views and reasonings. The four letters have been really written at different periods, and the two first with no view to the present state of things. The two later letters have, as may be presumed from the title of the whole volume, a decided reference to the Council of the last year. The first was written to an Italian priest, and contains a very clear narrative of Lord Lindsay's own views of the Church of England from the High Church side of the question; the second was written to a friend whom Lord Lindsay feared would join the Church of Rome; the third, also addressed to a friend, deprecates the strong and overwhelming desire of some people for reunion with Rome, and shows that this feeling mainly arises from extravagant notions of the dogmatic pretensions and of the historical prestige of the Roman Church. The fourth expresses Lord Lindsay's just indignation at the assertion by the Roman Church that the Council lately held in Rome is, in any sense, a true Œcumenical Council. Lord Lindsay maintains that the "Anglo-Catholic Church of England" has rejected the pious opinions which, in the Roman Church, have been refined into the doctrine of the worship of the saints and of the Blessed Virgin, the veneration of relics, the dogma of the Immaculate Conception, the doctrine of Purgatory, Pardons, and Indulgences, the abuse of masses, the dogma of Transubstantiation, and the claim of Vicarial supremacy, and of Infallibility for the Papacy, all of which she regards as developments of mystical materialism; while, in the opposite direction, she condemns those Protestant theories which have expressed themselves in the denial of original sin, in the rejection of the doctrine of the Real Presence, and of effective Grace in the Sacraments; in the denial, generally, of miracles, and of the inspiration of Holy Scripture, together with a disregard of the Apostolic Succession, and of the authority of the Church, all of which she considers as developments of Rationalism." Lord Lindsay states his case with his usual clearness and precision of language; and we rejoice to find, at a period when there is more than usual coquetry with Rome, that we have an English writer tolerant to others, but capable of drawing the line where tolerance should end.

Since the publication of Mr. Buckle's famous book, we have not had an instance of statistical researches applied in a manner so scientific in its treatment as have been the statistics made use of by Mr. Galton in his "Hereditary Genius; an Inquiry into its Laws and Consequences." Not that we agree with the whole of his deductions; not that we accept Mr. Galton's statistics a bit more than we do Mr. Buckle's as *solving* their respective problems; but both have, in their way, great value, and Mr. Galton's are, of the two, by far the most convincing. It is but fair that he should state his own case in his own language: "I purpose,"

says he, "to show that a man's natural abilities are derived by inheritance under exactly the same limitations as are the form and physical features of the whole organic world. . . . As it is easy," he adds, "notwithstanding those limitations, to obtain by careful selection a permanent breed of dogs or horses gifted with peculiar powers of running, or of doing any thing else, so it would be quite practicable to produce a highly gifted race of men by judicious marriages during several consecutive generations." One obvious objection to this is that you *can* train the dog, but you cannot the man or the woman. You can watch the dog as closely as you please, and can arrange the diet or the exercise he is to have to any degree of nicety; you cannot do this with the intended parents of future intellectual giants, simply because they are not *only* animals, but have moral senses of their own, which you cannot absolutely control, and which may, in the end, vitiate your whole scheme.

Now, even if it be granted to Mr. Galton that all babies are not born alike, are we able to say how much or how little education and training of various kinds have done to make the son as eminent, perhaps much more eminent, than his father? Mr. Galton remarks, "That the experiences of the nursery, the school, the university, and of professional careers, are a chain of proofs to the contrary. I acknowledge freely the great power of education and of social influences in developing the active powers of the mind, just as I acknowledge the effect of use in developing the muscles of a blacksmith's arm, and no further. Let the blacksmith labour as he will, he will find there are certain feats beyond his power, that are well within the strength of a man of Herculean make, even though the latter may have led a sedentary life. Some years ago the Highlanders held a grand gathering in Holland Park, when they challenged all England to compete with them in their games of strength. The challenge was accepted, and the well trained men of the hills were beaten in a foot-race by a youth who was stated to be a pure cockney, the clerk of a London banker." All very true, no doubt, but no answer to the objections we have already urged. As a matter of fact, physiologists, we believe, have long held that muscular development is far more frequently transmitted than brain power or mental energy—in other words, as was said of old, "*Fortes creantur fortibus.*"

Some of the statistics he adduces are certainly curious. Thus he shows that, of 286 Judges between 1660 and 1865, more than one in every nine have been either father, son, or brother of another Judge. Ten Judges had a Bishop or Archbishop for a brother, while there were several instances of poet-relations, as Cowper, Coleridge, Milton, Sir Thomas Overbury, and Waller. Does not this, however, rather show that the sons in many instances, pursued, as they would naturally, the pursuits which had made their fathers eminent? And how is it possible to know how far the son was urged on by a desire to emulate his father's fame? Take the case of the Pitts and the Herschels in modern times. It does not follow that W. Pitt became a greater statesman than his father, or Sir J. F. W. Herschel a greater mathematician than his father, because political and mathematical genius were, in the respective cases, *inherited*, or rather in the blood. We have heard that, had he not wished to extend that branch of knowledge whereby Sir William Herschel is best known, his son, Sir John, would have preferred giving his great abilities to the prosecution of chemical studies. Anyhow, we are, in his case, quite ready to endorse the words of Dr. Phillimore, when he introduced Sir John Herschel for his degree as D.C.L., thirty years ago, in the theatre at Oxford, as "*jure hære-*

ditario Philosophus." Though disagreeing with him in principle, we will quote the remarkable list Mr. Galton gives in illustration of his views (his Darwinian views may we call them?) on "Hereditary Genius." Speaking of the Chancellors he says:—"1. Earl Bathurst and his daughter's son, the famous Judge, Sir F. Buller. 2. Earl Camden and his father, Chief Justice Pratt. 3. Earl Clarendon and the remarkable family of Hyde, in which were two uncles and one cousin, all English Judges, besides one Welsh Judge, and many other men of distinction. 4. Earl Cowper, his brother the Judge, and his great nephew, the poet. 5. Earl Eldon and his brother, Lord Stowell. 6. Lord Erskine and his eminent legal brother, the Lord Advocate of Scotland, and his son the Judge. 7. Earl of Nottingham and the most remarkable family of Finch 8, 9, 10. Lord Hardwicke and his son, also a Lord Chancellor, who died suddenly, and that son's great uncle, Lord Somers, also a Lord Chancellor. 11. Lord Herbert, his son a Judge, his cousins, Lord Herbert of Cherbury, and George, the Poet and Divine. 12. Lord King, and his uncle John Locke the Philosopher. 13. The infamous but most able Lord Jeffreys had a cousin just like him, namely, Sir J. Trevor, Master of the Rolls. 14. Lord Guildford is a member of a family to which I simply despair of doing justice, for it is linked with connexions of such marvellous ability, judicial and statesmanlike, as to deserve a small volume to describe it. It contains thirty first-class men in near kinship including Montagues, Sydneys, Herberts, Dudleys, and others. 15. Lord Truro had two able legal brothers, of whom one was Chief Justice of the Cape of Good Hope, and his nephew is an English Judge recently created Lord Penzance. I will here mention Lord Lyttelton, Lord Keeper of Charles I., although many members of his most remarkable family do not fall within my limits. His father, the Chief Justice of North Wales, married a lady the daughter of Sir J. Walter, the Chief Justice of South Wales, and also sister of an English Judge. She bore him Lord Keeper Lyttelton, also Sir Timothy, a Judge. Lord Lyttelton's daughter's son (she married a cousin) was Sir T. Lyttelton, the Speaker of the House of Commons." The list is certainly a remarkable one; but it should be remembered that the Chancellor, more than any man in the kingdom, has the power of "pushing" his relations—we don't say that this has been often done—but, in our own times, is it likely that Lords Cowley and Maryborough would have won seats in the House of Peers had they not been the brothers of the great Duke of Wellington?

"Historic Devices, Badges, and War-cries," by Mrs. Bury Palliser, is another and perhaps the best, of the several contributions to literature for which we are indebted to this indefatigable writer, who is already most favourably known to the public by her admirable and unique "History of Lace." Several papers on this curious subject have been already contributed by the author to the "Art Journal," and we rejoice that the appreciation with which these have been received has induced her to work up, and so successfully, too, the great collection of materials she had already amassed for their illustration. Abounding as it does with illustrations, of which there are fully three hundred, this book will be found of great interest to the student of history, to whom it will afford this further advantage, that it is arranged under the three distinct heads noted on its title-page, and is therefore, in fact, an alphabetical catalogue. To the general reader it recalls constant and pleasant reminiscences of famous men and famous women all over the world, with many choice allusions dear to the professed antiquary.

Having spoken with needful severity of another work by Mr. J. C. Jeaffreson,

we are glad to speak more favourably of his "Book about the Clergy," thinking as we do that, having established a certain literary reputation, by his books "About Doctors" and "About Lawyers," Mr. Jeaffreson will not lose this by the work we are now noticing. We are, further, bound to state that it is very full of information, shows extensive reading, and some talent for generalizing and grouping details. The reader will find in it a very complete account of the clergy, from the earliest pioneers who went out into the forest to reclaim the heathens and the pagans, down to the period he designates by the titles of "Religion under the Commonwealth," and "Religion before and after the Restoration." We like, especially, the way in which Mr. Jeaffreson has spoken of the different classes of the clergy, and shown that, in all their various orders, there was much of good, though often at times much overlaid by superstition.

It is quite clear from Mr. Jeaffreson's book that "the monks of old" were a very different race from what has become their popular portrait; and that, if there may have been among them a few sensualists, the system really availed to produce statesmen, scholars, able administrators in every walk of life, men conspicuous for their activity of body and mind—some, as studious men, chiefly engaged on the *Scriptorium*, others working at architecture and illumination, carving in wood and sculpturing in stone; while others, again, devoted themselves to politics or to ascetic rites. Very interesting, again, is Mr. Jeaffreson's account of the Lollards, of the persecution of the church, of the law of heresy, of the punishments by fire and the stake, together with his notice of the clerical wives of the period before Elizabeth; and, since then, during the times of the Stuarts and of the Commonwealth, till we reach the clerical home of the present day. On all these points Mr. Jeaffreson shows that he has read and digested a great mass of interesting matter.

His description of the "Church Ale," much beloved by our ancestors, is as good as the ale probably was. "Of the Church Ale," says he, "often called the Whitsun Ale, from being generally held at Whitsuntide, it is necessary to speak at greater length, for it was a far more important institution than the 'bid ale' or the 'clerk ale.' The ordinary official givers of Church Ale were two wardens, who, after collecting subscriptions in money or kind from everyone of their affluent or fairly well-to-do fellow parishioners, provided a revel that not unfrequently surpassed the wale in costliness and diversity of amusements. The board, at which every one received a welcome who could pay for his entertainment, was loaded with good cheer; and, after the feasters had eaten and drunk to contentment, if not to excess, they took part in sports on the turf of the church-yard or on the sward of the village green. The athletes of the parish distinguished themselves in wrestling, boxing, quoit-throwing; the children cheered the mummers and morris-dancers, and round a May-pole, decorated with ribbons, the lads and the lasses plied their nimble feet to the music of fifes, bagpipes, drums, and fiddles. When they had wearied themselves by exercise, the revellers returned to the replenished board; and not seldom the feast, designed to begin and end in a day, was protracted into a demoralizing debauch of a week's or even of a month's duration." We feel much pleasure in commending to our readers Mr. Jeaffreson's very entertaining volumes, and, especially, those portions of them in which he describes, with much skill and knowledge, the spread of the doctrines inculcated by Wycliffe and his followers, whose views were accepted the more readily by the people, both high and low, that the Romish Church at that period had become corrupt in manners and doctrine, and so had lost nearly all the moral influence it once possessed.

"Terence Mc Gowan, the Irish Tenant," by G. L. Tottenham, will not please the present rulers of this country; but, allowing for a little exuberance of Irish painting, perhaps unavoidable in a work of this nature, the result of long life among poorer classes of Irishmen, of much knowledge of their characters, wants, and sensibilities, and of an earnest desire to plead for them, it is a good and reasonable production. There is, indeed, little of novelty to those who have really studied the Irish poor in their own homes, or who are familiar with such works as Maria Edgeworth's "Carleton," or with Mr. Trench's recent work; but the picture Mr. Tottenham gives is a melancholy one, and one, too, we fear Mr. Gladstone's Land Bill will wholly fail in amending. The fact is, the Saxon and the Celt cannot be made to harmonize together except, in some cases, where, as in the North of Ireland, the former element and its concomitant—Protestantism—not that we are any lovers of that hostile form of a true religion, vulgarly called Orangeism—is in an overwhelming proportion; and we cannot but fear that, so long as the Roman Catholic priestly power maintains its sway over four-fifths of the population, and, above all, so long as the Irish language still continues the secret tongue of a large mass of the least instructed people, remedial measures from England will be of very slender avail. We doubt existing English laws having any real force with a people who will, in almost every case, screen a murderer, not because they love the murderer, but because his conviction by even Irish juries and Irish judges appears to them little else but the rivetting around them of English fetters.

Moreover, there can be little doubt that an unpardonable leniency to political crimes has been exhibited by Mr. Gladstone and those who act with him, a gentleness which is uniformly attributed in Ireland—not only by the educated and suffering landlords, but by the whole mass of the poorer population—to a fear of consequences and dismay at the existing anarchy in the land. "When will the time come," Mr. Tottenham asks indignantly, and we fear but too truly, "for the exhibition of an energetic vindication of the law, which has been hitherto in abeyance? How many more victims are required to satisfy the Minister's voracious humanity? Unfortunately this species of humanity, which shrinks from pressing too hard upon poor rebels and murderers, is not appreciated by the loyal and peaceable section of the community, at whose expense it is indulged. A learned judge implores proprietors and jurymen to stay in the country and do their duty, and Government will protect them. Another learned judge tells a barrister to take no notice of threatening letters, and to be shot if need be. Then a Cabinet Minister comes forward with a piteous expression of imbecility, and asks, 'What are we to do? Pity our weakness, good people, and take upon yourselves the responsibility which you are paying us ostensibly to relieve you from.' Even if it were impossible to obtain evidence to lead to a conviction of murderers, is it impossible to reach rebels who are openly parading the streets with ostentatious sedition, and who, at the very first sign of energy on the part of the executive, shrink into silence at once? Is it impossible to reach a murderous and seditious press, which is circulated unrestrained through the country? An Irishman's love of justice is a mere myth; his love of prejudice and of himself is his ruling passion; as long as that is not satisfied he will agitate and rebel and murder to the end of the chapter, if he is not kept in order by the only power which has any influence with him—firmness. It is not to be wondered at that the desire for repeal should now be spreading through the country. If the English Government cannot protect them, people say, at least let them try to protect

themselves. If the last Irish Parliament was a failure, it could hardly have been a more miserable failure than the English rule at present is."

Mr. Henry Blackburn, who is favourably known to a certain class of readers by his illustrated books entitled "Normandy Picturesque," "The Pyrenees," and "Travelling in Spain," has just added a new volume to his list, with the name of "Art in the Mountains; or, the Story of the Passion Play at Ober-Ammergau," a work which will have a wider interest with the reading public than any of his previous ones, though we are doubtful whether he has chosen for it the best title he might have chosen. The story of this "Passion Play" has been more than once told, and we have before us the reprint of some letters to the *Times* published by the Rev. Malcolm McColl. We think, however, that Mr. Blackburn deserves the credit of having given by far the best narrative of it, though it was shorn of some of its usual characteristics by the outbreak of the terrible war which every friend of humanity, in the widest acceptation of this word, must deplore now, and will deplore yet more, when the time shall come for reckoning up what religion and civilization have lost and what barbarism has gained by its continuance. We rejoice to hear from Mr. Blackburn that the principal performers in the play he witnessed were spared from serving in the actual battlefield, and that we may therefore hope for a renewal of the Play during the next summer. The origin of the Play was, as is well known, in a vow made by the inhabitants of the village, more than 240 years ago, that, if a pestilence, then desolating the neighbourhood, were stayed, they would celebrate it to the glory of God, and in perpetual remembrance of the miraculous interposition of Providence in their favour, every ten years. Mr. Blackburn, besides his well-told tale, has added some excellent sketches of the chief performers, of the scene, and of the strange exhibition he witnessed, and, though the volume may be somewhat weightier than Murray's compressed guide-books, Mr. Blackburn's work will repay its carrying by future visitors to Ober-Ammergau.

Those who have read the two previous volumes which Professor Max-Müller published in 1867, under the title of "Chips from a German Workshop," will rejoice to welcome a third volume of the same series, which is as full of good solid matter as are either of the previous ones. This volume consists chiefly of reprinted Essays on Literature, Biography, and Antiquities. The first article, on "German Literature," is a most valuable paper on the progress and development of the German language, a subject on which Dr. Müller is naturally at home. We learn from it that "Gothic, Old High German, and Middle High German are three distinct languages; that Old High German is as difficult a language to a German as Anglo-Saxon is to an Englishman; and that the Middle High German of the 'Nibelunge,' of Wolfram and Walther, nay, even of Eckhart and Tauler, is more remote from the language of Goethe than Chaucer is from Tennyson." Other essays in this volume are on "Old German Love-Songs," on the old German poem of "Ye Schyppe of Fooles" (to give it its English name), on the "Life of Schiller," on the writings of "William Müller," and on the "Language and Poetry of Schleswig-Holstein." Very interesting, too, are Dr. Müller's papers on "Cornish Antiquities," "Are there Jews in Cornwall?" and on the "Insulation of St. Michael's Mount."

Those too who have a pleasant remembrance of the well-known form of Chevalier Bunsen, will read with great satisfaction his letters to Professor Müller, from 1848 to 1859, and Professor Müller's own admirable essay, in

which these letters of his illustrious friend are embalmed. Dr. Müller, deciding against the popular notion of the West of England, that Mara-Zion (or Market-Jew, as it is sometimes called) does not derive its name from any settlement of Jews or Saracens on English shores, doubts the traces said, to have been left on the physiognomies of the Cornish Celts by these Orientals. In his Essay on "German Literature," speaking of England and Germany, Professor Müller says, "The strong feeling of sympathy between the best classes of both countries holds out a hope that, for many years to come, the supremacy of the Teutonic race, not only in Europe, but over all the world, will be maintained in common by the two champions of political freedom and liberty of thought—Protestant England and Protestant Germany,"—a sentiment we completely indorse, with the remark, however, that we do not concede to Germany any superiority in either the one or the other. In the great race of the nations, we claim for England the first place in every thing which has been done towards *real* civilization. The translation of the Bible into English has done for England and the world what ten Luthers could not accomplish for Germany; it has fixed, now and for ever, the English language, and English institutions as moulded upon it; and, with their necessary modifications in Canada, America, Australia, and India, has already achieved what intellectual Germany is still seeking for.

Lady Belcher's "The Mutineers of the Bounty, and their descendants in Pitcairn and Norfolk Islands," revives, and pleasantly, too, one of the strangest and, at the same time, most interesting episodes in the naval story of England. As is well known, the late Captain Haywood was for many years one of the survivors of that memorable mutiny, having been a midshipman on board that ship when it occurred. Lady Belcher, as the stepdaughter of Captain Haywood, has performed a grateful task to the memory of her father, by adding to Sir John Barrow's original volume, "The Mutiny of the Bounty," which was published in the "Family Library," some thirty-nine years ago, many additional materials derived from Captain Haywood's Reminiscences, the diary of one of the petty officers of the ship, and the correspondence between Captain Haywood and the relatives of that officer. Lady Belcher has also brought down her narrative to the removal of the descendants of Bligh's ship's company from Pitcairn's Island to Norfolk Island.

"Colonel Boxer and the War-office" is, as might have been expected, a very one-sided statement, by himself, of Colonel Boxer's grievances against the War-office, and one which will it give the Secretary of State for War but little trouble to dispose of effectually. We regret this, believing Colonel Boxer to have been, to say the least, harshly used, though he must have well enough known that the crisis must come sooner or later, and that the knowledge of the way in which he had "superintended" the Royal laboratories for his own advantage, could but end as it has. Colonel Boxer may, we believe, plead successfully that he has only done what others before him have done; but still it was none the less a detestable system which permitted officers, because they happened to be in the Government employment, to appropriate the ideas of other inventors which came before them judicially, and on the faith that such inventions would not be made known, still less adopted without due acknowledgment. There has been more than one invention during the last fifteen years which has afforded to the fortunate user thereof an ample reward, but which has produced nothing whatever for the real inventor.

There are probably few of the present residents in London who have any



vivid remembrance of the days of the Regency and of the early period of George IV.; indeed, those who have must now be fast verging on the prescribed age of man. Those, however, whose memories do go back so far will have some pleasant reminiscences awakened in them by Mr. Hotten's republication of "Tom and Jerry Life in London, &c.," with coloured illustrations by J. R. and G. Cruikshank." We recollect how Thackeray, in his *Roundabout Papers*, mentions visiting the Library of the British Museum, and "shaking hands with Jerry Hawthorn and Corinthian Tom, with delight, after many years' absence. But the style of writing," he adds, "I own, was not pleasant to me; I thought it even a little vulgar—and as a description of the sports and amusements of London more curious than amusing. But the pictures—oh! the pictures are noble still. First, there is Jerry arriving from the country in a green coat and leathern gaiters, and being measured for a fashionable suit at Corinthian House by Corinthian Tom's tailor. Then away for the career of pleasure and fashion—the Park! delicious excitement! The Theatre—the Saloon! the Green-room! rapturous bliss! the Opera itself—and, then, perhaps, to Temple Bar, to knock down a Charley there!"

Pierce Egan dedicated his curious book to his Sacred Majesty King George, with the observation "that an accurate knowledge of the manners, habits, and feelings of a brave and free people is not to be acquired in the *Closet*," a sentiment in which we fully agree; and also in Mr. Egan's further remarks, that "His Majesty's education, habits, and early introduction in life" made him peculiarly competent to sympathise with the adventures of his heroes. What, however, must the teetotaller, G. Cruikshank, think of this reproduction of his early follies? The change, indeed, of national habits which Londoners have witnessed during the last half-century is very remarkable, and we think Thackeray, in one of his lectures on the English Humourists, does full justice to this matter in the following words: "'There is nothing like youth;' the gay old book seems to teach—There is nothing like beauty; there is nothing like strength. Strength and valour win beauty and youth. Be brave and conquer! Be young and happy! Enjoy! enjoy; enjoy! Would you know the *segreto per essere felice*? Here it is—a smiling mistress and a cup of Falernian. As the boy tosses his cup and sings his song—hark! what is that chaunt coming nearer and nearer? What that dirge which will disturb us? The lights of the festival burn dim, the cheek turns pale, the voice quavers, and the cup drops on the floor. Who is there? Death and Fate are at the gate, and they *will* come in!"

"Families of Speech." Four lectures at the Royal Institution, by the Rev. F. W. Farrar. There is much in this little volume which will repay attentive reading, especially by those who, wishing to have a tolerable idea of the results of the philological researches of the last fifty years, have not time to seek them out for themselves from the learned tomes of Wilhelm v. Humboldt, Bopp, Pott, Grimm, or Max Müller. We are bound, further, to say that, in most cases, the arrangement adopted by the writer is just and perspicuous, though, for a teacher of boys, which we know is Mr. Farrar's daily honourable duty, we find here and there terms and phrases, about as unfit for youthful brains as any we have met with, and some, indeed, we don't pretend to understand. What does Mr. Farrar mean, for instance, by such phrases as "the regurgitation of the Aryan wave," "the deposit of Sinism," "the third great æon of human records," "the unfructuous" labours of Rask and Castrén," and "volcanic centres of religious enthusiasm such as Mecca, Sinai, and Jerusalem?" There are also a few curious errors, which we would

gladly believe are due to the haste with which these lectures have obviously been sent to the press ; as where he says that, in the Aryan tongues, "the determinant precedes the thing determined," whereas in the Semitic "by the very reverse process the thing determined precedes the determinant,"—a statement much too stringent, though substantially true of the Teutonic languages. Compare such names as *Leicester* and *Caerleon* ; *Winchester* and *Caerywent*, and his assertion is at once seen to be inaccurate ; and, further, note that such names as Fitzgerald, Montgomery and Montagu, are not yet extinct among us. Still, for all this, Mr. Farrar's is a good book, and we trust one result will be that Harrow, under his training, may be as distinguished hereafter by her "philological scholars" as she was, in the days of our University experience, by her "gentlemen."

It seems hard to suppose that Dr. Newman will satisfy any party of thinkers with his new book, "An Essay in aid of a Grammar of Assent." To those who knew and respected him of old, the whole production will appear eminently unsatisfactory ; while, from a Catholic point of view, his writing will appear almost enigmatical. Yet it will have this charm at least, that it is throughout intensely personal, and after the turmoil and heat of the day, it will always be refreshing to turn to the lively faith of a thinker, who is second to none of his contemporaries in his power of logical abstraction. The whole work is, however, one continued *petitio principii* ; admit the premisses, and you cannot deny the conclusion ; but, then, these premisses are mostly such, as we imagine, few reasoning men would accept as such, and the volume proves to be neither history nor philosophy, though, like the "Apologia," it is interesting as a kind of mental autobiography. In fact, just as the "Apologia" was the history of Dr. Newman's religious impressions, so the "Grammar of Assent" may be considered as a psychological record of the changes of his mental being. As an illustration of his views, we will quote what he urges about the belief in a mystery.

"A mystery," says he, "is a proposition conveying incompatible notions, or is a statement of the inconceivable. Now we can assent to propositions (and a mystery is a proposition), provided we can apprehend them ; therefore we can assent to a mystery, for, unless we apprehended it, we should not recognize it to be a mystery—that is, a statement, uniting incompatible notions. The same act, then, which enables us to discern that the words of a proposition express a mystery, capacitates us for assenting to it." Now this passage shows, we conceive, the utter fallaciousness of Dr. Newman's reasonings. We may, he tells us, assent to a mystery, *if we can understand it* ; but this is surely begging the question ; for, obviously, a mystery is something that we *cannot* understand. We *cannot with reason*—that is, by logical inference or deduction, give our assent to a mystery ; and, if we do do this, as all Christians—to be Christians at all—must, we do so on other than the grounds of *pure Reason*. Rightly or wrongly, most men accept what they believe to be true on *testimony* of some kind. One man requires more—another less ; and therefore we differ altogether from Dr. Newman, where he says, "If five hundred brethren at once saw our risen Lord, that common experience would not be a law, but a personal accident which was the prerogative of each ; and so, again, in this day, the belief of so many individuals in His Divinity, is not, therefore, notional because it is common, but may be a real and personal belief, being produced in different individual minds by various experiences and disposing circumstances variously combined ; but such as a warm or strong imagination, great sensibility, compunction, or horror of sin, frequenting the mass and other rites of the Church, meditation on

the contents of the Gospels, familiarity with hymns and religious poems, dwelling on the evidences, parental example and instruction, religious friends, strange providences, powerful preaching." Surely a rational belief—a real as contrasted with a *notional* faith—is what we gain from the accumulated evidences in favour of the truth of Christianity, and is arrived at by processes wholly at variance with what seem to be Dr. Newman's present principles. We always thought that one reason for belief in Christianity was the completeness of the evidence that Jesus of Nazareth did exhibit in Palestine attributes which can only be predicated of the Almighty. We can now, in some degree, apprehend how it is that men of such intellectual power as Archbishop Manning and Dr. Newman, have been able to accept the wildest assertions the Papal Hierarchy have in late years thought fit to advance, as Saving Articles of the Faith, such as Papal Infallibility, the Syllabus, the Immaculate Conception of the Virgin, &c., &c., and have been able to justify their acceptance of them on what they deem logical grounds.

"Modern Men of Letters honestly criticized," by Hains Friswell, is only interesting as showing how far a perverted talent for writing nonsense can mislead a man of some reputation. With this production before us, we should greatly like to know what a "*dishonest*" criticism, from Mr. Friswell's pen, might be like. All that we can discern in this most worthless production is a shameful attack on poor Charles Dickens and Mr. Harrison Ainsworth; most unjust judgments of Mr. Kingsley and Mr. Emerson; with, indeed, scarcely one name of any eminence in our recent literature, but is more or less bespattered by the hands of this bedauber of other men's works. We are not called on to defend all that Lord Lytton or Mr. Ainsworth may happen to have written. Many things there are we regret as having come from the pen of the former; but we could not speak of either of them as does Mr. Friswell. "Mr. Ainsworth is, we believe," says he, "as Lord Lytton is, a wealthy man through this literature, but if every farthing each has received from his books, pensions and all, were a hundred pound note, and employed in building reformatories for boy-thieves, the unhappy man (Mr. Ainsworth) could not undo the evil his perverted taste, vulgar admiration, and his fatal itch of writing to pander to the savage instincts of the thief and the robber, has caused and will yet cause in the years to come." In another place, Lord Lytton is described as a gentleman "rather feeble, doddering, a cousin Feenix (whatever that may be!) with tumbled hair, a face flushed, rouged, with a noble forehead, and a high aristocratic nose." Mr. Anthony Trollope, we learn, is "gaunt and grim" (which he happens not to be), with "a mouth lost in a tufted American-like beard." Mr. Disraeli is called "Little Benjamin, an old man who looks older than he is;" while of Mr. Thackeray, we hear that when he joined "Punch," he was "a *swell* from 'Frazer's Magazine,' and a College man"—honours we feel sure Mr. Hains Friswell cannot claim for himself, though by no means modest in his self-written estimate of his own merits; and though he tells us of his own literary performances "that he served under many," and (about this our readers will have no doubt) "commanded *heavy* vessels himself."

But enough of such rubbish as this. Mr. Friswell may be assured that his work is not wholly valueless in that we know now what *some* people call "honest" criticism, as we learnt before what *some* people call *poetry*, when the great Tupper descended from the skies to show us "that prose is verse, and verse is only prose." But let him not suppose that the meanest scribbler

from Grubb-street will admit him to his embrace as a "man of letters," or as having done any thing but to produce a volume, in which sentences are often ungrammatical, and even words misspelt. No wonder such a writer should say of some of the works he presumes to criticize that they belong to "the Tom Macaulay school" of writing, though we doubt altogether his knowledge or his power of discriminating between the styles of any authors, be they who they may. In all friendliness, we say to him, write if write you must, as you did before, when unfolding to the unfeeling world the hidden beauties of "The Gentle Life," anonymously; but when calumniating other writers, remember Tom Moore's lines on Leigh Hunt:—

"He vastly prefers his own little bow-wow,  
To the loftiest war-notes the lion can pour."

If Mr. J. C. Hotten has acquired some reputation as an enterprising publisher or re-printer of several works, which most of the houses "in the Row" would have assuredly declined, we cannot admit this praise is due to the very silly work he has just sent forth, entitled "The Rosicrucians—their Rites and Mysteries, by Hargrave Jennings." Surely the days of Alchemists and of European Fire-Worshippers have past. Nor do we now care for their history, though, it may be, that alchemical contemplations, and dreams about the philosopher's stone, have, in some rare instances, led to real discoveries—results, however, which mesmerism and spiritualism seem scarcely destined to attain. On the other hand, we find some *amende* for the generally useless nature of this work, in the engravings which have been provided for its illustration, as many of these exhibit carefully executed symbols of antiquity; while some, also, of the myths and legends narrated in it are worthy of being preserved, though in better company.

#### V. NOVELS.

"Casimir Maremma," by the Author of "Friends in Council," is not so much an experiment as Mr. Helps's previous novel, "Realmar," and may be justly recognized as a very readable and sensible production. Till tried on a great scale by the author of "Waverley," it was long doubted, whether a writer who had made himself a considerable name in one style of composition could succeed as well in one very different. Mr. Helps has shown, like Sir Walter Scott, that he is equally familiar with both the forms of literature to which he has given his mind. It should be added that the story of the second novel is far more easy to follow than that of the former one, as Realmar was really an attempt to delineate an unimaginable rather than an imaginary world. The present story turns upon emigration. Count Casimir Maremma, of a noble family in South Eastern Europe, after visiting his connexions in England, resolves on founding a colony in South America. Disguising himself for awhile as an artisan that he might gain a knowledge of the habits of a low London district, he is treated as a relation by Lord Lochawe, then a Cabinet Minister, and thus becomes attached to Ruth Sumner, who lives in the Minister's house. In company with her—the previous love-scene between whom is told with much skill—and Lord Glenant, he departs for the future colony, full details of which we hope Mr. Helps will hereafter give us the opportunity of hearing from his pen. The story is, so far as we have it, ably sketched out; and though not entirely devoted to the praise of emigration as the one thing needful, is valuable as shewing the author's just appreciation of such

emigrations as are conducted by competent and well prepared leaders. As such we hail this work, as a good contribution to our lighter and fictitious literature, and as a creditable addition to the other literary performances which Mr. Helps has achieved. Perhaps the character we cared least about in his book is Casimir Maremma himself; but this may be because his virtues and his heroism are in some degree narrow and pedantic; yet it may be also true that powers to be fully valuable must have their exercise-ground within definite channels.

Those critics who, some twelve or thirteen years ago, spoke slightly of the first production Miss Thackeray gave to the world, have, we hope, long since seen the error of their judgments; and are willing to make an ample *amende* for the sneers with which her efforts were at first most ungenerously received. If they have not done so, let them peruse Miss Thackeray's last volume, "To Esther, and other Sketches," and read, with the admiration they well deserve, some of the most graceful stories which have ever been put forth in the English language. "To Esther" contains beautiful and well-told recollections of the girl whom Geoffrey Smith had loved faithfully during many sad years, while she had been the unhappy wife of a man wholly unworthy of her. At length, after she has become a widow, they meet again, and Geoffrey Smith's account of his first introduction to Esther is narrated with much feeling and good taste. "Would you care," says he, "to hear what manner of woman I saw; what impression I got from you as we met the first time together? In after days, light, mood, circumstance, may modify the first image more or less, but the germ of life is in it—the identical presence; and I fancy it is rarely improved by keeping, by painting up, with love, or dislike, or long use, or weariness, as the case may be. Be this as it may, I think I knew you as well after the first minute's acquaintance as I do now. I saw an ugly woman whose looks I liked somehow; thick brows, sallow face, a tall and straight-made figure, honest eyes that had no particular merit besides; dark hair, and a pleasant, cordial smile. And somehow, as I looked at you, and heard you talk, I seemed to be aware of a frank spirit, uncertain, blind, wayward, tender. Under this somewhat stern exterior—and so I repeat—I liked you, and making my bow, said, I was afraid I was before my time. . . . Yours is a kindly manner, a sad-toned voice; I know not if your life has been a happy one; you are well disposed towards every soul you come across; you love to be loved, and try, with a sweet artless art, to win and charm over each man or woman that you meet; I saw that you liked me, that you felt at ease with me, that you held me not quite your equal, and might, perhaps, laugh at as well as laugh with me. But I did not care. My aim, in life, Heaven knows, has not been to domineer, to lay down the law, and triumph over others, least of all over those I like." Another of the stories, "Making Merry," the account of a fête, in honour of St. Côme, at the French village of Mealan, is admirably told; and, specially, the account therein of various sales and shows of animals. Miss Thackeray seems to have been greatly diverted with the pigs, among which was a lovely little tortoiseshell one. "That," said a peasant girl, "is the one I should have liked." "And indeed," remarks Miss Thackeray, with a sly humour, which reminds us of her father, "who has not a little tortoiseshell pig—some-where or other—out of reach, unattainable?"

The author of "A Lonely Life" has shown that there are still some among our novel writers who can write carefully and with abundant interest in their fictitious story, yet without that fatal blight of "sensationalism" of which we

have had so much lately. We commend these volumes to all who desire to read pure English, and a tale unmarred by sickly sentimentality.

Not so, however, can we speak of "Higher Law," by the author of "The Pilgrim and the Shrine." It is hard to conceive what purpose this writer had before him; still harder, what good purpose, when he proposed to himself to work out this elaborate and strangely compacted work, unless it were to shock the feelings and opinions of most people, whether religious or not. As far as the book has any definite object in view, we should say it was written to bring into needless contempt the institution of marriage as understood and practised in most Christian countries. Thus we find the chief philosopher declaring his opinion that "I consider that a husband's duty to his wife forbids his letting her go, however wretched she may be with him. Their failure to be happy, as they intended, proves that it was the design of Providence to make their marriage a discipline and a penance to them;" a view, however, not accepted by the female philosopher of the book, a young unmarried lady, who replies, "Marriage is a duty; if happiness comes with it, so much the better; but you have no right to neglect a duty simply because you happen not to like it. For myself I rather incline to an opinion I once heard somewhere, that every one ought to marry young *and often*." The same charming young woman a little later remarks, that it is "very funny that it should be held as great a crime to give life as to take it;" and is appropriately answered by the male philosopher, that "the only mistake that has been made was in not making the giving of life a greater crime than destroying it—inasmuch as it is a greater responsibility to bring any one into this world than to dismiss him into the next,"—a judgment certainly not usually accepted by the world or by George Colman, who sings of the New-castle apothecary, who not having enough of physic on his hands—

"Therefore midwifery he chose to pin to 't.

This balanced things; for if he hurl'd  
Some few score mortals from the world,

He made amends by bringing others into 't."

—but enough, we think, of "Higher Law."

A far better, though not wholly faultless book is Mr. A. A'Beckett's "Fallen among Thieves," which, though dealing, as the title would lead any one to expect, with a host of bad characters, does not, so far as we have observed, offend against the natural decencies of life. The whole book is crammed with story and incident, and the tale never halts or flags. We must add, too, that it is, on the whole, carefully written; and, though the hero hails from the Antipodes, his language is not offensively "colonial."

"Hagar," by the author of "St. Olave's," &c., is perhaps the most remarkable for its excellence of the many works of fiction which have seen the light of day during the present year; and we are fully justified in saying that whatever expectations may have been formed of the power of the anonymous author of "St. Olave's" have been completely fulfilled in this exceptionally good tale. Here is no pandering to the passions of a corrupt age, and no attempt at delineating monsters, whether of vice, or virtue, or beauty. The authoress deals plainly, almost hardly, with each subject she has to describe; yet her purity of mind and refinement of taste and diction are so refreshing that we can bear, and be pleased, too, with her sometimes severe judgments. She has not only placed before herself the highest standard of excellence, but she has consistently worked up to the standard she has thus set on high. The whole book is full of exquisite pieces of

description—so full as, indeed, to defy selection; but, throughout, no character is so admirably delineated as that of her heroine, Hagar.

“Fair France,” by the author of “John Halifax, Gentleman,” will be read with great interest by many persons, partly from the reputation the authoress has already gained in certain literary fields, but more so, we hope, from the sympathy all ought to feel for the sad ruin now inflicted on so wide an extent of the lands of our old rivals, but best friends, the French. No matter whether or not the French Government provoked the war, no matter whether the dissolute life of too many of the dwellers in French cities had broken down, but too fearfully, the natural high qualities of the Gallic race, certain it is that, for the mass of the poor and unoffending villagers of north and central France, we ought to feel and express our deepest sorrow and sympathy. Mrs. Craik speaks well and warmly of the French of the provinces, and agrees with Mrs. Browning where she says that they possess “an element of strength, firmness, sincerity, and faithfulness as grand as any thing in our own nation.”

“Acquitted,” by Mrs. Gordon Smythies, has received a good deal of praise of which it is hardly deserving. In the first place, the name selected for it is a mistake, for it is not easy to see who the person is of whom this can be predicated. The tale, too, has little to recommend it beyond the fact that it is not sensational, or at least not enough so for the readers of such works. Moreover, it has the present vice of being extended through three weary volumes, one certainly being quite enough to hold all that has any point or interest in it.

Contrast we with this “Hilary St. Ives,”—a tale by an old and practised hand—Mr. W. H. Ainsworth, which, though perhaps a little heavy, and wanting somewhat of the ancient brilliancy of the author of “Crichton” and of “The Tower of London,” is still delightful reading. The scene of Mr. Ainsworth’s present tale is in the neighbourhood of Guildford, the lovely scenery around which is painted with his usual felicity of diction. As such we heartily commend it to our readers. They may be sure the drapery is good, even should they care but little for the personages who wear it.

We doubt if Miss Drury’s new work, “The Norman’s Kith and Kin,” will support, still less extend, the reputation she attained by her earlier works—“Misrepresentation” and “The Brothers”—but the writing is that of a lady, and is not disfigured by the introduction of *slang*, supposed by many of our women novel-writers to be the necessary adjunct of the male characters they describe, or rather mis-describe. In saying so much, we have said enough, as Miss Drury has not, on this occasion, succeeded in producing a story entertaining for its own sake.

A better book, as doubtless by a far more practised writer, “The Rose of Jericho,” has been edited by Mrs. Norton, and is well worthy of any pains she has bestowed upon it. The story was, originally, of French origin, and was translated from that language by Mrs. Norton’s mother. It tells with great force and beauty how a young soldier tried, during the many dangers and difficulties of his profession, to take care of a plant called “The Rose of Jericho,” which was supposed to be the possessor of many remarkable qualities.

We do not know that Viscount Pollington is worse than his fellows, but he evidently wishes people to think so, else why should he have translated from the Spanish “Margarita, Queen of the Night,” “A Novel of Sensation,” as he may well call it. A worse instance of misapplied talents we have not met with for a long time. All the heroes in the book are ruffians, and many of the

descriptions such that they had better have been veiled under the decent covering of a "learned language." We pity the circle for whom, we presume, Lord Pollington has made public this mass of cruelty, murder, and lasciviousness.

"Arthur," by the author of "Annie Dysart," is at all events harmless, if not interesting; and as the writer has shown some skill in the construction of the plot, we may hope hereafter for better things from the same pen. The character of Meta (the wife) is particularly well drawn, and the various descriptions of life are, on the whole, well sketched in.

A far better book, however, is "For Richer for Poorer," by Holme Lee, one of the best, indeed, of the class we have had the pleasure of reading. The language is terse and clear, and the principles sound, which is more than can be said of too many of our recent novelistic productions.

"The Annals of Eventful Life" has been called a novel, but it would be better to term it a true story, with the names of the actors in it changed or disguised. We believe it is no secret to whose pen it is to be ascribed, and that it is the production of an author well known for many contributions to the science of the northern languages of Europe, and whose early training at Westminster and Oxford has been well worked out during a life which may fairly be called "eventful." Call it a novel, if you will; if so, it deserves the high commendation of being full of earnest and thoughtful writing, with no approach to the sensational nonsense with which the world has been flooded for the last fifteen years. The commencement of the tale is laid in the West Indies, where the hero's father had recently acquired by bequest a large estate; the descriptions of scenery are exquisite, and we know them to be quite true. Some of the stories told in it are capital—not the least the following one, which we have chosen at hap-hazard:—An English soldier had to be hung for some crime, but the sheriff was unable to find a hangman; so at length a very disreputable nigger was found, who, it was supposed, would have no scruples about performing the job. Here is the reply of the negro, "Massa Halfacre, you good massa; leastwise, you not here long enough for me to find out you bad. Me know Massa Crossky (the sheriff); some tink him good, some bad. Mercury tink him bad, 'cause he nebber kind to Mercury. Me teef! berry true; me teef sometime. Me take tongue out of massa's larder when me hungry. When me catch—say dozen mullet, me sometime say me catch only six. Me drink new rum when me see it; it's good 'gainst de caught. Dey say me burn down Megass House—steal fowl, pig, steal every ting. Dey lie; Mercury can't steal every ting. Me teef! berry well; but me no hangman. Massa Sheriff, hab your guinea yourself; hang buckra soldier yourself. One buckra hang another buckra; berry fine sight. Massa Halfacre gib us all half-holiday to go into Prince Town to see de sight."

Mr. Edward Campbell Tainsh's "One Maiden Only" has some good points; but the title, and many of the phrases and sentences he has made use of, strike us as slightly absurd. What, for instance, is the meaning of "the breezy simplicity and purity" of a man's "moral nature"? Again, one of the heroes of the novel falls in love with his young woman because she has "a soft contralto laugh, breaking into the tenderest ripple of treble you ever heard"—possibly; but we don't think we ever *did* hear such a laugh. Then we learn that, when the eyes of the two lovers met, the damsel looked at her lover "till he withdrew his eyes, but all the time her face was flickered over with a little tremor of shyness that made it the hardest thing in the world not to touch the face softly and bid



her put aside her shyness." When at last the poor girl dies, we are told of her lover that "the tears fell down like rain from his seldom-weeping eyes, and they flowed on for an hour; and then the reaction came, and he lay on his bed half dead with the exhaustion of his emotion." Very pretty perhaps, but we venture to think considerably overdone.

"The Mystery of Edwin Drood," by the late Charles Dickens. It is hard to speak fully of a tale which has not been brought to its natural end, and harder still, while the memory of its accomplished author is so green in our recollection; but we may say that, in our judgment, Edwin Drood promised well to take its place among the earlier efforts of the genius of Dickens, while it unquestionably far surpasses most of his later ones. We remember, how people had begun to say that Dickens was falling into the same trap into which too many popular writers had, before him, fallen, and that he had written too often and too much. We believe his last and unfinished work will go far to redeem his memory from these grumblers, and that the practised pen of the author of "David Copperfield" will be readily recognized in more than one scene of this his last production. Take, for instance, his description of the breaking up of Miss Twinkleton's establishment, which is in his happiest style. "The concluding ceremony," says he, "came off at twelve o'clock on the day of departure, when Miss Twinkleton, supported by Mrs. Tisher, held a drawing-room in her own apartments (the globes already covered with brown holland), where glasses of white wine and plates of cut pound-cake were discovered on the table. Miss Twinkleton then said, 'Ladies, another revolving year had brought us round to that festive period at which the first feelings of our nature bounded in our—(Miss Twinkleton was annually going to add "bosoms," but annually stopped on the brink of that expression, and substituted "hearts")—hearts, our hearts—hem! Again a revolving year, ladies, had brought us to a pause in our studies—let us hope our greatly advanced studies; and like the mariner in his bark, the warrior in his tent, the captive in his dungeon, and the traveller in his various conveyances, we yearned for home. Did we say on such an occasion, in the opening words of Mr. Addison's impressive tragedy—

"The dawn is overcast, the morning lowers  
And heavily in clouds brings on the day  
The great, th' important day" ?

Not so. From horizon to zenith all was *couleur de rose*, for all was redolent of our relations and friends. Might *we* find *them* prospering as *we* expected; might *they* find *us* prospering as *they* expected! Ladies, we would now, with our love to one another, wish one another good-bye and happiness till we meet again; and when the time should come for our resumption of those pursuits which (here a general depression set in all round)—pursuits which, pursuits which—then let us remember what was said by the Spartan general, in words too trite for repetition, at the battle it were superfluous to specify." Another passage—the description of a heavy gale at night—will remind many readers of passages in Mr. Dickens's earlier works, and especially of more than one of his Christmas books. "The red light burns steadily all the evening in the light-house on the margin of the tide of busy life. Softened sounds and hum of traffic pass it and flow on irregularly into the lonely precincts, but very little goes by save violent rushes of wind. It comes on to blow a boisterous gale.

The precincts are never particularly well lighted, but the strong blasts of wind blowing out many of the lamps (in some instances shattering the frames, too, and bringing the glass rattling to the ground), they are unusually dark to-night. The darkness is augmented and confused by flying dust from the earth, dry twigs from the trees, and great ragged fragments from the rooks' nests up in the tower. The trees themselves so toss and creak as this tangible part of the darkness madly whirls about that they seem in peril of being torn out of the earth, while ever and again a crack and a rushing fall denote that some large branch has yielded to the storm. No such power of wind has blown for many a winter night—chimneys topple in the streets, and people hold to posts and to corners and to one another to keep themselves upon their feet. The violent rushes abate not, but increase in frequency until at midnight, when the streets are empty, the storm goes thundering along them, rattling at all the latches and tearing at all the shutters, as if warning the people to get up and fly with it, rather than have the roofs brought down upon their brains.

“Still the red light burns steadily. Nothing is steady but the red light.

“All through the night, the wind blows and abates not. But early in the morning, when there is barely enough light in the East to dim the stars, it begins to lull. From that time, with occasional wild changes, like a wounded monster dying, it drops and sinks; at full daylight it is dead.”

We rejoice now, to know of a certainty that “The Mystery of Edwin Drood” is not to be solved by any lame and impotent “continuator.”

“Tales of Life and Death, by the Hon. Grantley Berkeley.” When a man has quite made up his mind that he is the first story-teller of the day, it seems a pity to disturb the self-satisfied serenity of his belief; so we will say no more of his new book than he does himself. “As Eve has been said,” he observes, “not to fear the measles because *she'd Adam*, so I do not fear but that I have gleaned from ancient and modern tales of life and death in England and Ireland, enough that is curious and deeply interesting to elicit and repay the reader's curiosity.” When the reader has duly studied “The Lady Grace,” “The Banks of Ballymote,” “The Priest and the Blacksmith's Shop,” “The Fair Doe of Fernditch,” “Identity,” and “The Colleen Rhue,” he will probably be able to give an opinion whether Mr. Berkeley's descriptive powers are sufficient to redeem the coarseness which seems the prevailing feature of his mind.

“Unawares: a Story of Old French Towns,” is a simple story, fairly told. A wealthy old gentleman leaves his property in trust, till a brother's son, Fabien St. Martin, may return to claim it, with a small income for his sister's daughter, Thérèse, owing to certain love passages with whom the said Fabien had been compelled to leave the country. Thérèse's character is well told; spite of various mishaps and the enmity of a wicked old lawyer in whose family she has to live, Thérèse maintains her plighted troth—in vain, alas! for the feeble Fabien shows himself unworthy of her constancy. In the end, her reward is the honest affection of a certain Dr. Deshoulières. The best parts of the book are the descriptions of French characters, scenery, and daily life. There is not very much in the story, but it may serve to while away a few hours of enforced idleness.

“The Heir Expectant” is a good book, both for the skill with which most of the characters are drawn, and for the sustained interest the author has managed to keep up in it throughout its whole course. Austin Waters, the hero, subsists—it would be better to say has a bare existence—as the agent for some twenty

years to an uncle, from whom he expected and obtained considerable wealth. Had he done this only, there would be little room for a tale of even the mildest proportions; but, driven by his necessities, he forges his uncle's name for 100*l.*, and what is worse, allows his wife's brother, who has in consequence to leave the country, to be suspected of this crime. Harold Maxwell, the brother-in-law, makes for himself a fortune and a character in India, but, on his return, just as he is about to espouse Miss Egerton, a girl of considerable wealth, but of high character and principles, is detected and on the verge of ruin, as he will not ruin his sister by making known the real facts. At the right moment, however, Waters dies suddenly, and Harold Maxwell is saved.

"A Dangerous Guest," by the Author of "Gilbert Rugge," is a plain domestic story, rather pleasant than otherwise for its simplicity. As most, too, of the scenes are laid in France as well as in England, we have a tolerable account of the varieties of opinion held upon the same subjects by the inhabitants of these two nations. Having said so much, we believe we have said enough of these volumes, which are harmless in their character and wholly devoid of such stirring incidents as at present form the chief charm of the novel-reading public. The same can hardly be said of another romance we find before us, entitled—though we don't see clearly why—"No Appeal," which is as full of strange and improbable accidents as any book of the sort we ever happened to take up. Of the hero, one Frank Stone, we are told that "Deceit in some shape or other seems as vitally necessary for him as the air he breathes"—a description we emphatically endorse. Whether or no the painting of such a villain can serve even the purpose of amusement, we beg seriously to be allowed to doubt.

"Lothair," by the Right Hon. B. Disraeli. Few books have, we suspect, been written about which so very varied a judgment has been pronounced, as on this novel by the late Prime Minister of England. Nor can this be wondered at, when the strangeness of the story—or want of story—the unusual language, the yet more unusual characters, who figure in its scenes, and, above all, the acknowledged versatility of the writer, be taken into consideration. Judged by his former works, the writer of "Vivian Grey," of "Sybil," of "Coningsby," and of other works, which, however we may dissent from much in them, are unquestionably works of an established reputation and position, has made a failure in his new work; nay, more, has, remembering the social position he has occupied—may, any day, occupy again—perpetrated a blunder. Mr. Disraeli had something greater and better to do than to write an amusing or entertaining story, to say nothing of one so sensational and so improbable, that even Miss Braddon would, we believe, decline being twitted as its author. Again, it may be very wrong to forget the faith of one's ancestors, and a grievous thing for the State if the misdoer chance to be a man of great wealth, or greater expectations—"a Marquis, Duke, or a' that." Still, there are greater social crimes than even turning Papist. To hold up the whole body of English Roman Catholics to derision (for that is the plain object of the thing Mr. Disraeli designates as a "novel," but which is rather a bitter political pamphlet); and to do this, in language which Exeter Hall and the "Record" could alone commend, is, in our opinion, a crime. Then, too, we hold that the hero of the story, Lothair himself, is a poor weak thing—very possible, no doubt, in life. Probably Mr. Disraeli, in the manifold experiences of *his* early life, may have met more than one such idiot, not interesting in his reality, if he ever had one, and assuredly not worth looking at when painted. Then, too, a Cardinal, who never dines, is simply a

monster of improbability. Then, too, as a description of *any* form of modern life, "Lothair" is altogether unnatural. Even in the most restricted circles of Austria, Mrs. Trollope used to tell us about, all is not *crème de la crème*. If there are abundance of aristocrats, still there is some leaven of the "snob;" but in "Lothair" nearly all is noble, and we get sick of fine houses, stately parks, and of the gold always glittering in our faces, palling on our appetites like that on Midas's palate—often enough, too, nothing but the sheen. Then, too, the descriptions of many of the characters are simply absurd. The Duke of Dash *probably* had a name; why not give it? It would at least sound better. The "divine" Theodora, with "an Olympian brow and a Phidian" face, is an unreality. Better far Mr. and Mrs. Putney Giles—snobs of course; how can they be otherwise, when *he* was Lothair's solicitor?—do a little play the sober part of people who are looking after their own interests, though these personages, too, are often to be found in strange places; and then what shall we say of Mr. Phœbus, the Gascon painter and sculptor, who revelled in the pure Aryan race, hated books, declaring men should never think or read, but be guided by the eye alone? Was there ever such a character? And what of the fêtes at Muriel Castle, surpassing, as we are told these did, in the exhibition of Lothair's untold possessions, all "the wealth of Ormus and of Ind," with the diamonds of Golconda, the emeralds of Scythia, the rubies of Siam, and last, not least, all that humble mortals like ourselves can read of in the "Arabian Nights"? But we have done with this brilliantly-written, but silly book.

#### VI. POETRY.

Beeton's "Great Book of Poetry," is justly so named, and we suspect our readers will agree with us so far, seeing it contains some two thousand poems, selected from four hundred writers between Cædmon to Tennyson. We should add that, in this volume, Mr. Beeton has introduced no inconsiderable number of the best poems which have seen the light of day in the Western hemisphere. The whole collection has been grouped under different periods, the leading characteristics of which have been judiciously sketched by the editor, who has certainly provided for us a very useful, if a somewhat ponderous volume. We think that, considering the extent of ground over which Mr. Beeton has had to travel, his selection has been well and wisely made, and we are quite willing to place it by the side of what has always seemed to us one of the most charming books of this class, Mr. Mackay's well-known "A Thousand and One Gems."

"The Poetical Works of P. B. Shelley, with a Memoir by W. M. Rossetti," will not in any way increase whatever fame Mr. Rossetti may as yet have acquired. Moreover, we think he has committed many offences against good taste and good style in his own writings. What shall we say of a biographer who can use such phraseology as the following: "300,000*l.* in the Funds, and 20,000*l.* per annum being named as the amount for which the vigorous old man 'cut up' for." Again, "The activity of Shelley's boyish imagination is best proved by the fact that he 'went in for' ghosts and fiends with a real eye to business." Again, "The *Vomit of Creation*, who wrote a review of Queen Mab in the same paper, was apparently a different person." And again, "There is ease of a certain kind, but slaving (what Mr. Rossetti may mean by this nice word we do not know or care) is a notoriously easy process;" and there is plenty more of this kind of slang. Again, when we come to look into the additional poems (over and above what Mrs. Shelley herself collected in her edition of 1839) which Mr. Rossetti has

inserted in his two elaborate volumes, we are forcibly reminded of his own words with reference to them: "I must here avow and premise," says he, "that I regard the main body of these juvenile poems as being not only poorish sort of stuff, but absolute and heinous rubbish;" and yet he prints any number of them, certainly with little consideration for the great poet, in whose works he professes so much interest. Again, we are bound to add that the biographical portion of his volumes is extremely careless in execution. Many new tales he tells are told without any authority for them; many old tales are so disfigured by bad telling that we scarcely recognize them again.

We have read the "Epic on Women," by A. O'Shaughnessy, with mixed feelings of admiration and regret—admiration at the exhibition of poetical powers certainly superior to those of most of the works of our modern poetasters, and of regret that Mr. O'Shaughnessy should have placed in his pages lines and sentiments worthy of some of the worst passages which disfigure the writings of Mr. Swinburne. It is a pity for a man to show such little feeling of delicacy, but it is far worse when he tries to make innocent and pure-minded readers partakers of the delights of his own wits. If Mr. O'Shaughnessy will consent, should his volume attain a second edition, to cut out all the latter part of the "Creation of Woman," several passages in his "Wife of Hephaestus," and one or two in his "Cleopatra," he will be read with pleasure and advantage by many who rightly shun him now. Let him recollect Byron's good advice in a not dissimilar case:

"Mend, Strangford, mend your morals and your taste;  
Be warm, but pure; be amorous, but be chaste."

We regret to have to make a protest against another production of the "Satanic School," in the volume that old offender against ordinary ideas of morality, Mr. Algernon Charles Swinburne, has just perpetrated with the title of "Songs before Sunrise." On this occasion, Mr. Swinburne has not so thoroughly outraged good taste as he has before, and has shown that, if he accepts the well-known phrase, "*Virginibus puerisque canto*," he can do so in language which *may* be read aloud in the drawing-room. This is so far a gain; but, does poetry—a sacred thing, if men could but be brought to think so—gain by being associated with such mad dreams as an Universal Republic, to be achieved and supported by men whose creed is a cold, miserable Pantheism? That Mr. Swinburne has considerable powers of language and expression we do not question; and, if he admires Mazzini so much that he must dedicate his writings to him, let him do so; but, as Carlyle has well said, "It is not a time for singing, it is a time for getting rid of delusions."

The "*Gradus ad Parnassum*," which, in our youth, still held its sway in most schools, in spite of the efforts of able masters to get rid of what was little better than a disgraceful crib, of use only to the idlest boys, has now, we hope, been finally discarded. We are rather sorry, therefore, that Mr. Tom Hood has thought it worth his while to publish "*The Rules of Rhyme and Guide to English Composition*," though we do not class his work with such an illiterate production as the "*Gradus*" aforementioned. The best part of his book is a sensible and well-written preface, which we should like to see printed as a separate paper or pamphlet. We doubt, however, whether the teaching boys the art of making English verses, will do as much as Mr. Hood hopes towards a refined use of the English language in after life. In the case of the classical languages, the matter stands on very different ground; there, the highest and truest test of

profound scholarship is, unquestionably, shown by the power men, like the late Lord Wellesley, had of reproducing Latin verse, such as Ovid or Horace would not have despised.

"London Lyrics," by F. Locker. We hardly think that Mr. Locker can be called a poet, but he has certainly skill and facility in the manufacture of rhymes. He has also some sense of fun, reminding us a little of Moore's Twopenny Post Bag. Take the following, entitled an "Old Buffer":—

"A knock-me down sermon, and worthy of Birch,"  
 Say I to my wife, as we toddle from Church:  
 "Convincing indeed," is the lady's remark;  
 "How logical, too, on the size of the ark!"  
 Then Blossom cut in, without begging our pardons—  
 "Pa, was it as big as the 'Logical Gardens'?"  
 "Miss Blossom," said I, to my dearest of dearies,  
 "Papa disapproves of nonsensical queries;—  
 The ark was an ark, and had people to build it;  
 Enough that we know Noah built it and fill'd it:  
 Mamma doesn't ask how he caught his opossums"—  
 Said she, "That remark is as foolish as Blossom's."  
 Thus talking and walking the time is beguiled  
 By my orthodox wife and my sceptical child:  
 I act as their *buffer* whenever I can,  
 And you see I'm of use as a family man.  
 I parry their blows and I've plenty to do—  
 I think that the child's are the worse of the two!  
 My wife has a healthy aversion to sceptics,  
 She vows they're bad when they're only dyspeptics;  
 May Blossom prove neither one nor the other,  
 And do what she's bid by her excellent mother;  
 She thinks I'm a Solon—perhaps if I huff her,  
 She'll think I'm a—something that's denser and tougher.

#### MAMMA LOQUITUR.

"If Blossom's a sceptic or saucy, I'll search,  
 And I'll find her a wholesome corrective in Birch."

In another part of his little volume we find an equally amusing poem on Rotten Row, which, however, we have not space here to extract.

But while Mr. Locker is fairly entitled to the claim of having written to amuse, we find it impossible to discern the value of a volume of "Home Recollections and Village Scenes," by the Rev. Lisingham Smith, Rector of Little Caulfield. We can hardly imagine the brains of even the parish which has the happiness to have Mr. Smith for its "guide, philosopher, and friend," to be so absolutely empty as to derive pleasure from such a publication. Mr. Smith has, we think, but one claim to notice, that he has contrived to describe the most common-place and the most uninteresting subjects in the most common-place and uninteresting language.

"The Legend of Tubal," by George Eliot, is a successful specimen of this lady's poetical powers. Her description of life in "Cain's Young City," is vigorous; and the tale, how old Lameck slew his brightest offspring by the too

hasty exercise of the energies of an athlete, is happily conceived and well told. Whether such writings will live, or ought to live, is another question. We may however, commend George Elliot's work, on the whole, as a well executed intellectual exercise. We are glad, further, to notice that, though treading on, dangerous ground, this lady does not—like the Swinburne-O'Shaughnessy school—forget what is due to the ordinary tastes of her readers, and, therefore, that there are few, if any, blemishes in her treatment of a curious and improbable story.

"A Scholar's Day Dream, and other Poems," by A. S. Hill, will, we think, please a large circle, though doubtless his poems have not a very high order of merit. Their chief value is that they are no more than they really profess to be, happy, cheerful thoughts and genuine sentiments, clothed in graceful and elegant verse. We wish Mr. Hill well, and hope it may be our good fortune to meet with some other work of his ere long.

We cannot say so much for the "Ambrosia Amoris" of Mr. Edward Brennan, though his poetry is of a much higher style, and his language of a more elevated character than that of Mr. Hill. We regret that Mr. Brennan's poems are many of them of a voluptuous character, not far distant from sensuality, which gives no little piquancy to his motto—"Honi soit qui mal y pense." With some cutting down, we believe that Mr. Brennan has in him what his countrymen would call "the makings" of a poet.

Other poetry, of more or less promise, may be found, in Mr. George Smith's "Queen's Death, and other Poems;" in "Poems," by James Rhoades; in "Bible Story told in Verse," by W. P. Nimmo; and in "Wayside Warbles," by Edward Capern. None of these writers have as yet shown any great power, but there are individual poems in each of their separate books which are worthy of being printed. On the whole, we are inclined to believe that there is more of the real poet, in Mr. George Smith, than in the productions of the other writers whom we have grouped with him. His chief defect is an uncertainty about his rhymes, so that, in some instances, he has succeeded in avoiding rhyme altogether—a defect we hope he will have remedied when his little volume reaches a second edition. Mr. Smith writes clearly and well, and many will be glad to find his "fugitive" pieces collected from the magazines to which he first gave them.

## II. ART.

We will commence our notice of the "Art" of 1870 with a brief account of some books on this subject, and take first "Specimens of the Drawings of Ten Masters, from the Royal Collection at Windsor," by the late B. B. Woodward. All must regret, and, especially, those who knew him best, that Mr. Woodward was not spared to complete, or rather to carry on, a work he has so well begun. We may well say carry on, as the Royal Collection contains at least 20,000 drawings, and is believed to be the third largest in the world, that of the Uffizi, at Florence, being the largest, that of the Louvre the next. The Masters best represented in this posthumous volume are Leonardo da Vinci, Michael Angelo, Raffaele, and Albert Dürer.

To the first great painter are devoted no less than twenty carbon photographs, which afford admirable specimens of his skill in the portraiture of heads and hands, while among those of Michael Angelo is the famous

one sometimes called *Tireurs d'Arc*, sometimes "I Bersaglieri," which has been explained by Mr. Woolner, the sculptor, better than by any one else. One drawing there is in this volume, by Albert Dürer, which is certainly equal in interest, and, we think, in execution too, to that of any of the Italian Schools. It is called "An Allegory," and was found by chance among a mass of engravings by the same master, purchased by George III. This picture represents a pyramidal town (which Mr. Woodward assumes to be Nurnberg, though it is by no means certain he is correct in this idea), rising up to the top of the paper, with a fosse round it spreading out into a broad expanse. On this, a fish is swimming, bearing on his back a naked woman, two other women, scantily clad, bearing her company, and holding over her a swelling sail as a canopy. About the meaning of the Allegory, which bears attached to it two words in the artist's hand, with his usual monogram, a controversy of some interest has arisen—Mr. Woodward reading the words "Mein August," for Auguste, and connecting with the words a very pretty love story, if true; Mr. W. B. Scott, on the other hand, reading "Mein Angnes" (the name of Albert Dürer's wife) in the which he is confirmed by Dr. Wright, of the British Museum, who has some experience as a Palæographer. We are bound to say that, at the first glance, the disputed word does look much more like what Mr. Woodward took it for, "August." At the same time the learned Orientalist may be right, if, at the time of Albert Dürer "Angnes" was written for "Agnes." With regard to the town in the background, Mr. W. B. Scott, in the true critical spirit, denies that it is Nurnberg or Nuremberg; but as he gives no reason for his faith, Mr. Woodward may be as right as he. It seems, however, more likely that Albert Dürer had no particular place in his view at the time, the more so, that he used it again in, another drawing, of St. Anthony reading. Sundry errors have found their way into this first publication of the Windsor treasures, which we are willing to believe are due chiefly to the work not having been finally corrected for the press by its lamented author. We hope future editors will be more careful.

"A Critical Account of the Drawings of Michael Angelo and Raffaele, in the University Galleries, Oxford," by J. C. Robinson, is an excellent account of this noble collection, admirably drawn up by a man to whom South Kensington is indebted for many of its finest and most interesting works of Art. As such we hail it, not, however, without expressing our regret that Mr. Robinson should be no longer the active agent for South Kensington he so long was. This creation, however, of the Prince Consort does not, like Brentford, admit the presence of two kings. Mr. Robinson gives discriminating notices of no less than one hundred and forty-four drawings by Raffaele, and of eighty-two by Michael Angelo, with a general history, so far as has been possible, of each specimen, and the statement for what pictures each has, in its turn, served as a study, together with a great amount of varied and curious information. Besides this, we find brief but good notices of several famous collections, such as those of Charles I., Lord Arundel, Marchetti, Reynolds, and Lawrence. Mr. Robinson had better not have quarrelled with the authorities of the Print-room at the British Museum, as he is wrong in his facts.

Sir Digby Wyatt's "Fine Art; a Sketch of its History, Theory, Practice, and Application to Industry; being a course of Lectures delivered at Cambridge in 1870," strikes us as weak, as did the extracts we had previously read at the time in the newspapers. Sir Digby is an excellent man for the offices he has held, of Secretary to the Exhibition of 1851, and as the Collector of a large



number of the best *casts* now in the Crystal Palace at Sydenham. In the latter capacity, he has shown himself a thoroughly competent person, possessing, as he does, great energy, and a very considerable knowledge of what class of objects could be best represented by Plaster of Paris, for the instruction and pleasure of those who cannot visit the originals. But we do not think he was the man to have been selected as the First "Slade-Professor" at Cambridge. To deliver fit lectures on so wide a subject as Art, to such bodies as the Universities of Oxford and Cambridge, requires an amount of taste and training it is no discredit to Sir Digby Wyatt to say plainly he does not possess.

Far different in almost every quality are the "Slade Lectures" delivered at Oxford by John Ruskin, to the publication of which the Professor has now added an excellent "Catalogue of Examples arranged for Elementary Study in the University Galleries." The "Lectures" are among the most beautiful and the most eloquent which have ever been published, and fully maintain the reputation which Mr. Ruskin has enjoyed almost from the time of his first publication, "Modern Painters," as a handler of the English language second to none for his brilliancy and copiousness of diction. If ever there was an English writer who rejoiced in the "*verborum curiosa felicitas*" that writer is John Ruskin. So full, indeed, is every page of his works of beautiful and admirably selected thoughts, that his writings defy analysis and compression. We read and admire—read again, and admire the more—till we are carried away by an enthusiasm which is as delightful as it is real. No man ever took a higher or nobler view of the vocation of Art and of Artists than Mr. Ruskin, as witness the following passages:—"All the great Arts have for their object either the support or the exaltation of human life—usually both." "The great Arts forming thus one perfect scheme of human skill—of which it is not right to call one division more honourable, though it may be more subtle than another—have had, and can have, but three principal directions of purpose:—First, that of enforcing the religion of men; secondly, that of perfecting their ethical state; thirdly, that of doing them material service." Again, speaking of certain modern patrons of Art, he adds, with but too much truth, "There is no need for any discussion of these requirements (those of the classes occupied solely in the pursuit of pleasure) or of their forms of influence, though these are very deadly at present in their operation on Sculpture and on Jeweller's work. They cannot be checked by blame or guided by instruction; they are merely the necessary results of whatever defects exist in the temper and principles of luxurious society; and it is only by moral changes, not by Art criticism, that their action can be modified."

#### EXHIBITION OF THE ROYAL ACADEMY.

We regret that many of the forebodings expressed in our notice of the Exhibition of 1869 have been, on this occasion, but too fully realized; for not only do we feel bound to say that, as a whole, the collection was of less than average excellence, but, what is much worse, many pictures were admitted which were quite unworthy of exhibition any where, while a number of inferior works have been hung in the best places and in the best lights, to the exclusion of others which every artist would have gladly examined more carefully, had he had the chance. We have, also, to regret the absence of more than one old friend—and the loss, by death, of one artist, Maclise, who to

his dying day retained his great powers, and was, in his own walk of Art, second to none among our modern painters.

Again, when we turn to the "outsiders," we cannot but think that the promise of last year has not been so well maintained as we could have hoped, (for, after all, our hopes are naturally in the "new blood,") since the character of the productions of veteran artists can generally be calculated on beforehand. But the gravest faults are the admission of worthless works, and the exhibition of unworthy, in places most fit for worthy, efforts. And here let us protest, as vigorously as we can, against the future admission of any works *by command*—as this plan too often leads to the recognition of what is *thoroughly bad Art*, and sometimes not even Art at all.

The second great, and, it would seem, incurable evil, is the exercise of the right on the part of the R.A.'s to hang their own pictures in the best places, to the exclusion, but too often, of far more valuable and interesting works. The "line" is still sacred, and sacred to bad uses. There was a glaring instance of this evil in the present year. As every one knows, one of our very best landscape painters is Mr. A. W. Hunt, who sent for exhibition a picture entitled "Morning Mists on Loch Maree," which was in no sense inferior to others we have rejoiced to study on former occasions. Yet this admirable painting was so hung that much of its beauty had to be taken upon trust, the bright lines of the sky being brought too prominently and glaringly forward, to the destruction of the delicate perspective of the lake, with its admirable mountain and cloud reflections; and to favour whom and what was the whole effect of Mr. Hunt's good picture cast aside? That we might study half-a-dozen or more of the feeble works of Mr. T. S. Cooper, Mr. J. R. Herbert, Mr. F. R. Lee, Mr. H. O'Neil, and Mr. J. C. Horsley, not one of whose pictures, hung, as they invariably are, in the very best of places, was at all comparable in truth of drawing with that of Mr. Hunt.

Mr. J. R. Herbert's "Bay of Salamis" looked like a coloured photograph; at least, had no more in it of Nature's life; Mr. F. R. Lee had the merit (if merit it be), in his "Land's End," and his "Entrance to Fowey Harbour," of rivalling the Royal Academician just named, in the hardness of his outlines, and the unnatural character of his seas; Mr. T. S. Cooper's "Down in the Marsh" is painfully tame, and is a sad echo of his earlier works; while of Mr. O'Neill and Mr. J. C. Horsley, preferring to be civil, we think it best to say nothing. We must, however, add our protest against any one who supposes either Mr. Herbert or Mr. Lee has any idea of rendering the majesty of great waves. The ocean does not roll in upon an iron-bound coast as that of Cornwall or (we presume) of the Bay of Salamis, in waves as regular as the "Guards" marching at an "inspection." Under command, it is true, but under no command but those of the winds and tides, no two waves are ever *exactly alike*. Moreover, with the utmost respect to such teachers of High Art as these gentlemen, waves of any magnitude, when approaching a coast, have mighty crests of foam, so well known to all sailors by the expressive name of "sea-horses." Only when far out at sea, in a great ocean, in a dead calm after a heavy gale, are billows seen to roll along like heaving mountains of water, yet smooth as the Sussex Downs, with so little surface ripple that a Thames wherry might glide over them in safety. Such waves we have seen correctly painted by Mr. Brett only, himself a practical sailor. Some pictures are named, we should suppose, on the old principle of "lucus a non lucendo"—thus Mr. Kennedy's "Louis XI., his one

good deed," is suggestive that the "good deed" in question has nothing to do with the picture, which feebly attempts to commemorate it.

A short account of the whole number of pictures exhibited, with the proportion of these pictures contributed by Royal Academicians, Associates in England or Scotland, or foreign honorary members, will show that the conclusion above arrived at is what might have been anticipated. The whole number of pictures, &c., of all classes, amount to 1035—of these 664 are in oil, 164 in water-colour, and 207 are miniatures, etchings, engravings, &c., and there are 727 exhibitors of all classes. Of the forty R.A., 11 living artists do not exhibit, while we have four pictures from three deceased R.A.'s—Maclise, Jones, and Creswick. The 27 remaining R.A.'s exhibit ninety-six works of Art, and the eighteen (out of twenty) Associates exhibit sixty-two. Hence it follows that the R.A.'s and A.'s exhibit altogether 158 works, or between one eighth and one seventh of the whole collection. Now, against any proportion such as this we lift up an earnest voice. Even if the works of these R.A.'s and A.'s were really what they certainly are not, the very best of the whole 1035, it could not but follow that a great many deserving pictures by "outsiders" *must* be "left out in the cold," greatly to the detriment of any support Art is supposed to gain from these annual exhibitions. Hence we have heard, and quite believe the report, that if 1600 were rejected last year, no less than 2000 have been rejected on this occasion. And we feel this the more acutely when we study the whole collection, and see how much rubbish has been admitted among the 847 selected works of "outsiders." Omit some 150 of these, and more than 100 of those by R.A.'s and A.'s, and a step would be made for the encouragement of good Art and the satisfaction of the public.

To Mr. Millais, who has contributed no less than six pictures, we are indebted for the best things of the year, with the exception of those by Mr. Watts. His pictures are severally named "A Flood," "The Knight Errant," "The Boyhood of Raleigh," "A Widow's Mite," with two portraits of John Kelk, Esq., and the Marchioness of Huntley. Of these we like "A Flood" best, and "The Boyhood of Raleigh" the least. "A Flood" is a scene in which a village has been partially submerged, and a baby is represented floating away in its wooden cradle with a little black kitten for its companion. From the distance the father is hurrying to its rescue in a punt. In the muddy stream, which has risen half way up some haystacks, a pig is seen attempting to escape, and beyond, the village itself, trees and rising ground, partially enveloped in mist. The unconscious expression of the face of the baby is admirably shown, and, if we can find any fault with the picture, it is that the drops of rain or dew on the nearest overhanging tree seem to us unnaturally large.

"The Knight Errant," a subject, we presume, from Spenser, has great merits; the painting of the knight's armour could not easily be surpassed. Indeed, the true rendering of different textures, the glow on velvet, for instance, and the sheen of metal-work, are among the chief excellences of Mr. Millais's Art; but the outlines of the naked figure seem scarcely correct in drawing. The "Boyhood of Raleigh" disappoints us, though much in it is admirable in painting, especially the delicate hues of blue and green on the distant sea, and a massive piece of old timber which lies rent with storms and bleached with heat and cold near the sailor, who is telling to the wondering boys his tales of far distant lands, who is, in fact, an "Old Salt" spinning a tough yarn. The marked difference of attention on the faces of the two boys is well indicated. "The Widow's Mite" is an admirable, though small picture, and the tale is told with all Millais's tender-

ness and pathos. The widow is a very poor seamstress, but still not so poor that she cannot afford one penny for those who are perhaps in greater want than she. This painting is the more expressive that the artist has not given the adventitious aid of beauty to his heroine. The features are simply pale and worn with long and late hours of work, and very sad withal. The portraits of "John Kelk" and the "Marchioness of Huntley" are very good, and the first will take its place beside that of any portrait of the last twenty years. Mr. Kelk is not perhaps, so good a subject for an artist as was Mr. Fowler for the picture in last year's Exhibition; but Millais's mastery of his materials is equally conspicuous.

Mr. J. T. Lewis has not this year contributed any large oil painting, but has been content to send in not less than eight water-colour sketches, of which it is sufficient to say that they show his usual brilliancy and skill in the representation of scenes from Oriental life.

Messrs. Leighton and Poole contribute each one picture—neither of them, we regret to say, much to our taste. Mr. Leighton suffered from a long and painful illness during the winter and spring, and was thus unable to finish in time a great work he is known to have had on hand; hence, probably, his "Nile-Woman" is the sketch which it is, and not a very successful sketch either. Mr. Poole's version of Boccaccio's story in his "Spectre Huntsman of Onesti's Line" is sadly defective in the drawing of the figures; nor is his meaning at all easy to discern. He would have done well to have studied Mr. Watts's great work on the same subject, which, we believe, chiefly from its great size (some 25 or more feet long) has been for many years hanging on the walls of the room in which the Cosmopolitan Club meet. The subject, however, a naked woman pursued through forests, brakes, and briars, by hunters, is not a pleasant one, whether painted by Watts, or sung of by Coleridge.

Still less sympathy do we feel with any of the three paintings this year by Mr. Armytage. We doubt much whether "Æsop and his Fable of Fortune and the Sleeping Boy," his "Gethsemane," or his "Le fil de la Bonne Vierge," will at all enhance any reputation he may have got. In his younger days, Mr. Armytage obtained—and deserved—credit for his excellent drawing. Of later years, this talent seems to have deserted him. We are willing, however, to admit that this year's pictures are better than those we have recently seen from his pencil; and the figure of the Virgin in the third is pretty and graceful. "Gethsemane" we do not like at all—indeed question much whether Mr. Armytage has it in him to draw *any* representation of our Saviour.

Nor do we think that Mr. Poynter has done himself justice in the one oil painting he has exhibited, "Andromeda," his peculiar powers being better fitted for the rendering of hard muscles in full and violent action, than what is the most difficult problem in all drawing, the delicate outlines of the form of a naked woman. As such, Mr. Poynter this year does not satisfy us, though, so far as it goes, his figure is graceful, though not interesting. The subject, too, has been repeatedly treated, and is a favourite one with the Old Masters. On the other hand, the colouring is very effective, and the monster is a good monster. His two frescoes of "Fortitude" and "St. George," intended to be reproduced in mosaic in the Palace at Westminster, are, of their kind, quite perfect. Let us hope that these drawings, which are, we presume, the property of the nation, will be preserved in their fittest home, the palace they were designed to decorate.

Of Mr. Calderon, whose works we spoke of in such high terms last year, we are still able to speak with nearly equal warmth, though his present pictures are

not so important in their character as his former ones. "The Virgin's Bower" and "The Orphans" are both beautiful in conception and execution; and it is difficult to say which of the two is the most pleasant. In the first, a tree in full blossom stands by a river's side, and beneath its boughs a girl is gracefully stooping down to dip a jug in its waters: beside her stands another girl, with a jar on her head. Both are chatting together, and the expression of happiness on the two faces is pleasant to look at, and admirably rendered. In the second, a little girl is standing in the snow, sweeping with graceful fingers the strings of a harp. She is accompanied by her brother, and the figures are carefully and delicately drawn. His third picture, a portrait of "Mrs. Bland," looks as if it must be an excellent likeness of a showy woman, rich in the possession of abundant hair, which falls luxuriantly over her shoulders.

But what shall we say of Mr. Frith and of the seven pictures this Royal Academican has had hung for him this year? Can we say he has ennobled Art? Has he not rather, as he has done but too often of late years, thrown away powers really considerable on trivial or worthless themes? We fear that our award cannot be in favour of his most important production, "Sir Roger de Coverley and the Perverse Widow," the conception of which is poor, and much of the painting careless—not to say coarse. Neither Sir Roger nor the widow are pleasant to look upon; indeed, the widow is evidently painted from an inferior model, or from one of the sketches the artist must have collected, when preparing one of the most wonderful, but most tricky pictures of modern times, the famous "Derby Day." Mr. Frith's other pretentious picture, "Amy Robsart and Janet," is even worse than the last. It is a painting of lay-figures in gorgeous apparel. The Countess is not lovely, and Janet is hopelessly uninteresting. Poor Mrs. Rousby! we should pity her grievous lot to have fallen into the hands of Mr. Frith; but, possibly, as she likes "playing a part," she may not object to the *travestie* she has undergone from his pencil. A really good portrait by Millais or Watts of a pretty woman, would be a *desideratum*; and, for this purpose, Mrs. Rousby would suit far better than she does for the character of Queen Elizabeth. Commend we this matter to Mr. Tom Taylor; it may stimulate him to write something better, if not more original, than "Twixt Axe and Crown."

We have already spoken depreciatively of the picture Sir Edwin Landseer exhibits, "*by command*." We will now say a few words of two others he exhibits, and will begin with his portrait of "Voltigeur," a horse well known in "sporting circles." Of this picture we will only say that we wish Sir Edwin had had the opportunity of painting it ten or fifteen years ago. We do not think that decay is ever pleasant as a representation—rarely even as a reminiscence of better days. Some years ago, Voltigeur might have been taken as the model—the *beau-ideal*—of a racer; now, he is simply a wreck, though a noble wreck. The "Doctor's visit to Poor Relations in the Zoological Gardens" must have reminded many spectators of the humour and good painting of some of Sir Edwin's earlier pictures, which are preserved at South Kensington. A poor sick monkey-baby looks dying in its mother's arms; the pain of the little one and the affection of the mother are portrayed to the life. Of his "Deer" and "Lassie," two others of his pictures, we need say no more than that the first is rendered in Sir Edwin's old and good style, and that the latter is carefully painted, though of no great interest.

We have reserved till now what we have to say of three of the finest pictures in this or any exhibition—the portrait of E. Burne Jones, Esq., the "Daphne,"

and the "Fata Morgana," of Mr. Watts. We doubt if, in modern times, a finer portrait has been seen than that of Mr. Jones, though, doubtless, in Mr. Panizzi, Mr. Watts had features to deal with of far greater power, as had Millais in his two famous portraits of Mr. Fowler and Mr. Kelk. But Mr. Watts has never, so far as we have seen, handled a subject with more skill and delicacy, with a studied gradation in his colour remarkable even in a painter who has singular skill in these technicalities. The "Daphne" is a subject frequently treated by the Classic-loving Old Masters, but never before with a true appreciation for the poetry of the story. The figure is drawn with the knowledge and skill of the ancient Greeks, and has all the beauty and tenderness the subject demands. The moment chosen is when, after appealing to the Gods for help, she is about to be changed into a laurel. This is not suggested, as usually, by making her hands sprouting with leaves—a gradual kind of metamorphosis—which, in most cases, has an absurd and unpleasant effect; but the transformation is sufficiently suggested by her being embowered in laurel, no actual change having taken place. No wonder that Apollo, denied her love, should wreath himself with her leaves, and issue his command that this tree should be held sacred to his divinity. The other subject by this artist is taken from the Italian story, and is in Mr. Watts's happiest style. The nymph springs lightly over bog and brake, ever holding her golden locks aloft, which, if the warrior who is following her can but seize, will lead him to fame and honour. There is a merry wickedness in her eye as she entices on the old swain—indeed the expression on both face and figure is most charmingly rendered. The figure is quite nude, yet does not in the least suggest the idea of nakedness.

Mr. Leslie exhibits a lovely picture this year, entitled "Fortunes." Some very beautiful girls are beside a stream, some gracefully reclining on its bank, while others are standing. They are telling "Fortunes" by throwing flowers into the stream, and are watching how they glide away, and whose plant first disappears. This is by far the best work we have seen from the pencil of this young artist, full as it is of beautiful thought, and teeming with sunlight. We look forward to seeing Mr. Leslie's works, and are sure he has a great career before him.

Mr. Gale, who has long been known to the public by minute pictures, refined and elaborate in style, sends three works, the most important one bearing the title of "Cupid's Ambassador." In this picture, a rough but kind-looking countryman is shouting into the ear of a deaf old man, his son's passion for his (the old man's) daughter, a blooming girl of seventeen, who is coyly peeping at them, well pleased with the message. This picture, though humorous in subject, is most refined in treatment, and fresh and charming in colour. The other two pictures are called "Companions in Solitude" and "Half-hours with the best Authors." Of these, the latter exhibits an old shepherd reading his Bible, surrounded by his sheep; the former, also a single figure, from his appearance, we presume, a refugee. He sits on a low stool in a garret mending shoes, and is pausing in his work to look at a caged bird in the window. A sweet sentiment pervades this picture, which has all the minute finish so characteristic of the old Dutch school.

We fail to see any progress in the three pictures Mr. Yeames has this year contributed—"Maundy Thursday," "Love's Young Dream," and the "Visit to the Haunted Chamber." The first is the distribution of the annual alms by a Flemish family, and is, in style, a sort of copy—at a great distance, however, from

him—of Van Eyck. There is much careful, and precise, and rigid execution—good if meant as the copy of an original, but, as a style, not one we care to see revived. “Love’s Young Dream” has nothing to recommend it, or to make up for its general tame character, while the “Visit to the Haunted Chamber” altogether fails to suggest the idea that the room is “haunted.” True—two rats are rushing away at rat-pace from two young ladies in riding-dresses, who are peeping into it, and who certainly look as frightened as the rats—but at what? Mr. Yeames must try and paint something not only better, but more interesting, or he will surely be left behind in the race. He made a good start, but wants *stamina*, perhaps pluck, to hold his own.

In the drawing of “Jochebed,” the mother of Moses, by Mr. F. Goodall, we have a good specimen, though not by any means the best we have seen, of this painter’s powers. The scenery and the drapery of the woman have that rich Oriental colouring Mr. Goodall so well knows how to employ, and the upper portion of the figure is admirably drawn; the thighs and knees, on the other hand, are weak and lack colour.

Mr. Faed’s pictures this year are too much like reproductions of former works, and are for this reason deficient in interest. His best is, “When the Day is Done”—a representation of weary cottagers preparing for their rest.

We have already alluded to the great loss Art has sustained by the death of Maclise; we will only add here that his last picture—“The Earls of Desmond and Ormond”—is a very noble rendering of a grand subject, and thoroughly worthy of his best days. It represents the conclusion of a combat between these two rival chieftains, wherein the former has been defeated, and is being borne from the field grievously wounded and a prisoner. “Where is great Desmond now?” one of his foes is reported to have said, insultingly. “In his proper place,” was the apt reply, “on the backs of his enemies.”

The Exhibition of this year has not been so strong in landscape as on former occasions; still there were many good and honest works. Among these we may notice Mr. E. W. Cooke’s “Venice,” which was beautiful in handling, though the water was as cold as that of the Neva, at St. Petersburg.

We can also speak in warm terms of Mr. Vicat Cole’s “Sunshine Showers” and “Twilight”—both excellent; of two capital drawings of parts of the West Coast of Ireland, and an unnamed subject (No. 128), wherein the sea has the advantage of looking like the sea, by Brett; of “Fish from the Dogger Bank,” by Hook—very lifelike, and characteristic of the shallow water on the Dutch coast; of “Morning in the Bay of Uri, Lake Lucerne,” by Mr. Oake; of Mignot’s “Fog Coming on—Evening” and “Sunset off Hastings,” both telling works; and of, perhaps the best of all, “Lancaster from the Aqueduct,” by Mr. Dawson—an admirable representation of one of the finest and most varied pieces of scenery in England.

Mr. Linnell’s “Earthquake in Calabria” we are sorry to say we do not like.

Foreign artists are well represented by some pictures of great power by M. Gerome and M. Tadema. The former exhibits two—“Jerusalem” and the “Death of Ney;” the latter, three—“Un Jongleur,” “Un Amateur Romain,” and “Un Intérieur Romain.” The “Death of Marshal Ney,” a very painful subject (though, from the depth of his treason, it is impossible to say he did not deserve his fate), is admirable in drawing and expression. The characteristic shape of Ney’s head is well seen as he lies stretched on the ground, and the retiring soldiers show by their unhappy gait their full consciousness of having

fulfilled a stern and painful duty. The "Jerusalem" is not, we believe, a new picture; but it well exhibits M. Gerome's power of depicting a strange, weird scene, in which figures, armed and unarmed, some wailing, others apparently unheeding, pass from us into the depths of the picture and descend a hill. The gloom is increased by the shadows of three crosses, bearing on them human figures. M. Tadema's pictures probably afford an admirable realization of ancient Roman life, and allowing for certain extravagances characteristic of almost all modern foreign Art, with the exception of the cold serenity of Ary Scheffer, are delightful to the scholar as well as the artist. The "Jongleur" is certainly a capital picture of the Atrium in a Roman mansion, and represents an Egyptian juggler exhibiting his art before a party of Romans. The lean and hungry look of the Oriental contrasts well with that of the four seated Romans, who watch, with almost nervous interest, his "egg-trick." In the background sits the mistress of the house, wearing the "front of false hair" described by Martial and perhaps indicated in the "Clytie," and another "female," with hair as red as even Rotten Row could produce in "the season." This and M. Tadema's other two pictures should be studied in connexion with Bekker's admirable story called "Gallus."

In concluding this brief notice of the doings of the Academy this year, we must not quite pass over what we ventured last year to call the "Pettie and Orchardson School." These gentlemen, their admirers will be glad to hear, were well represented—nay, had some associates with them this time, who loved to link their fame with theirs, and shine by this borrowed light. Need we say that in thus speaking we allude to Messrs. T. and P. Graham, to some other excellent Scots—Mac Callum, Mac Whirter, and Mac Taggart, to Mr. Archer and Mr. Ritchie, all of whom cultivate a style tricky, flashy, falsely sentimental; and all of whom are therefore the natural favourites of the "penny papers" and sensational writers. We had almost forgotten Mr. J. Smart, whose "Druidical Stones" are, like their originals, a wonder—fit only, we venture to think, to be classed with Mr. Hannah's notion of what "The Heavens declare," when they declare "Thy Glory;" and the "Out of the World," by Mr. Horsley, R.A.

We should add that there were some very clever pictures by other well known artists, among whom we may mention Messrs. Marks, Burgess, and V. Prinsep; want of space, however, prevents our more than alluding to them.

#### SCULPTURE.

When we turn to the sculpture, we turn to that portion of the academical work of the year which is confessedly the least satisfactory; and we fear that the greater advantage of display our sculptors now have has not served to stimulate the exertions of these artists as much as might have been hoped. The arrangement, no doubt, shows some ingenuity, and the "counter" in the back room is decidedly an invention—almost worthy of "Cole, C. B."—but rows of busts along a wall are not effective, as any one may see at the British Museum or in the Vatican. Some, too, of our few bust-workers are not here—Foley is absent altogether, and Mac Dowell only recognizable by one bust. On the other hand, Mr. Woolner contributes a few specimens of the class of work for which he is best known—in the busts of "Sir Hope Grant" and "Charles Darwin," both of whom are good subjects for any artist.

The "aggressive" features of Mr. John Bright are well seen in Mr. Adam Acton's version of his features.



## EXHIBITION OF OLD MASTERS, &amp;c.

A collection of 234 pictures, all by men of acknowledged repute, comprising no less than 4 of Velasquez, 6 of Murillo, 6 of Holbein, 3 of Zurbaran, 9 of Rubens, 8 of Vandyke, 4 of Poussin, 10 of Sir Joshua Reynolds and Gainsborough, respectively, with more than 40 of Clarkson Stanfield, and about 30 of C. R. Leslie, and several other individual pictures by old masters, could not fail to be well worth seeing. We need not doubt, therefore, that this early spring exhibition in the rooms of the Royal Academy, did attract great attention, some of the pictures being new to the great majority of the public, and nearly all of them being visible (owing to their comparatively small number) under very favourable circumstances as regards light and position. We are glad, therefore, to thank those members of the Royal Academy who actually exerted themselves to provide this exhibition; and we hope, as it has proved financially as well as otherwise, a complete success, that it may be repeated again on a future occasion. We will now briefly notice a few of the most important pictures of the present year, premising that among them are several like Leslie's "The Westminster Family," which were not in the South Kensington Collection of Portraits.

One of the most remarkable, as well as interesting, pictures, is Marco di Uggione's copy of Leonardo Da Vinci's Last Supper (the property of the Royal Academy), executed in 1510, and of the same size as Da Vinci's greatest work, which is now nearly destroyed. In this picture, the head of our Saviour is traditionally believed to have been by the hand of the Great Master himself. It was executed for the Certosa of Pavia, in oil, eleven years after the completion of the original fresco.

Another picture, ascribed to Da Vinci, and known as "La Vierge aux Rochers" has most excellent work in it, and has, at all events, for a long period, been considered his. It was originally in the church of San Francesco at Milan, and was purchased in 1796 by Mr. G. Hamilton for 30 zecchini (about 14*l.*). One picture of Michael Angelo—the "Holy Family"—has much interest in it, owing to the recent purchase for the National Gallery of "The Entombment," which has some similarity to it in style; and one other picture, ascribed to Raffaele, has great merits. "A Predilla" represents our Saviour on His way to the Cross, and is an early work of that great painter. One of the most remarkable portraits in the exhibition was that of the Doge Andréa Gritti, A.D. 1529—1539, by Titian, now the property of Mr. Ruskin. This picture has been badly cleaned and over restored; but, in spite of this, all the glory of the great painter shines through it.

One of the most noteworthy portraits was that of Vittoria Colonna, by Sebastiano del Piombo, which fully justifies the fame of her beauty. She was one of the most accomplished women of Italy, as her poems prove; she was also as remarkable for her beauty and virtue as for her talent.

F. Mola and Guardi are well represented—the first by his "Hagar in the Wilderness," and the second by his "Piazza di San Marco." To take next, artists of whom this exhibition affords *many* specimens, we should like to say that the collection of Holbeins (if all given to him be really his) and those of Murillo and Claude de la Lorraine, are probably unequalled in excellence: that by Holbein from Windsor, the "Portrait of a Youth," and those by Lorraine, "The Sacrifice," "The Decline of the Roman Empire," and its companion picture, "The Rise of the Roman Empire," being perfect specimens of these painters respectively. Of the Murillos, we need hardly say more, than that the

collection here comprehended the famous "Holy Family" from Leigh Court; the "Portrait of Andrade," which drove Wilkie nearly mad when he saw it in a linendraper's shop at Seville, in 1828, and which is now, we rejoice to find, in Mr. Baring's collection, and "An Angel," evidently a portion cut out of a much larger picture. Tradition says, that this piece was found in the knapsack of a dead French soldier, and was probably, therefore, part of his plunder. There was one magnificent Rembrandt, called "The Salutation" (more correctly we should say "The Visitation"), which exhibits the richness and depth of that great painter's art; and another, except in subject, hardly inferior to it, "An Old Woman," which is a perfect miracle of skill. The pinched-up face of the old lady was a truly marvellous delineation, and shows the most subtle drawing.

The English school was uncommonly well represented by its Wilson, Gainsborough, Reynolds, Stansfield and Leslie; and among these were many of the best remembered pictures of these severally accomplished artists. Wilson's two landscapes—the unrivalled view of the Vale of Llangollen from Wynnstay Park, show his brilliancy of execution, and great power and breadth of handling. With these, we ought to notice Sir Joshua's "Thames from Richmond Hill," as landscapes by his pencil are comparatively rare. How noble was this view when he painted it—how ruined is it now, by the crowds of miserable suburban villas with which wealth has contrived to disfigure nature! Gainsborough was well represented by his "Portrait of a celebrated Singer" (Tenducci of "The Ranelagh"), by those of the "Princesses Charlotte Augusta, Augusta Sophia, and Elizabeth,"—a picture said to have been cut down, after his death, by an ignorant official, to make it fit into a panel over a door!—by his well-known "Blue Boy," and by a charming landscape, called "Going to Market." Of the ten pictures attributed to Sir Joshua Reynolds, the landscape just noticed, "The Countess of Bute," "The Portrait of Miss Leigh" (afterwards Mrs. Lloyd); and that of "Mrs. Siddons as the Tragic Muse," are probably the most important. That of the Countess of Bute strikes us as the most remarkable—her stern decided expression of countenance, as much as to say, "Nobody shall ever convince me against my will," is admirably rendered. The "Mrs. Siddons," we are sorry to say, we do not care so much about, though, of course, it has much interest as being an historical representation, and, doubtless, an excellent likeness of one of England's greatest actresses.

Of the large collection of the paintings of Stansfield and Leslie, it is not necessary to say much, as the painters were with us themselves so recently, and a fair majority of these works we can ourselves remember on the walls of the Academy. We rejoice, however, to find so many of them brought together, and to see again—far better than we did, in most cases, when first exhibited—some old and deserved favourites. Among the Stansfields, we may mention four of the finest pictures he ever painted—that wonderful sea-piece, "The Abandoned," the "Capture of the Spanish Zebec, El-Gamo"—Lord Cochrane's greatest achievement, his "Bass Rock," and his gorgeous piece of scenery, "The Battle of Roveredo," or, rather, the forcing of the Pass of that name, which led to Buonaparte's occupation of Trent. Among Leslie's works, we may mention "The Duke's Chaplain, enraged, leaving the Table," "The Heiress," "Dulcinea del Toboso," "Gulliver's Presentation to the Queen of Brobdingnag," "The Masquerade: Henry VIII., Anne Boleyn, Wolsey, and others;" and "A Family Group," representing several members of the Westminster Family. In conclusion, we will only add that the collection contained

many noteworthy pictures by Velasquez, Zurbaran, Rubens, and Vandyke, which we have not space to describe here; and the unique picture of Hogarth's "Sigismunda," which a large portion of the visitors to this exhibition, probably, saw for the first time. Traditionally, the only picture of this class painted by Hogarth, many will, we think, be surprised that one who could show the power developed in this painting should have confined himself so entirely to humorous subjects. The execution of parts of this painting exhibit skill of the highest order; the colouring of the whole is rich and harmonious; and the modelling of the mouth of the woman extremely fine, and delicately worked out.

In conclusion, we will only add here a short notice of the chief acquisition made this year by the British Museum, chiefly through the zeal of Mr. Newton and of Mr. Pullan (the head excavator), and by the liberality of the Society of Dilettanti, at whose expense the excavations have been made, consisting of a valuable collection of Greek marbles from the site of the Temple of Athene at Priene in Asia Minor. The existence of this temple and of some of the sculptures which once adorned it, have been long known; for as long ago as 1764 Mr. Chandler (the editor of the "Marmora Oxoniensia") was sent out on an exploring tour by the Society of Dilettanti, and a considerable portion of the first volume of the "Antiquities of Ionia," published by that Society, is devoted to an account of what Mr. Chandler discovered among the ruins of Priene, which, however, he was only able to delineate and to describe. In 1868, a new expedition was planned, and Mr. Pullan sent to make the necessary excavations; and, at a later period, Mr. Newton himself went out, and superintended the packing of the thirty tons of sculpture, &c., which it was thought worth while to remove to England. The temple was, like most, if not all, of the famous buildings in Asia Minor, originally thrown down by an earthquake, and it was not till Mr. Pullan had cleared the whole of the *cella*, and dug over the ground in front of it as far as the Propylæa, that its actual character could be discerned.

In doing this, Mr. Pullan found, at one end of the *cella*, an immense pedestal, with enriched mouldings, on which, no doubt, had once stood a colossal statue of Athene herself; and, strewed on the pavement and on the tops of the ruined walls of the *cella* itself, were various fragments of sculpture. Of these, the most noteworthy are a foot, a hand, and other portions of a colossal female figure, of the finest style of Greek sculpture; a female head of great beauty, very nearly the same as one found by Mr. Newton among the ruins of the Mausoleum; two draped torsos, a smaller female head, a male head, and several hands and a pair of bronze wings, perhaps from a figure of Victory. Besides these, are a considerable number of very beautiful architectural fragments, some as clean and sharp as the day that they were cut; while other fragments there are of what must have been a frieze, discoloured apparently by the action of fire. One of the inscriptions found is, of its class, unique, in that the name of Alexander the Great appears on it, speaking of himself:—ΒΑΣΙΛΕΥΣ ΑΛΕΞΑΝΔΡΟΣ ΑΝΕΘΗΚΕ ΤΟΝ ΝΑΟΝ ΑΘΗΝΑΙΗ ΠΟΛΙΑΔΙ, and asserting that he dedicated to Athene Polias the temple whence these monuments have been procured. It is probable that the temple was in the act of being built when Alexander marched by Priene on his way to overthrow Darius. There is another Greek inscription of great value relating to the internal history of the town of Priene. It had already been copied by Chandler and Lebas, and has been recently edited by Mr. Waddington in his continuation of Lebas's *Voyage dans le Levant*; but, of course, till the stone was critically examined in England, none of the transcripts of the inscription were quite correct.

## SCIENCE.

The chief scientific event of the year, the total eclipse of the sun over a considerable extent of the South of Europe and North of Africa, naturally stimulated the exertions of the Astronomers and of other scientific men of all nations; and a threefold expedition was sent out by the British Government with the object of observing all its details as fully as possible. As the eclipse itself only took place on December 22nd, we have as yet no full accounts of what was the result. There is, however, too much reason to fear that few of the observers had the perfectly fine and clear weather they had hoped for, and, in Spain, as in London we know that the sky was much obscured by clouds, accompanied, around Cadiz, where the chief observations were to be made, with heavy and continuous rain.

The following is a short report from Mr. S. J. Perry, one of the observers at San Antonio, near Cadiz:—Having prepared every thing by 9 a.m., “we were ready,” he says, “to observe the commencement of the eclipse, should a break occur in the cloudy mass before us. Unfortunately, the break only came some forty-eight seconds after the first contact, when a distinct notch was observed on the solar disc. This break was only a change from thick cloud to thin *cirro-stratus*, but we were enabled to observe the time of contact of the limbs of the moon, with several of the more remarkable lunar spots. . . . . A very striking change of light on the landscape was noticed when little more than three-fourths of the solar disc was covered, and a chill was felt by all. . . . . The moment of totality approached, and no chance remained of even a momentary break in the thin *cirro-stratus* that enveloped the sun and obscured most of the southern heavens. As the crescent became thinner, the cusps were observed first to be drawn out at length of several minutes, and then blunted; the well-known Baily-beads were formed, and the corona burst forth more than twenty seconds before totality. Viewed through a telescope of very moderate dimensions the spectacle was grand, but the clouds destroyed almost all the grandeur of the effect to the naked eye. The red prominences were numerous, but none apparently very remarkable. . . . . The highest part of the corona appeared to the unassisted eye to be scarcely more than one-tenth of the sun’s diameter, fading rapidly when one-fifth, but being still clearly visible at seven-eighths. Some observed two curved rays, but the general appearance was that of a diffuse light interrupted in four places distinctly, and, in a fifth, faintly, by dark intervals. The corona was white and rendered faint by the clouds. The darkness was never sufficient to prevent sketching with comfort without the aid of a lamp. Venus was alone visible. Totality ended by the formation of Baily’s beads, and the corona was visible to the naked eye fifteen or sixteen seconds, after totality. The corona was seen for two minutes fifty seconds, totality lasting two minutes ten seconds. The clouds obscuring the sun appear to have almost destroyed all chance of detecting any except atmosphere polarization. Mr. Ladd remarked that the polarization was stronger on the corona than on either the moon’s surface or the cloudy sky. . . . . The view of the eclipse obtained near Arcos is described as very magnificent; a sketch was made there by Mr. Warrington Smyth. At the American Station at Xeres there was a break in the clouds which lasted somewhat more than half of totality. But Lord Lindsay’s party was the most favoured in the country, having seen the sun through a rent in the clouds for five minutes, and this time embracing the whole of totality.” In London, the

state of the atmosphere, with snow continually falling, was such as to preclude much hope of careful observations. Towards noon, however, the sky gradually cleared, patches of blue sky appeared, and it became no longer possible to view the sun without some protection to the eye. In a telescope of moderate power the sun presented an interesting appearance. His disc was reduced to a sickle of light, having its convexity upwards, and its two points nearly on a horizontal line—the breadth of the sickle resembled that of the moon when about four days old. Two large sun-spots, or rather a double group of spots connected by a relatively narrow zone of *penumbra* (or half-shadow), had come into view above and towards the right of the moon's disc. Numbers of minute and very dark spots could be seen around the two large ones and along the connecting streak of half-shadow. It is worthy of remark that this remarkable group of spots is the same which was observed by so many with the naked eye, when the sun appeared like a globe of red-hot iron during the fogs of last November. In October and September, also, the same wonderful group had been conspicuous; indeed, from the 23rd to the 26th of September, the sun exhibited so remarkable an aspect, owing to the presence of this great group, that scarcely a telescopist who observed it but was tempted to record its aspect pictorially. Until the end of the eclipse, which occurred about eighteen minutes to two, the sun, though occasionally clouded over, continued to be, for the most part, satisfactorily visible. The moon's edge, during the eclipse, presented here and there slight traces of irregularity, which, however, it was not always easy to feel certain about, owing to the condition of the air, and the ripples which continually disturbed the moon's outline. In the provinces the eclipse was seen, on the whole, satisfactorily, the weather being clearer, colder, and brighter, in proportion to the distance northwards, though, at the same time, a continually decreasing portion of the solar disc was covered by the moon. Total darkness extended over the zone in which are Cadiz, Gibraltar, Oran, Syracuse, and Catania, and hopes are entertained of the success of Mr. Lockyer's party of observers at the last-named place.

The meeting of the British Association was held this year at Liverpool under the Presidency of Professor Huxley, who delivered an address in the Philharmonic Hall, differing, and, we think, wisely differing, from many of the addresses given by his predecessors. It has been too much the character of previous addresses that their authors have attempted a thing in itself impossible, *viz.* the laying before the meeting a complete *resumé* of the science of the previous year. Professor Huxley, on the other hand, confined himself almost entirely to those branches of Physical Science with which he is best acquainted, and on which, therefore, he was entitled to speak as a master. His main subject was the working out, with great ability, of the one great Province of Biology.

Professor Huxley began by showing that the old and universal belief had been, practically, that of Lucretius, embodied as this is in the famous words of St. Paul—"Thou fool, that which thou sowest is not quickened unless it die;" in other words, the proposition "that life may and does proceed from that which has no life," was held by all the old philosophers, poets, and people of the most enlightened nations, and remained the accepted doctrine through the middle ages down to the seventeenth century. The first to attack the doctrine of "spontaneous generation" was Francesco Redi, who, 202 years ago, came to the conclusion that maggots, for instance, are not generated by the meat, but by eggs, so to call them, brought through the air by blow-flies, and deposited on the meat. This was the commencement of the doctrine of *Biogenesis*, as opposed to

the old view, which may be called *Abiogenesis*. "*Omne vivum ex vivo*" aphoristically sums up both Redi's doctrine and the limit he imposed on it. As years went on, the invention of the microscope, and its use in the hands of such observers as Leeuwenhoeck, Smammerdam, Vallisneri, and Reaumur tended to confirm the general accuracy of Redi's views. In the middle of the eighteenth century, Buffon and Needham took up the question, and, with the aid of greatly improved microscopes, came to doubt the applicability of Redi's system to "infusorial animalcules," substituting for this the hypothesis of "organic molecules," as proposed by the former philosopher. According to this scheme, life is the indefeasible property of certain indestructible molecules of matter which exist in all living beings, each individual living organism being formed by their temporary combination. This hypothesis is called from a word invented by M. Milne-Edwards, *Xenogenesis*, which means the generation of something foreign. But this hypothesis in its turn was overthrown by the acute experiments of the Abbé Spallanzani, who, indeed, showed successfully that Needham was wrong, though he did not prove that he himself was wholly in the right. The question was taken up again by Schutze and Schwann in 1836 and 1837; and, a little later, by Cagniard de la Tour and the illustrious Helmholtz, the latter of whom narrowed it to this—that if membrane, through which air could not pass, was placed tightly over the putrescible substance, putrefaction or fermentation would not ensue; and, therefore, that the cause of the development of the putrefying organisms must lie in something that cannot pass through the membrane. Finally, the researches of Schroeder, in 1859, cleared up the whole matter, by showing that air filtered through cotton wool neither putrefied nor fermented, nor developed living organisms—a view fully confirmed and supplemented by the remarkable experiments on air conducted during the last year by Professor Tyndall. Professor Tyndall, in fact, demonstrated that ordinary air is no better than a stir-about of exceedingly minute solid particles; that these particles are almost wholly destructible by heat; and that they can be strained off and rendered optically pure by being passed through cotton wool.

The next step was to prove that, among these solid, destructible particles there really do exist germs capable of giving rise to living forms; and this has been accomplished by M. Pasteur, who has shown, by aid of the microscope, (1) that the cotton wool, which had served as a strainer, does, as a matter of fact, contain these germs; (2) that these germs develop life on being sown in appropriate solutions; and (3) that the cotton-wool strainer can even be dispensed with, if the neck of the flask containing the solution be drawn out and bent downwards; for, under these conditions, if the solution within be properly boiled, no life will be generated in the fluid, even though the end of the neck be left open, for this simple reason, that the germs will not fall upwards, and that there are no currents to carry them into the interior of the flask. The evidence, therefore, in favour of *Biogenesis*, as opposed to *Abiogenesis*, is very strong.

Professor Huxley then went on to state that with reference to Redi's second problem, whether there is such a thing as *Xenogenesis*—that is, whether some living things are capable of producing offspring wholly different from themselves—the researches of the last two centuries have led to a different result. The splendid patience of Van Siebold, Van Beneden, Leuchart, and others, have succeeded in tracing all such parasites, as the tape-worm, bladder-worm, fluke, &c., often through the strangest wanderings and metamorphoses, to an egg derived from a parent actually or potentially like itself. Thus a plant may throw off bulbs, but

these, sooner or later, give rise to seeds or spores which develop into the original form. A polype may give rise to Medusæ, or a pluteus to an Echinoderm, but the Medusa and Echinoderm give rise to eggs which produce polypes or plutei; and they are, therefore, only stages in the cycle of life of the species.

The Professor then pointed out clearly the connexion between the diseases of the vine and potato, and the practical working of vaccination on the human frame. He then went on to give a very interesting account of the fatal disease under which the silkworm suffers, called *muscadine*, and of the researches which have been ultimately successful in arresting its progress. This disease is entirely due to the development of a fungus, *Botrytis Bassiana*, in the body of the caterpillar, and its contagiousness and infectiousness are accounted for in the same way as those of the fly-disease. Now the production of silk in France has of late years been so great that, in 1853, France produced one-tenth of the whole produce of the world, valued at about five millions sterling. If, therefore, the worms were largely destroyed, the loss would be enormous. Now, a short time before 1853, a peculiar epizootic, frequently accompanied with dark spots upon the skin (whence the name *Pébrine*), attacked the silkworms, the result of which was, that, in 1856, the silk crop was reduced to one-third of its previous yield; and, since then, till within the last year or two, it has never attained to half the produce of 1853. In 1858 the gravity of the situation caused the French Academy of Sciences to appoint Commissioners, of whom a distinguished naturalist, M. de Quatrefages, was one, to inquire into the nature of the disease, and, if possible, to devise some means of staying the plague. The result was the discovery that the disease of which these worms died had, in its mode of occurrence and propagation, a remarkable resemblance, indeed identity, with that of the cholera. An Italian naturalist, Filippi, had found in the blood of silkworms affected with it a multitude of cylindrical corpuscles, each about 1-6000th part of an inch long; and it has been now clearly shown by M. Pasteur, that this devastating cholera-like *Pébrine* is the result of their growth and multiplication within the silkworm itself.

But M. Pasteur has done more than this. He has devised a method of extirpating the disease, which has proved to be completely successful whenever it has been properly carried out. "The direct loss to France," added Professor Huxley, in concluding his address, "caused by the *Pébrine* in seventeen years, cannot be estimated at less than fifty millions sterling; and, if we add to this what Redi's idea, in Pasteur's hands, has done for the wine-grower and the vinegar-maker, and try to capitalize its value, we shall find that it will go a long way towards repairing the money losses caused by the frightful and calamitous war of this autumn; and as to the equivalents of Redi's thought in life, how can we over-estimate the value of that knowledge of the nature of epidemic and epizootic diseases, and, consequently, of the means of checking or eradicating them, the dawn of which has assuredly commenced?"

On the days subsequent to that on which Professor Huxley delivered his inaugural address, the meetings of the sections took place as usual, and at these a number of interesting and valuable papers were read, to which we shall briefly advert hereafter. It is necessary, however, first to notice an independent lecture, by Professor Tyndall, "On the Scientific Uses of the Imagination," which excited much attention at the time, as well from the abstruseness of its reasoning as from the bold, not to say dangerous, speculations put forward by him. Professor Tyndall is, we fear, an advanced disciple of Darwin, and has, as it would seem,

allowed his speculations to encourage in him the belief that the ultimate origin of life and mind, as well as of body, is material. That we may not misquote his views, we give his own words:—"The gist," says he, "of our present inquiry regarding the introduction of life is this—Does it belong to what we call matter, or is it an independent principle inserted into matter at some suitable epoch—say when the physical conditions become such as to permit of the development of life? . . . . . One question is this—Did creative energy pause until the nebulous matter (if indeed there ever was a period when this was the actual condition of our earth) had condensed—until the earth had been detached—until the solar fire had so far withdrawn from the earth's vicinity as to permit a crust to gather round the planet? . . . . . Having waited through these *Æons*, until the proper conditions had set in, did it send the *fiat* forth, 'Let Life be' ? . . . . . Now what is the core and essence of this hypothesis? Strip it naked, and you stand face to face with the notion that not alone the more ignoble forms of animalcular or animal life—not alone the nobler forms of the horse or the lion—not alone the exquisite and wonderful mechanism of the human body—but that of the human mind itself—emotion, will, intellect, and all their phenomena, were once latent in a fiery cloud. . . . . These evolution notions are absurd, monstrous, and fit only for the intellectual gibbets in relation to the ideas concerning matter which were drilled into us when young. Spirit and matter have ever been presented to us in the rudest contrast; the one as all-noble, the other as all-vile. But is this correct? . . . . . Without this total revolution of the notions now prevalent, the evolution hypothesis must stand condemned; but in many profoundly thoughtful minds such a revolution has already occurred. They degrade neither member of the mysterious duality referred to, but they exalt one of them from its abasement, and repeal the divorce hitherto existing between both. In substance, if not in words, their position as regards spirit and matter is—What God hath joined together let no man put asunder."

Many very excellent papers were read in the different sections, to some of which we shall here briefly allude; and to take first—Section A. Mathematical and Physical Science. Mr. S. A. Varley's paper, on "The Mode of Action of Lightning Coils," was very interesting. When storms occur in the neighbourhood of telegraph circuits, it is well known that powerful electric currents are often induced in the telegraph wires; in some cases, even strong enough to fuse the coils. But the interruption lightning causes on telegraph circuits is more impartial than the destruction it causes to the apparatus. To meet this evil, Mr. Varley constructed what he has called a lightning-bridge, consisting of two metallic-pointed conductors, approaching to within 1-18th of an inch, and surrounded by a mixture of conducting and non-conducting materials. This instrument has proved eminently successful, and there are now more than 1000 of them in daily operation in this country.

To Mr. Glaisher the meeting was indebted for a very able report on "Luminous Meteors for 1869-70;" to Mr. Main, "The Radcliff Observer" at Oxford, for an excellent paper on "Shooting Stars;" and to Mr. Galton for a notice on "The Barometric Predictions of Weather"—a paper full of his usual ingenious suggestions. Mr. Galton pointed out that the barometer corresponds, not with the tumultuous changes of the weather, but with those of its average quality, and that numerous trials had shown that the averages should be taken at about every twelve hours; it has been further observed that wind had far greater influence on



the barometer than temperature or damp. The fame of the barometer is due to its success in predicting a type of storm very rarely met with in the British Isles. In ordinary gales, and much more so in ordinary weather, Mr. Galton considered that the barometer was useless as a guide, except when consulted with full knowledge of what was occurring at adjacent stations.

The Rev. F. Howlett contributed a good paper on "Solar Spots observed during the last Eleven Years," in which he stated his belief that these spots were attached for the time being to the photosphere, and that they were not clouds floating above it. Mr. Howlett further assumed that the spots were depressions in the solar photosphere filled up by the solar gaseous atmosphere. 1. By the ordinary testimony of the eye. 2. By the stereoscopic effect obtained by Mr. de la Rue's photographs of spots taken at intervals of about two days. 3. By the foreshortening of the *penumbra* of a nearly circular spot, alternately on the right and left side, as it first comes on, and then passes off the disc—a phenomenon first noticed in the last century by Dr. Wilson.

In Section B., Chemical Science, Mr. W. Gossage read a remarkable paper on "The Soda Manufacture," which was supplemental to a former paper by him read at Manchester in 1861, showing the prodigious quantity of this material now in use in the bleaching and other chemical works of Lancashire. So long ago as 1852, when the Excise duty was finally abolished, the total production of Great Britain amounted to about 1600 tons per week; the present production in Lancashire alone was fully equal to that of the whole kingdom in 1852. Mr. D. Forbes read an able report on "The Utilization of Sewage, with Special Reference to the Phosphate Process," in which it was pointed out that there was no reason why sewage-farms should be a nuisance to the neighbourhood in which they existed; it being quite possible to filter the sewage water in such a way as to retain the solid and valuable particles, thus forming a precipitate of such high value to agriculturists as to pay for its transmission to a great distance.

Professor Williamson read a paper in opposition to the proposed Government scheme of founding a Special Engineering College for India, on the ground that there were already in the United Kingdom Universities which did all the required work, and where ample provision was made for the special knowledge required by engineers. The Committee of this section agreed unanimously to a resolution that this action on the part of Government was inexpedient and uncalled for—a view also taken by the Section of Mathematics and General Physics and by that of Mechanics.

Section C., Geology was illustrated by an even larger number than usual of valuable papers. Of these we may mention that, by Mr. G. H. Morton, on "The Glaciated Condition of the Triassic Sandstone round Liverpool," in which the author called attention to a portion of ground on the waste space near North Hill-street, where could readily be seen several hundred square yards of ice-planed sandstone, closely covered with fine lines and grooves, all perfectly straight and parallel with each other, and running in a direction thirty-five degrees W. of N.

Mr. Pengelly brought up the "Sixth Report of the Committee for the Exploration of Kent's Cavern," near Torquay, a cavern consisting of an eastern and western division, each including a considerable series of chambers and galleries, with two entrances about 50 feet apart, and 200 feet above the mean

sea level. During the past year many of the various branches and ramifications of this wonderful cavern have been explored, and a vast quantity of bones, or fragments of bones, of the hyæna, horse, rhinoceros, bear, sheep, badger, fox, rabbit, elephant, deer, lion, &c., have been met with; twenty-one flint implements have also been found, in association with the horse and rhinoceros, in the cave earth. Similar explorations have also been made, under the superintendence of Sir J. Kay Shuttleworth, by Mr. Jackson, in the mountain limestone caves near Settle, in Yorkshire.

A very able paper was contributed by Professor Hull, "On the Extension of the Coal-Fields beneath the Newer Formations in England," in which the author brought forth evidence that the coal measures were originally deposited in two continuous sheets, one to the north and the other to the south of a ridge of old land formed of Silurian rocks, which stretched eastwards from Shropshire to the south of the Dudley coal-field. This region or barrier, he thought, had never been submerged beneath the waters in which the coal-fields had been deposited. Dr. Moffat, in a paper "On Geological System and Endemic Diseases," showed clearly that the soil has an influence on the composition of the cereal plants grown on it, and on the diseases to which the inhabitants are subject. Thus goitre is a very common complaint among those who live on the carboniferous system, while it is unknown among those who dwell on the red sandstone. On analyzing the cereals, Dr. Moffat found that those grown upon the Cheshire sandstone had the largest quantity of ash, more phosphoric acid, and more oxide of iron. Each inhabitant of the Cheshire district who consumes a pound of meat a day takes in nearly five grains per day of the sesquioxide of iron more than does the inhabitant of the carboniferous system. The same applies to the meat procured from sheep and other animals who live, like the men, on the same two systems. Mr. A. R. Wallace exhibited a diagram of the Earth's eccentricity, and read a paper to show that variations in the Earth's eccentricity served in great measure to account for many of the greater geological changes, &c. He proved that during the last three million years the eccentricity has been almost always much greater than it is at present, on an average twice as great, and for long periods more than three times as great. When the eccentricity is greatest, the heat received from the sun at the greatest and least distances was as three to four; hence, owing to the precession of the equinoxes, the winters of the northern hemisphere would be rendered intensely cold and much longer for periods of 10,500 years; while during the alternate periods the winters would be mild and short, the summers cool and long, leading to an almost perpetual spring. As such intercalations must have occurred during every glacial period, the fact of intercalated warm periods with the migrations of animals, &c., consequent on them, which have been detected by geologists, may be looked upon as the normal condition of things. During the last 60,000 years the eccentricity has been very small, and hence the alternations of climate and consequent migrations have been proportionately slight.

In Section D., Biology, much time was spent in the reading papers more or less evoked by what are now called the "Darwinian" theories; those by Dr. G. W. Child "On Protoplasm and the Germ Theories," and by Mr. J. Samuelson "On the Controversy on Spontaneous Generation," proving to demonstration that the clearest heads and the most practised and careful experimentalists have not yet succeeded in attaining to a definite view on this subject. Such researches and

such speculations are not, however, without their use in that they so greatly stimulate microscopical inquiry.

In Section E., Geography, Sir Henry Rawlinson read two excellent papers, one entitled "Notes on the Site of the Terrestrial Paradise;" the other, "On Early Traditions regarding the River Oxus." In his first paper he pointed out that, in the early traditions of nations, we invariably find the Heaven-land, or abode of the gods, to lie in that portion of the earth from which the recording race took its intellectual origin. Thus we have the Olympus of the Greeks and the Meru of the Aryans. We might, therefore, expect to find the paradise of the Hebrews in the region which was the cradle of that race, near "Ur of the Chaldees," a spot now certainly determined by the Cuneiform Inscriptions to have been at Mugheir, on the lower Euphrates. The name Hebrew is derivable from the same locality, *Ibri* being the specific title among the Arabian geographers for the belt of alluvial land in that neighbourhood. It is further likely that *Gan-Eden*, which we translate "Garden of Eden," is nothing more than the Hebrew rendering of one of the vernacular names of Babylonia, such as *Gan-duni*, *Gana* meaning enclosure, and *Aduni* being the name of one of the earliest worshipped gods.

The "Garden of Eden" is said to have been watered by four rivers; so, too, was the land of Babylonia in the Inscriptions. Of these, two are called Tigris and Euphrates; the other two *Surrapi* and *Ukni*; the first, probably, answering to the Biblical Gihon, the second to the Pison. *Ukni*, on other grounds, may be shown to mean *Onyx*, or (as Sir H. Rawlinson suggested) with more probability, Alabaster. *Bdellium*, most likely, is *bedolat*, or pearls. The Gihon in the Bible is said to "encompass the whole land of Cush," which our translators, by a bold guess, have rendered Æthiopia. Now "Cush," or "Kish," was one of the primitive capitals of Babylonia, and apparently gave its name to the whole country along the river. Two great outlets from the Euphrates, one towards the S.E., and one due E. to the Tigris, have been known throughout all ages, and these are doubtless to be identified with the Pison and Gihon respectively.

In his second paper Sir Henry Rawlinson stated that Pamir (perhaps as Bur-nouf fancied, *Upa-Meru*, the "country above Meru") was unquestionably the district to which the geographical indications of the Puranas point as the site of the primeval Aryan paradise. The Sanscrit writings were supplemented by the Buddhist travellers, the details furnished by whom are often singularly accurate. The four rivers of the Aryan paradise are named by the Brahmans: 1, the Sita; 2, the Alakananda; 3, the Vakhshu; 4, the Bhadra. By the Buddhists: 1, the Ganges; 2, the Indus; 3, the Oxus; 4, the Sita. It is probable that the many-rivered wealth of Pamir had so impressed the Aryan colonists that, in their subsequent migrations to the south, they transferred the physical features of their fatherland to the abode of Brahma and the gods, precisely in the same way that the Semitic Jews, after being transplanted to the coast of Syria, preserved in their delineation of the Terrestrial Paradise the memory traditionally handed down of their old *habitat* in Babylonia between the Tigris and the Euphrates. Another Aryan legend confirmed this presumed connexion between the head streams of the Oxus and the several rivers of Asia which were fabled to fall from Heaven upon Mount Meru, and thence to flow into the surrounding world. One version of the Puranic legend described these rivers as seven in number, and the region of the Upper Oxus was certainly

known to the Iranian division of the Aryan race as the country of the Seven Rivers.

With this notice of the above papers we are compelled by want of space to close what we had to say about the Liverpool Meeting of the British Association, and we will only add here a brief memorial of two or three scientific works published during the last year, to which more than usual attention has been called:—

“Other Worlds than Ours,” by R. A. Proctor. The invention of the spectro-scope, and the wonderful advances the Science of Astronomy has made during the last few years, fully warrant Mr. Proctor in the reconsideration of the curious questions involved in the discussion between the late Professor Whewell and Sir David Brewster, in their well-known volumes, the “Plurality of Worlds” and “More Worlds than One.” Mr. Proctor commences his work by an examination of the actual distribution of the inhabitants of the Earth over its surface, and points out the significant fact that there is still life, whether under the extreme colds of the Arctic zone or under the heats of the Torrid: he then discusses the possible cases of Mercury and Venus, whose orbits are within those of the Earth, and which have unquestionably atmospheres; our own Moon has not. Doubtless, the heat on the surface of Mercury would at first seem to be a fatal objection to the existence of any form of animal life; but we do not know what modifications of this heat may be produced by its atmosphere. Venus, again, has remarkable resemblances to the earth in size, density, seasons, and rotation, but it has no Moon, or rather none hitherto detected. Its atmosphere is much more extensive than ours, but of the composition of it we know nothing. “Yet,” says Mr. Proctor, “on the whole, the evidence we have points very strongly to Venus as the abode of living creatures, not unlike the inhabitants of the Earth.”

When we come to the planet Mars, we see much to remind us of our own globe; indeed, Mars has been called, with some show of reason, the Earth in miniature. The Equator of Mars is inclined at nearly the same angle as our own, hence its seasons differ little from ours. Through a telescope, we discern, on his surface, greenish and ruddy tracts, and its poles are white, as must appear those of the Earth when viewed from a sufficient distance. The greens are not impossibly oceans and seas, the ruddy spots islands and continents. We have no reason to doubt that these oceans produce the clouds which often veil the surface of this planet, and that the leading features of our own scenery may be reproduced on the surface of Mars. Mr. Proctor seems justified in thinking we ought not to assume “in the face of so many probable arguments to the contrary, that Mars is a barren waste either wholly untenanted by living creatures, or only inhabited by beings belonging to the lowest orders of animated existence.” With regard to Jupiter and Saturn, the evidence of life at all, like any of which we have cognizance here, is doubtless small; but we need not accept Davy’s theory that the bodies of the “Jovials” are composed of “numerous convolutions of tubes more analogous to the trunk of the elephant than any thing else,” or Whewell’s idea that they must be “pulpy gelatinous creatures, living in a dismal world of water and ice with a cindery nucleus.” Anyhow, Mr. Proctor’s work may be safely studied as that of a man who has investigated for himself, and as one who has shown fair reasons for “the faith that is in him.”

Another work of some interest, which may be fairly placed alongside that of

Mr. Proctor, is "The Interior of the Earth," by H. P. Malet; though we confess we are not converts to his views, and fear that grave men of science will deem him too much of a rash enthusiast. Still we must have enthusiasm, if we are to have progress; and there can be no question Mr. Malet has given in this volume good proofs of his ability to compose hereafter a far more satisfactory book. The subject is one of great difficulty, as the top of the highest mountain and the depth of the deepest sea barely give us a knowledge of one three-thousandth part of the thickness of the globe, and even the recent deep sea-dredging afforded scarcely any opportunities of more penetrating observations. Astronomy enables us to determine that the density of the globe's external crust is about two and a half times that of water, and the density of the whole mass appears to be about five and a half times that of water; but when we have stated so much, we have said nearly all which rests on solid and sure foundation.

Leroy's "Intelligence and Perfectibility of Animals" is a curious and somewhat fanciful book, recently translated, and translated exceedingly well. Leroy was himself ranger of the parks at Versailles and Marly, a contributor to the famous Encyclopédie, and the personal friend of Helvetius, D'Alembert, and Diderot. From this last circumstance, his views on many subjects may be easily guessed. His volume consists of letters addressed to Madame D'Augiviller, and treat of two different subjects; the larger number (eleven) of the intelligence of animals, the smaller (five) of the nature of man. The speculations on man are poor and shallow, as are, we think, many writings by followers of Locke, of whom, in France, Condillac was the most eminent. Assuredly, we do not require to be told, as Condillac has argued, that all thought is mere sensation, or, as Hobbes reasoned, that all human nature is reducible to selfishness; even laughter being, as that philosopher averred, but the result of a sense of superiority, while gratitude is only a lively expectation of future kindness.

Leroy believed in the existence in man of a principle of benevolence now innate, but possibly acquired in the lapse of many generations; and, as Condillac ascribed all human progress to the use of language, Helvetius to the superior organization of the human frame, and especially of the hand, so Leroy attributed it chiefly to the art of writing. On the other hand, Leroy's account of animals is exceedingly interesting. Himself, evidently, a keen sportsman, he seems to us, in other respects, to represent, remarkably for a Frenchman, some of the best characteristics of our own White of Selborne. With the ways of birds, of deer, of hares, of the wild boar, the wolf, and the fox, he exhibits an intimate knowledge, and he fights for his wild friends against the speculative theories of Des Cartes and Buffon, with all the enthusiastic pleading of an advocate who knows he has truth on his side. What too, is of great importance is this, that, though many years have elapsed since these letters were first penned, the later and more profound researches of Owen and Huxley have failed to detect any important errors in the views he has put forward, most, if not all of which, indeed, were based on his own personal experience. Thus he points out with singular force, that the intelligence and disposition of animals vary greatly; and also, that among specimens of the same genus great differences may be detected. Thus dog differs from dog, fox from fox, and wolf from wolf. From the fact, that the old fox and old hare baffle the hounds, while the old wolf is the chief terror of the peasant, Leroy argues

for the gradual intellectual improvement of animals: wild animals who live long in the neighbourhood of man, becoming, as he urges, from year to year, and from generation to generation, the more cunning and the more crafty. He further believes that animals do think and reason; moreover, have also a certain limited language of their own. That animals with so much in their favour have not progressed, he thinks is not difficult to understand; for it is want which leads to progress—not the actual possession of the thing wanted. Man, however savage, remembers the gratification of some new pleasure, and wants it again, but the brute, with wants simpler than those of any savage, does not as certainly remember *his* want. The difference between the reasoning of the man and the animal is probably no more than this—both reason; but the one, from the greater amount or organization of his brain, is able to carry on from year to year the new material he has acquired by thought, and to store up this new gain for the acquisition of still further results.

“Primitive Man;” “Mammalia: their various Orders and Habits,” are two very nicely executed little works by M. Louis Figuier, though we may be permitted to differ, and to a considerable extent too, from some of the views he has advanced. Thus we are quite ready to value his labours for what they are worth, but think he had better have avoided, compiling—as he professes to be compiling—*popular* books, such disputed questions as the development of species. We do not much object to one of his sentences—“Show me an ape who can speak, and then I will agree with you in recognizing it as a fact that man is nothing but an improved ape;” but we do not accept “the pre-historic period of the polished-stone age” as an adequate definition of the great Megalithic monuments of Europe, such as Stonehenge or Carnac. Further, we think the illustrations of his books are too fanciful—indeed, are not seldom for this reason useless, and that some must be amended in a future edition: the woodcut of the *Menhirs* at Carnac is simply ridiculous.

“On some Defects in General Education,” by R. Quain, F.R.S. The Hunterian Oration by such an able medical man as Dr. Quain, is sure to attract general attention, and will be accepted by many with little judgment, beyond a general appreciation of his ability. It behoves us, therefore, to be sure that, when Dr. Quain deviates from his own special pursuits, he does so with any advantage to his hearers or pupils. We beg, therefore, to express great doubt of his judgment when he questions the value, as a discipline for youthful minds, of the study of Latin. Had Dr. Quain asserted, that the mode of teaching Latin in England, indeed, of almost all languages, is far from what it ought to be, and that there is a crying want of teachers better acquainted with even the most elementary principles of Philology, we should quite have agreed with him. It is not so much the thing to be taught, as a sound method of teaching, that we really want. The value of Latin, as the key to so many of the current languages of Europe, and as the foundation of so much of what is best and greatest in English literature, can hardly be overestimated. Moreover, as a *dead* language, we can reason about it, and use it in the investigation of the laws of comparative Philology, with the same certainty with which Dr. Quain would reason from the bones of extinct to those of living creatures in lectures on comparative anatomy. While, however, we differ from Dr. Quain on the question of the value of teaching Latin, we cordially endorse all he urges on the evils of competitive examinations and on the *abuse* of athletic sports at College, and more especially at Schools.

“When,” says he, “athletic exercises become the principal occupation, when they take the place of intellectual labour instead of being its auxiliary, then no thinking man can do otherwise than object to their excess and misuse, and object very earnestly. . . . . There is a natural inclination, in early age, to active out-door occupations. Young people rush, not unnaturally, from the irksome drudgery of the school to the play-ground; for in the school there is little to engage the faculties of the mind then most active. . . . . The gratification of another instinct possesses the mind.”

PART II.  
CHRONICLE  
OF REMARKABLE OCCURRENCES  
IN 1870.

JANUARY.

4. THEFT OF COLONEL HICKIE'S CHILD AT MAIDENHEAD.—At the Berkshire Epiphany Quarter Sessions, held at the Assize Courts, Reading, Elizabeth Barry, aged 39, nurse, was indicted for unlawfully and by force taking away a female child, of the age of seventeen months, named Amelia Maria Victoria Hickie, the daughter of James Francis Hickie, with intent to deprive the said James Francis Hickie of the possession of the said child, at Maidenhead, on the 8th of October, 1869. The Court was crowded in every part to hear the trial of this extraordinary case.

The prisoner, who had rather a prepossessing appearance, pleaded guilty to taking the child, but denied the latter part of the indictment, that she did it to deprive Colonel Hickie of his child; and she expressed a desire to defend herself from this charge before the jury.

Colonel Hickie stated that he was in Ireland at the time of the abduction of the child. The prisoner was a nurse in his employ, and he left her at home with his wife at Kidwell Park, Maidenhead. On hearing of the loss of his child, he immediately offered a reward for its discovery. It was his youngest child at the time of its abduction, and was aged seventeen months. On the 17th of October he received a telegram, in consequence of which he went direct to Liverpool, and received his child from the hands of Major Greig, the Chief Constable of Liverpool. The child's hair had been cut, it was looking pale and bad, and there were marks of bruises on its body. The child's clothes had also been altered.

Louisa Cooper, cook in Colonel Hickie's service, said she saw the prisoner leave the house at Maidenhead, on the afternoon of the 8th



of October, with the child; and she did not see the child again until it was brought home by Colonel Hickie, on the 19th of October, looking poorly, and with its hair cut. She knew the prisoner received notice to leave Mrs. Hickie's service shortly before the 8th of October, and she heard the prisoner say, "I have not done with Mrs. Hickie yet, and that she will know before I have left the house."

William Holdway, of the Maidenhead police force, proved apprehending the woman in Liverpool, when she said she took the child away as a companion, because she thought of settling down at Liverpool at needlework. She was sorry then that she had taken the child.

Catherine O'Brien, residing at 7, St. Jude's-place, Liverpool, said the prisoner came with the child and took lodgings at her house on the 9th of October, and remained there eight days. The prisoner told her that she was married, that her husband was on board a New York steamer, and that she was going to take in needlework. The prisoner got in but very little food for the child, and on the third day witness saw the prisoner beat the child. She said it had got a bad temper, like its father. The child was very much neglected, and the prisoner gave way to drink very much. She was in drink five days out of the eight. On one occasion witness saw the child eating some dry bread and drinking cold water. At the latter part of the time the child got very poorly. On the last Sunday the prisoner was there witness went into her room and noticed a mole on the upper part of her lip, as described in the papers. She saw the prisoner beat the child several times. The detective apprehended the prisoner on the same Sunday afternoon.

The prisoner cross-examined this witness as to the food she had in the house and gave to the child, and as to the drink she took. The witness maintained her original statement, and said that when she remarked the mole on the woman's face she immediately asked for a sheet of paper and envelope, and commenced to write.

The prisoner entered into a long, rambling defence, in an agitated voice. She admitted taking the child, but said she regretted it from the first. She treated the child well, and gave it plenty of wholesome food. With regard to her being in drink, she pointed out that her extreme excitement and anxiety about the child might have been mistaken for intoxication. She went to the priest, and asked him to come to her, that she might tell him all about the affair, and give up the child. As he did not come, she sat down and wrote to Mrs. Hickie, that she could have her child on applying at 7, St. Jude's-place, Liverpool. She was going to post this letter when taken into custody by the detective. She was extremely sorry for the offence, and would willingly undo it if she could. At the conclusion of her statement she burst into tears.

Mr. R. Benyon, M.P., the Chairman, in summing up, pointed out that the only question for the jury to decide was whether the prisoner took the child against the father's will, and this she

admitted. The matter of the ill-treatment of the child was merely stated in aggravation of the punishment, if the jury found her guilty.

The jury, after a short consultation, found the woman guilty.

The Chairman, in sentencing the prisoner, said she had been found guilty, not so much by the jury as by her own conscience, of having taken away this child from the custody and possession of its parents; and a greater offence, or more iniquitous proceeding on her part could scarcely be committed. She had rendered herself liable to seven years' penal servitude, but the Bench were willing to remember mercy, if they could consistently; and, taking into consideration that she had already been imprisoned three months, she would be committed for fifteen calendar months' imprisonment, with hard labour.

The prisoner was taken away from the dock weeping.

5. BURGLARY AT THE AMERICAN MINISTER'S.—A robbery was committed in the evening at the residence of the Hon. J. Lothrop Motley (the American Minister), 17, Arlington-street. There was every reason to believe that the thief or thieves must have concealed themselves on the premises some time before the robbery was perpetrated, and that they escaped by the back way leading into the park. Property to the amount of about 1000*l.* was carried off, the property consisting of jewellery, &c. The thieves left behind them a "jemmy" and a long rope.

8. SHOCKING ACCIDENT.—An appalling accident, by which five colliers lost their lives, occurred at No. 1 Voiheiw Pit, the property of the Dowlais Iron Company, this evening, when, at about six o'clock, the colliers were ascending from the workings. Some in their impatience, it would appear, rushed to the shaft which was not used for the ascent of men, but for drawing coal. This shaft had, however, been in use all day in hauling up coal, and had given no evidence of defectiveness. At the time stated five men, among whom was the manager, resorted to the coal shaft, which was the lesser of the two, and, having given the signal, were unfortunately drawn up; but when they had reached to within about twenty-seven yards of the top of the shaft, the rope suddenly broke, and the poor fellows were hurled back to the bottom, and were killed instantaneously. In age the deceased ranged from fifteen to forty years. It was stated that the rope was cut by coming in contact with a broken "sheave."

9. ACCOUCHEMENT OF THE PRINCESS MARY OF TECK.—The following bulletin was issued:—

"Kensington Palace, January 9, 12 p.m.

"Her Royal Highness the Princess Mary Adelaide was safely delivered of a Prince at eleven o'clock this evening.

"Her Royal Highness and the infant Prince are doing perfectly well.

"ARTHUR FARRE, M.D.

"EDWD. H. HILLS."

12. DESTRUCTION OF THE OLD STAR AND GARTER HOTEL, RICHMOND.—The Old Star and Garter Hotel, so long known as a resort of convivial parties from London, was totally destroyed by fire at an early hour this morning. Only three persons were in the building at the time, and so rapidly did the flames spread after the outbreak in the basement had been discovered that Mr. John C. W. Lever, who had assumed the position of manager but a fortnight before, had no time to escape, and was burnt to death.

The fire was first observed by the coachman of Colonel Burdett, late of the 17th Lancers, who resided at Ancaster-house, opposite the hotel, and adjoining the great gates of Richmond Park. He was driving the Misses Burdett home from a party in the neighbourhood, and at a quarter past one o'clock had arrived at his master's house, when he remarked smoke issuing from the areas and beneath the entrance-door of the hotel. He directly called the attention of the Misses Burdett to the fact, and while he was shutting up his horses these ladies, with great presence of mind, regardless of the slender protection their evening dresses afforded, crossed the road and knocked and rang loudly at the door of the new hotel, which was built in 1864, a few yards nearer to Richmond Park, and which, though belonging to the same proprietary, is an entirely distinct building. Having roused the inmates, they returned to their house and called Colonel Burdett, who was just retiring to bed. He immediately directed his butler to ring his alarm-bell and rouse the neighbourhood. By this time Mrs. Bearpark, the housekeeper of the hotel, who, with half-a-dozen female domestics, slept in the new building, had arrived in front of the old hotel, and, in reply to inquiries addressed to her by the only two policemen who had arrived on the spot at the time, she described the persons sleeping in the old building to be Mr. Lever, the manager; Mr. Simpson, his clerk; and George Mingey, the cellarman. Meantime Colonel Burdett had been very active, and with the assistance of his coachman and butler had brought a ladder from his grounds, which arrived most opportunely, and just at the moment when Lever the manager, and Simpson the clerk, presented themselves together at the window of a bedroom on the third floor, calling piteously for aid. Although at this moment the flames had not broken through any of the front windows of the hotel, a dense smoke was escaping from every casement, including those on the third floor, where the two men were imploring help. Unfortunately, the ladder brought from Colonel Burdett's would not reach higher than the second floor, and there appeared imminent probability of both lives being sacrificed. But, happily, Colonel Bull, of the 19th Surrey Volunteers, arrived about this time, and, seeing the difficulty, called out to the inmates to lower themselves, which Simpson immediately did by tying one end of a sheet round the iron flower-basket outside the window, and lowering himself as far as the sheet permitted. There were still some inches between his feet and the top spar of the ladder, when Colonel Bull, with

great daring, mounted the ladder, and, almost hidden by dense volumes of smoke, continued to ascend until he got hold of Simpson's feet, which he steadied on the topmost spar, and thus brought him safely to the ground, to the inexpressible relief of those who had assembled. Simpson was dreadfully cut about the face and neck by coming in contact with the glass windows while swaying to and fro upon his fragile support. He swooned on reaching the ground, and was carried across the road to Colonel Burdett's house, where all needful attention was immediately paid him. It was hoped that Lever would have followed Simpson's example, and have lowered himself, but those present said that while Simpson was hanging from the window they observed Lever suddenly disappear, and the presumption was that he was suffocated by the smoke and fell down insensible. About this time it was discovered that Mingey the cellarman, who slept on the first floor, had contrived to escape through the new coffee-room on the north side of the old hotel, and which was the only portion of the building not entirely destroyed.

The incidents above described occupied only a few minutes, and before the first engine arrived the whole building was in flames from the basement to the roof, lighting up the valley of the Thames, and giving early notice to the surrounding towns of Brentford, Kew, Twickenham, Hounslow, &c., of the work of devastation that was going on. The roof fell in, carrying with it every floor in the building, before two o'clock, and, although the fire continued to burn with great intensity for two hours longer, there was, happily, from the direction of the wind, no danger of the flames extending to the new hotel.

The Richmond engine was the first to arrive, and was followed by several of those from the surrounding towns, conspicuous among which was the Twickenham Volunteer Fire Brigade, with their fine steam-power engine. Altogether, eight engines had arrived before a single drop of water had been obtained, and so great was the heat thrown out by the burning ruins that the green-houses and a large elm-tree in Colonel Burdett's gardens, eighty feet distant across the road, caught fire more than once, and could only be kept cool by constant supplies of water drawn from his private wells. The new hotel had a roof-tank, capable of holding 80,000 gallons of water, but, almost as a matter of course, this tank was not only unavailable, but nearly empty.

About four o'clock a party of the Metropolitan Fire Brigade Salvage Corps, headed by Foreman Purkett, arrived from London, but they were unaccompanied by any engines or firemen; and a lamentable want of discipline would have prevailed among the various local fire-brigade corps but for the exertions of Superintendent Butt and Inspector Ayre, of the V division of the Metropolitan Police, who were present, and preserved order as they best could. No additional loss, however, arose from this circumstance. All that was left of the old hotel was an enormous mass of smoul-

dering bricks and rubbish several feet below the level of the roadway. The front wall fell early, and very small portions of the rest were standing when the Richmond people rose in the morning.

There was no clear account as to how the fire originated. That it broke out in the basement—the kitchen or cellar—there could be no doubt whatever, because that was the portion of the hotel in which the fire was first discovered. All business in both the old and the new hotels had been recently suspended for the winter season, the few servants retained having been engaged in taking the stock in the cellars, &c., and, no doubt, those portions of the old building had been visited on the previous day. Simpson the clerk stated that he was engaged with Mr. Lever the manager up to midnight in making up his stock-books, and that, having himself turned off the gas at the main in the entrance-hall, they together retired up-stairs to their respective bedrooms—his own on the second floor, and Mr. Lever's on the third floor. He stated he was awoke by a suffocating sensation, and on rising in bed found his room nearly full of smoke. He jumped up, and, putting on his trousers, dipped two towels in the water-jug and wrapped them round his head. Thus prepared, he left his room and groped his way up-stairs to the bedroom of the manager, whom he had great difficulty in rousing. When he told Mr. Lever the house was on fire, the latter replied, half-asleep, "Oh, nonsense; humbug!" and it was only by dint of almost pulling him out of bed that he could be made aware of his danger.

The property destroyed was very heavily insured in the Sun, the Guardian, the Atlas, and the Phoenix Fire-offices, the wine in the cellars of the old hotel alone having been valued at nearly 10,000*l*.

About five o'clock in the evening, a strong gale sprang up from the westward, and brought down the few outer walls of the old building which had up to that time remained standing.

An immense number of spectators visited the hill during the day.

15. MURDER IN FINSBURY.—About half-past five o'clock a.m. an atrocious murder was committed at Brecker's Hotel, Christopher-street, Finsbury-square, the victim being a young woman. It appeared that four hours before Jacob Spinass, the night-porter at the hotel, was taken into custody for creating a disturbance at a house of ill fame in the City-road, where, according to his own account, he had been robbed of a sum of money. The acting Inspector at the Hoxton Police Station, however, decided not to take the charge, but before he set the prisoner at liberty he advised him to go home, and not to frequent such places in future. Spinass, who was a native of Switzerland, said he would take the advice, and was evidently affected by what had been said to him. He then raised his hat, and went away, leaving on the inspector's mind an impression that he was really of a kind and inoffensive disposition. He got back to the hotel at half-past one, and the door was opened by

Joseph Webber, the junior porter. The latter, seeing that he had been drinking, asked him whether he should do his work for him; but this offer Spinass declined, saying, "No; you go to bed." Webber then went up-stairs. At half-past five o'clock the household was disturbed by the smashing of china, and Mrs. Brecker, on descending to the basement, where Spinass's room was situate, and whence the noise proceeded, met him on the stairs. His manner was wild, and he repeatedly said, in German, that "the devil was down-stairs." Mrs. Brecker called for assistance, and Webber came down. It was then discovered that the dead body of a woman was lying near the scullery-door in a pool of blood. One side of the head and face was so completely disfigured as to render identification nearly impossible. Her dress was extremely shabby. From the appearance of the room it was manifest that there had been a violent struggle. The windows were broken, the furniture was disordered, and the bed and the walls were bespattered with blood. Pieces of a wine bottle, many of which had flesh and hair clinging to them, were found in the bed. A heavy candlestick, bent at the bottom, was standing on the table. Spinass, who did not leave the house, was given into custody; and in answer to the charge said he was attacked in his room by several men, among whom was the devil, whom he struck at with the candlestick. They then disappeared; and as soon as they were gone he saw a dead woman on the floor. He was then taken into custody.

The body of the murdered woman was subsequently identified by Eliza Ward, Bridget Martin, and Mary Ann Morton, who said that they lived at a common lodging-house in Flower and Dean-street, Spitalfields, and who applied to Inspector Fife, at the Old-street Police Station, for permission to view it. They said that a female friend of theirs was missing, and that the reports in the newspapers led them to fear that she was the victim. Inspector Fife accordingly had them conducted to the dead-house. The features of the deceased were so disfigured as to be unrecognizable, but her identity was placed beyond doubt by her dress, which had been given to her by Bridget Martin a few weeks before. The latter also said that her friend had dark hair, light blue eyes, and a fair complexion. The deceased answered to this description. It was then stated that up to the night of the 14th she lived with Ward, Martin, and Morton, at a lodging-house in Flower and Dean-street. She had recently completed her thirtieth year, but looked much younger. Her name had been never ascertained. She was known among her acquaintances as "Sissy." For the last two years she had been constantly seen in the neighbourhood of Finsbury-square. Apparently she had no relatives living. In the evening of the 14th, about nine o'clock, she left Flower and Dean-street. The identity of the deceased was further established, two hours afterwards, by Mary Anne Grange, who said that she had lent the deceased the boots which she had on when the murder was discovered. *A post mortem* examination of the body was made on the afternoon of the 16th.

Jacob Spinass the prisoner came from Switzerland. His age was twenty-three. On the 12th of April, 1868, he arrived in England, and six days afterwards obtained employment at the hotel where the murder was committed. In the summer he acted as a commission agent or courier at a house in Cavendish-square. During the winter he was out of a situation. In January, 1869, however, he got some work at an hotel in Percy-street, Tottenham Court-road. About the following Easter he returned to Mr. Brecker's establishment.

Spinass was tried for murder at the Central Criminal Court on the 2nd of March, and sentenced to death, but was subsequently reprieved.

17. SHOCKING MURDER OF A GAMEKEEPER IN SUFFOLK.—An inquiry into the circumstances attending the death of John Hight, a young gamekeeper, murdered on the estate of the Maharajah Dhuleep Singh, at Eriswell, Suffolk, was concluded before Mr. G. A. Partridge, the local coroner, and resulted in the committal of two men for trial. The facts of this barbarous murder were as follows:—

On the 31st December, 1869, Hight was seen to enter a plantation in which a shot had just previously been heard, and was never again seen alive. When he left home he intimated his intention of being back by six o'clock, and as he did not return during the night his friends became alarmed; the police were communicated with, and a party set out in search for him. Nothing could be seen or heard of him until the morning of the 2nd of January this year, when his dead body was found concealed among some furze about 100 yards from the plantation. He had evidently been brutally murdered, having on his head four wounds inflicted by blows with some heavy instrument which completely smashed his skull. Marks of blood (which an attempt had been made to obliterate) found in the plantation led to the conclusion that the unfortunate man was murdered there, doubtless by poachers who were heard shooting early in the afternoon, and that they returned later in the evening and concealed their victim in the spot where his body was found. Two poachers, named Rutterford and Heffer, were seen by a policeman coming across a turnip-field in the direction from the furze cover where the body was concealed, and from one of them (Rutterford) a gun was taken, upon which were subsequently found marks of blood and human hair. Each barrel too was found to contain a full charge of powder, but there were very few shot in either barrel, and the paper which had been used instead of wadding had by some means got some way up the barrel, tending to the belief that the gun had been used violently and the shot shaken out. A further examination of the ground at the spot where the fatal struggle occurred resulted in the finding of a considerable quantity of shot corresponding precisely with the few that were left in the gun. The case, however, did not rest upon circumstantial evidence alone. The prisoners were brought up for examination before the magistrates at Mildenhall on the 7th, when, in the course of a very long exami-

nation, evidence was given by a police officer as to a statement made by the prisoner Heffer, who was much the younger of the two men, and not such a hardened ruffian as the other was known to be. Heffer's statement was to the effect that on the afternoon in question he and Rutterford went into the plantation for the purpose of poaching, and after shooting a pheasant they were looking for another, when the deceased came up to them and took hold of Heffer. Rutterford ordered him to desist, saying that if he did not do so he would knock him down, and as Hight did not relinquish his hold he carried out his threat, striking the keeper on the head with the barrels of the gun. The blow knocked him down insensible, and Heffer then begged of his companion not to kill the man. He was about to run away when Rutterford said he would shoot him if he left the spot, and proceeded to take the gun to pieces and knock the still insensible keeper about the head with the barrels with such violence that Heffer said he sickened at the sight, and was obliged to turn his head away. Having completed the murder, Rutterford put the deceased's legs over his shoulders and dragged the body to the place where it was found, concealing it by cutting branches from the furze and placing them round it as though growing. Heffer denied having taken any part in the actual murder. A verdict of "wilful murder" was returned against both Rutterford and Heffer, who had also been committed in a similar manner by the local magistrates.

Rutterford was subsequently tried at the Ipswich Assizes. It being important to obtain Heffer's evidence, he was freed from the charge and admitted as a witness. Rutterford was found "guilty," and condemned to death. In consequence, however, of a malformation of his neck, owing to a burn in early youth, and rendering him a difficult subject for execution, the sentence was commuted into penal servitude for life.

19. EXECUTION OF TROPMANN AT PARIS.—The following account of the execution of this notorious criminal is taken from the *Debats* :—

"Tropmann was executed this morning while the clock of La Roquette was striking seven. He probably no longer entertained any doubt as to his approaching fate, since for the last two nights he had lain upon his bed completely dressed, as though he desired to be ready for the fatal moment. At half-past six the chaplain, the director of the detective police, the director of the depôt of condemned convicts, the police commissary of the 11th arrondissement, and the registrar of the Cour Impériale, preceded by two warders, proceeded towards the cell where Tropmann had spent his last night. When they entered the cell they found him standing. Upon perceiving this group of persons, whose presence indicated that his hour had arrived, he became very red, and the veins of his neck visibly swelled. He was leaning against the table motionless, with downcast eyes and that hypocritical and gloomy demeanour which he always assumed when he was gazed at. M. Claude, the eminent chief of the detective police, spoke to him mildly and considerately,



and informed him that his appeal had been rejected, that his application for mercy had not been granted, and adjured him in that solemn moment to state the truth concerning the crimes which he had committed. With a kind of impatient manner Tropmann replied, 'I have told the truth.' Then he twice repeated, 'I did not strike; I did not strike.' He was reminded of those imaginary accomplices whom he had invented (after having made during the preliminary examinations confessions as complete as possible), in order to deceive justice and to gain time, and he was urged to name them. He appeared to have some hesitation, hung down his head, and replied in an almost indistinct voice, 'No; I cannot.' The strait-waistcoat was then removed and the prison shirt taken off. Then were seen the large muscles of his breast and shoulders, his solid arms, his slender forearms, his long and powerful hands. His shirt was put on him, and slowly, with that methodical calmness with which he did all things, he buttoned the collar and the wristbands. The strait waistcoat was replaced and all retired, leaving him alone with the chaplain. When he was next seen he walked upright, or rather stiffly, making an evident effort to preserve a firm exterior. Without assistance, and with an active step, he ascended the twenty-six stairs. He traversed the long lobby, descended the staircase leading to the front register office, nearly fell at the last stair, and entered the small office, still keeping his eyes cast down and not uttering a word. Tropmann, standing, endured with sufficient calmness these dreadful preparations, but at times his head wavered, his eyes, always lowered, seemed swollen, and the ridges of muscle in his back agitated his shoulders. He was made to sit down while his hair was cut off, the priest in a soft voice reciting the prayers. At this moment the prisoner broke down; he appeared to sink within himself, he became weak, and his whole frame was agitated. He kept his lips closed. M. Claude asked him whether he persisted in his declarations. Keeping his eyes cast down he replied, in a low voice, 'I persist.' The last journey was then commenced. He walked unsteadily, doubtless owing to the bonds which fastened his arms. It was scarcely daybreak, the grey and lowering sky cast as yet so indistinct a light that it would have been impossible to have read a letter. When the two wings of the great gate of La Roquette, beyond which appeared the sinister instrument of justice, were opened, the condemned man recoiled and shook all over. Supported by the assistants, encouraged by the chaplain, he crossed the threshold and arrived at the foot of the scaffold. There he twice embraced the priest, and said to him, in a very loud voice, 'Tell M. Claude that I persist.' At the first stair he stopped, turned round, and exclaimed again, 'Tell him that I persist.' The chaplain, who was retiring, also turned and replied, 'Be easy; I will tell him.' Painfully he ascended the ten steps, closely supported and pushed forward by the executioner, and was placed before the fatal plank. At this moment the ferocious animal which dwelt in this human form made itself visible. His resigna-

tion disappeared, and he would not die. He threw himself towards the right, and, finding himself thrust back to the centre by the executioner, he displayed with an extraordinary energy that agility, suppleness, and strength which had made him so formidable. Lying with his stomach against the plank, he drew himself up and thrust forward his head and shoulders beyond the hemispherical opening in which his head should have been confined. The assistant executioner in front seized him by the hair, and thrust him back; the executioner took him by the neck to draw him into the proper position, when Tropmann, quickly lowering his head, inflicted a bite on his forefinger. The executioner, who possesses prodigious strength and dexterity, succeeded in placing the criminal's head within the opening; the knife fell like lightning, and the basket closed upon the body of the dead man. All that we have related occurred in no longer a period than twenty seconds. Very minute precautions had been taken by the authorities. From midnight the approaches to the Place de la Roquette had been guarded by strong squads of *sergens-de-ville*, detachments of the Garde de Paris, horse and foot, and by a body of the *gendarmerie* of the Seine. The crowd had been kept back as far as possible to beyond the Rues de la Vacquerie and Gerbier. The crowd was, as on all such occasions it has ever been, disgraceful."

A short account of the crimes for which Tropmann was executed will be found in our *Chronicle* for December last year.

23. TERRIBLE DISASTER IN A LIVERPOOL CHAPEL.—A dreadful accident occurred this (Sunday) evening in the Roman Catholic Church of St. Joseph, Grosvenor-street, Liverpool, where fifteen lives were lost by the crushing of a crowd from a false alarm of fire. The building was originally a tennis-court, and was, in 1798, converted into a Protestant established place of worship, capable of accommodating 2000 persons, and called All Saints' Church. In 1845 the building was purchased by the Roman Catholics, by whom it was dedicated to St. Joseph.

The sides of the building ran parallel with Grosvenor-street. It is a plain, unpretentious, brick structure, ordinarily intended to accommodate about 2000 persons. The central portion of the body of the chapel is pewed, but there is also standing room for several hundreds under the three galleries which run round the sides and the west end. Underneath the chapel is the schoolroom, which will hold from 500 to 800 persons. There are only two modes of ingress or egress, one at the northern and another at the southern end, and both fronting Grosvenor-street. The south doorway is the larger of the two, but neither is much larger than the dimensions of an ordinary house-door. It was at the north entrance where the terrible struggle for life took place; and, as showing the defective construction, it is necessary to be more minute in its description. On entering the doorway there is a small landing, only three or four yards square, immediately to the right of which the visitor descends by four or five steps into the schoolroom, the

chapel being reached by an ascent of six steps from the same landing. Thus, in the event of any sudden rush out of the building, the contending streams from the chapel and schoolroom would have to fight their way over a narrow space, in which probably not more than three persons could ordinarily walk abreast, and this was what actually occurred.

The revival services, conducted here by the mission of the Passionist Fathers, began on the first Sunday of the year, and were attended each Sunday evening by congregations of two or three thousand souls, besides an equal number of children, gathered together on Sunday afternoons in the schoolroom under the church. On the Sunday when this disaster took place the service was conducted by Father Alphonsus O'Neill in the schoolroom, and by Father Raphael in the church, both at the same time, and, in each instance, with a densely-thronged congregation. While the service in the schoolroom was progressing, about half-past seven, a drunken man, who had staggered into the place, shouted out to the preacher, "I have listened to you long enough." This indecent interruption was followed by cries of "Turn him out!" One or two persons rose from their seats apparently for that purpose; the service was stopped, the confusion grew worse, a crash of glass was heard at the lower end of the room, nearest the door, followed by the screaming of children; and when the excitement was at its height the cry of "Fire!" was raised by some one. Then arose screams from every part of the room, accompanied by a terrible scramble by those nearest the stairs to get out. The alarm rapidly extended to the occupants of the chapel, both in the body of the building and the galleries; there was a violent rush to escape; many people were thrown down on the stairs and landing, and some were trampled to death. Many others received serious injuries. The fathers and priests in the church exerted themselves to persuade the people to be quiet, and continued their religious services, with great presence of mind, while the police arrived and carried away the dead. One of the fifteen bodies could not be identified, the face being horribly disfigured. They were all those of poor people, and several were those of women. Most of them had died of suffocation. An inquest was afterwards held, and amongst other evidence, John M'Ginn, a porter, stated that on the evening in question he went to a mission service in the schoolroom under St. Joseph's Chapel, Grosvenor-street, where the Rev. Father O'Neill was preaching. Service was also going on in the chapel above. There was a great crowd in the chapel, and witness could not get in, so hearing that there was service in the schoolroom he went in there. There were not many people in the street at that time. There was no crushing or confusion. He knew Patrick Nevin, a man now present. He was present in the schoolroom, and his attention was called to him a little before eight, by hearing him call out to the preacher, "I've heard you long enough: you've said enough." Nevin was near a window. He heard some people call, "Put him out," but the preacher told

them to keep quiet. He was sure Nevin was in drink, by his voice. In less than a minute he heard a voice cry, "Fire, fire!" slowly. It seemed that of a boy in Grosvenor-street. The windows were broken in places at this time, but he had not then seen any one break them. The voice was low, and appeared to come from close to the windows. The effect was to alarm the congregation. The room was lighted with gas, and no candles or tapers were burning, nor had they been during the service. The witness himself, however, was alarmed by the cry. People tried to get out of the place in the best way they could, through both the door and the windows. No one inside repeated the cry of fire, but there was great confusion. Witness and several others got out through a window, but the great crushing was towards the door. When he had been out, and saw there was no cause for alarm, he got back again into the room, and shouted out that there was no danger. Nevin then said to him, "They're going to kill me;" and witness replied, "You vagabond, you deserve it." The crush was still going on at the door, and the Rev. Father Donovan called out from the door for men to come and help him. At the same time the preacher called out to the congregation to remain quiet. The crush lasted five or ten minutes. The greater number of the congregation remained in their places. After the crush had passed he saw several persons lying just outside the schoolroom door and in the passage.

Dr. Bligh and Dr. Hanbury described the injuries which some of the killed had sustained. Suffocation, in nearly all the cases, had been the direct cause of death. Dr. Bligh was in the schoolroom attending the service. He heard persons crying for some one to be put out, and the confusion soon became serious. Some persons, breaking the windows and trying to get out, caused much noise and increased the alarm. There was a rush of about forty to the door, and in a minute or two he saw several persons on the floor. The Rev. Father Donovan was trying all he could to keep the crowd back, and the preacher, seeing the disturbance, engaged the congregation in prayer to keep them quiet. He did not hear any cry of fire throughout. As soon as the crush had passed he did what he could to assist the injured, all of whom were outside the schoolroom. The majority were killed at the point where the stream from the chapel met that from the schoolroom.

Moses Whelan, a cooper, positively identified Nevin as the man who called out to the preacher. There was an attempt to remove him, and then some one outside called, "Fire!" There was then a rush to the door.

The Rev. Alphonsus O'Neill said he was preaching a mission sermon in the schoolroom on the night in question. About ten minutes before eight o'clock he noticed a disturbance. A man called out, "I beg your pardon; enough of that," or words to that effect. It was the man Nevin. He was under the influence of drink. A slight commotion ensued, and this increased owing to an attempt to put Nevin out. He told them to deal quietly with him. When

the man had nearly reached the door a cry of "Fire!" twice raised, and loud enough to be heard throughout the schoolroom, and in what appeared a boy's voice, came from the south end window; and in one instant, like an electric shock, it took effect. The congregation rose screaming and in great excitement. He then at once asked the congregation to engage in audible prayer on their knees, stating that there was no cause for alarm. In this way he quieted the great majority, but the confusion at the door continued, though it did not appear to him to be great. At that time he thought there might be fire in the church, and that it was of the utmost importance to keep them there till the chapel was empty.

The jury returned a verdict to the effect that the deceased persons died from suffocation and injuries caused in a rush, the result of a panic, brought about by the brawling of Nevin and a cry of "Fire!" The jury recommended that the doorway of the chapel should be widened.

24. FATAL COLLISION BETWEEN THE "BOMBAY" AND "ONEIDA" STEAMSHIPS.—A disastrous collision occurred in Yokohama Bay, between the Peninsular and Oriental mail steamer "Bombay" and the United States steamer "Oneida," by which 120 men were drowned. The "Oneida," being homeward bound, left her anchorage at Yokohama at about five o'clock in the afternoon, and the accident occurred at seven in the evening. The United States' Minister visited her in the forenoon, and received the usual salute, and the guns were reloaded with the expectation of replying to a salute from a Russian gunboat to Mr. DeLong. The salute, however, was not given, and the guns remained loaded. As the "Oneida" steamed out of the harbour the crews of the various vessels and men at work in the port gave cheers, and wished her a happy voyage. On passing out of the harbour her fires were banked, and steam blown off. While the officers were at dinner, at about seven o'clock, the look-out man shouted, "Steamer lights ahead," and a midshipman gave the order to port helm. Every thing seemed quiet on board the other steamer. This led to the belief that she had not observed the "Oneida," although her lights were burning brightly. The steamer, which proved to be the "Bombay," of the Peninsular and Oriental line, came right on, and struck the "Oneida" on the starboard side, abaft the gangway, about half-way between the main and mizen rigging. A hole was cut, through which the whole interior of the ship was visible. The binnacle wheel and rudder were carried away, and two men standing at the wheel were instantly killed. The "Bombay" did not stop after crashing through the "Oneida," though the guns of the latter, which happened to be loaded, were almost instantly fired to attract her attention and bring her back. Orders were given to lower the boats, but only one lifeboat was available, the others having been crushed. The lifeboat was manned by Dr. Stoddart, the boatswain, and fifteen of the crew. Five guns were fired, but before the sixth could be discharged the "Oneida" sank—within ten minutes after she was struck.

None of those saved saw a man or heard a voice on board the "Bombay." They reported that when it became evident that there was no hope of saving the ship, the officers gathered around Captain Williams, and he was heard to say that if the ship went down he would go down with her. The lifeboat was obliged to leave the sinking ship, to avoid being swamped. After pulling about for a while, the crew of the lifeboat, seeing none of the crew floating, not one of the 160 who went down, unwillingly bent their boat's head landward, about five miles distant. On landing, the natives kindly treated them; and they obtained the assistance of a guide, and started to walk to Yokohama, which they reached at daylight the next morning. The "Bombay" was immediately ordered to the scene of the wreck, and succeeded in saving thirty-nine men, who had got into a cutter which floated when the ship went down. Several other vessels, one with Minister Delong on board, proceeded to the scene of the disaster during the day; but no more lives were saved. The Japanese Government sent boats and apparatus to search for the wreck, and, if necessary, to buoy the spot. The passengers on board the "Bombay" were quite surprised when they heard the calamity that had befallen the vessel they had struck, but declared they neither heard any request from the "Oneida" to stay by them, or minute-guns fired. A naval court was demanded by the captain of the "Bombay." The officers and men of the "Oneida" numbered 176, only fifty-six of whom, including Dr. Stoddart and two junior officers, survived the disaster.

The following evidence was given by Captain Eyre before the Court of Inquiry, held at Kanagawa, respecting this dreadful collision:—

"I am in command of the steamer 'Bombay.' Was in command on January the 24th, at 6.15 p.m., in sight of the lighthouse. Saw a bright light half a point on port bow. Shortly afterwards I made out two side lights—green and red. I ported the helm, and kept porting until I shut the green light in. The pilot and the chief officer were standing by me. On shutting out the green light, my pilot said, 'We are well clear.' My answer was, 'Port still.' The steam vessel then turned off. Almost immediately afterwards I observed the coming vessel putting her helm hard a-starboard, crossing my bow with full sails and steam. I stopped my engines. When she came nearly ahead of me I put my helm hard a-starboard to clear her, immediately after striking her behind the mizen gear, our starboard bow striking her on the starboard quarter, the shock not being more than a graze. I turned round to see what damage was done. I had sent the chief officer down to see if we were making water. I said to the pilot, 'I don't think much harm is done; if there is, we shall soon see signal rockets.' My engines were stopped about ten minutes. The chief officer came and reported the ship making water forward. I then said, 'I see no signals of distress; go ahead.' Nor did I hear any thing; and, as the ship was making water, I made speed for Yokohama.

Even after I came to Yokohama I thought little of the collision. I had not the slightest idea of the harm done. I did not know what ship it was. I said when it passed me, 'That is an auxiliary screw.' . . . The ship was about one hundred feet distant when she crossed my bow; another twenty feet and I should have cleared her. I do not think I was going at more than seven to eight and a half knots. The wind was against me; the night was dark. When I first saw the bright light I think the ship was a mile distant. I can't tell the time elapsing from then until the collision. The ship evidently starboarded her helm; she must have been going at the rate of fourteen knots. After finding the ship coming right down upon me, I starboarded my helm to clear her. I was on the bridge the whole time. . . . My engines were stopped a couple of minutes before the collision, when I saw the collision was imminent. When I started I was looking astern through my glass to the spot of collision, and continued so for a good quarter of an hour. I did not hail the ship. I was too busy at the time to avoid the collision. The concussion was very light. On my bow were hanging, afterwards, the other ship's gaff and a boom. I was not at all entangled in the ship. The 'Bombay' is an old iron ship; her plates are a quarter of an inch thick. When two ships come in collision during a dark night, I am not aware that it is customary for the one to ascertain if the other has suffered damage; perhaps in the open sea, not in close proximity of land. Blue lights and rockets are the proper signals of distress; also gun-firing, if you are within hearing distance. I did not send up rockets, as I wanted no help. I cannot say that it is a recognized practice that ships do not communicate after a collision, unless the one sends up rockets or fires the gun. My instructions, as captain of a mail steamer, are to stop for nothing but to save life. It was at that time my firm opinion that there was no danger. The pilot said, 'The Spit is close to, if there is any danger.' It did not occur to me, being so close to my anchorage, and seeing no signals, to stop until I had communicated with the 'Oneida.' I cannot account for the spar striking my ship below the water-line. At that time I thought the spar might have stuck out from the other ship's quarter. I struck abaft the mizen rigging, and presumed she could, at all events, easily beach on the Spit. . . . This is the first accident I have ever had."

Mr. Loggin, the chief officer of the "Bombay," corroborated the captain's statement. He said,—

"The other vessel came right against us; her steering caused her to come across us. It was the captain who ordered the helm a-port, not the pilot. It was more than an hour after the collision that I found out the spar had gone through our ship. It was only after we had anchored I reported it to the captain, who by no possibility could know it before; and if he had said so it must be an error. . . . We had no sail set. The other ship had all her sails set; she was bark-rigged. The wind was north-east, and she had the

wind on her port-quarter. The tide was in her favour. I have never been here before. I saw the smoke from the other ship, so she was under steam. I did not know the other ship's quality or nationality. Our speed was eight knots; our course was due north. The other ship's speed, I suppose, was about eleven knots. I saw no measures taken on board the other ship to avoid the collision. I heard no sound or voices from the other ship, nor saw or heard any signal from her. Until I went below to sound our ship I should have seen or heard such signals, if there had been any."

The result of the inquiry was the suspension of Captain Eyre's certificate for six months.

## FEBRUARY.

5. GREAT ROBBERY OF BANK NOTES.—In a place of public resort, and about midday, a collecting clerk in the employment of Messrs. Barnetts, Hoares, and Co., the eminent bankers in Lombard-street, was robbed of a sum in Bank-of-England notes amounting to nearly 10,000*l.* Towards evening, when the circumstance became publicly known, it occasioned a great sensation in the city, and a reward of 1000*l.* was offered for the apprehension of the thief and the recovery of the stolen notes, the payment of which was shortly afterwards stopped at the Bank of England. The robbery was accomplished in a manner as ingenious and simple as it was daring, and the thief got clear away. About eleven o'clock, the clerk in question called at the Birkbeck Deposit Bank, having some business to transact there. The bank, which is situate at the extremity of Southampton-buildings, a short street leading out of Chancery-lane, near the Holborn end of the lane, and on its eastern side, was undergoing alterations, and the space set apart for customers was somewhat lessened in consequence. At the time many people were in front of the counter transacting business, and the clerk of Messrs. Barnett among the rest. He had then 9950*l.* in bank notes in a leathern case, which was securely fastened to his dress by a strong steel chain, such as has been in use among bankers' clerks for many years. While waiting his turn, with his case and its precious contents on the counter, a person touched him on the shoulder from behind and told him he had dropped something. Looking down, he saw on the floor a piece of paper, which he stooped to pick up, and which, on examination, he found did not belong to him. The doing so was the work of a moment, and on standing upright again he thought he saw a hand being stealthily withdrawn from his leathern case, which had remained on the counter. Suspicion being thus aroused, he immediately examined his case, and missed from it the whole of the bank notes, amounting,



as we have said, to 9950%. Greatly alarmed for the moment by the loss he had sustained, he looked wildly round; but failing to see any one upon whom suspicion could rest, he rushed into the street to see if any person was running away, but with no better result, and returned to the bank. After examining his case again, and being confirmed as to the misfortune, he mentioned the robbery to some person in authority there, and then went forthwith to Lombard-street, where he related the circumstances to his employers. Without delay, they put themselves in communication with Messrs. R. and S. Mullens of Cheapside, the solicitors to the Bankers' Protection Association, who promptly communicated with the City Detective Police, and took other measures with a view to the apprehension of the thief. Meanwhile, the robbery having been committed within the jurisdiction of the Metropolitan Police, the circumstances were brought under the notice of Colonel Henderson, the Chief Commissioner, and Superintendent Thomson of the Bow-street police division also aided in discovering and arresting the person by whom the robbery was committed. The two forces being thus engaged in a common object, and brought under the influence of a strong feeling of professional rivalry, to say nothing of a reward, it was thought that the perpetrator of this daring robbery ought not to have been long at large; but he has hitherto remained undetected.

The clerk from whom the notes were stolen had been two or three years in the service of Messrs. Barnetts, Hoares, and Co., and bore a good character. His fair reputation, indeed, might have been inferred from his being in such a position, and from the confidence reposed in him as a collecting clerk, to whom large sums of money are entrusted from day to day in the ordinary discharge of his duties.

7. BANQUET TO THE LORD-LIEUTENANT OF IRELAND.—The inaugural banquet of the Lord Mayor was given this evening, on a scale of splendid hospitality, in the "King's Room" of the Mansion House. Their Excellencies the Lord-Lieutenant and the Countess Spencer were the principal guests. The company included a select circle of the nobility and gentry, the judges, chief officers of the public service, members of Parliament and of the learned professions, merchants, and other citizens, numbering altogether over 600 ladies and gentlemen. Their Excellencies were escorted to the Mansion House by a troop of dragoons, and were received by a guard of honour composed of a regiment of infantry. The proceedings passed off with the utmost harmony, and the healths of the Queen and the Prince of Wales and the rest of the Royal Family were drunk with enthusiasm. The Lord Mayor then proposed the toast of the evening, "The Lord-Lieutenant and Prosperity to Ireland." Lord Spencer, in reply, congratulated the country on the fact that, as the figures he gave showed, not only had pauperism decreased in the country, but that the poor were better cared for, and were treated more liberally by the guardians of the poor;

that, moreover, as the large sums which were deposited in Irish banks proved, the wealth of the country must be increasing, for that at that moment there were over twenty millions deposited in Irish banks, being an increase of over seven millions during the last six years, and that in seventy years since the first return of the tonnage of Dublin, that tonnage had quadrupled. On the subject of the Irish Church Act he believed that the hopeful anticipations of those who supported the measure would be realized rather than the gloomy forebodings in which those who opposed it indulged. At the same time there were grounds for anxiety. He feared that some of those Fenians still in the country might add considerable disorder to the affairs of the country, and retard its prosperity, though he was sure no Government of the Queen would quail before them. He lamented also the increase of agrarian crime during the last year, and the fact that the energy and zeal of the constabulary had not been seconded by independent efforts on the part of those residing in disturbed districts. As to the Land Bill, which, he hoped, would be in a great measure a remedy of some of those evils to which he had referred, he would only ask all those who had to deal with this subject, both there and in Parliament, to deal with it in a practical and moderate spirit, dealing with it generously with regard to the rights of the people, but, at the same time, with regard to the rights of those who had property.

His Excellency was listened to throughout with marked attention, and was loudly applauded on resuming his seat. The health of the Countess was then drunk with enthusiasm, and a number of other toasts followed.

14. MORFA COLLIERY EXPLOSION.—A fearful explosion occurred at Morfa near Swansea at half past six o'clock in the morning, as the men were proceeding to their work. Fortunately, however, only about fifty of the men, out of a far larger number employed in the works, had descended the pit. A man who was standing on the stage above the pit's mouth heard a noise below, and at the same instant was thrown backward by a violent gust of air forced upward from the shaft. The alarm was given, and at first it was naturally concluded that an explosion of fire-damp had occurred. By means of a contrivance kept in readiness for an emergency, the usual mode of descending being destroyed, the manager of the colliery, Mr. Gray, descended the shaft, and, after a careful examination of the workings, found that a store of gunpowder, more or less large, but supposed to be larger than the quantity allowed to be kept by the rules of the colliery, had exploded. That store of powder was kept by the men engaged in sinking the pit to a deeper level. The explosion occurred in the principal drawing shaft. The colliery is one of the largest, and, according to all testimony, one of the best managed in the South Wales district. There were two shafts; the colliery was admirably ventilated, the men worked with locked safety lamps, and undoubtedly all means were adopted to prevent an explosion of fire-damp. The colliery was managed by

Mr. William Gray, who had been in the employ of Messrs. Vivian during the last twenty-one years, and his skill and experience were generally acknowledged. The injured men were brought up out of the pit as speedily as possible, and were at once attended to by a number of medical gentlemen who had hastened to the place immediately the alarm was spread, and every aid and appliance were supplied abundantly by the manager. The occurrence caused considerable alarm in the neighbourhood. Mr. Wales, Government inspector, was also in attendance. The total number of men and boys killed by the explosion, together with those who died since, from their injuries was twenty-three. About thirty others were badly injured. At the inquest the jury found that the explosion was caused by fire-damp in the west stables, and that blame attached to some one, but to whom the conflicting nature of the evidence prevented them from saying.

23. ARRIVAL OF THE QUEEN OF HOLLAND.—The Queen of the Netherlands, attended by the Baroness de Dedem, Baroness Pabst, the Baron Schimmelpenninck Van der Oye, and Captain Gavaerts de Simonshaven, arrived at Claridge's Hotel. The Queen passed through Malines, where she was joined by the King of the Belgians, who accompanied her Majesty to Calais, whence she crossed to Dover, and proceeded by railway to London. The Queen was *en route* for Torquay, where she made a sojourn of several weeks.

26. FRIGHTFUL ACCIDENT.—About half-past three o'clock p.m. three platelayers, in the service of the London, Chatham, and Dover Railway Company, were killed near the Elephant and Castle station of the Metropolitan Extension. The deceased men, named Price, Horman, and Emmold, all married, and aged respectively about thirty-two, thirty-five, and fifty, were at work repairing the up-rails of the main line at a distance of a few yards from the Elephant and Castle station. At this point there is a slight curve, which, unless proper care be taken in looking out, might slightly obstruct the view from the platforms. A passenger train from Victoria to the city had passed on the Metropolitan Extension about half-past three o'clock, and almost immediately afterwards a luggage train belonging to the Midland Company, which has running powers over the line, followed towards the city on the rails on which the unfortunate men were at work. To get out of the way of this, they stepped on to the down-line, not observing a coal train which was coming towards them at the rate of about twenty miles an hour. It was supposed, from the manner in which the bodies were found, that the poor fellows could not have seen the coal train till it was upon them, and the noise made by its approach would be deadened by the other passing train. They were all knocked down by the engine, which cut off Horman's head and mutilated the other men. As soon as the train had passed, their bodies were seen lying close together, and Inspector Reed, who was on duty at the station, at once went to the spot with several porters. Emmold and Price were alive, but unconscious, and as soon as possible they were conveyed

to the station. Doctors were sent for, and Mr. Williams of Walworth-road soon arrived. Price was then dead, and the other man was taken to St. Thomas's Hospital, where he also expired about five hours after admission. The bodies of Emmold and Horman were conveyed to the deadhouse at Camberwell. It was stated that the driver of the coal train was not aware that an accident had happened till he arrived at Battersea, when he first observed marks of blood in front of the engine. The deceased were said to have been sober and well-conducted men, and the intelligence of the shocking manner in which they met their deaths caused a painful degree of excitement.

— LOSS OF THE INMAN STEAMER "CITY OF BOSTON."—Letters appeared in the papers commenting on the non-appearance of the "City of Boston" steamer, which was eighteen days overdue.

The "City of Boston" left the port of Halifax for Liverpool on the 28th of January, with fifty-five cabin and fifty-two steerage passengers, of whom the following is the official list:—

*Cabin.*—From New York: Allen Ebbs, wife, child, and infant; Mr. Ryland and wife, W. M. Cochran, M. A. Praeger, Mrs. M. Cosgrove, James Cosgrove, James Adshead, R. C. Lawton. From Halifax: Captain Hamilton, 65th Regiment; Mrs. Kildahl, child (13 months), and infant; Lieutenant H. Horace Baker, R.E., and Mrs. H. H. Baker, two children, Frederick and Florence, and nurse (name unknown); Captain Sterling, wife, infant, and nurse; H. C. Morley, deputy-assistant superintendent of stores; Mrs. Orange and child, Lieutenant Orange and female servant, Lieutenant Kildahl and female servant, W. E. Potter, Captain Forbes, Mr. Leconte, Master T. R. Robinson, Master Thomas H. Robinson, Mr. J. Allen, Mr. A. K. Doull, Mr. E. Billing, Mr. J. B. Young, Mr. J. Barron, Mr. Walter Barron, Mr. P. Power, Mr. James N. Paint, Miss F. Paint, Mr. G. A. Knox, Mr. William Murray, Mr. C. S. Silver, Mr. E. J. Kenny, Mr. John Thompson, Mr. John D. Purdy, Mr. Charles Fisher, Mr. S. R. Montgomery, Mr. William Parkes.

*Steerage.*—From New York: William J. M'Crea, wife, and infant; Janet Barnesley and two children, John Moran, William Lapsworth, John Gibson, Benjamin Woodhead, James M'Manaus, Kate M'Manaus, Michael Parkinson, Edward Parrey, James M'Donnell, T. Fox, Thomas Barton, M. J. Harding, John J. Ashton, William Moalesdale, William Barnsley, George Fearn, James H. Hamsley, George Jennings, John Taylor, Mary Taylor, Thomas Bolton, John T. Bailey, Joseph Davies, Ellen Davies, William Davies, Thomas Davies, W. J. Threstrer, John Davies, Evan Thomas, Samuel M'Culls, Michael Dempsey, William Carr, Charles Grattan, James White, Francis M'Carthy, L. Floyer, Thomas Francis, William Thompson, A. R. Conk. From Halifax: James M'Cain and wife, Joseph Holland, James Graves, Mary A. Erskine, Patrick Cassidy, George Rowling. The vessel had a crew of 84 men:—Commander, Captain J. J. Halcrow. Mates—

J. Mortimer, first; J. Craven, second; and W. H. James, third. Surgeon—Thomas Spring Rice. Subordinate officers—William Smith, purser; Alfred Joseph Garnett, bar-keeper; James M'Gregor, chief steward.

From the day she left Halifax nothing was seen or heard of the unfortunate steamer. Like the "President" in 1841, and the "City of Glasgow" in 1854, she disappeared amid the waters of the Atlantic with all her crew, and no one escaped to give tidings of her fate.

It was long before the public gave the "City of Boston" up for lost, and the hopes of those who had friends on board were buoyed up from time to time by rumours brought by various ships of her appearance in distant waters. It was thought that she might have been driven by stress of weather far out of her course, and put into some foreign harbour, but not an atom of authentic intelligence was ever received to allay the anxiety of the public, and how she met her fate will most probably now remain for ever a mystery.

The "City of Boston" was built by Messrs. Todd and M'Gregor, at Patrick, near Glasgow, and was launched on November 15, 1864. She was a remarkably fine specimen of naval architecture, having, like the rest of the numerous fleet belonging to the Inman line, been built with especial care. She had always received the highest premium at Lloyd's, and was ranked in the highest classification by the Association of Underwriters in Liverpool. She was large, commodious, and handsome, and was propelled by engines of great power. She was an iron vessel, and in her construction the greatest care was taken in selecting the very best material as regards tenacity and strength. Like the rest of the Inman fleet, she was ship-rigged, a large spread of canvas being assigned to her to act in aid of her propeller in securing steadiness and speed in sailing. The ribs, beams, and plating of this fine vessel were all exceedingly strong, and built of the best material; the whole of the framing was securely bound together by heavy stringer plates and ties, and the ship was transversely divided into eight compartments by seven strong and well-secured water-tight bulkheads, which reached from the keelson to the upper deck. The "City of Boston" was provisioned for fifty-eight days, and this apart from her cargo, which consisted in great measure of supplies of food. The propeller attached to the vessel was a new two-flange one, fitted during her last visit to New York, her original three-flange propeller having been broken in her last voyage from Liverpool. Some were of opinion that the strength of the new propeller would not be sufficient to enable her to make headway against the adverse winds which she must have encountered. The cabin passengers included a few officers of the Royal Artillery and other regiments on their way home from Canada.

## MARCH.

3. COLLIERY EXPLOSION AT DUKINFIELD.—An explosion occurred at the Astley Deep Pit, Dukinfield, the deepest mine in the world. This pit, which is 800 yards deep at the lowest point, was worked in two seams, the black mine and the cannel seam, and the explosion occurred in the former, in what is called the 1200 or 1600 brow. At this point eleven men were working, and nine of these perished. In the whole mine some ninety-three miners were engaged, but the explosion was confined to the region where these eleven men were engaged. No indication of the concussion of the air current, or any other such effect, reached the surface; but the miners in other parts of the vast workings heard the shock, and ran to render their fellow-workers in the 1200 and 1600 brows all the assistance in their power. An awful spectacle met their view. The roof was blown down for a great distance. Two men were reached when just succumbing to the after-damp, but they were brought to the surface, and under able medical treatment were recovered. About ten o'clock the exploring party that had descended the mine reached three dead bodies, frightfully burnt, and bearing the appearance that death had resulted from suffocation. Owing to the enormous amount of roof that had fallen, the explorations went on but slowly, and, though the ventilation had been restored, the air was very heavily charged with gas, and the searchers had often to be relieved. It was not until the morning, about two o'clock, that three other bodies were recovered, and the three remaining men were brought to the bank later in the forenoon. The news spread through the district like wildfire, and hundreds came round the pit mouth with anxious faces and tearful eyes, expecting their husbands and parents to be brought out dead. No fewer than 320 men were employed in the pit during the day, and had the explosion occurred then, at least sixty men would have been at work in the place where the nine poor fellows met their death. Though the pit had been in full operation incessantly night and day for twelve years, only four men had been killed by falls of the roof, and this was the first explosion. The readiness of the miners to render all necessary assistance was exceedingly prompt and praiseworthy, and one of the searchers ventured too far, and was brought out insensible, but soon recovered. The following is a list of the killed:—Joseph King, married; William Henry Holmes, recently married; Henry Morton, single; William Lee, married, four children; Solomon Cambridge, married, four children; William Hammond, boy; Abraham Norminton, William Hudson, and a stranger.

The inquest upon the bodies was concluded on the 12th, before

Mr. Coroner Johnson. Mr. Thomas Wynne, Government Inspector for the district, was also present. The evidence showed an extent of recklessness and inefficient management which drew from the jury a special presentment. Proof was forthcoming that one of the deceased men, Solomon Cambridge, notwithstanding an admonition to the contrary, was preparing to blast with gunpowder, and that it was in consequence of an explosion of accumulated gas that the workings were almost destroyed for a long way, nine human lives were sacrificed, and men were burnt at a distance of not less than 860 yards from where the shot must have been fired. It was also given in evidence that under the direction of Elijah Swan, the manager, the free current of air in the remoter parts of the pit (nearly a mile from the shaft) had been interfered with by bratticing and cross-sheeting, thereby increasing the heat and causing the gas to generate in the goafs; and the miners who were examined gave their opinion that a sudden outburst of gas had resulted from a fall of roof, and that immediately the shot was fired the gas escaped and was thus ignited. It also appeared that there had been constant neglect on the part of the overlookers in not periodically testing the temperature of the mine when they went down, and that it was not an uncommon thing to know of gas existing in the goafs and not to report it. Mr. Wynne, the Government inspector, in the course of his evidence, detailing the condition of the mine, said that whenever he had been in the pit the difficulty of coaxing the air to the far end had always been apparent; that he had at times found a difference of as much as twenty degrees in the temperatures of the air at the shaft bottom and at the extreme far end of the workings; that the placing of sheets across the main intake was a sad mistake; that he had found enormous escapes and consequent waste of air; and that the whole of the 1600-yards workings were foul and charged with gas, rendering an explosion inevitable if a shot were fired. He also spoke very strongly upon the inefficiency of Swan the manager, about whom he had previously on several occasions complained to the proprietors of the colliery. The jury returned a verdict of "Accidentally killed by an explosion of after-damp in consequence of the firing of a shot;" and they added this appendix, "The jurors are further of opinion that Elijah Swan is not competent to have the sole management of a mine of such magnitude as the Astley Deep Pit."

9. FIRE AT NINE-ELMS.—A fire which broke out, at ten o'clock in the evening, in the newly-built factory of Messrs. Day and Martin, blacking manufacturers, in Vauxhall-road, Nine-Elms, destroyed a large amount of property. The building, about 250 feet in length, contained a quantity of oils, vitriol, and other highly-inflammable substances, which caused the fire to spread very quickly; and, as the flames rose high into the air, the sight from the opposite side of the Thames was both terrible and grand. The steam fire-engines arrived early, and got an abundant supply of water, but it was an hour before they could subdue the conflagration. The

official report of the damage was as follows:—"Messrs. Day and Martin, blacking makers. A building of two floors, used as paper, oil-saturating, and drying rooms, 200 feet long, and 27 feet broad, nearly burnt out, and most part of roof off.—Messrs. Rolfe and Gardiner, lath-renders. A building of one floor, 200 feet long and 27 feet wide, all adjoining and communicating, damaged by breakage and water.—Lambeth Supplementary Workhouse. The ground floor severely damaged by water, &c. Messrs. Day and Martin were not insured. The origin of the fire was unknown.

10. ROYAL CHRISTENING.—The second son of his Serene Highness the Prince and her Royal Highness the Princess of Teck was christened at Kensington Palace. The ceremony was performed by the Right Rev. the Bishop of London, assisted by the Rev. Evan Nepean and the Rev. Mr. Bullock. The infant Prince received the names Francis Joseph Leopold Frederick. The sponsors were the Emperor of Austria, represented by his Excellency the Austrian Ambassador; his Royal Highness Prince Leopold, his Royal Highness Prince Frederick of Würtemberg, the Queen of the Belgians, represented by her Serene Highness the Princess Claudine of Teck, her Royal Highness Princess Christian, her Royal Highness Princess Louise, and Miss Burdett Coutts. There were present their Royal Highnesses the Prince and Princess of Wales, Prince Albert Victor, and Prince George; their Royal Highnesses Prince and Princess Christian, her Royal Highness Princess Louise, his Royal Highness the Duke of Cambridge, her Royal Highness the Duchess of Cambridge, Miss Burdett Coutts, and the attendants upon their Royal Highnesses.

14. THE PRINCE AND PRINCESS OF WALES AT KIMBOLTON.—The reception which was accorded to the Prince and Princess of Wales on the occasion of their visit to Kimbolton Castle, the seat of the Duke of Manchester, was of the most enthusiastic and demonstrative character possible in a district but thinly populated.

Their Royal Highnesses, attended by Captain Ellis and the Hon. Mrs. F. Stonor, left Marlborough House shortly after four o'clock, and entered the state carriage attached to the five o'clock express train from King's-Cross station of the Great Northern Railway, whence they proceeded to St. Neot's, where the express was stopped for the purpose of enabling the royal party to alight. On alighting their Royal Highnesses were received by the Duke of Manchester, and conducted to the carriage which was in waiting, amid the hearty cheers of the spectators. The local Volunteers were drawn up as a guard of honour. A troop of the Duke of Manchester's Light Horse Volunteers assembled outside the station, and with their scarlet uniforms and smart horses formed a very dashing escort for the royal visitors. The party had to pass through the principal parts of the pretty little town of St. Neot's, where the inhabitants had caused to be erected a very good triumphal arch, and flags were suspended from the windows of the houses past which the *cortège* went *en route* for Kimbolton. Their Royal



Highnesses were repeatedly cheered as they passed through the town, the bells from the church tower ringing forth in honour of the visit. Their Royal Highnesses proceeded through the villages of Hail Weston, Staughton, and Stoneley to Kimbolton Castle. At each of the villages named the country people had assembled. Kimbolton Castle was reached at about half-past seven o'clock. A large crowd of spectators witnessed the arrival by the iron gates on the St. Neot's road, and raised a hearty cheer. At the east front, where is the principal entrance to the Castle, the Kimbolton contingent of the Huntingdonshire Volunteers was drawn up, under the command of Captain Hayes, and formed the guard of honour. Their Royal Highnesses, having alighted from their carriages, were conducted by the Duke up the long flight of steps, and were received at the grand entrance in the White Hall by the Duchess of Manchester, and conducted to the apartments devoted to the use of their Royal Highnesses during their stay.

17. FATAL ACCIDENT TO A CHANNEL ISLANDS STEAMER.—A collision occurred in the Channel at an early hour this morning, attended with a lamentable loss of life. The paddle-wheel steamship "Normandy," one of the South-Western Company's fleet, Captain H. B. Harvey, left Southampton shortly before twelve o'clock the preceding night for Guernsey and Jersey, and about half-past three this morning, when about twenty miles from the Needles, she came into collision with the screw-steamer "Mary," of Grimsby, Captain Robert Stranack, bound from the Danube for London, with a cargo of maize. At the time named there was a dense fog, and it appears that the two vessels respectively sighted each other when at a very short distance. The survivors of the "Normandy's" crew said that the "Mary's" lights were sighted (*viz.* a red light and the masthead light), and, finding a collision to be inevitable, the mate put the helm hard astarboard, and the "Mary" ran stem on into the "Normandy," cutting her down a little abaft midships, carrying away her lifeboat, davits, &c. The cabins began to fill with water immediately, and Captain Harvey, the instant he verified the condition of the ship, called to the captain of the "Mary" to send boats to help save his passengers and crew. The captain of the "Mary" manned one boat and sent her off in charge of his second-mate, and meantime two of the "Normandy's" boats were sent off with as many as they could take from the "Normandy." As the two boats were pulling away from her for the "Mary" they hailed to the "Mary's" boat to pull quickly to the "Normandy," as she was sinking. The mate replied he had no orders from his captain, and pulled back to the "Mary," but it seemed very doubtful whether the position of the "Normandy" could be seen at this time owing to the fog. The following is a list of those lost:—Captain Harvey, commander of the "Normandy;" Mr. Ockleford, chief mate; Mr. Richardson, carpenter; Mr. Cox, chief engineer; Mr. Marsham, second engineer; seven firemen, three sailors, and the ship's boy; three gentlemen in the after-cabin—*viz.* Advocate

Westaway, General Grantham, and Mr. Kinlock—four or five passengers in the fore-cabin, including two ladies, also ten deck passengers. The exact number could not be ascertained, but this was believed to be correct, making about thirty-four lives lost.

All the ladies (eleven) in the first cabin and seven gentlemen were saved; also the second-mate, five seamen, chief steward, four stewards, stewardess, and one fireman—total, thirty one.

Captain Harvey was last seen on the bridge, giving orders as to the movements of the engines, and to keep her head to sea, as she was sinking by the stern. All the survivors concurred in stating that no one could have acted with greater coolness or bravery than the unfortunate captain, who was one of the company's most experienced commanders, and universally beloved and respected. The two boats pulled back from the "Mary" about the scene of the wreck for upwards of two hours, in the faint hope of saving more lives, but that hope was very slight, as about twenty minutes after they got back again loud screams were heard apparently from all on board the ill-fated steamer, and soon after they fell in with a quantity of pillows, rocket-sticks, and other articles, showing that the vessel had gone down.

One of the passengers who escaped furnished the subjoined statement:—

"I was lying in my cabin, with my coat and boots off, and heard a tremendous crash. Rushing on deck, I found we were in collision. The 'Normandy' had been struck such a blow abaft the paddle-box that the captain at once saw the ship must inevitably founder. He immediately ordered out the two boats remaining, the life-boat having been carried away in the collision, and a portion of the passengers and crew thus succeeded in reaching the 'Mary,' all the gentlemen standing back and making no attempt to get into the boats until the ladies were in them. The captain of the 'Normandy' behaved with the greatest coolness and judgment under such trying circumstances, and the last I saw of him he was on the bridge, giving orders as to the management of the boats and the working of the engines, and during the whole occurrence extraordinary order and quietness prevailed, and the greatest fortitude was shown. The captain of the 'Mary' gallantly stood by, and did all in his power to render assistance, firing blue lights, sending up rockets, and a boat was put out; and the 'Mary' stood by the scene of disaster for about two hours, but without result, the 'Normandy' having gone down while her two boats were reaching the 'Mary.' The 'Mary' herself was so badly injured that some of us doubted whether she would reach port, there being an immense hole in her bow, the iron torn away, and the fore compartment flooded, and had not the bulkhead stood well the pressure put upon it, the 'Mary' must have gone down. As it was, she was lightened at the fore by the corn being hove overboard. She arrived safely in the Southampton Water at last, and her captain deserves great thanks for the kindness and attention shown to us,

whom he had done his best to rescue from the grave. Many of us passengers came ashore as we were in our cabins at the time of the collision, some of the ladies with only their night-dresses, so sudden and rapid was the break up. I should think that not more than ten minutes elapsed between the collision and our hearing the cries when we suppose the 'Normandy' went down."

Similar testimony to the above was given by the other passengers, who all united in signing an address to Captain Stranack, thanking him for his kindness to them, and for the manly manner in which he remained on the spot till all hope was over of being able to render any further aid.

It was stated by those belonging to the "Mary" that she was coming up Channel dead slow, with little or no headway, head E. by S.  $\frac{1}{2}$  S., when they saw a steamer's green lights on the port bow, apparently not a quarter of a mile distant. The captain immediately ordered the engines to be stopped, the whistles blown, and turned the engines astern. Finding she had no headway on, he put the helm hard aport, to cant the vessel's head round to port; but the "Normandy" came right on at full speed, starboarded her helm, and crossed under the "Mary's" bows. The collision occurred immediately, and the "Normandy's" two boats soon came alongside with the people saved. Captain Stranack sent away his own lifeboat, but she could not find the "Normandy." He waited about the spot some hours, firing off rockets and keeping a good look-out, and afterwards, finding his own vessel to be in a sinking condition, he made for the Needles. The "Mary" came into dock the next night, and immediately commenced discharging her cargo (maize), a considerable quantity of which had been thrown overboard during the day to lighten the vessel as she was making her way up to this port. She was inspected during the day by thousands of persons, to most of whom her escape from sharing the fate of the "Normandy" seemed little short of miraculous, her bow being completely laid open to below the water-mark, and her bowsprit, figure-head, &c., torn away. In fact, nothing but the fact of her iron bulkhead withstanding the pressure could have kept her afloat.

The "Normandy" was only six years old, and one of the fastest vessels of the London and South-Western Company's fine fleet of Channel steamers. She was a paddle-ship, of 252 tons register, and 425 tons full tonnage, propelled by engines of 238 horse power. The "Mary" is a screw-steamer of about 900 tons. Captain Harvey, the commander of the "Normandy," first entered the company's service before the mast, and his good seamanship and nautical knowledge ultimately secured for him the position of one of their best and most experienced captains, justly esteemed by all who knew him.

The "Normandy" was not insured, the London and South-Western Company being their own underwriters.

An official inquiry into the loss of the "Normandy" was after-

wards held at the Greenwich Police Court before Mr. Patterson, the magistrate, and Captains Harris and Hight, nautical assessors, and on the 11th of April judgment was pronounced by the Court.

The decision concluded as follows:—"After carefully considering the evidence that has been adduced in this inquiry, the Court is of opinion that the 'Normandy,' by a breach of the Regulations for Preventing Collisions at Sea, is solely to blame for this disastrous collision. The Court is further of opinion that the master of the 'Mary' did all that lay in his power to avoid a collision and to save life, and therefore adjudges that Mr. Stranack's certificate be returned to him. The Court cannot pass over without comment the irresolute conduct of the second-mate of the 'Mary' when despatched by the master to render assistance to the 'Normandy.' There seems to be no valid reason for his return to his own ship without carrying out the orders he had received from his master. Had he obeyed these orders, and proceeded in the first instance, as requested to do, by the crew of the 'Normandy's' boats, more lives might possibly have been saved."

18. THE FIRE AT THE STAR AND GARTER—INQUEST ON THE REMAINS.—An inquest was held by Mr. Carter, at the Star and Garter Hotel Tap, Richmond Hill, on the remains of a person unknown, but which were supposed to be those of Mr. Lever, the late manager of the hotel.—(See *Chronicle, ante.*)

The first witness called was Henry West, who deposed as follows:—"On the morning of the 14th, while I was at work clearing out the rubbish of the old Star and Garter, I struck my pick on what are supposed to be the remains of Mr. Lever, which consisted of some bones and some portion of flesh. We had been told to be careful in clearing the ruins and preserve what we found of bones or flesh, and we collected them carefully. There was a quantity of charred wood and some bricks lying above the remains. We put the remains aside with the charred wood, and sifted a quantity of rubbish, and found a quantity of small pieces of bones, but no large ones, or skull. We found the remains on the right hand side of where the front door stood, about twelve feet from the front of the old building."

Mr. Richard Archer Warwick, M.D., said, from the size of the bones generally, he should say that they were those of a man of considerable stature.

Dr. James Palfrey, of 18, Finsbury-square, said he knew John Charles William Lever, who was his brother-in-law. His age was thirty-one years, and he held an appointment as manager of the Star and Garter under the company, but did not know what salary he was to have; knew that his life was not insured.

George Minge, cellerman, was called, and said he had been some years at the Star and Garter. At the time of the fire occurring the hotel had been closed for about two months, and some of the servants had been discharged. "On the night of the fire," continued the witness, "I was awoke by hearing some crackling noise and by a smell of smoke. I got out of bed and opened the door, and my room became

filled with smoke. I lighted a candle, but the smoke put it out. The smoke was coming up the stairs. I then got out of the window on to the leads of the bow-window, but found it too far to jump from, so I went down the stairs to the passage leading to the hall, and from there through the new coffee-room on to the common. The window of the coffee-room was not fastened. I jumped from the coffee-room window about five feet on to a wall, and then dropped another five feet, and went round to the front of the hotel, and saw flames coming out of the bar windows and the door. I ran towards the new hotel and met two persons. I then turned back and saw two men at a front window on the top floor. I can positively state that the two I saw were Mr. Simpson and Mr. Lever; they were both crying for help. I heard some one call out, "Tie the sheets together." I then went to the new hotel for the ladder which was kept in the area, and I got two policemen to help me, but we could not get it out. I afterwards found they had got a ladder." Witness further stated that the spot where the remains were found would be directly under the window where he last saw Mr. Lever.

After some more unimportant evidence, the Coroner summed up, when the foreman said the jury were of opinion that the remains were those of Mr. Lever, and that his death had occurred accidentally, and not otherwise. A verdict of "Accidental death" was then recorded.

25. FATAL ACCIDENT TO LADY LOPES.—A very sad accident occurred about five o'clock this afternoon, at Easthill, near Frome, the residence of the Dowager Lady Lopes. It appears that her ladyship, who was in her usual health, was standing in front of the fire in her boudoir, when her dress became suddenly ignited. Immediate assistance was obtained, but the fire had so far progressed, and had caused such severe injuries, that the two medical men, Dr. Hurd of Frome, and Dr. Shorland of Westbury, who were promptly in attendance, from the first gave her family no hopes of her recovery. The medical gentlemen remained at Easthill until three o'clock in the morning, when her ladyship expired. A niece of Lady Lopes, who was on a visit, had only left the room a few minutes before the accident occurred. This melancholy event cast a sad gloom throughout the neighbourhood, in which her ladyship was most deservedly beloved and respected.

28. EXECUTION AT AYLESBURY.—The extreme sentence of the law was inflicted, in the Buckinghamshire County Prison at Aylesbury, on William Mobbs, aged twenty, for the wilful murder of James Newbury, a lad about twelve years of age. At the time of his trial Mobbs appeared very indifferent and careless, but since his condemnation he had very much altered in his demeanour. He had been very attentive to the ministrations of the chaplain, the Rev. W. Rawson, who was most assiduous in his attentions to the culprit. On the 24th he signed the following confession, which was written at his dictation by the Under-Sheriff, Mr. A. Tindal:—

"I, William Mobbs, declare that when I saw the boy Newbury

coming towards me I felt all of a shake and as if I could not help murdering him. I had dreamt of murders, and I had seen a picture of the man Baker murdering the girl in the hop-gardens. It was a very hot day, and we sat down together on the free-board. Newbury laid down; and about ten minutes after we met it was done. I rolled on him, and when on him I pulled out my knife and cut his throat twice. He halloed out 'Oh!' only once. I don't know if he was dead directly. I left him at once. I felt as if I did not know where I was or what I was doing. I went away bird-keeping. I left the body where it was. I put my smock where it was found by the police. I had no grudge against the boy, and I never had a quarrel or struggle with him. When we were sitting on the ground I asked him 'what they would say if any body was to murder him,' and he (Newbury) said, 'They would hang him.' I replied, 'What, for murdering varmint?' He said, 'Yes.' Upon this I immediately attacked Newbury. I had a book about Cain and Abel in my dinner basket. The book was given me by my grandfather, just before he died. It belonged to my uncle Thomas Joyce (my mother's brother)."

He was visited in his cell about half-past six in the morning by the chaplain, who was with him until his death. He did not in any way seem afraid, but looked steadily at the drop while his arms were being pinioned by Calcraft. He then walked with firm step to the gallows, and his legs were pinioned. The rope was then adjusted, and after the preliminary arrangements by the hangman the drop fell, the culprit praying earnestly.

The execution was conducted within the prison, no one being present but the representatives of the local Press and the prison authorities, but there were about 100 persons assembled outside the prison. Immediately after the execution, a black flag was raised over the gaol gates.

29. DEPARTURE OF THE QUEEN OF HOLLAND.—Her Majesty the Queen of Holland, attended by the Baroness de Pabst de Bingerden, the Baroness de Dedem, Baron Schimmelpenninck Van der Oye, and Captain Gavaerts de Simonsbaven, left Claridge's Hotel shortly before four o'clock p.m. on her return home. The Queen and suite travelled from the Victoria station in one of the saloon carriages of the London, Chatham, and Dover Railway Company. His Excellency the Netherlands Minister and Baroness Gevers were at the station to take leave of the Queen. Her Majesty and suite crossed from Dover to Calais early in the evening, remaining at the latter place for the night, and resumed the journey to the Hague after breakfast the next morning.

## APRIL.

3. FIRE AT NOTTINGHAM.—A fire, attended with immense loss of property, broke out at two o'clock a.m. in a portion of the premises belonging to Messrs. Thomas Adams and Co., lace manufacturers, St. Mary's-gate, Nottingham. The flames were first seen by Police-constable Winfield, who was on duty near the spot, and he at once communicated with the fire brigade, who were soon at the scene of the fire with a steam and a manual engine. The flames had got extensive hold at the time the engines arrived, and quickly spread to the warehouses of Messrs. Carter and Co., Messrs. J. and G. Trueman, and Mr. J. H. Clarke, all of which firms were engaged in the manufacture of lace. The silk warehouse of Mr. Baumgarten was also ignited by the flames, and the stock on the premises of Messrs. T. Drew and Co., was spoilt by the water thrown on the building. The fire burnt with great fury for several hours, but there being a good supply of water and the brigade rendering great service, the flames were in a great measure subdued by five o'clock. The engine, however, played on the burning mass for some hours afterwards. The whole of the premises being closed at two on the preceding (Saturday) afternoon, it is probable that the fire had smouldered for hours. The firemen, owing to the number of passages and staircases in the buildings, experienced great difficulty in getting to the place where the fire first broke out. The amount of damage was enormous, the premises being completely gutted, and a great quantity of valuable lace goods was consumed. It was estimated that 30,000*l.* would not cover the loss. All the firms were insured, but some not fully, in the County, Westminster, Manchester, and Imperial Offices.

6. THE OXFORD AND CAMBRIDGE BOAT-RACE.—This great race was won by Cambridge for the first time since 1860. It was rowed in the afternoon under a warm sun and clear sky, and the crowd assembled to witness it was enormous.

The Oxford crew as usual won the toss for position, but, as the tide was beginning to slacken, they chose the outer or Surrey station, nearly in mid-stream, where the tide was going strongest. The Cambridge crew, consequently, took the Fulham station, but the lighter from which they were to start was moored rather closer to the Middlesex bank than it need have been. In the then state of the tide it was the worse position of the two, as the flood was not so strong as in mid-river. Very little time was spent in preparing for the race and backing down to their station boats—which were moored opposite Putney Steamboat Pier and off the end of the Terrace—and at fourteen minutes past five o'clock the signal was given from a waterman's skiff by Mr. Edward Searle of Lambeth, who officiated as starter, Mr. J. W. Chitty of Exeter College, Oxford, standing as Umpire in the bows of the "Lotus." The following were the names and weights of the crews:—

OXFORD.		CAMBRIDGE.	
	st. lb.		st. lb.
1. R. W. Mirehouse, University.	11 0	1. E. S. L. Randolph, Third	
2. A. G. P. Lewis, University . . . . .	11 2½	Trinity . . . . .	10 11½
3. T. S. Baker, Queen's . . . . .	12 9	2. J. H. Ridley, Jesus . . . . .	11 9½
4. J. Edwards-Moss, Balliol . . . . .	13 0	3. J. W. Dale, St. John's . . . . .	12 2½
5. F. E. H. Payne, St. John's . . . . .	12 10	4. E. A. Spencer, Second Trinity	12 4½
6. S. H. Woodhouse, University	11 4	5. W. H. Lowe, Christ's . . . . .	13 7½
7. W. D. Benson, Balliol . . . . .	11 13	6. E. Phelps, Sidney . . . . .	12 1½
Stroke, S. D. Darbishire, Balliol	11 11	7. J. Strachan, Trinity Hall . . . . .	11 13
F. H. Hall, Corpus (cox.) . . . . .	7 7	Stroke, J. H. D. Goldie, St. John's	12 0
		H. E. Gordon, First Trinity	
		(cox.) . . . . .	7 12

The Oxford crew were the first to dip their oars and catch hold of the water, by which they obtained a momentary lead, but it did not avail them, for as soon as the Cambridge crew had got their boat well under way they first drew up to and then headed Oxford. So quickly, indeed, did the Cambridge crew settle down to their work, and so fast did their boat move, that off Simmons's Yard, they had obtained a lead of a quarter of a length, as nearly as could be made out, and off the London Club Boathouse had increased their advantage to about half a length, the number of strokes rowed per minute in each boat being much the same—from thirty-eight to thirty-nine. The pace of the Eights up the first Reach was so great that the two steamboats which followed the match were some distance astern, and it was consequently a matter of the greatest difficulty to discern exactly the relative positions of the competing boats. At the site of the old half-mile post, below Craven Cottage, Cambridge led by a good half length, which was increased to three-quarters at the Grass Wharf, a few hundred yards higher up the river. Off the Crab Tree the Oxford crew gained slightly, partly by making an effort, and partly through the Cambridge boat being taken out unnecessarily wide, instead of being gradually edged in round the bend in the Surrey shore; and at the Soapworks they had reduced the lead of Cambridge to about half a length. Between the Soapworks Wharf and Hammersmith-bridge it looked for a moment as if the Oxford crew were about to draw up level, especially as the Cambridge coxswain kept his boat's head pointed across towards the Middlesex shore, thus losing considerable ground, and throwing his crew more or less athwart the tide. Having presently gone out beyond the centre of the river, he took a steady pull at his left rudder line, and once more the Cambridge boat was pointed her true course, this being just below Hammersmith-bridge. No sooner was their boat straightened than the Cambridge crew made an effort without quickening their stroke, and, although the rowing in the Oxford boat was most determined at this point, Cambridge shot the bridge first by three-quarters of a length, the nose of the Oxford boat being abreast of the stroke oarsman of Cambridge; time from the start 8 min. 5 secs. No sooner were the Eights through the bridge—the uproar being perfectly deafening when it was seen how well the Cambridge crew were holding their own, rowing, be it



remembered, a slower stroke than Oxford—than the bow of the Cambridge boat was once more fetched out towards the Middlesex shore, ground being again lost. The Oxford crew, being next the towpath, had the inside of the horse-shoe bend between Hammer-smith-bridge and Chiswick Eyot, and making a brilliant spurt rapidly overhauled the leaders, who did not answer the effort. In turning the corner opposite the Doves the Oxford crew, on the inside, crept up inch by inch amidst the greatest excitement, and at the staging erected in the river opposite the Waterworks had reduced the lead of the Cambridge crew to a third of a length. Entering Corney Reach the water was found to be rather lumpy, but still not what can be called rough, owing to the westerly wind meeting the flowing tide. Whether it was owing to the disturbed state of the river, or to another spurt on the part of Mr. Darbishire, was uncertain, but the Cambridge crew seemed to come back to Oxford, who drew nearly level off the foot of Chiswick Eyot. So threatening did things look for the Cambridge crew that the betting on board the steamer, which began at evens before the start, and had ranged at five and six to four on Cambridge, suddenly changed to six to four on Oxford, and for a moment it really looked as if Cambridge were beaten, and that at the old place the old tactics were to prove successful. However, the idea was soon dispelled, for the Cambridge crew began slowly to draw away from Oxford half-way up Chiswick Eyot without increasing their rate of stroke. At the head of the Eyot Mr. Darbishire, finding how matters were going, put on a most brilliant spurt, in which he was well backed up by his crew, although several of the men began to show signs of the severity of the pace, and once more gained upon Cambridge, but without getting quite upon even terms. As soon as the spurt died out Mr. Goldie made his effort and drew away, leading round the bend opposite Chiswick Church by half a length, the same relative positions were maintained to the White Cottage below the Duke of Devonshire's meadows, where the Cambridge crew once more began to leave Oxford, the latter becoming unsteady and scratchy as they were left astern. The Cambridge, however, were unable to shake them off altogether, as they led past the bathing-place in the Duke of Devonshire's meadows by three-fourths of a length only. In the Reach to Barnes-bridge the Cambridge crew slowly improved their position, but their winning was manifestly a mere question of time, because, in addition to their rowing a more regular and measured stroke all together in a compact body, the time in the Oxford boat became gradually worse, especially on the stroke side. Barnes-bridge was reached by the Cambridge crew one length in front in eighteen minutes, and off the White Hart Inn they were clear of Oxford. This advantage was increased up to Mortlake Brewery, where Cambridge led by a couple of lengths as nearly as could be judged from astern, but it was again reduced on passing the Ship. Before reaching the flagboat, which was moored several hundred yards above the Ship, the rowing in the Cambridge boat became slightly wild, but although

neither crew finished in particularly good form, Cambridge won cleverly by rather more than a length, an interval of perhaps half a length intervening between the stern of the Cambridge and the nose of the Oxford boat. The time of the race taken by a chronograph manufactured by M. F. Dent and Co., of Cockspur-street, was 22 min. 3 4-5 sec. This time was not particularly quick, but this was attributable to several causes—first, to the slackness of the tide, which had nearly reached its highest when the start was made; secondly, to the fine breeze; and, thirdly, to the long distance above the Ship at which the flag-boat was stationed, and which was generally considered to be in excess of the distance intervening between Putney Aqueduct and the starting-boats.

9. FATAL CONFLAGRATION AT CARDIFF.—The most destructive fire which has ever occurred in Cardiff broke out this morning at three o'clock, and caused the death of four persons. The scene of the fire was the Glamorgan Hotel, a large three-story house in Bute Town, Cardiff. The occupier was a Mr. Stacey, and he and his daughter, with two grandsons, a captain, and a commercial traveller, were the sole inmates of the house on the previous night. Between half-past two and three o'clock neighbours were aroused by a crackling sound, and on looking out of their windows it was seen that flames were issuing from the cellar and bar of the hotel. It would seem that by this time the fire had been discovered inside the house, and had awakened the landlord. He aroused Captain Manning (who was the master of a ship in the port) and advised him to make towards the back premises, which, with some difficulty—for the flames had taken possession of the staircase—he succeeded in doing. Mr. Stacey went back to the other part of the house with the intention, as he stated, of awakening the other inmates. He appeared, however, to have got no further than the bedroom in which one of his grandsons slept, and, taking up in his arms the still sleeping boy, he turned to make his way to a place of safety. The fire, however, had taken possession of the passage through which he passed, and was rapidly surrounding him, when overcome by the suffocating smoke he stumbled and fell from a landing into a club room which runs out from the main building. Here he was discovered insensible some hours after, and the child, to rescue whom he had risked his life, lay dead at his side. The fire brigade and steam fire-engine arrived at the scene of the fire at half-past-three. By that time the fire had seized upon the whole building, which it wrapped in a mantle of flame, and just before their beginning to play upon the burning house the roof fell in with a loud crash, and carried with it downwards the two intervening floors into the cellar below the bar. The fire gradually spent itself, and by six o'clock was entirely extinguished, leaving nothing but the bare walls and a smouldering mass of rubbish. Directly the heat had abated and it was possible to examine the embers a search was made for the bodies of those who were known to have perished in the flames. Miss Stacey, who acted as her father's housekeeper, and her nephew, a boy of seven years, were found locked in each others' arms.

Both were severely burnt—some of their limbs having been burnt away and their bones calcined. Shortly after, the body of a commercial traveller, named Alfred Giles, a representative of Messrs. Blackie and Sons, the well-known publishers of Edinburgh, was discovered. He was a native of Taunton, and only arrived in Cardiff a short time since. Singularly enough, his proper residence was a few doors away in the same street, and Mr. Stacey, with whom he was on friendly terms, induced him to sleep in the house that night. The children belonged to a widowed daughter-in-law of Mr. Stacey, and were only on a visit to their grandfather at the time. Mr. Stacey, when discovered by the police, was believed to be dead, but after restoratives had been applied, he partially recovered, and, though delirious all day and badly burnt, he afterwards improved. Every possible attempt was made to rescue the inmates of the house; but so firm was the hold of the fire upon the premises before it was discovered, and so rapidly did it spread, that no human efforts could have been of avail.

18. THE EASTER VOLUNTEER REVIEW AT BRIGHTON.—The annual Easter Monday Review and Sham Fight of the metropolitan and home counties volunteer corps took place at Brighton, with the advantage of the finest possible weather. It was an agreeable contrast to the review at Dover, last year, when a storm of wind and snow, in which the unlucky brig "Ferret" was actually wrecked in the harbour, had nearly prevented the execution of the proposed manoeuvres. The review of 1868 was held at Portsmouth, and that of 1867 at Dover, so that it is four years since the last time this martial spectacle was displayed on Brighton Downs. The Prince and Princess of Wales favoured the assembly in 1866 with their presence. There was no such additional circumstance of attraction to the review this year, but it proved an entire success in popular enjoyment, whatever criticisms may be passed on its military performance.

As Brighton is a holiday town, where Londoners are sure to find comfortable accommodation for themselves and families, with the benefit of the sea air and sufficient opportunities of amusement, large numbers of the volunteers and their friends went down either on Saturday or Good Friday, or the previous Thursday evening, some of the corps marching by the high road from London, but most of them arriving by railway. It was estimated that 6000 or 7000 volunteers had reached Brighton by Saturday night. A detachment of the Hon. Artillery Company, with their guns drawn by horses, marched in on Saturday, having been met by a volunteer band from Brighton; and the 49th Middlesex (Post-office Corps) came in at a later hour that evening. Among the officers staying at the chief hotels in the town were Lieutenant-General the Hon. Sir James Scarlett, with Lady Scarlett, and Prince Edward of Saxe-Weimar, who went together, on Saturday, to examine the review ground. The Esplanade, the sea-beach, the King's-road, the Steyne, the Pavilion Garden, the old Chain Pier and the new

Western Pier, at Hove, the line of terraces in Kemp Town leading to the walk over the cliffs towards Rottingdean, the Racecourse, the Downs, and the road to the Devil's Dyke, were much frequented by visitors in uniform, with a crowd of others—men, women, and children—who took their share of pleasure in those few days. The beach opposite the town was continually thronged; and the boatmen and the keepers of refreshment-saloons made a pretty good profit of the occasion. The rifle-shooting competition for prizes, at the Sheepcote Valley range, occupied the more enterprising and ambitious members of the volunteer force. On Sunday many of them attended the church service at the Pavilion and in the churches of the town.

The London, Brighton, and South Coast Railway, with excellent traffic management, conveyed down thousands upon thousands in the morning, the first arrival being at half-past six. At ten o'clock, when the signal-gun was fired, they began to assemble on the Level, the ground adjoining the Steyne, in order to march thence to the Racecourse, where the inspection was to commence. They set out at eleven, and passed along the Steyne, the Marine-parade, and Bedford-street. The commanding officer, Sir J. Y. Scarlett, with Colonel Wright, Deputy Inspector-General of Reserve Forces, and Colonel Colville, Acting Deputy Inspector-General, was surrounded by his Staff, consisting of Captain Milligan, 39th Regiment; Captain Scarlett, 5th Dragoon Guards; Lieutenant Knollys, Royal Artillery; and Lieutenant Sir A. Mackworth, Royal Engineers, Aides-de-camp; Colonel Newdigate, unattached, Deputy Adjutant-General; Colonel Gamble, C.B., unattached, Deputy Quartermaster-General; Captain the Hon. C. Edwardes, Rifle Brigade, Deputy Assistant Quartermaster-General; and Colonel Laffan, Royal Engineers. Preceded by the light troop attached to the Hon. Artillery Company, General Sir J. Scarlett rode to the review-ground shortly before the general body of volunteers.

The saluting-point was at the Grand Stand of the Racecourse. It was a few minutes past twelve when the whole force began to march past Sir James Scarlett in the following order. The cavalry consisted of forty-seven men of the Hon. Artillery Company. The artillery was divided into three brigades of field batteries and two of garrison artillery. The first brigade of batteries was commanded by Lord Truro, and included 16 guns, 74 horses, and 185 men; the second, Lieutenant-Colonel Creed, 17 guns, 102 horses, 318 men; the third, 20 guns, 145 horses, 503 men. The first brigade of garrison artillery, under the command of Lieutenant-Colonel Richards, numbered 1569 men; the second, Lieutenant-Colonel Walmisley, 1281 men. The infantry comprised four divisions, with three brigades to each division. The commanders and numbers were as follow:—First Division: Major-General Brownrigg, C.B. First Brigade—Lieutenant-Colonel Loyd Lindsay, V.C., 2009; Second Brigade—Lieutenant-Colonel Viscount Ranelagh, 2075; Third Brigade—Lieutenant-Colonel Bigge, 2021.—Second Division:

Major-General his Serene Highness Prince Edward of Saxe-Weimar, C.B. Fourth Brigade—Lieutenant-Colonel Macleod of Macleod, V.C., 1929. Fifth Brigade—Lieutenant-Colonel Viscount Bury, 2048; Sixth Brigade—Lieutenant-Colonel Money, 2116.—Third Division: Major-General Carey, C.B. Seventh Brigade—Lieutenant-Colonel Macdonald, 1984; Eighth Brigade—Lieutenant-Colonel Dunsmure, 2073; Ninth Brigade—Lieutenant-Colonel W. Barttelot, 1802.—Fourth Division: Major-General Lysons, C.B. Tenth Brigade—Lieutenant-Colonel Somerset, 1861; Eleventh Brigade—Lieutenant-Colonel Buxton, 1860; Twelfth Brigade—Lieutenant-Colonel Earl Cowper, K.G., 2008. During the march past the bands were placed on the Grand Stand side of the course.

The sham fight began immediately after the troops had marched past. The plan of it is readily explained. The first and second divisions, under General Russell, were the enemy, while the third and fourth, under General Scarlett, were the defenders. The first-named two divisions, having marched past, continued their progress along the Racecourse to the windmill, and moved out along the ridge forming the northern ends of the White Hawk and Rifle-range Valleys, through which they passed to the north of Woodendean, and between that place and the Warren Farm; and having reached the hill beyond, with their right resting on Baldsdean and Newmarket-hill, and their left towards the village of Rottingdean, there took up their first position. The defending force, pursuing the same line of route as the attack, having crossed over the northern end of Rifle-range Valley and passed the high ridge on its other side, took up its position on the brow of what is known as "Red-hill," having the Wick Valley and Woodendean at its feet, while its right rested on Ovingdean. The summit of this hill is that portion of the Racecourse known as the "Cup" course, and from this point the general public were able to have an excellent view of the movements.

The attacking force was supposed to have landed at Rottingdean, and, by a right-flank march, gained the summit of the Downs towards Baldsdean; while the defending force, whose commander had received information of the landing of the enemy, moved out from Brighton to intercept his march and protect the town from the invading army. An attempt to take up a position towards Rottingdean was frustrated by the enemy being already in possession of the heights. In this dilemma the defenders were compelled to fall back upon the hills they already held in front of Woodendean and Ovingdean. To effect this it was necessary to mass their reserves, under cover, in the Wick Valley, at the same time holding the enclosures on the hills by skirmishers and advanced parties. Here the invading army made an attempt to seize and occupy the commanding position of Ovingdean hill while making a feint upon the Woodendean enclosures. The defending force, however, opposed a stout resistance to the attack at both points, and the invaders were finally repulsed.

The sham fight concluded at half-past four in the afternoon, when the volunteers, whose total number was computed at 26,000, made for Brighton and the railway. The first train conveying them back to London started at half-past five, and they were all gone by half-past nine. The Lancashire corps and one from the West Riding of Yorkshire, as well as the Oxford and Cambridge University Corps, and some belonging to other counties, joined the Middlesex, Surrey, Kent, Sussex and Hampshire volunteers in this display of their force and skill.

23. MURDER OF THREE ENGLISHMEN BY GREEK BRIGANDS.—News was received of the murder of three Englishmen by brigands in Attica on the 21st, and excited the strongest feelings of horror and indignation throughout the country. The following are the details of this terrible affair :—

At half-past six on the morning of the 11th a party, consisting of Lord and Lady Muncaster, Mr. Frederick Vyner, Mr. Herbert, one of the Secretaries of her Majesty's Legation, Count Boyl, Secretary to the Italian Legation, and Mr. and Mrs. Lloyd, with their young child, five years of age, left Athens in carriages for Marathon, under the escort of four mounted gendarmes, accompanied by a Suliote named Alexandros, the most experienced and intelligent dragoman in Greece. In traversing the plain they found a small detachment of six infantry soldiers, and afterwards twenty-five soldiers, apparently patrolling the road. After exploring the scene of one of the most interesting events in history, they started to return to Athens. The detachment of twenty-five men appears to have endeavoured to keep company with them, but was unable to do so; and they again passed the smaller party of six men, who succeeded in keeping tolerably close in their rear.

At half-past four in the afternoon, while entering a thickly wooded part of the road near the bridge of Pikermi, two mounted gendarmes riding one on each side of the carriages, and two in front, a volley was suddenly fired into them, killing one of the gendarmes and mortally wounding another. The road was immediately filled with brigands, who forced the occupants out of the carriages, using much violence, seizing Lady Muncaster, and tearing off her watch and lockets, and menacing the lives of all. They hurried their captives up the side of Mount Pentelicus, but had scarcely got fifty yards from the road when the six infantry soldiers came up and at once commenced firing into the brigands, who returned the fire. The soldiers, finding themselves overmatched (the brigands being twenty-eight in number), soon discontinued the fight.

The brigands then hurried their prisoners up the slopes of Pentelicus; and, after two hours' walking, they put the ladies on the horses of the dismounted gendarmes, and, with one servant, let them go to Athens. After the ladies had gone, the five gentlemen and Alexandros were compelled to walk with the brigands up and down wooded ravines, sometimes resting for half an hour, till about two

o'clock next morning, when they stopped in a dry watercourse to kill and roast three lambs—the brigands making their captives sit round the fire, and pressing upon them the insides of the animals. Weariness and depression of spirits had deprived them of appetite, even if the food had been more attractive; and they partook of nothing except some black bread and water, which was all the nourishment they had for many hours.

Resuming their march, they halted again about daybreak, and all next day lay under some bushes: luckily it was fine, so that they did not suffer much. During that day they consulted what was to be done; and it was agreed to ask for one of their number to be allowed to go to Athens to arrange for the payment of the ransom they demanded, and an amnesty. After several hours' talk between Alexandros and the captain of the band, the terms of ransom were settled so far that the captain of the brigands reduced the enormous sum demanded of 50,000*l.* to the sum of 25,000*l.* He would not, however, suffer any further discussion; but, growing impatient, said, emphatically, "Finish quickly!" The captives then arranged that Lord Muncaster should be the person to go to Athens and make the arrangements necessary for his own and companions' release; a promise being exacted by the brigands that, failing his mission, he was to return, seeing that the lives of the others depended on his success. They promised to let Lord Muncaster go that night, but did not do so, as they could get no guide, and none of the brigands dared to be seen with one of their captives. All through the night they walked over boggy plains and up and down hills, wet through from heavy rain, in which they lay down for three hours, till six in the morning, when they started again, and then stopped for the day in a ravine, where a shepherd was found, and a small cart obtained in which Lord Muncaster proceeded to Athens.

He made arrangements for sending food and clothing to his friends, and for obtaining the money, which was promptly placed at his disposal by a merchant in Athens. The only difficulty lay in the transport of so large a sum in gold. It was necessary, however, to obtain from the Greek Government the promise of an amnesty for the brigands, with an order that they should not be pursued in the mean time. Mr. Erskine, the British Envoy at Athens, receiving a note from Mr. Herbert to beg his interference for this purpose, applied to General Soutzo, the Minister for War, who gave him a solemn promise that no attempt should be made to pursue the brigands until the captives were released; a threat having been made by the brigands that the least attempt to molest them would be instantly followed by the massacre of the whole party. Two or three days later Mr. Erskine had an interview with the Prime Minister, M. Zaimis, the Minister of Foreign Affairs, and the Minister of the Interior, and afterwards with the King. They objected to grant the amnesty, because the King had no constitutional authority to do so, but they offered to pay the money for the ransom out of the Greek Exchequer, and they undertook that the

brigands should not be attacked. Mr. Erskine then wrote to Arvanitakis, jointly with the Italian Minister, the Count della Minerva, telling him there would be no difficulty as to the payment of the money, but that he must not insist on an amnesty which Government had not the power to grant.

On the 19th a Greek officer named Colonel Theagenes, aide-de-camp to General Church, left Athens with instructions to negotiate for the release of the captives. He was instructed by the Government to inform the brigands that if they would take the money and release the Englishmen they would go on board the British ship of war, "Cockatrice," and leave the country for Malta; but they would not be permitted to quit the neighbourhood of Oropos and go northward into Thessaly with their captives. But the brigands still demanded either an amnesty for all their crimes, or that they should immediately be tried *pro formâ*, and acquitted or pardoned, without being obliged to surrender, by the agency of a special court of assize to be sent to the place where they were. But they refused to stay in the village, and declared their intention of leaving it that very day, threatening to kill the English gentlemen if the troops offered to stop them. This is what actually took place. They set out from Oropos at two o'clock in the afternoon, and were immediately pursued by a detachment of cavalry, under Captain Apostolides, to cut off their retreat northward. When they perceived the approach of the troops near Dhillissi, they stopped and shot Mr. Herbert and Mr. Lloyd. The soldiers, who saw this murderous act, became infuriated, and made a fierce attack on the brigands. Six of them were killed, including Christos Arvanitakis, and one or two were taken alive. The others fled up the country, dragging Mr. Vyner and Count Boyl with them, as far as Skimatari, where they put these two gentlemen also to death. Their bodies were afterwards found and brought to Athens. They were mutilated in a shocking manner. There was a public funeral for Mr. Herbert and Mr. Lloyd, the King of Greece walking in the procession.

Most of the brigands were afterwards caught, tried, and executed. Mr. Edward Henry Charles Herbert was a first cousin of the present Lord Carnarvon, being the eldest and only surviving son of the late Hon. E. C. H. Herbert, of Tetton Lodge, Taunton, a younger son of the last Earl. He was born in September, 1837, was educated at Eton and Balliol, and had been ten years in the diplomatic service at Vienna, Lisbon, Constantinople, and Athens, besides a year's administrative employment in the West Indies.

Mr. Frederick Vyner was the youngest son of the late Captain Henry Vyner, of Gautby, by Lady Mary Vyner, daughter of the late Earl de Grey. Both he and Mr. Herbert were greatly beloved and esteemed for the virtues of their personal character, which were shown to all the world in their brave and generous behaviour while in the hands of the Greek brigands.

Mr. Edward Lloyd, of whom the same may be said, was a member of the Chancery Bar, and special correspondent of the *Standard* at



Athens. He was a son of Mr. E. J. Lloyd, County Court Judge of Gloucestershire.

29. ATTEMPT TO ASSASSINATE MR. CHARLES BUXTON, M.P.—An attempt to assassinate Mr. Charles Buxton, M.P. for West Surrey, was made at his residence in Grosvenor-crescent, Hyde-park.

Mr. Buxton for several years had had in his service as secretary a young man named Arthur White, in whom the most implicit confidence was placed. Latterly, however, he neglected his duty so much that Mr. Buxton felt constrained to give him a three months' notice to leave, and subsequently he had occasion to reduce the time to one month. On the 26th he attended in Grosvenor-crescent as usual, but Mr. Buxton was called away, and White was desired to wait his return. He failed to do so, and the next day Mr. Buxton requested him to meet him this morning at 9.30, as usual. Mr. Buxton reproved him slightly for not waiting his return on the 26th, and said that at any rate he might have sent him the papers by post, and to this White made no reply. Mr. Buxton then requested him to procure the *Army List* from another apartment. The man for some time was as sullen as before, but ultimately he made an impertinent observation, and in consequence was told to leave the house. He then said, "You want the *Army List*, do you?" and Mr. Buxton replied, "Yes; go and get it." He then fetched the book, and as he went towards Mr. Buxton the latter said, "Mr. White, why do you treat me so insolently? I have done all I could to get you another situation, but really I can hardly recommend any one to employ you." White answered, "I don't believe a word of it," and, leaning on the table, he scowled viciously at Mr. Buxton. Thinking that the man merely intended to assault him, Mr. Buxton remained seated, and said, "Why, you know I asked a gentleman to employ you, and have been looking out in other directions," and White then returned to his seat at a table. The conversation was continued for a minute or so, and then Mr. Buxton desired him to leave, as he could not tolerate his conduct any longer. Mr. Buxton went towards the door, and instantly he heard the report of a pistol. Starting round, he saw the man standing in front of him and pointing a revolver at his head. Believing that a second shot was intended, the hon. gentleman threw himself down behind a table, upon which his would-be assassin observed, "Are you wounded, Sir?" Mr. Buxton rushed at the man for the purpose of disturbing his aim, the revolver being still pointed towards him, when White rushed to the door and ran into the hall, followed by his master. Before Mr. Buxton could secure him, however, he had opened the street-door, had entered a hansom cab, and had got clear away. On searching the study a bullet mark was found in a wall immediately over where Mr. Buxton stood when fired at, and the bullet itself was found lying in the middle of the room.

Information of the attempt to murder was immediately given to the authorities at Scotland-yard, and Colonel Henderson placed the matter in the hands of Inspector Pay and Sergeant Daisy. White

was subsequently captured, and, being found to be insane, was directed to be kept in custody during her Majesty's pleasure.

30. BANQUET AT THE ROYAL ACADEMY.—A distinguished company were entertained by the President and Council of the Royal Academy, in their new galleries, Burlington House, at the anniversary banquet, inaugurative of their Annual Exhibition.

The doors of the Academy were thrown open at two o'clock, and the company arriving early employed the interval till dinner was announced in viewing the works of art which adorn the walls of these magnificent galleries.

The dinner was served in the large central room, where covers were laid for 200. The following persons were present:—

His Royal Highness the Prince of Wales, his Royal Highness the Prince Christian, his Serene Highness the Prince de Teck, Prince Edward of Saxe-Weimar, First Lord of the Treasury, Home Secretary of State, Foreign Secretary of State, Secretary of State for War, Commander of the Forces, First Lord of the Admiralty, Lord Chamberlain, Lord Steward, Master of the Horse, Chancellor of the Exchequer, First Commissioner of Her Majesty's Works, Lord Chief Justice (Queen's Bench), Lord Chief Justice (Common Pleas), Lord Chief Baron, Attorney-General, Lord Advocate of Scotland, Archbishop of York, Bishop of London, Dean Stanley, Bishop of Winchester, Dean of St. Paul's, Bishop of St. David's, &c., &c., and most of the Members and Associates of the Royal Academy.

The President of the Royal Academy, Sir Francis Grant, presided, and proposed the usual loyal toasts. The Prince of Wales, in returning thanks, feelingly alluded to the loss sustained by the Academy in the recent death of Mr. Maclise. The toast of "Prosperity to the United States," and the health of the American Minister, was responded to by the American Minister, Mr. J. Lothrop Motley, who, in the course of his remarks, said,—“The treasures of art accumulated in this country through the taste and the generous expenditure of many generations are, as all men know, something truly marvellous. Extemporized galleries like that magnificent collection at Manchester in 1857, and the one which we were all admiring here the other day, could not be matched or approached any where else in the world. And Britain may well be proud that the seed thus strewn through long years has fallen on such fruitful soil, and that the productions of her native art are so closely rivalling the acknowledged masterpieces of old. I may be permitted to rejoice, too, that some of my own countrymen have even been thought worthy compeers and comrades of the great masters born on British soil. The names and the chief works of your great artists, from the times of Henry VIII. down to our day, which is so rich in artistic genius that I do not dare to name any bright particular star among the splendid and numerous galaxy, are familiar as household words in my own country, and I am sure that Americans like West and Copley, Gilbert Stuart, Stuart Newton, Washington Allston, and Leslie, as well as those great sculptors and painters of our own day, whose names,

for the same reason, I do not enumerate, have found generous recognition here. The Commonwealth of Art is a true Republic, where men of genius of all classes are fellow-citizens."

For "Her Majesty's Ministers" Mr. Gladstone, in returning thanks, said,—“I may congratulate you, sir, most cordially upon your having given free use of your liberal stores of space to foreign artists. I am sure there are none, either of those who contribute to adorn these buildings or of those who come to witness the treasures they contain, who do not rejoice to see this free, this friendly, this brotherly competition—a competition which can result in nothing but in mutual respect and in reciprocal improvement.” The right hon. gentleman further on remarked, “As to our own labours—as to the labours of most men—they seem to terminate with the day on which they are done, and to leave no trace behind them; but, sir, it is your happy lot, and the lot of the distinguished companions over whom you preside so worthily, to produce and bequeath to mankind that which becomes part and parcel of their permanent inheritance, and which is as fruitful of improvement and delight centuries after it has been completed as on the day when it received the last touch of the artist's hand. Long, sir, may you personally, and long may your brethren gathered about this board be blessed with the continuance of faculties to enable you to give this delight, and with this delight to benefit your species; and after we have gone, and you have gone, may those arise who shall spread wider yet, and carry higher yet, the fame of British art.”

The President, in responding to the toast of his own health, spoke as follows of the recent losses sustained by the Academy:—“Since last I had the honour of addressing you from this chair, the Academy has lost three of its distinguished members—Mr. Jones, Mr. Creswick, and, within this week, Mr. Maclise. Mr. Jones's battle-pieces and other works painted in former years, some of which now adorn our National Gallery, attracted much admiration. For five years, during the illness of Sir Martin Shee, he occupied this chair, and fulfilled its duties with judgment and ability. He was removed in a good old age, enjoying the respect and esteem of his brother members. Mr. Creswick, however, has been carried off in the prime of life and in the zenith of his fame; and the public will from henceforth miss from our walls those charming pictures of English landscape scenery which were a constant source of attraction at our annual exhibitions. I regret to add that within this week the members of the Academy have been shocked and deeply grieved by the sudden death of Mr. Maclise. I need say nothing of his great reputation as an artist. His fine works must be familiar to all; but it is impossible to overrate the sorrow of his brother members at this sudden and sad calamity, for he was not less appreciated for his ability as an artist than beloved for his simple, genial, and kindly nature.”

The last toast was “Prosperity to the interests of Literature,” for which Mr. Charles Dickens effectively returned thanks.

## MAY.

2. **STATUE OF THE EARL OF CARLISLE.**—The memorial statue of Lord Carlisle, which had been erected in the portion of the Phoenix Park, Dublin, called the "People's Park," was unveiled by his Excellency the Lord-Lieutenant, in presence of Lady Spencer and a number of personal friends of the late Earl and subscribers to the fund. It is one of the most successful of Foley's works. With a delicacy of feeling which was generally commended, his Excellency dispensed with all formal panegyric and parade in presenting to the Irish public the life-like statue of their favourite Viceroy. The site was happily chosen, the Park being one of the latest tokens of his desire to promote the social and moral improvement of the people. The statue is 8ft. 3in. in height, and stands on a pedestal nearly as high. The following inscription is on an entablature:—

"GEORGE WILLIAM FREDERICK,  
Fourth Earl of Carlisle, K.G.,  
Chief Secretary for Ireland, 1835-41,  
Lord-Lieutenant of Ireland 1855-56, 1858-61;  
Born 1802; Died 1864."

Among those present to witness the unveiling were the Lord Chancellor, the Dukes of Devonshire and Leinster, the Marquis and Marchioness of Kildare, Lord Howth, Lord Offaly, Lord and Lady Edward Cavendish, Lady Ann Bruce, Lady Havelock, Sir Bernard Burke, Ulster King-at-Arms, and a number of other principal contributors to the memorial.

3. **ACCOUCHEMENT OF HER ROYAL HIGHNESS PRINCESS CHRISTIAN.**  
—The following bulletin was issued:—

"May 3, 1870.

"Her Royal Highness Princess Christian of Schleswig-Holstein (Princess Helena of Great Britain and Ireland) was safely delivered of a Princess at 7 p.m., yesterday.

"Her Royal Highness and the infant Princess are going on perfectly well.

"THOMAS FAIRBANK, M.D."

Her Royal Highness made speedy progress to recovery.

— **NEWMARKET RACES.**—**THE TWO THOUSAND GUINEAS.**—As expected, a small field only went to the post for the Two Thousand Guineas Stakes, and these included, with the exception of Camel, all that had figured prominently in the betting during the winter. Kingcraft to the last was the best favourite, but Macgregor was the horse most loudly spoken of as the probable winner. The following is the account of the race:—

The Two Thousand Guineas Stakes, a subscription of 100 sovs. each, h. ft. for 3-yr.-olds; colts, 8st. 10lb.; fillies, 8st. 5lb. R.M. 1 mile 17 yards.

Mr. Merry's Macgregor, by Macaroni, 8st. 10lb. (car. 8st. 11lb.) (Daley)	1
Lord Stamford's c. Normanby, 8st. 10lb. (Grimshaw)	2
Lord Falmouth's Kingcraft, 8st. 10lb. (French)	3
Mr. W. S. Crawford's b. c. Claudius, 8st. 10lb. (Challoner)	0
Mr. J. Dawson's King o' Scots, 8st. 10lb. (Custance)	0
Mr. Heene's Hawthornden, 8st. 10lb. (J. Adams)	0
Mr. Johnstone's b. c. Stanley, 8st. 10lb. (J. Osborne)	0
Mr. G. Jones' br. c. Astolfo, 8st. 10lb. (Fordham)	0
Mr. Merry's Sunlight, 8st. 10lb. (Cannon)	0
Mr. Savile's b. c. The Champion, 8st. 10lb. (Maid- ment)	0

Betting:—75 to 40 agst Kingcraft, 100 to 30 agst Macgregor, 6 to 1 agst King o' Scots, 100 to 15 agst Stanley, 13 to 1 agst Sunlight, 16 to 1 agst Hawthornden, 33 to 1 agst Claudius, 40 to 1 each agst Champion and Astolfo, 66 to 1 agst Normanby.

After a delay of about a quarter of an hour, chiefly owing to the fractiousness of Sunlight, Mr. M'George succeeded in despatching them to a level start, Champion making the running, followed by King o' Scots, Hawthornden, Claudius, and Stanley. The next division was headed by Macgregor, who had Normanby and Kingcraft as his immediate attendants, while Astolfo was running wide on the right of his horses, and Sunlight brought up the rear. Descending the Bushes-hill Macgregor went to the front, with Hawthornden, King o' Scots, Normanby, and Kingcraft in his wake, and in the dip he still further increased his lead, coming up the hill full of running in advance of every thing, while King o' Scots retired, and Normanby took second place, Mr. Merry's horse ultimately winning in a canter by five lengths, Kingcraft finishing three-quarters of a length behind the second. Hawthornden was fourth, Champion fifth, Stanley sixth, and King o' Scots seventh. The last three were Claudius, Sunlight, and Astolfo.

4. GREAT JEWEL ROBBERY.—A great robbery of jewels took place at the residence of Mr. W. B. Beaumont, M.P., 144, Piccadilly. The thieves crossed the gardens at Apsley House, and then Mr. Beaumont's garden, effecting an entrance in the back part of the house from Park-lane by climbing an iron verandah, to which they had affixed a rope by means of a hook, and getting through a staircase window. The jewels were kept in a strong inner closet, which was forced open; and after the jewels had been taken out, the burglars locked the door of the room, and hid the key in a coal scuttle, where it was found the next day. The robbery was effected between nine and half-past nine o'clock, in the absence of Mr. and Lady Beaumont; and the thieves carried on their operations so quietly that they disturbed nobody, although some members of the family were in an adjoining room, close to that in which the jewels were kept. They were evidently well acquainted with the premises, and the burglary had doubtless been as systematically pre-arranged

as it was successfully carried out. As soon as the robbery was discovered, the police were communicated with, and the case was entrusted to Mr. Superintendent Williamson and Mr. Superintendent Dunlop, a reward of 1000*l.* having been offered for the apprehension of the thieves. The value of the jewellery stolen amounted to at least 10,000*l.* Two of the largest diamonds, which were wrapped up in tissue paper, and which were each worth 500*l.*, were left behind, either because the robbers did not know their value, or did not take them, believing the stones to be too well known.

9. DOUBLE MURDER IN CHELSEA.—Two murders were committed at Chelsea. The victims were the Rev. Elias Huelin, an aged French Protestant clergyman, assistant chaplain at the Brompton Cemetery, and his housekeeper Ann Boss. The murderer was a Scotchman, a jobbing plasterer and bricklayer, by name Walter Miller. The facts that were brought to light were as follows:—Mr. Huelin was the owner of considerable house property, and lived at No. 15. Paultons-square, Chelsea, his housekeeper being the only other inmate. At one of his houses, No. 25, Wellington-square, Chelsea, Miller was employed upon repairs. In paying Miller on one or two occasions a number of sovereigns was shown, and Miller's cupidity found expression in casual remarks since recollected and sworn to by a fellow-workman. He seemed to have formed the plan of killing Mr. Huelin when he should next call at the empty house in Wellington-square to see how the repairs were progressing, and then to go to Paultons-square and kill Ann Boss. Both these murders he accomplished. He then possessed himself of a quantity of gold and title-deeds, and went in for a debauch with a woman he found in the street near the Haymarket. The body of Mr. Huelin he buried in the house in Wellington-square. It was in attempting to dispose of the body of Ann Boss, the housekeeper at Paultons-square, that detection came. The murderer had strangled the poor woman, and packed her body in a box. He, on the evening of the 11th, went to a man to arrange for the removal of the box to a house in the Fulham-road. This man, a van proprietor, named Henry Piper, went, accordingly, to the house of the Rev. Mr. Huelin, Paultons-square, Chelsea; and the door was opened by an old woman who had been called in by Miller to take charge of the house. Piper said a large box was shown him as containing the goods to be removed, but the cord being loose, he began to tighten it; not, however, without some objection from Miller. On putting his hand under the box, Piper found blood running out, and insisted on some explanation being given of the matter. Besides Miller and an old woman, there was also present a young woman. On Piper's refusal to remove the box, the young woman ran up-stairs; and the man Miller ran off also, but he was followed by Piper out of the house, and ultimately given into the custody of a policeman. Miller tried hard to escape; he also took a dose of laudanum, but it did not kill him. He was recaptured, and some constables then proceeded to examine the box. The corpse of Ann Boss was found inside, in a sitting posture; the neck

tied tightly with a piece of cord, which had caused blood to issue from the mouth—a result the murderer had not reckoned upon, and which led to the discovery. The police then turned their attention to the house in Wellington-square, where, after some search, they found the body of Mr. Huelin buried in a drain. A coroner's jury brought in a verdict of "Wilful murder" against Walter Miller in both cases, and he was subsequently tried at the Central Criminal Court, and condemned to death.

11. OPENING OF THE UNIVERSITY OF LONDON BY THE QUEEN.—The new building for the use of the University of London, at Burlington-gardens, was formally opened by the Queen, in the presence of a large number of graduates of the University and of many distinguished visitors.

It was arranged that her Majesty should be received at the principal entrance of the building by the Chancellor, Lord Granville; the Vice-Chancellor, Mr. Grote; the member for the University, Mr. Lowe; the Chairman of Convocation, Dr. Storrar; and the Senate, and should be conducted up the great staircase to the senate-room; thence down the staircase and, by the western corridor, to the great examination hall; thence along the corridor to the eastern smaller examination hall, and so to the dais in the centre of the theatre.

In order to afford accommodation for as many visitors as possible, each of the rooms mentioned in this programme was lined with rows of temporary seats, rising tier above tier, and only leaving sufficient ground space for the actual passage of the royal party. The great centre of attraction was, of course, the theatre; and those who were fortunate enough to obtain tickets of admission to this part of the building were compelled to be in their places early. The gallery overhanging the theatre was chiefly occupied by ladies, but to the actual theatre itself only five or six ladies were admitted; and to them, as to other specially distinguished guests, seats in the row nearest to the dais were allotted. The sombre effect commonly produced by a male audience was on this occasion completely relieved by the large proportion of Doctors of the several faculties of the University wearing scarlet gowns and hoods, faced with russet brown for Arts, with deep blue for Law, gold colour for Science, and with violet for Medicine. The hoods of the Masters and Bachelors in the same faculties were distinguished by the same colours, but their black gowns added little to the general effect. Before twelve o'clock the graduates and visitors had mostly fallen into their places. The arrival of Mr. Disraeli was the signal for very hearty applause, and Mr. Gladstone was received with equal, if not with greater, enthusiasm. The Lord Mayor also was warmly welcomed; and the appearance of Dr. Carpenter, the Registrar of the University, gave occasion for similar manifestations of approval. With these exceptions, the arrivals were little noticed. The "Indian religious reformer," Baboo Keshub Chunder Sen, had been specially invited by the Senate, and occupied a conspicuous position.

Near him were Sir John Bowring, General Sir Edward Sabine, Lord John Manners, Mr. W. E. Forster, M.P., Mr. Ayrton, M.P., the Vice-Chancellor of Oxford, the President of King's College, the President of the General Medical Council, and others.

Shortly after twelve o'clock, the arrival of their Royal Highnesses the Prince and Princess of Wales was made known to the occupants of the theatre by the sound of "God save the Queen;" and, shortly afterwards, the arrival of her Majesty was announced in a similar manner. After a short interval, her Majesty entered the theatre, accompanied by their Royal Highnesses and by her Royal Highness the Princess Louise, and attended, besides the official personages already mentioned, by the Duke of Devonshire, Mr. Goschen, M.P., Mr. Cardwell, M.P., Sir J. Lubbock, M.P., Dr. Gull, and Mr. Paget. Her Majesty proceeded to the dais, where chairs were placed for the royal party, but remained standing, with the Prince of Wales upon her right hand, and the Princess upon her left. Her Majesty having bowed to the audience, whose inclination to cheer had been promptly checked by the authorities, Lord Granville, as Chancellor of the University, read an address, to which her Majesty replied, and then said, "I declare this building open."

The perfect clearness with which every syllable was heard in every corner of the theatre was sufficient to show that the architect's hopes of acoustic perfection had been fully realized.

As her Majesty ceased speaking, the silver trumpets in the gallery were sounded, and the brief ceremony was complete. Three cheers for the Queen were then given, and her Majesty and their Royal Highnesses left the theatre, and were conducted to the entrance of the building by the University authorities, followed as they went by renewed cheers for the Prince of Wales and the Princesses.

As soon as the royal party had left the building, the Chancellor, Vice-Chancellor, and Senate returned to the theatre, and the presentation of the graduates, exhibitioners, and prizemen was proceeded with. When this rather lengthy ceremony was completed, the Chancellor delivered an address, in which he dwelt upon the history, position, and prospects of the University.

13. THE GREEK MASSACRES.—ARRIVAL OF THE BODIES OF MR. HERBERT AND MR. VYNER.—The bodies of the late Mr. Edward H. C. Herbert and Mr. Frederick Vyner, two of the victims to the Greek brigands (see *Chronicle* of April 23), arrived in the Peninsular and Oriental Company's steamship "Delta," from Malta, and were landed on British soil amid every manifestation of sorrow and respect.

The "Delta" passed Hurst Castle at five minutes to three o'clock p.m., and immediately the telegraphic announcement of the fact was made public flags were lowered to half-mast on all the steam and other ships in dock and the river, and on the public and many private buildings on shore. The steamer arrived in dock between five and six o'clock, and as soon as she passed the entrance the Platform Battery commenced firing minute-guns, and continued



during the whole of the time occupied by the landing and removal of the bodies to the railway terminus. The Mayor and Corporation, in their robes of office, walked from the Audit House to the docks, accompanied by the Earl of Carnarvon and the Hon. Auberon Herbert (cousins of the deceased Mr. Herbert), Mr. Vyner (a brother of the deceased victim), and one or two other gentlemen who had come down to meet the corpses. On being landed from the "Delta" the bodies were placed in two hearses, and the mournful *cortège* proceeded to the railway terminus amid immense masses of people, who crowded the docks and Canute-road, many of them dressed in mourning, and the whole of them behaving with the greatest decorum and solemnity. The bells of the parish church rang muffled peals during the proceedings.

The body of Mr. Edward Herbert was conveyed from Southampton by the mail train the next night as far as Micheldever station, and drawn thence by road to Burghclere Church, where it arrived at six o'clock a.m. on the 15th, and was at once placed on a bier in the chancel, where it remained throughout the day. Thousands of persons flocked to the church and were allowed to pass round the coffin, on either side of which was a row of large wax candles. The leaden shell containing the body was enclosed in a handsome coffin covered with purple velvet, and ornamented with silver-gilt crosses, &c. The inscription ran as follows:—

"EDWARD HENRY CHARLES HERBERT.

"Born 1st of September, 1837.

"Died 21st of April, 1870.

"Murdered by Greek Banditti, near Athens."

The church was densely filled. Shortly after two o'clock the mournful *cortège* arrived from Highclere Castle, and was met by the clergy—Revs. E. Waters, F. Gosling, Wasse, and Warren. The mourners occupied the stalls in the chancel, and also several seats in the nave. The sacred edifice was draped with black cloth. The funeral was attended by many of the relatives and friends of Mr. Herbert, among whom were Mr. G. H. Escott and the Rev. H. Sweet-Escott, his uncles; the Earl of Carnarvon, Hon. Alan Herbert, Hon. Auberon Herbert, M.P., Mr. Robert Herbert, the Earl of Portsmouth, Rev. R. B. Barber, Mr. S. Bouverie Pusey, the Earl of Ducie, Mr. T. D. Acland, M.P.; Mr. H. Jenkinson, cousin of the deceased; the United States' Minister, Hon. J. Lothrop Motley; Lord Muncaster, Mr. H. Ogilvy, Mr. W. H. Gladstone, M.P., Mr. Cyril Graham, Sir W. Throckmorton and Mr. J. Throckmorton, Rev. E. Coleridge, Rev. Edwin Palmer, Mr. F. Fletcher, Rev. T. Gem, &c. The following ladies were present in the chancel, and each brought flowers, which they laid upon the coffin after it had been placed in the vault:—The Countess of Carnarvon, the Countess of Portsmouth, Lady Gwendoline Herbert, Ladies Catherine and Lilies Wallop, Mrs. Travers Fletcher, Miss Jane Herbert, and the Misses Ogilvy.

**FUNERAL OF MR. F. G. VYNER.**—The body of Mr. Frederick Grantham Vyner, after landing at Southampton, was first taken to Carlton-gardens, the London residence of Earl de Grey and Ripon, and thence to Gautby Hall, in Lincolnshire. On its arrival at the hall the coffin was placed in the gun-room, a small apartment on the left of the vestibule. At the head of the coffin, the heavy velvet pall being drawn a little back, lay wreaths of *immortelles* and exotic flowers. On the lid of the coffin was a large brass plate, on which the following inscription had been engraved:—

“ FREDERICK GRANTHAM VYNER.

“ Born February 24, 1847.

“ Died April 21, 1870.

“ Murdered by Brigands in the Kingdom of Greece.”

In accordance with the wish of the family, the funeral was strictly private. Some few of the neighbouring county gentlemen were present among the general assembly, but the bulk of those present consisted of the tenantry of the Gautby estates immediately adjoining. The funeral procession was limited to the noblemen and gentlemen whose names are given below. Many found their way up to the vicinity of the hall, but more awaited at the churchyard the appearance of the sad *cortège*. It was a deeply sympathizing gathering, and many and unaffected were the expressions of sorrow at the sad fate which had overtaken one whom all appeared to consider in the light of a neighbour and a friend. The funeral procession left the hall a few minutes before noon, attended by the following mourners:—Mr. Robert Vyner, of Gautby-hall (uncle of the deceased), Mr. Robert C. Vyner and Mr. Clare Vyner (brothers of the deceased), Earl de Grey and Ripon (brother-in-law), Earl Cowper and Mr. H. Cowper (cousins), Lord Muncaster, and the Rev. W. Vyner. They were all on foot. Some distance behind the procession came a private brougham, in which was Lady Mary Vyner, mother of the deceased. The Rev. John Stewart, rector of Gautby, officiated. At Ripon, near which city the deceased resided, the whole of the shops were closed during the time of the funeral, a muffled peal was rung on the cathedral bells, and the blinds of almost every dwelling-house were drawn down, so that the city for upwards of an hour presented a very mournful appearance.

14. **OPENING OF THE NEW HALL OF THE INNER TEMPLE.**—The opening of the new Hall of the Inner Temple by her Royal Highness the Princess Louise was in all respects a most successful ceremonial. At a short flight of winding stone steps, descending to the entrance in Paper-buildings, her Royal Highness was received. A temporary alighting platform and awning was erected for the occasion, and the platform, steps, and corridor were all carpeted with crimson cloth and adorned by flowers grouped tastefully in every available recess. Within the Hall the tables were laid for the *déjeuner*, and were covered with the wealth of plate for which the Inn is renowned. One table, on the dais, was arranged for her

Royal Highness and the most distinguished of the company, and four other tables were placed lengthways down the Hall for the Benchers and members of the Inn, as much space as possible being left between the central tables in order to admit of the passage of the procession. Conspicuous among less important and less effective decorations were the fair faces and bright toilettes of the ladies by whom the gallery was filled, and who bore testimony to their entire satisfaction alike with the building in which they were assembled, and with the temporary arrangements for the day. By half-past twelve the body of the Hall was taken possession of by barristers in their wigs and gowns, and shortly afterwards the more special guests of the occasion began to arrive. The Lord Chancellor, in his gold-embroidered robes, and Chief Justice Bovill, resplendent in scarlet, were conspicuous among the black gowns by which they were surrounded; Lord Chelmsford was in uniform, but Lord Westbury was rendered scarcely less conspicuous by a plain morning costume. The Chancellor of the Exchequer and Mr. Cardwell were in Windsor uniform, but their colleagues, Mr. Bruce and Mr. Goschen, were in plain clothes; and the ladies in the gallery wiled away the time by speculating upon the motives which could induce the sterner sex to array themselves thus variously. At about half-past one a Volunteer band outside the building announced the arrival of the royal party, who came, without escort, in two dress carriages. The Treasurer of the Inner Temple, Mr. P. A. Pickering, Q.C., followed by the senior Benchers, immediately proceeded to the entrance, to receive her Royal Highness, who was accompanied by his Royal Highness the Prince Christian, and attended by Lady Churchill, the Hon. Miss Cavendish, the Lord Chamberlain, Colonel Lynedoch Gardiner, Colonel the Hon. A. Hardinge, and Colonel Grant Gordon. Conducted by the Treasurer, her Royal Highness proceeded down the corridor, entered the Hall by the western entrance under the gallery, and walked to the eastern end. Then, passing through an eastern door and an antechamber, she arrived at a staircase leading to the library, at the foot of which is a door giving access to the private apartments of the Treasurer. At this door Mrs. Pickering met the procession, and presented to the Princess a magnificent bouquet, which, having been graciously accepted, her Royal Highness proceeded to the library, and took the place assigned to her, with Prince Christian on her right hand. The senior Benchers and the guests admitted to the library having formed a circle, the Treasurer proceeded to read an address, to which her Royal Highness read the following reply:—

“It gives me much pleasure to be permitted to represent the Queen, my dear mother, on an occasion of so much interest to the profession of which you are members. Her Majesty authorizes me to express the cordial satisfaction with which she has learnt the completion of the beautiful building which you have erected on a site so rich in historical interest, and so long associated with the illustrious Bar of England. I thank you for the kindness with

which you have received me here to-day, and I will not fail to communicate to the Queen your expression of loyal attachment to her throne and person."

The Treasurer next turned to his Royal Highness Prince Christian, and said that he had the honour to announce that his Royal Highness had been elected a Bencher of the Inner Temple, if he would please to accept the office. The Prince replied, "It will give me sincere pleasure," and he was thereupon invested by the Treasurer with a Bencher's gown, an addition to his costume that seemed to afford some amusement to the Princess. Their Royal Highnesses then signed their names in the visitors' book, and were again conducted to the Hall. The Treasurer took the chair at the raised table, with the Princess on his right hand and Prince Christian on his left; and the *déjeuner* was served. At the same table were the ladies in attendance upon her Royal Highness, and also, among others, the Lord Chancellor, the Lord Chamberlain, Lord Westbury, Chief Justice Bovill, the Master of the Temple, Mr. Lowe, Mr. Bruce, Mr. Cardwell, Mr. Goschen, and the Hon. Colonel Hardinge. After the toasts of "The Queen" and "The Princess Louise" had been duly honoured, the health of Prince Christian was given as the junior Bencher, and to this his Royal Highness responded very felicitously and in excellent English. The Princess then rose from table, and pronounced, very emphatically, "I declare this Hall opened." The proceedings of the day were then over, and her Royal Highness departed amidst loud cheers.

23. HORRIBLE MURDERS NEAR UXBRIDGE.—This evening the small village of Denham, about two miles from Uxbridge, was discovered to have been the scene of an extraordinary series of murders. A small cottage in this place was occupied by Mr. Marshall, an engineer, and his family. The man was busy at work in his workshop late on the preceding Saturday night. Nothing, however, having been seen of the family on Sunday or up till this (Monday) evening, two men forced open the door. A ghastly sight met their gaze. Three children, with nothing on them but their nightgowns and covered over with a cloth, were lying huddled up in a corner, covered with blood, their brains having been dashed out, apparently, with a sledge-hammer which was found near the spot. In the next room were discovered the bodies of two women in their night-dresses similarly treated—one of them being the wife, and the other her sister, who was to have been married on the following day. Marshall's mother was also found similarly butchered. In the workshop Marshall himself was found, in his working-dress, with his head and face slashed and cut about in a shocking manner. A tramp named Jenkins, alias Jones, was taken before the Slough magistrates, on the 25th, charged with the murders. When apprehended he was wearing the clothes of the murdered man, and there seemed to be no doubt as to his being the perpetrator of this terrible crime. Jones went to the forge possibly to steal tools early on the Sunday morning, and in this

he was disturbed by Marshall, who went down early, as was his wont, to let his horse out. Marshall had the reputation of being a very passionate man, and he no doubt at once attacked the thief, who defended himself with such terrible effect with the square iron bar, or forge poker, which was found lying near Marshall's body. The cries and the struggle aroused the family in the cottage, who rushed down in their night-dresses and met the murderer, who, either from malice or from a desire to conceal what he had done in the forge, killed them all with the hammer-headed axe. Traces showed beyond doubt that it was not until all was over in the cottage that the murderer went back to the forge and dragged Marshall's body behind the anvil and concealed it with sacks. He then returned to the cottage and proceeded to wash and dress himself in Marshall's clothes.

A fuller account of these barbarous murders and of the trial of Jones will be found farther on.—(See *Remarkable Trials*.)

24. GREAT FIRE AT QUEBEC.—Great ravages were inflicted upon the capital of Lower Canada by the destructive fires of 1865 and October, 1866; and early this morning a similar disaster occurred. Between one and two, a fire broke out in the populous suburb of St. Roch, at the corner of Crown and Richardson-streets, which spread rapidly, by the aid of a strong east wind, among the wooden houses of that quarter. The conflagration ran down through Queen-street and King-street to Prince Edward-street, which is close to the water's edge. In the opposite direction it was stopped in Old Bridge-street by the efforts of the Fire Brigade, who worked under the personal direction of the Mayor, Mr. Garneau, and of Mr. Ferguson, chief of the brigade, assisted by the Royal Artillery, under Colonel Chandler, the 69th Regiment, under Major Smyth, Colonel Bouchier, R.E., the Commandant of Quebec, and Mr. Town Major Pope. St. Roch's Church and Convent, as well as the Jacques Cartier Market Hall in St. Francis-street, were saved with much difficulty. The spread of the fire was stopped at last, on one side, by the artillery using gunpowder to blow up some wooden buildings in Anne-street; on the other side, by demolishing the palisade and sheds of Mr. Baldwin's ship-yard, to prevent the destruction of the ships on the stocks. But 400 houses or separate buildings were consumed; the loss of property was estimated at 1,000,000 dols., and 8000 persons were made homeless.

25. FATAL ACCIDENT ON MONTE SALVADORE.—Mr. Royds, of Trinity Hall, Cambridge, accompanied by his sister and cousin, while ascending Salvadore, through some mistake missed the first turn and got on to the wrong side of the mountain, but scrambled on, hoping to hit the right path. They pushed on until near the top, for it was becoming dark, and they thought if they reached the summit they could then discover the way down. Unfortunately, however, there was a perpendicular rock which the young ladies could not climb, and Mr. Royds returned to them. They then tried to find their way down as they had gone up, chiefly by water-

courses, &c. When part of the way down, it then being quite dark, they thought they saw a cottage and made towards it; it was, however, only a rock. Mr. Royds was then leading. Up to that time one of the young ladies had gone first, but, having stumbled, she had fallen behind. Mr. Royds leant forward to try and feel for a path, when the ladies heard the noise of a slip and a shout; he had disappeared. To their calls there was no response. How the poor young ladies got down they scarcely knew; it was long after midnight when they reached the hotel. One of the young ladies then started with men and lights to find Mr. Royds. Failing to discover the spot, some of the men returned for the other young lady, but the body was not found until ten o'clock next morning. The body of the unfortunate young gentleman was interred on the 27th at Lugano.

31. LAUNCH OF THE "SULTAN."—The "Sultan," 12, iron armoured ship, 5226 tons, 1200-horse power, which had been building at Chatham, was launched or "floated-out" at one o'clock, in the presence of a large crowd of spectators. The ceremony of christening was performed by a daughter of his Excellency Musurus Pasha, the Turkish Ambassador to the Court of London. The "Sultan" is a broadside ship of peculiar construction, the first of the kind built at Chatham. She was designed by Mr. E. J. Reed, the Chief Constructor of the Navy. Her first plate was laid on the 1st of August, 1868. These are the dimensions of the ship:—Extreme length, 338 feet 6 inches; extreme breadth, 59 feet; depth in hold, 21 feet. On the arrival of the Turkish Ambassador, his daughter, and suite, his Excellency was received in the dockyard by a guard of honour composed of Royal Marines. Among those present at the launch were Vice-Admiral Sir S. Robinson, K.C.B., Controller of the Navy, and Lady Robinson; Mr. E. J. Reed, C.B., Chief Constructor of the Navy, and Mrs. Reed; Captain Seymour, C.B., A.D.C., Private Secretary to the First Lord of the Admiralty; the Countess of Winchelsea and daughter, Lord and Lady Darnley, Lord and Lady Otho Fitzgerald, Admiral Warren, Commander-in-Chief at the Nore; Capt. Luard, Captain Superintendent of Sheerness Dockyard; Major-General J. S. Brownrigg, C.B., Commandant at Chatham garrison, with the chief officers of the garrison and the *élite* of the vicinity. A gallery adorned with many small flags, including several Turkish ones, was erected near the head of the vessel for the more distinguished visitors. Captain W. C. Chamberlain, the Captain-Superintendent, and Mr. P. Thornton, the Master-Shipwright, and Chief Engineer, actively superintended the arrangements for launching the vessel. The Ambassador's daughter having christened the ship by the customary dashing a bottle of wine on the bows, and cut the cord which attached the "Sultan" to the land, and other obstructions to her movement having been removed, about one o'clock, the tide being full, the vessel began to move from the dock into the Medway, various hawsers and capstans being employed to move and guide her. In less than a quarter of

an hour the "Sultan" had left the dock, and soon after she was moored alongside the sheerhulk. As the "Sultan" emerged from the dock and got clear of the shed over it, flagstaffs were raised, and the ship was adorned with flags, including the Turkish banner. During the proceedings there were three bands in attendance, belonging to the Royal Engineers, Royal Marines, and Gillingham Artillery, which played a variety of pieces. After the launch the distinguished visitors were entertained at lunch at the official residences of the Captain-Superintendent and the Master Shipwright.

## JUNE.

1. EPSOM RACES.—THE DERBY DAY.—The Derby of 1870 differed materially from its predecessors; the great prize having been deemed "an accomplished fact" for Macgregor, since he won the "two thousand" at Newmarket. The field promised to be small, and but fifteen runners were telegraphed—the smallest field that has been seen for the last few years. The paddock held its usual show, though it cannot be said that it was a brilliant one. Of the Derby horses, Cymbal was among the first to show, and he was certainly about the best-looking there, the cut of a Derby horse, with a fine top, and if it had not been for suspicious hocks and cracked heels he would have been perfect. But nothing is so variable as racing, and as it proved the greatest "certainty" of modern years was overthrown, and the speedy horse whose forte by most judges was not considered staying pretty well squandered his field. Macgregor was beaten when he began to descend the hill, where his upright pasterns told against him. The pace was bad throughout, and the time, taken by one of Mr. M. F. Dent's, of Cockspurstreet, chronographs, was two minutes forty-five seconds. The King of the Belgians, the Prince of Wales, the Duke of Cambridge, Prince Christian, Prince Teck, and their suite, witnessed the race from the Jockey-club Stand, where also the presence of a face never seen on a racecourse before—Mr. Gladstone's—excited as much attention as Royalty. The attendance, if any thing, fell a little below the standard, the Hill certainly not being so crowded as we have seen it. The police arrangements, under the command of Superintendent Mott, were admirably carried out by Inspectors Denning, Gardner, Trixon, and Beesley.

The great race came off as follows:—

The Ninety-first Derby Stakes of 50 sovs. each, h. ft., for 3-yr.-olds; colts, 8st. 10lb., and fillies 8st. 5lb.; the owner of the second horse to receive 300 sovs., and the third 150 sovs. out of the stakes. One mile and a half, to be run on the New Course. 253 subs.

Lord Falmouth's Kingcraft, by King Tom (T. French) . . . . .	1
Mr. W. S. Crawford's Palmerston (T. Challoner) . . . . .	2
Lord Wilton's Muster (Maidment). . . . .	3

Twelve others ran.

Betting:—5 to 2 on Macgregor, 11 to 1 agst Prince of Wales, 14 to 1 agst Camel, 100 to 6 agst Palmerston, 20 to 1 agst Kingcraft, 40 to 1 agst King o' Scots, 50 to 1 each agst Bonny Swell, Normanby, and Cymbal, and 1000 to 8 each agst Ely Appleton and Nobleman.

In consequence of the delay in the opening race, the numbers of the limited field were not exhibited until some time after the usual hour. This had no sooner been performed than the horses were seen on their way to the paddock, which was densely crowded with the racing world, who watched the toilets of the favourites with the keenest curiosity, and as each left the enclosure many were the remarks made on their conformation and condition. Having reached the charge of Mr. Martin Starling they were introduced to the expectant public in Indian file, the first to appear on the course being the good-looking Palmerston, at whose quarters came the favourite (who with Kingcraft had been saddled at Sherwood's stables), the pair having Cymbal as their immediate follower, to whom succeeded King o' Scots, Ely Appleton, and Sarsfield. Some dozen lengths separated them from the Prince of Wales, Bonny Swell, Kingcraft and Bay Roland, Nobleman and The Cockney Boy bringing up the rear. Their preliminary canters having been taken, they walked down to the post, marshalled by Martin Starling, and exactly at 3.20 p.m. the signal was lowered, and the race commenced by Palmerston taking a clear lead after the first half-dozen strides, followed by the Irish representative, Sarsfield, to whom succeeded the favourite, Ely Appleton, Bonny Swell, and Camel. The others who were close in their train were headed by Kingcraft on the inside, with Prince of Wales, Muster, Bay Roland, and Nobleman in a cluster, with The Cockney Boy conspicuously in their rear; the latter finishing his engagement as they entered the furze by bolting to the right and attempting to jump the chain, in failing to do which he came down and unhorsed his rider. During this *contretemps* Palmerston went on with his lead to the Old Course, when Ely Appleton dropped back and his place was taken by Macgregor, Cymbal, Camel, Bonny Swell, Prince of Wales, and Kingcraft, the latter being seen gradually to improve his position as they entered the Old Course. On passing the mile-post Challoner indulged his horse with a pull, and halfway down the hill Bonny Swell, with Muster on his left, came on in advance of Mr. Crawford's colt, with the favourite inside on their right, and Kingcraft lying on their extreme left, to the road. Here Captain Machell appeared to have a chance of repeating the Hermit "coup," but scarcely had the hopes of the faction been raised than they were doomed to



defeat, as the game little son of Macaroni gave way, which was no sooner acknowledged by the occupants of the stand than a loud cheer burst up from the ring upon Fordham being seen "hard" upon the favourite, who immediately after "cracked," and gave place to Palmerston and Muster, who appeared to have the race to themselves, but as they neared the enclosure French brought up Kingcraft, who in the next half-dozen strides settled the chance of the pair, and won in a canter by four lengths, amid one of the most demonstrative exhibitions seen for many years, Lord Falmouth being congratulated on all sides, Palmerston just getting rid of Muster by a head for second place, the favourite pulling up a couple of lengths in their rear, to whom succeeded Bonny Swell, Prince of Wales, Sarsfield, and Ely Appleton in the order we have given them. The rear division who were pulling up were composed of Normanby, Cymbal, Camel, and Nobleman.

3. THE OAKS DAY.—If the Derby was dull, the Oaks Day was duller—the race dwindled down to only eight coloured on the card; an attendance below the average; a hill only sprinkled with carriages; and a general flatness over all and every thing.

Seven runners, the smallest field for the last half-century, since, in 1821, Lord Exeter's Wilful carried off the race, came to the post, and the market, which had been pretty firm in favour of Hester, left off with a slight shade of odds on her. Sunshine, who had found in the paddock about an equal number of friends and enemies, was, perhaps, second favourite, though there was not much to choose between her and Pâté. The general public would have nothing to say to Gamos, who had been disgracefully beaten at Bath by Macgregor, but in this case as in that of the preceding Wednesday, the favourite was nowhere, and an outsider proved the victor.

The following is the account of the race:—

The Oaks Stakes of 50 sovs. each, h. ft., for 3-yr.-old fillies, 8st. 10lb. each; the second received 300 sovs., and the third 150 sovs. One mile and a half. 187 subs.

Mr. G. Jones's ch. Gamos, by Saunterer—Bess Lyon (Fordham).	1
Mr. Merry's b. Sunshine (Snoden).	2
Mr. England's br. Pâté (Challoner)	3
Lord Falmouth's b. Gertrude (T. French)	4
Sir R. Bulkeley's b. Carfax (Maidment).	5
Mr. Jos. Dawson's br. Hester (Custance)	6
Mr. Eastwood's ch. Hawthorndale (J. Osborne)	7

Betting:—Even on Hester, 4 to 1 each agst Sunshine and Pâté, 100 to 8 agst Gamos, and 100 to 8 agst Gertrude.

The attendance to witness the toilet of the seven runners was one of the largest seen for many years. Shortly after the competitors quitted the paddock, and, having taken the usual canters without

the slightest hitch, they were despatched from the post at the first attempt. Gamos got off in advance, but was immediately pulled back, and the running was taken up by Hawthorndale, clear of Pâté, the pair being followed by Hester, Gamos, Sunshine, and Carfax in the order we have given them, with Gertrude in the extreme rear. They ran thus through the furzes, when Pâté went up to Hawthorndale, whom she headed as they neared the mile-post. When fairly in the Old Course, Hester ran past the pair, and led down the hill, but on rounding Tattenham-corner she gave way, followed in a few strides by Hawthorndale. Pâté was thus left with a slight lead, and crossing the road she was joined by Sunshine, with Gamos on her right and Gertrude on the lower ground. They ran together to the half-distance, when Sunshine headed Pâté, and with Gamos in attendance, came on abreast to the stand. Fordham then sent his filly to the front, and won easily by a length; a length and a half separated the second and third; Gertrude pulled up fourth. Time, as taken by Benson's Chronograph, 2 min. 46½ sec.

5. GREAT FIRE AT CONSTANTINOPLE.—A great fire broke out at Constantinople, which destroyed an immense amount of property, and among other buildings the British Embassy. The following account of the disaster is taken from a letter published in the *Journal Officiel* of Paris:—"About two o'clock p.m. the fire broke out in the Armenian Quarter at Pera, in the street Validé Tehesmé. A fierce gale had been blowing all the morning, and the wind, coming in gusts from the north, spread the flames and fire-flakes, causing the ignition of roofs, balconies, and wooden houses. Most of the residents were in the country, and nearly all the Armenians had gone to Ankiar Skelessi to celebrate a national fête, the tenth anniversary of their civil and religious Constitution. The houses were, therefore, for the most part deserted, and the fire rapidly spread to the street Feridjé and to both sides of the Grande Rue of Pera. This part of the town is situated above Galata, and terminates on the right on the Bosphorus at Findkli, and on the left at the Golden Horn, with the arsenal, schools, and admiralty barracks, and it comprises the principal shops, churches, hospitals, legations, consulates, and the splendid palaces of the Embassies of France, England, Austria, and Russia, built on terraces in the midst of magnificent gardens. The ravages of the fire were already great when the engines arrived from different points, and they completely baffled the exertions of the firemen, who laboured amidst a shower of burning flakes and torrents of molten metal. Several persons lost their lives in noble endeavours to render assistance. Towards five o'clock at Availé Tehesmé, the fire had spared the Prussian Church, but it had completely levelled the adjoining streets, and returned towards Kassim Pasha. At this point some Europeans, skilfully directed by M. Bernard, a French cabinet-maker, and by an Italian mechanic of whose name we are ignorant, succeeded in arresting the flames, notwithstanding the showers of sparks and burning ashes

which fell on all sides. At this moment the English Embassy, although quite isolated, protected by thick walls and iron shutters, and with a sloping roof of slate and lead, caught fire at the roof, and the flames almost immediately extended to the upper stories of the house. Following the noble example of their chief, Sir Henry Elliott, the British Ambassador, all the secretaries, attachés, dragomans, interpreters, and other officers, regardless of their own personal properties, united their efforts to those of the officers and sailors of the war-ship stationed in the port, to place the archives and public documents in the Chancellery beyond the reach of danger. At the close of the day the whole of the building had been destroyed, and all the persons connected with the Embassy, exhausted with fatigue, their clothing hanging in shreds, and their hair and hands burnt, were driven to seek shelter elsewhere. The Armenian Catholic Cathedral of Sakiz-Agatch, where the Empress Eugénie once attended mass, and the beautiful Gobelin tapestry, the gift of her Majesty, were not injured, but the dependencies of the Gregorian Church, the Servian agency, the Naoum Theatre, the new Italian Opera, the Consulates of Belgium and the United States, the new French baths, the immense Café Mokos, many other vast establishments, and more than 3000 houses were destroyed, and, in fact, it may be said that Pera no longer exists."

9. MR. GOLDWIN SMITH AND MR. DISRAELI. — The following letter to Mr. Disraeli appeared in the papers, Mr. Goldwin Smith having appropriated to himself one of the least flattering characters sketched in Mr. Disraeli's new novel of "Lothair:"—

"Cornell University, Ithaca, State of New York, May 25.

"Sir,—In your 'Lothair' you introduce an Oxford Professor who is about to emigrate to America, and you describe him as 'a social parasite.' You well know that if you had ventured openly to accuse me of any social baseness, you would have had to answer for your words. But when, sheltering yourself under the literary forms of a work of fiction, you seek to traduce with impunity the social character of a political opponent, your aspersions can touch no man's honour—they are the stingless insults of a coward.

"Your obedient servant,

"GOLDWIN SMITH.

"The Right Hon. B. Disraeli, M.P."

14. FUNERAL OF MR. CHARLES DICKENS IN WESTMINSTER ABBEY. —In accordance with the wish of the people of England, Charles Dickens was buried in Westminster Abbey. The funeral of the great novelist was celebrated at an early hour in Poet's-corner, with as much privacy as could have been secured for it in any little village church in Kent, or even in Wales or Cornwall. Some days before the Dean sent a communication to the family of Mr. Dickens to the effect that, if it was desired by themselves or by the public that he should be buried in the Abbey, he would do all in his power to facilitate the arrangements. Most fortunately, it was found,

upon opening Mr. Dickens's will, that, although his instructions were explicit in forbidding all pomp and show, and all that "mockery of woe" which undertakers are at such pains to provide, he had named no place of burial; and therefore his executors felt that it was open to them to concur with the national wish, if they could only ensure secrecy as to place and time. This was arranged satisfactorily, and at an early hour in the morning the body was conveyed, almost before any one was stirring, in a hearse from Gad's Hill to one of the railway-stations of the London, Chatham, and Dover Line, whence it was forwarded to London by a special train, which reached the Charing-cross station punctually at nine o'clock. In a few minutes more the hearse, which was plainness itself, was on its way down Whitehall to the Abbey, followed by the mourning coaches.

A few minutes before half-past nine the hearse and mourning coaches—the latter three in number—entered Dean's-yard, and the body was carried through the cloisters to the door of the nave, where it was met by the Dean, the two Canons in residence, Canon Jennings and Canon Nepean, and three of the Minor Canons. The choir were not present, and indeed, for the most part, were unaware that a grave had been opened in the Abbey, and that the sounds of the Burial Service were about to be heard there once more, more than half a year having passed by since the last funeral—that of Mr. Peabody. The service was most impressively read by the Dean, all but the Lesson, which was read by the Senior Canon. There was no Anthem, no chanted psalm, no hymn, not even an intoned response or "Amen;" but the organ was played at intervals during the mournful ceremony. The earth was cast into the grave by the clerk of the works; the service ended, the mourners—fourteen in number, with perhaps as many more strangers who accidentally chanced to be present—gathered round the grave to take a last look at the coffin which held the great novelist's remains, and to place wreaths of *immortelles* and other flowers upon the coffin-lid, and the service was at an end.

The coffin was of plain but solid oak, and it bore the plain and simple inscription—"Charles Dickens, born February 7, 1812; died June 9, 1870." His grave, which is only between five and six feet deep, is situated about a yard or a yard and a half from the southern wall of Poet's-corner. The spot was selected by the Dean from among the few vacant spaces in that transept; and all of Charles Dickens that is mortal lies at the feet of Handel and at the head of Sheridan, with Richard Cumberland resting on his right hand and Macaulay on his left. His grave is near the foot of Addison's statue; and Thackeray's bust looks calmly down upon the grave of his old friend; Dr. Johnson and Garrick lie within a few yards of him; and the busts of Shakespeare, Milton, and a host of other worthies, each of them the glory of English literature in their day, are but a little farther off.

The grave, by direction of the Dean, was left open as long as the

Abbey was open during the day, and, as the news spread about London, many visitors went to Poet's-corner during the afternoon to take a last sad look at the coffin of Charles Dickens.

In the first mourning coach were Mr. Charles Dickens, jun., Mr. Harry Dickens, Miss Dickens, and Mrs. Charles Collins.

In the second coach, Miss Hogarth, Mrs. Austin (Mr. Dickens's sister), Mrs. Charles Dickens, jun., and Mr. John Forster.

In the third coach, Mr. Frank Beard, Mr. Charles Collins, Mr. Ouvry, Mr. Wilkie Collins, and Mr. Edmund Dickens.

At one o'clock the bell of Rochester Cathedral was tolled for the deceased. A vault had been prepared in St. Mary's Chapel, Rochester Cathedral—a beautiful chapel near the entrance to the choir—restored a few years since—for the interment of the deceased, and a vault was rapidly constructed. A number of men were engaged in filling up the vault with earth, and restoring the pavement, while the bell was tolling for the funeral.

16. GUNPOWDER EXPLOSION AT WALTHAM.—Shortly before noon a fearful explosion occurred at the Royal Gunpowder Works, Waltham, which stand in the centre of the village near the Abbey. The shock was felt for miles round. Immediately after the explosion Mr. Adams, the master worker, and Mr. Inspector Clements, were on the spot. Dr. Priest and his assistant, Mr. Gong, Dr. Evans of Cheshunt, and Dr. Jones of Waltham, arrived and attended to the sufferers. From the fact of an underground magazine being directly under the corn-house, great apprehension was entertained of a further explosion of a still more fearful character, and at first people were afraid to render assistance to those who were wounded. Lewis Wilson was blown into the river, and his body was found several hours after the explosion. Another, Abraham Holmes, was found at some distance from the place where the explosion occurred. Two others, John Ward and James Reeves, sen., foreman of the press-house, and who had been thirty years on the premises, were found lying on the works in a very dangerous state, and they subsequently died of their injuries. Eight others received serious injuries, and were removed to their homes, where they were placed under medical treatment. At the Coroner's inquest a verdict of "Accidental Death" was returned.

— THE EMPEROR NAPOLEON AND SOUTHAMPTON.—The Mayor of Southampton received the following letter from his Imperial Majesty the Emperor Napoleon, in answer to an address presented by the Municipal Council of Southampton:—

"Palais des Tuileries, June.

"Mr. Mayor,—I have received with great satisfaction the address which you have forwarded to me, in the name of the Municipal Council of Southampton. The sympathy which you manifest towards me, with reference to the recent design upon my life, touches me deeply, and in it I see a fresh proof of the ties of friendship which unite France to England. I trust most

heartily they may ever continue so, for modern society has to depend for its progress upon our union and efforts. Accept my thanks for the interest you take in the well-being of France and the happiness of my family, and bear, as their representative, to your fellow-townsmen my utmost appreciation of their kind sentiments.

“NAPOLEON.”

— ASCOT RACES.—THE CUP DAY.—The Cup Day worthily upheld its reputation as one of the chief out-door *fêtes* of the season, and the great day of the meeting on the Heath. The attendance of spectators was apparently fully up to the average, and the numbers of aristocratic and well-dressed people who occupied the stands, the enclosures, and the carriages opposite, were so large as to lead to the belief that all the members of the upper ranks of society had determined upon being present. From the west end of London there appeared to be a perfect exodus of the fashionable world, the greater part travelling by the London and South-western line from Waterloo and Vauxhall to the Ascot Station, situate at the foot of the hill, about a quarter of a mile in the rear of the Grand Stand, while others took the route of the Great Western Railway to Windsor, whence they journeyed in drags, carriages, and other vehicles through the Great Park to the Race-course.

The weather, upon which so much depends on an occasion of this kind, was again beautiful; and although the rays of the sun made themselves felt in the early part of the day, a nice breeze had sprung up, and proved for the most part agreeable, except that it blew the dust about in clouds.

About half-past one o'clock, the time fixed for the first race, the royal party, consisting of the Prince and Princess of Wales, Prince and Princess Christian, the Duke of Cambridge, and other celebrities, entered the course, and drove up to the royal enclosure, the procession consisting of five carriages, preceded, as usual, by the Master of the Buckhounds, and being received with the customary enthusiasm. The *coup-d'œil* as the royal party passed up the course, in all the splendour of scarlet and gold, was magnificent, every available spot which commanded a view of the proceedings being thickly tenanted by lookers-on, the elegant and many-coloured dresses of the ladies in the boxes, on the lawn, and in the carriages opposite, lending a peculiar charm to the spectacle. The race was as follows:—

The Gold Cup, value 500 sovs., added to a subscription of 20 sovs. each; the second to receive 50 sovs.; weight for age. Two miles and a half. 23 subs.

Mr. J. G. Hessey's Sabinus, by Newminster, 3 yrs., 7st. 2lb. (Rowell)	1
Count F. de Lagrange's Trocadero, 6 yrs., 9st. 5lb. (Challoner)	2

Lord Wilton's Muster, 3 yrs., 7st. 5lb. (Maidment)	3
Baron Rothschild's Midsummer, 4 yrs., 8st. 10lb. (Fordham).	4
Sir J. Hawley's Morna, 4 yrs., 8st. 7lb. (Morris)	5
Mr. J. Dawson's Hester, 3 yrs., 7st. 2lb. (Hunt)	6

Betting :—100 to 60 agst Sabinus, 11 to 4 agst Muster, 4 to 1 agst Trocadero, 8 to 1 agst Hester, and 12 to 1 each agst Morna and Midsummer.

When the flag fell, Trocadero cantered away slightly in front of Sabinus, on his right, Hester following third, with Midsummer, Muster, and Morna in the rear. Passing the stand the first time, Midsummer became third; and on rounding the turn beyond, Challoner sent his horse along, and speedily placed half-a-dozen lengths between himself and the favourite. Half way down the hill Muster ran past his horses, and took second place; and when fairly in the Swinley Bottom he headed the Frenchman and came on with a slight lead to the mile-post, Sabinus lying at the quarters of the leaders, with Hester in attendance. Midsummer and Morna, at the same time, were seen gradually to drop into the extreme rear. Approaching the bend into the straight, Muster was beaten, and his place taken by Sabinus, who followed Trocadero to the stand, where he went to the front, and won without an effort by four lengths; Muster, third, a dozen lengths in their rear. The others were pulling up some distance from home.

21. COMMEMORATION AT OXFORD.—HONORARY DEGREES.—An unusually large number of personages assembled in the Sheldonian Theatre, at Oxford, to have the honorary degree of D.C.L. conferred upon them. The building, it is needless to say, was thronged in all parts, and the undergraduates indulged in their customary "chaff" from their gallery; but their fun was kept within proper bounds, and there was no interruption to business when the ceremonial once began.

At eleven o'clock "God save the Queen" was played and sung by a very efficient orchestra and chorus, and the procession, headed by the Marquis of Salisbury, in his robes of office, as Chancellor of the University, his train being borne by his two little sons, Viscount Cranbourne and Lord W. Cecil, entered. Following him were his Highness Prince Hassan, the Vice-Chancellor, the Bishop of Oxford, the Members for the University, Mr. Gathorne Hardy and Mr. Mowbray; Sir W. Heathcote, Mr. Beresford Hope, M.P. for the sister University; Sir George Bowyer, and others, in their scarlet gowns as Doctors of Civil Law, with the Heads of Houses in their more sober guise of Doctor or Master. Among the ladies was the Marchioness of Salisbury, with some of her children, who were loudly cheered at their entrance. On taking his seat, Convocation having been duly convened, the Chancellor read the following names of distinguished persons on whom it was proposed to confer the honorary degree of D.C.L.:—

His Grace the Duke of Argyll, K.T.; his Grace the Duke of Northumberland, the Right Hon. Earl Bathurst, M.A., All Souls' College; the Right Rev. the Lord Bishop of Peterborough, D.D.; Le Comte Ferdinand de Hompesch, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the King of Bavaria; the Right Hon. Sir William Bovill, Lord Chief Justice of the Court of Common Pleas; the Right Hon. Lieutenant-General Jonathan Peel, the Right Hon. George Ward Hunt, M.A., Ch. Ch. M.P.; the Right Hon. John Thomas Ball, LL.D., Q.C., M.P.; Sir Edwin Landseer, R.A.; Sir William George Armstrong, C.B.; Sir Francis Grant, President of the Royal Academy; Sir James Alderson, M.D., President of the Royal College of Physicians; Sir Thomas Duffus Hardy, Deputy Keeper of the Records; the Rev. Alfred Barry, D.D., Principal of King's College, London; the Rev. Nathaniel Woodard, M.A., Canon of Manchester; Mr. Herman Merivale, M.A., Balliol College, one of Her Majesty's Under-Secretaries of State for India; Mr. Matthew Arnold, M.A., Oriol College; Mr. Henry Reeve, Registrar of the Privy Council; Mr. John P. Gassiot, Vice-president of the Royal Society; Mr. Charles W. Siemens, F.R.S.; Mr. James Fergusson, F.R.S.

Each name was submitted separately to Convocation with the usual formula—" *Placetne vobis, domini doctores? placetne magistri?*" As no dissentient voice was raised, the Chancellor gave the word; and the new Doctors-Elect, entering in their scarlet robes from the great door opposite the Chancellor's throne, advanced through an avenue kept for them towards a barrier separating the raised seats in the semicircle from the arena. Here each was presented to the Chancellor and Convocation by Dr. Bryce, the Regius Professor of Civil Law, in a short Latin address, aptly and tersely describing the peculiar claims of the distinguished persons thus introduced to the honour conferred upon them.

When the last new Doctor in Civil Law had taken his seat, portions of a congratulatory ode, written by Sir F. Doyle, Professor of Poetry, and set to music by Sir F. A. Gore Ouseley, Professor of Music, were performed by the Orchestra, the solo part being admirably rendered by Miss Edith Wynne. Lord Salisbury had already been formally installed; but as this was his first visit to the University as Chancellor, the ode in his honour was fitly written and sung. Then came the customary recitation of the prize compositions by the successful competitors.

The gathering in the Sheldonian Theatre the next morning was as great as that of the preceding day, and the heat was quite as intense. When all had taken their seats in the semicircle, the Chancellor submitted the following further list of names of distinguished persons on whom it was proposed to confer the honorary degree of D.C.L.:—

The Right Hon. Earl de Grey, K.G., President of the Council.

His Grace the Duke of Richmond, K.G., Chancellor of the University of Aberdeen.



Lieutenant-General von Bulow, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the King of Denmark.

The Right Hon. Earl Beauchamp, M.A., All Souls' College.

The Right Hon. Earl Cowley, K.G., G.C.B.

The Right Hon. Earl of Rosse.

The Right Rev. the Lord Bishop of Lincoln, D.D.

The Right Hon. Baron Lyttelton, K.C.M.G.

The Right Hon. the Speaker of the House of Commons.

The Right Hon. Sir Alexander J. E. Cockburn, Lord Chief Justice of the Court of Queen's Bench.

The Right Hon. Robert Lowe, M.A., M.P., Chancellor of the Exchequer.

Admiral the Hon. Sir Henry Keppel, K.C.B.

Rear-Admiral Sir J. C. Dalrymple Hay, C.B.

Sir J. Kay Shuttleworth.

Lieutenant-General Sir William R. Mansfield, K.C.B., G.C.S.I.

The Rev. Henry Moseley, M.A., F.R.S., Canon of Bristol, Chaplain in Ordinary to the Queen.

The Rev. Henry Parry Liddon, M.A., Christ Church, Dean Ireland's Professor of the Exegesis of Holy Scripture, Canon of St. Paul's.

William Boxall, Esq., R.A., Director of the National Gallery of Pictures.

George Edward Paget, M.D., President of the General Medical Council.

Edward Frankland, Esq., F.R.S.

Henry Bence Jones, M.D., F.R.S.

William Smith, Esq., LL.D.

George Campbell, Esq.

Warren de la Rue, Esq., Vice-president of the Royal Society.

Edward A. Freeman, Esq., M.A., Trinity College.

William Huggins, Esq., F.R.S., Secretary to the Royal Astronomical Society.

Sir William Jenner, M.D., one of the Physicians to the Queen.

William Sterndale Bennett, Esq., M.A., Professor of Music in the University of Cambridge.

To the "*Placetne vobis, domini doctores? Placetne vobis, magistris?*" there was no dissent till the name of Mr. Lowe was proposed, and then a shout of "*Non placet*" was raised in the gallery, with some slight approbation of this dissent among the Masters in the arena.

The eight and twenty doctors elect were then ushered in, and formed of themselves a tolerably long procession. Cheers were loud for the Bishop of Lincoln, and equally loud for Lord Lyttelton, whose honours at the sister University were gracefully alluded to. But the honours of the day were with Canon Liddon, whose popularity in the University seemed to be unbounded. The cheers were again and again renewed as he moved to his place in the semicircle.

— DEDICATION OF KEBLE COLLEGE.—The event of the 23rd was

the dedication of Keble College, and the installation of the Warden, Mr. Talbot. At eight o'clock the Holy Communion was celebrated in the college chapel, a temporary structure, which will one day, it is expected, be replaced by a chapel more worthy of the college and of the University. At half-past ten the Chancellor of the University, attended by the University officials, arrived at the college, which is situate on the north side of the gardens of St. John's College, nearly opposite the New Museum. His lordship was received at the gateway by the Warden and Council. The Bishop of Oxford, who represented the Visitor of the College, his Grace the Archbishop of Canterbury, was received at the same point; and a procession was then formed, and walked round the quadrangle, preceded by the choir, which sang the 27th, 121st, 122nd, 127th, and 150th Psalms. Lord Salisbury wore his robes as Chancellor of the University, his two little sons acting as train-bearers. The choir were under the direction of the Rev. P. Medd (Precentor). Among those who took part in the procession were the Bishop of Winchester, the Bishop of Rochester, the Vice-Chancellor, Earl Beauchamp, Canon Bright, Canon Liddon, Dr. Pusey, Dean Mansel, the Master of Balliol, the Rector of Exeter, the President of Magdalen, Canon Trevor of York, the Principals of St. Mary Hall and St. Albion Hall, and the Warden of Keble College. Having passed the quadrangle, the procession entered the chapel, which is of very small dimensions, and which had already been partly filled. Lord Lyttelton, Lord Bathurst, Mr. Beresford Hope, M.P., Mr. Mowbray, M.P., Mr. Gathorne Hardy, M.P., and Sir W. Heathcote were among the congregation. The Bishop of Oxford conducted a short service, and the Warden's installation followed. It was a ceremony of the simplest kind. The Bishop of Winchester and Earl Beauchamp, as the senior clerical and the senior lay member present of the Council of the College, conducted Mr. Talbot to the step in front of the altar, where he knelt during the singing by the choir of the *Veni, Creator*. A short Latin prayer was next said by the Visitor, after which the Warden was presented to the Chancellor by the Bishop of Winchester in a few Latin words.

The Chancellor accepted the nomination, and the Bishop of Oxford, on behalf of his Grace the Visitor, then directed the two members who represented the Council as follows:—"Virum reverendum Edwardum Stuart Talbot, Collegii Keblensis Custodem, in locum et stallum suum inducatis." Thereupon the Bishop of Winchester and Earl Beauchamp led Mr. Talbot down the chapel and placed him in the Warden's stall. The *Te Deum* having been sung, the Bishop of Oxford gave the blessing, and the ceremony ended.

— TERRIBLE RAILWAY ACCIDENT NEAR NEWARK.—One of the most disastrous railway accidents that have ever happened on the Great Northern line occurred this morning between Newark and Claypole, about 100 miles from London. It was caused by the

collision of a returning excursion train from London with part of a broken-down goods train, bound in the opposite direction, which had been thrown upon the wrong line only a minute before by the breaking of an axle of one of the waggons. Although the disaster happened on the line of the Great Northern Railway Company, and the excursion train, by which all the killed and wounded passengers were travelling, was one of that company, no moral or legal responsibility for the dreadful consequences could be attached to its management, which was confessed to be entirely free from blame. That particular waggon of the goods train whose defective axle was the sole occasion of the accident belonged to the Manchester, Sheffield, and Lincolnshire Railway Company, and was temporarily connected with the train along a portion of its road.

The effects, however, of this great mishap were as frightful as those of any other we can remember; the number of deaths being eighteen, while forty or fifty persons were more or less severely injured. Nearly all the sufferers were Yorkshire people, and mostly townspeople of Leeds, who had been taking a single day's holiday in London. The excursion train had brought up 370 of them from Leeds, Halifax, Bradford, and York, starting from Leeds about half-past one o'clock in the morning, and arriving in London at breakfast-time, after a journey of seven hours. Having spent the whole of that day in London, and enjoyed all its shows and pleasures, the Yorkshire excursion party in the evening met together again at the King's Cross station, and set forth, to the number of 340, since thirty remained in town, at twenty minutes past nine. The train was quite punctual in its running, and stopped only at Peterborough and Grantham before approaching Newark, an hour and twenty-five minutes after midnight, when it came into collision with the broken-down goods waggon.

The place where this occurred was at Claybridge Lane, a mile and a quarter on the London or south side of the Newark station, half a mile from the village of Balderton; the hill seen in the background being that Beacon-hill to which Macaulay refers in his ballad of the "Spanish Armada," as having "sped the message along the vale of Trent." There are sloping embankments, ten or fifteen feet high, on both sides of the railway here; but the embankment on the east side, next the down-line, is interrupted by a large pond. The railway is crossed by a stone bridge, not many yards farther on, and the lights of Newark station are distinctly visible before reaching this spot on the down-line. There is a curve here, and an incline towards Newark.

The goods train on the up-line had left Doncaster at midnight, and stopped at Retford, but not at Newark, on its way up. It consisted of twenty-nine waggons, or trucks, and one brake-van, in charge of Edward Brewer the engine-driver, and Frederick Beasley the guard. Four or five of the waggons belonged to the Manchester, Sheffield, and Lincolnshire Company, one being No. 3238, loaded at Crowle with potatoes for London, which had joined the

train at Keadby. It was the twenty-first waggon from the engine and tender; so that there were eight others and the van behind it. The train was going twenty-three to twenty-five miles an hour, when the leading axle of this waggon broke at the boss of the left, or near, fore-wheel. The effect of the shock was to divide the train into three parts. The engine and tender, parting from the train, ran on by themselves; the first twenty waggons, dragging with them the twenty-first waggon, which was torn off its wheels, also ran two or three hundred yards. The wheels and hind axle of the twenty-first waggon, pushed forward by the eight waggons and van, and obstructed by the broken fore axle, were forced off the up-line of rails, across the six-foot space between the two lines, and partly across the down-line of rails. This happened, as the guard and engine-driver asserted, not one minute before the arrival of the down excursion train. It was stated that the goods-train had passed up through Newark station at twenty-four minutes past one o'clock. The engine-driver instantly, on perceiving that his engine had parted from his train, slackened speed to get off, and was standing on the step of his engine when the excursion train passed him. He waved his arm as a signal of danger, but this could not be seen through the steam pouring out of his engine. The guard of the goods train also showed a red light with his hand-lamp; but the driver of the excursion train could not see this till the moment before the collision.

The excursion train was going at the speed of thirty or thirty-five miles an hour, in view of the white distance-light at Newark, descending a long slight incline and rounding a curve. When it struck the wheels of the broken-down waggon and the other waggons thrown across the road from the up-line, the engine was violently turned aside, so as next to strike the stone pier of the bridge, by which it was turned completely round and then driven up the slope of the embankment, where it toppled over backwards, like a rearing horse, and fell into the road. The tender was also overturned, but all the carriages in the train were torn open along the left-hand side by the projecting parts of the waggons, so as to cause a terrific amount of destruction. There were twenty-three passenger carriages and brake-vans in charge of four guards; the Leeds portion coming first, the Bradford next, the Halifax third, and York portion last. Scarcely one of the carriages escaped damage, and those in the first part of the train—one first-class, one second-class, and four or five third-class carriages crowded with passengers returning to Leeds—were filled with carnage and drenched with blood. Several of the carriages were lifted one on the top of another, or forced partly up the embankment, whence they fell again, crushing the hapless persons beneath. The scene of havoc and torture in the dawning light of day was such as cannot be described. Help was got from Newark, but it was nearly five o'clock before the last of the sufferers could be removed, as some were jammed between the fragments of the broken trains.

The driver of the excursion train was killed on the spot, and the fireman died a few hours later; the four guards escaped. All the Company's servants appeared to have done their duty well. An inquest was opened in the Town Hall at Newark by Mr. R. Griffin, the Coroner; and Captain Tyler, R.E., Inspector for the Board of Trade, made an official report, which tended to show that the disaster was wholly due to a flaw in the axle of the goods waggon. Its wheels had been properly examined, by viewing and tapping, at the stations passed by the goods train, and, lastly, at Retford; but the crack in the axle, being concealed by the wheel, could not possibly have been detected without taking the wheels off. The waggon was last under repair six months before, in the Manchester, Sheffield, and Lincolnshire workshops, and had been running almost daily ever since that time. The axle was of an old-fashioned make, and was less stout by half an inch than such as are now generally used.

The inquest was concluded on the 28th. The engineers stated that the broken axle was of the best quality, and that the flaw was imperceptible to ordinary tests.

The jury returned the following verdict:—"We believe that the deceased came by their deaths on the Great Northern Railway by the accidental breaking of an axle belonging to the waggon No. 3238, belonging to the Manchester, Sheffield, and Lincolnshire Railway Company. From the evidence given, we believe that the luggage train was driven at too great a speed from Retford to the scene of the accident. We are also of opinion that the fracture in the axle, which caused it to break, had been in existence some length of time, and that the axle was not fit for use; and we think there should be some limit or *maximum* time of use. We are also of opinion that there should be some means devised for the periodical testing of axles, the jury being of opinion that the present system is defective."

The above recommendations the jury desired might be forwarded to the Board of Trade.

23. A TELEGRAPHIC EVENING PARTY.—An entertainment of great scientific and social interest, and of entire novelty in its way, was given by Mr. Pender, chairman of the British Indian Submarine Telegraph Company, and by Mrs. Pender, at their private house in Arlington-street. It was an evening party of invited guests to celebrate the successful laying of the last section, from Gibraltar to Cornwall, of the submarine telegraph cable furnishing direct and independent communication between England and Bombay, through the Indian Ocean, the Red Sea, the Mediterranean, and the Bay of Biscay. Amongst the company were their Royal Highnesses the Prince of Wales, the Duke of Cambridge, and Prince Teck; and several eminent men of science, Sir William Cook being one of them, with Sir James Anderson and Captain Halpin, of the "Great Eastern," as well as M. Ferdinand de Lesseps, and other persons of distinction, were also present. In addition to the usual preparations for a festive

reception of honoured visitors, Mr. Pender had fitted up one corner of the saloon as a telegraph office, and had placed it, by wires, in electric communication with distant parts of the world. Sir James Anderson officiated at the instruments, by which during the evening, instead of the ordinary amusement of ladies at the piano, friendly messages were sent to and fro between different personages several thousand miles apart. The Viceroy of India, being then at Simla, where the time of day was seven hours earlier than in London, spoke to the President of the United States at Washington, a distance of 8443 miles, or more than one third the greatest circumference of the globe, in forty minutes. To this message, which expressed a hope of "lasting union between the Eastern and Western hemispheres"—not only physical, but moral union—President Grant replied, with a characteristic American idiom, congratulating India upon its successful connexion with "the balance of the world," or as we should say, the remainder of mankind. The Prince of Wales sent a despatch to the Khedive of Egypt, at Alexandria, and one to the King of Portugal, congratulating both on their new line of telegraphic communication with Great Britain, and each of those Sovereigns quickly replied. His Royal Highness also corresponded across the Atlantic with President Grant, who probably received the message three hours earlier than it was sent, there being fully that difference in the London and Washington times. Lord Mayo, in his bedroom at Simla, was likewise aroused at the good early hour of five o'clock in the morning (which is quite agreeable, indeed, to Anglo-Indian habits) with an affectionate greeting from his wife the Countess of Mayo, who was one of Mr. Pender's guests that night. Her message was only nine minutes on its way from Piccadilly to the Himalayas; and she was enabled to say that not only political interests but domestic interests were served by the aid of science in this wonderful performance. To this Lord Mayo replied, at 5.10 a.m., "Thankful for your message. I send you affectionate greeting from your two boys and all here." The Viceroy of India also received a message from the Prince of Wales congratulating him on the achievement of the submarine telegraph, which is sure to prove of immense advantage to the welfare of the whole empire. This was answered in appropriate terms by the Viceroy. A message sent by Sir Bartle Frere to Sir Seymour Fitzgerald, at Bombay, was acknowledged in five minutes, with the promise of an answer to follow as soon as Sir Seymour, who was in bed, could be called up. Messages also passed between the Viceroy of Egypt and M. de Lesseps, Mr. Pender, and Mr. Cyrus Field, and various other persons.

Sir William Thompson's siphon-recording instrument was this night exhibited for the first time in England. This remarkable instrument writes down in ordinary ink every fluctuation of the electric current received at the end of a submarine cable, and is likely to displace the mirror galvanometer, by which hitherto all messages through long cables have been received.

## JULY.

1. ROYAL VISIT TO READING.—The inhabitants of Reading had an opportunity, of which they availed themselves to the uttermost, of displaying their loyalty upon a visit paid to the town by the Prince and Princess of Wales. The occasion was the laying, or, to speak more accurately, the “setting,” of the principal stone of a new school, the lineal successor of the ancient Grammar School of Reading at which Archbishop Laud was educated, and one of the masters of which, Julius Palmer, was martyred in 1556. The ceremonial of the day began at the Great Western Railway Station, where the royal train arrived soon after half-past twelve o’clock, in charge of Mr. Grierson, the manager of the line. The station was prettily draped, and ornamented with flowers and shrubs; and here the Mayor and Town Council, the Mayoress, the Lord-Lieutenant of the County (the Earl of Abingdon), the High Sheriff, the Bishop of Oxford, Colonel the Hon. C. Lindsay, Mr. Walter, M.P., Sir F. Goldsmid, M.P., Mr. Shaw Lefevre, M.P., the Mayors of Windsor, Abingdon, Wallingford, and Maidenhead, and the Alderman of Wokingham attended to receive the royal party. The staff of the Royal Berks Militia were drawn up in the station, and acted as a guard of honour. An address of welcome having been handed to the Prince by the Mayor, without reading it, the Prince and Princess were at once conducted to the royal carriage, and the procession set out, amid the pealing of bells and the firing of cannon. First came a detachment of Yeomanry Cavalry with a band, followed by Foresters and Oddfellows with banners and insignia, and afterwards by Freemasons from various lodges of the province of Berks and Bucks. As this was the first occasion on which the Prince of Wales had set a stone in his character of P.G.M. of England, his brother masons in the province had determined to give him a reception befitting his rank, and the success of the day’s ceremonial was in a great measure owing to them. After the Freemasons came the civic *cortège*, with the more modern and less picturesquely-clad policeman of the nineteenth century; the town wardens, with staves, in handsome uniforms; three carriages containing members of the Council not being school trustees, three others with school trustees and visitors. The seventh carriage held the Mayor, the Mayor’s Chaplain, the Recorder, and Town Clerk. Then came the royal carriages, with an escort of Yeomanry Cavalry, and after them more carriages, with the High Sheriff, the Lord-Lieutenant, the Bishop of the Diocese, the Archdeacon of Berks, the members of Parliament, the magistrates of the borough, and the mayors of neighbouring boroughs. The Duke and Duchess of Manchester, the Marquis of Hamilton, Lord Harris, the Hon. Mrs. Coke, General Knollys,

Colonel Keppel, and the Rev. W. L. Onslow were in the suite of the Prince and Princess.

The line of procession being a long one, there was no overcrowding at any point. The decorations began with a triumphal arch at the Friar-street approach to the station. This was erected by the Masons as the first welcome to the royal visitors, and it was full of those mysterious emblems, the full significance of which none but true and accepted Masons can fathom. Among others the Masonic motto, "Audi, Vide, Tace," seemed not at all in keeping with the conduct of the crowd, who saw but were not silent, and cheered the Prince and Princess to the echo. From this point the royal visitors had one continuous ovation, and noted with evident interest and satisfaction the very pretty decorations which the townspeople had provided.

On the school ground a large tent, capable of holding some 2000 people, was put up, and here the principal stone, a handsome pillar of granite, was enclosed. The first Berks Volunteers acted as the guard of honour here, and were drawn up in line on the terrace under the command of Captain H. Hunter. Among those who had accepted invitations and were present in the tents were Viscount Eversley, Miss Lefevre, Earl of Cork, Earl of Abingdon, the Bishop of the Diocese, Lord Norreys, Sir John Lefevre, the High Sheriff of Berks (Mr. J. H. Blagrove) and Mrs. Blagrove, Mr. Walter, M.P., Colonel Loyd Lindsay, M.P., V.C., Sir Francis Goldsmid, M.P., Mr. G. J. Shaw Lefevre, M.P., Sir Daniel Gooch, M.P., and most of the neighbouring gentry.

A long address was read by the Town Clerk, to which his Royal Highness replied; and then another address was handed to the Princess in a very novel form. It was reduced by photography, and appended to a fan mounted in mother-of-pearl delicately carved, and mounted with gold. Attached to the fan was a solid gold vinaigrette, having on one side the coronet and monogram of the Princess, and an inscription setting forth the occasion of its presentation. The Princess, who wore a dress of pink silk, with a skirt of white muslin, bowed her acknowledgments, and appeared much pleased with this little memento of her visit. The ceremony of setting the stone then began, one side of the tent having been entirely occupied by the Masons in their aprons and robes, while the chief functionaries of the Order were in the foreground. The Prince, before entering the tent, had assumed the apron and insignia appropriate to his rank, and the Duke of Manchester, P.G.M. of Northampton and Herts, also wore the apron, Sir Daniel Gooch and the Rev. Sir G. W. Hayes, prominent members of the Masonic body, occupied chairs near the dais. Mr. Algernon Perkins, Colonel Burdett, Rev. C. J. Martin, Rev. J. R. D. Fidler, and the Rev. A. Purey-Cust, Vicar of St. Mary's, Reading, were also among the Masons present in costume. The Mayor, having received from the Provincial Grand Master the handsome silver trowel prepared for the occasion, now asked the Prince, in the name of the School



Trustees, to proceed with the ceremony. The Grand Chaplain offered a prayer, the Architect presented his plans, the Grand Secretary read the inscription on the stone, and the Grand Treasurer deposited gold, silver, and copper coins of the present reign in the cavity prepared for them. The Town Clerk also deposited in the same cavity a vessel hermetically sealed containing a copy of the Act of 1867, constituting the school trust, and a copy of the programme of the ceremony. Then a choir composed of members of the Reading Philharmonic Society, assisted by the band of the Grenadier Guards, led by Mr. D. Godfrey, performed a hymn composed for the occasion by Mr. Blake Atkinson, and set to a chorale of the late Prince Consort. The Prince afterwards proved and set the stone, saying, "May the Great Architect of the Universe enable us successfully to carry on and finish the work of which we have now laid the principal stone, and every other undertaking which may tend to the advantage of the borough of Reading and this neighbourhood, and may this school be long preserved from peril and decay, diffusing its light and influence to generations yet unborn." To this the Masons present answered with one accord, "So mote it be." The Prince next spread corn on the stone, and from the ewers handed to him poured out wine and oil, saying, "May the bountiful hand of heaven ever supply this country with abundance of corn, wine, and oil, and all the necessaries and comforts of life." The brethren again responded in the Masonic formula, "So mote it be." Then the Treasurer to the school presented to the Senior Master Builder (Mr. Parnell) a purse of gold, saying, "It is the pleasure of the Prince that those who have hewed the stones, and those who have laid them, and all who have assisted, should 'rejoice in the light.'" Prayers by the Bishop of Oxford, and the "Hallelujah Chorus," performed by the band and choir, closed the ceremonial, which was very quaint and impressive.

Unhappily, on the return of the procession to the Town Hall, the rain fell heavily, and it was necessary to close the carriage containing the Prince and Princess. This somewhat marred the effect of the *cortège* along the new route assigned to it, which was decorated with quite as many banners and flowers, and filled with quite as eager and loyal a gathering. At the Town Hall, which was tastefully decorated for the occasion, a grand luncheon was given by the Mayor and Corporation to the Prince and Princess and their suite, and a large number of the distinguished visitors who had witnessed the ceremony in the school grounds. At the conclusion of the luncheon their Royal Highnesses took their departure.

4. INTERNATIONAL ATLANTIC YACHT RACE.—The great International Yacht Race across the Atlantic, between the English yacht "Cambria" and the American yacht "Dauntless" commenced to-day, when the rival yachts were towed out of Cork Harbour at one p.m. to Daunt's Rock. A large number of yachts and steamers, crowded with spectators, went out to witness the start. The wind was from the westward, and after the start, which was made at

two p.m., the two yachts stood away close hauled on the starboard tack, looking S.S.W. The race was won by the "Cambria," which arrived at New York on the 27th at four p.m. The "Dauntless" arrived about two hours later, having made a more southerly passage.

7. DEPARTURE OF THE PRINCE AND PRINCESS OF WALES.—Their Royal Highnesses the Prince and Princess of Wales, with the three youngest royal children, travelled from London to Dover by the ordinary night mail train on the South-Eastern Railway, the Princess being *en route* for Denmark to visit her royal parents. The Prince and Princess were attended by General Sir W. Knollys, K.C.B., Colonel Grey, Colonel Hardinge, and Major Grey, the Hon. Mrs. Arthur Hardinge being in attendance upon her Royal Highness, Mr. Eborall, the general manager of the South-Eastern Railway, and Mr. Cockburn, the traffic superintendent, accompanied the train to Dover, and on arriving at the Admiralty Pier the Prince and Princess were received by Captain Bruce, R.N., the Admiralty Superintendent; Major-General Russell, C.B., commanding the south-eastern district; Colonel Macdonald, Assistant-Adjutant General; Colonel Pritchard, R.E., Colonel Eaton, R.A., Captain Lyle, R.A., Captain M'Gregor, Aide-de-Camp, Captain Harvey, R.E., and Captain the Hon. De Montmorency, R.A. Two or three hundred spectators were present, among them being the Mayor of Dover (Mr. J. Birmingham), Mr. Druce, and many ladies. The members of the royal party were at once conducted on board the royal mail steamer "Maid of Kent," under the command of Captain Pittock, which had been expressly engaged for the journey, the gangway being lighted up with portfires held by a number of the garrison police during the embarkation of the distinguished travellers. The steamer left the pier at about eleven o'clock amid cheers from those who watched its departure, and, the night being mild, the sea as smooth as a lake, and the speed of the steamer considerable, the passage was both a rapid and a pleasant one. The water was remarkably phosphorescent, and the wake of the steamer was a livid blaze of light. At the request of the Prince, Captain Bruce, R.N., accompanied him across the Channel, in order that he might return with his Royal Highness in the same boat, and Captain Morgan, R.N., the Marine Superintendent of the London, Chatham, and Dover Railway, Mr. Eborall, and Mr. Cockburn, were also on board. The Prince and Princess remained on deck during the voyage. On arriving off Calais it was found that, owing to the unusually low tide, the steamer would not be able to get into the harbour until past two o'clock. Captain Bruce, therefore, gave directions for the "Poste"—a flat-bottomed mail tug drawing very little water—to come alongside, and the luggage was transferred from the "Maid of Kent" to the deck of the other steamer. The royal party then went on board without any difficulty, and were soon landed at Calais. They were received by Captain Hotham, the English Consul, and Mr. Thomsett, the Vice-Consul,

and were conducted to the buffet, where the Prince and Princess and suite partook of refreshments. Her Royal Highness and the royal children subsequently left in the train for Brussels, and the Prince, attended by Major Grey, returned to Dover in the "Maid of Kent," arriving at the Admiralty Pier, after a quick passage, at 5.20. There Mr. Dine, the Superintendent of the South-Eastern Railway in Dover, was in attendance with a special train, which, under the charge of Mr. Eborall and Mr. Cockburn, immediately left for London.

— GRAND FÊTE TO M. DE LESSEPS.—The visit of M. de Lesseps, to whose energy and enterprise the Suez Canal is due, to the country whose commerce will, perhaps, most benefit by his genius was fitly hailed by the directors of the Crystal Palace as the occasion for a grand *fête* and reception in his honour, which grand *fête* reflected credit upon all concerned.

About seven o'clock in the evening, M. le Vicomte de Lesseps, accompanied by his wife, M. Charles Lesseps, the Duke and Duchess of Sutherland, and the other guests invited to witness the *fête*, arrived at Rockhills, where they were received by Mr. Thomas Hughes, M.P., chairman of the company, Dr. Read, several of the directors, and Mr. Bowley, the managing director. The party then drove in carriages round the north-eastern side of the park, greeted as they passed by the cheers of those who had assembled to welcome the great engineer, and took up a position above the north great basin of the lower and largest series of fountains, which immediately began to play. The wind was just strong enough to break the columns of water before they reached their full height of 280 feet, and to carry away the spray in sparkling clouds of prismatic hues. The gardens, brilliant with summer flowers, peopled with gaily-dressed visitors, and brightened with the play of 12,000 water-jets, formed a scene of great beauty. When the three series of fountains, the water-temple, and the cascades had played for about as long as is usual on grand occasions, and when, as the statisticians report, over 6,000,000 gallons of water had been discharged into the air, the carriages were turned, and the guests taken to the north end of the Palace, where they first entered the tropical department. Into this portion of the building none were admitted but those having special tickets of invitation, and M. de Lesseps and his friends were conducted through the English court and the galleries overlooking the grounds, into a glazed gallery behind the theatre used for the performance of operas. This gallery, which formed an approach to the Queen's corridor, was carpeted and decorated, as on the occasion of the visit of the Viceroy of Egypt, with statues, busts, and figures of the Sphinx from the Egyptian Court, relieved by groups of exotic ferns and plants. The Queen's corridor, which was furnished to serve as a reception-room, was tastefully draped and adorned with pictures illustrating Eastern life, and with statues placed amid banks of flowers, while the long pendant branches of plants suspended from the ceiling above waved gently in the soft

south wind. Beyond, to the southward, a glazed gallery, about eighty feet in length, and lighted by crystal gaseliers, formed the banquetting-hall.

Among the company were M. and Madame de Lesseps, M. Charles de Lesseps, the Prince and Princess of Teck, the Duke and Duchess of Sutherland, M. Emile de Girardin, Mr. and Mrs. Fender, Lord Houghton, Mr. and Mrs. Oppenheim, Lord Mayor and Lady Mayoress, Mr. R. W. Crawford, M.P., Lady Ashburton, Mr. Robert Browning, Dr. W. H. Russell, Lord Ronald Leveson Gower, Baron D'Erlanger, Mr. A. Russell, M.P., and the Directors of the Crystal Palace Company.

Mr. Thomas Hughes, M.P., presided. After the toast of "The Queen," the Chairman gave "The Health of M. de Lesseps, and prosperity to the enterprise with which his name would be for ever associated."

M. le Vicomte de Lesseps, who acknowledged the compliment in French, gracefully replied, and concluded by proposing "The Health of her Grace the Duchess of Sutherland."

The toast having been most warmly responded to, the guests returned to the Queen's central open gallery, overlooking the gardens.

A raised dais was placed in the centre of this corridor, from which the guests of the day witnessed the fine pyrotechnic display that formed the chief feature of the *fête*. M. de Lesseps courteously acknowledged the cheers of the crowd, when the firing of a battery of signal maroons silenced the voices of the crowd who lined the parapets, covered the broad walks and grassy slopes on the terraces, and immediately the scene was illuminated by nearly 200 coloured lights, held by as many boys from the Lambeth Industrial Schools. This formed what was called an Egyptian salute. The lads were placed at intervals of a few yards in a single row along the whole length of the terrace. One third to the left held red fires, an equal number in the middle had white, and the rest had green fires; but when the fireworks had been burning for a short time the colours of the various sections changed, and being reflected in the glass walls of the Palace gave it the appearance of one of the creations of our fairy tales, built of rubies, diamonds, and emeralds. A salvo of coloured shells preceded a general illumination of the grounds. The great fountains again sent their columns of water high in the air, to be again blown into thin sheets of spray, that caught and reflected the richly-coloured fires which were placed in various parts of the grounds so as to throw out in relief the picturesque groups of trees on either side of the broad walk, while the framework of the two lofty octagonal water-temples glowed in a lurid light as the waters fell from their dome-shaped roofs. Another salvo of comets whizzed in eccentric flight through the air, and then came the great device invented to do special honour to the visit of M. de Lesseps. This was a great set-piece. A pyramid was outlined in golden fire, bearing the inscription—"To De Lesseps England offers

hearty congratulations," and having on either side a pair of palm-trees, which changed in colour as the piece burnt on. At one moment the stems were of gold, and the spreading leaves of green, but presently the trunks were blue and the leaves shone like silver. Between the pair of trees on the left of the spectators was the Turkish star, and between the corresponding pair the Egyptian flag. Among other pyrotechnic features were a cataract of golden fire covering an area of half an acre, and the brilliant illuminations of the centre fountains and series of upper fountains by coloured lights. The grand finale consisted of a girandole of 2000 large-sized rockets which rose in splendid diverging columns, and burst into a huge bouquet of brilliant colours. This concluded a most successful display.

— SILVERDALE COLLIERY EXPLOSION.—About half-past one an explosion of gas occurred in the Sheriff Pitt, belonging to Messrs. Stanier, Silverdale, Staffordshire. There were about eighty men at work in the pit, some thirty of them in one part called the eight-foot working, in which the explosion occurred. On hearing the noise a body of explorers went down, and four men were soon sent up, two of them being dead, and another dying shortly afterwards. All the rest of the men in the eight-foot workings, sixteen in number, were killed, for there was no possible means of escape for any of them. All the bodies recovered were fearfully scorched, and some of them also much mutilated. There was a good deal of gas in the pit, but the ventilation was good, and every precaution was taken to secure safety. Lamps were used under strict conditions, and the rules of the pit were rigidly enforced. These workings were 300 feet below the surface. A considerable amount of damage was done to the pit by the accident. The following were the killed:—Thomas Wainwright, 12; George Wainwright, 40, married and family; Thomas Poole, 45, married and family; Edwin Lockett, 19; William Baggaley, 57, married and family; Thomas Jones, 25, single; Charles Wilshew, 21, single; George Mottram, 22, single; John Washington, 22, single; James Wagstaff, 29, married and family; George Moss, 34, married and family; William Madders, 22, single; John Dean, 55, married and family; Elisha Lovatt, 18; Joseph Bailey, 17; Richard Tomkinson, 17; George Dobson, 19; George Blore, 28, married and family. Most of the deceased who were married left their widows and families without provision, except the allowance from a club connected with the works, to which all the men belonged. Crowds of people gathered on the pit bank, and a good deal of excitement was created in the neighbourhood by this the first serious accident which has occurred at the Silverdale colliery.

10. RAILWAY ACCIDENT NEAR CARLISLE.—About one o'clock a.m. a terrible accident happened to the midnight mail from Carlisle to the south. The train, one minute behind time, left Carlisle Citadel station at 12.48 a.m., consisting of an engine, tender, and thirteen carriages. At St. Nicholas, about a third of a mile south of the station, there is a signal-box, placed near a point at which several

lines of rail converge. Close to the signal-box, and on its south side, the main line of the Lancaster and Carlisle Railway is crossed by a branch line of the North-Eastern Railway, running from the Carlisle Canal station of the North British Railway to Harraby Hill, the goods station on the North-Eastern Railway. This branch line crosses the main line of the Lancaster and Carlisle Railway from the north-west to the south-east, at an angle of about thirty degrees. The south mail, having just left Carlisle station, was running at a speed of about ten or fifteen miles an hour. Just as half of the train had passed the crossing a goods train, consisting of twenty-six waggons, travelling from the Canal station at a rate of about ten miles an hour, ran into it with a fearful crash. The results of the collision were most disastrous. Five persons were killed, and a large number more or less seriously injured. Seven carriages of the passenger train were broken. The most serious damage was to a third-class carriage in the middle of the mail train. It was completely destroyed, being dashed against a massive stone abutment at the end of a siding; it was broken into a thousand fragments, and five of the persons in it were killed. Mr. Lynch, an inspector of the Roman Catholic Schools in Glasgow, was thrown over the abutment and found dead. By his side was his wife, with her jaw broken, and their child, seven or eight years old, who was not much hurt. Near this group was Mr. Little, of Trevor-square, London, lying with a severe scalp wound. Close behind him, his son, a lad whom he had been bringing home from school in Scotland, lay dead, unknown to his father. Beneath fragments of the roof of this third-class carriage, upon the stone abutment, was found a heap of three dead bodies huddled together; they were all dressed in mourning. There was one gentleman and two ladies, apparently relatives. In the pocket of the gentleman was found a card with the name "Mr. Patrick Watt, Paisley." He was supposed to have been a commercial traveller. The ladies, who had neither money nor tickets in their pockets, were travelling with him—their names were Elsie Watt and Anne Willington. The five dead bodies were removed to the Citadel station; and twenty-two of the wounded, taken to the County Hotel, Carlisle, were attended by Messrs. Page and Brown, surgeons.

The engine of the goods train, after sticking in the middle of the mail train, had slewed round and run off the rails twenty-five yards south of the signal-box. The driver, who had apparently leapt off, was found some distance off, with ribs broken. The force of the collision broke the coupling off from part of the train, and thus the engine, guard's van, and first four carriages of the mail train escaped without injury. The fifth carriage was slightly damaged; the sixth was upset, and the end knocked out; the seventh was the fatal third-class carriage smashed into a thousand fragments. Two carriages, very much damaged, followed, but were not overturned; and the last carriage, post-office van, and guard's van at the end of the mail were not injured materially.

It appeared that the goods train had no regular driver. The driver was, from some unexplained cause, absent, and his place was filled by his stoker, a young and inexperienced hand. The line upon which the goods train was, and the main line, on which the mail train ran, converge in such a way that the driver of the goods train must have seen the carriage-windows of the mail train all lighted nearly all the way after it left the station. Thirty yards from the crossing was a notice-board, erected by order of the Board of Trade, with the following inscription:—"No engine to pass this point until the crossing signal is lowered."

The inquest on the deceased was brought to a conclusion on the 2nd of August.

The Coroner, in summing up, observed that he could not withhold a remark upon the loose system which seemed to prevail in certain departments on these two railways. The case showed that it was of the last importance that rules should be promulgated and supplied by heads of departments to each of the men; that competent, steady, and responsible men should be appointed; and that there should be a proper supervision over each department, and a strict requirement of reports. The accident had happened during the night, when there seemed to have been no responsible man to supervise the men. Did not this of itself show that supervision at night was as necessary, or even more necessary, than during the day?

The jury, who retired for two hours, found that the collision of the trains was occasioned by the reckless conduct and incompetency of Joseph Rowell, the driver of the North-Eastern goods train. They therefore found Joseph Rowell guilty of manslaughter, and further they expressed their opinion that Robert Pattinson, the engine-driver, was seriously to blame in allowing the said goods train to leave the London station without him, and for refusing to rejoin, for they believed that had he been in his proper place on the engine the disaster in all human probability would not have occurred. They were also of opinion that the breaksman Michael Shields was highly censurable for allowing Rowell to leave the London-road station without Pattinson. The jury entirely concurred in the remarks made by the Coroner as to the culpable want of supervision of the servants on the part of the heads of departments of the North-Eastern Company. The evidence had shown that men had been placed in most responsible positions who were not competent to hold them, and were then left to discharge their duties very much at their own discretion, or as suited their own convenience. Rules good in themselves had been systematically broken, and no adequate attempt had been made to enforce them. The jury trusted that the result of this inquiry would be to stir up the North-Eastern Company to a sense of their responsibility, so that for the future the lives of the public should not be placed at the mercy of reckless and incompetent men.

11. MEETING OF THE NATIONAL RIFLE ASSOCIATION AT WIM-

WIMBLEDON.—The opening day of the Wimbledon Meeting was unusually well attended both by competitors and visitors. Shooting commenced with spirit at the early hour of a quarter past nine, and, with the exception of an hour's interval for the midday meal, was kept up till gun-fire, about 7.15 p.m. The principal feature in the day's programme was the Prince of Wales's Prize, consisting of a cup, value 100*l.* or 100*l.* in money, the gift of his Royal Highness, with 100*l.* added by the Association, and divided into twenty prizes.

On the 13th the great competition of the year for the prize given by her Majesty the Queen was entered upon, and the firing by the different squads at the allotted ranges continued from nine o'clock in the morning until past seven in the evening.

The first or 200 yards range was fired, and the next day the competition was advanced a range by the shooting of all the squads at the 500 yards range. The contest for the Prince of Wales's Prize was brought to a conclusion, and Sergeant Mortimer, 1st Aberdeen, was the winner of 100*l.*

Prince Edward of Saxe-Weimar was among the visitors to the camp, and Mr. Cardwell, the Secretary of State for War, also made a personal inspection of the arrangements.

On the 15th the shooting for the first stage of the Queen's Prize was concluded, and, on a close examination of the scores of the 1854 competitors, the distinguished position of silver medallist was found to have been obtained by Private Young (2nd Herts).

On the 16th the programme was most attractive, and drew to the camp the largest attendance of the present meeting. In rear especially of the ranges at which the Lords and Commons' match was going forward the carriages clustered thickly, and the crowds on foot were frequent in their applause of the admirable shooting of the rival squads. In one sense it was a matter of regret that the squads were confined to four each, for it shortened the duration of the match and brought together fewer notables for the gratification of the public. On the other hand, there was certainly this advantage, that the shots followed each other in more rapid succession, and the spectators were enabled to individualize the competitors and to form opinions better as to the character of their shooting. The match from first to last was hotly contested. In the opening rounds it seemed as if the advantage lay with the Commons, but the Lords speedily restored the balance, and when firing ceased at the first distance, the Peers were six points ahead, the score of Lord Ducie, their captain, being larger than any other made either on his own side or on that of the Commons.

The score was as follows :—

LORDS.	200 Yards.		500 Yards.		Total Points.
	Points.	Points.	Points.	Points.	
Earl of Ducie .. ..	38	36	36	74	74
Earl of Denbigh .. ..	37	37	37	74	74
Lord Wharnccliffe .. ..	35	36	36	71	71
Lord Cloncurry .. ..	36	34	34	70	70
Totals .. ..	146	143	143	289	289

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COMMONS.	200 Yards.	500 Yards.	Total
	Points.	Points.	Points.
Mr. Malcolm .. ..	37	33	70
Mr. Wells .. ..	35	36	71
Mr. Fordyce .. ..	33	35	68
Lord Elcho .. ..	35	35	70
Totals .. ..	140	139	279

The match which is annually shot with Enfield rifles between twenty representatives of England, Ireland, and Scotland, occupied the greater part of the day, and eventually terminated in favour of England, though a very creditable stand was made by both the other nationalities, which, as between themselves, were only nine apart.

The following score was made:—

	200 Yards.	500 Yards.	600 Yards.	Total
	Points.	Points.	Points.	Points.
England .. ..	400	380	296	1076 Winners.
Scotland .. ..	396	380	265	1041
Ireland .. ..	381	355	296	1032

The massive China Challenge Cup, presented by the Volunteers in China for Competition at Wimbledon by the home Volunteers, and the Belgian Challenge—for volley firing—presented by the Chasseurs Eclaireurs of Brussels and the Belgians who visited Wimbledon in 1866, were both shot for in the course of the day; and at these ranges, also, the spectators were not less numerous or apparently less interested than in other parts of the field.

At half-past nine o'clock on the morning of the 17th, being Sunday, there was a special service for the soldiers, police, &c., on duty in the camp, at which the sermon was preached by the Rev. J. Constable, Principal of the Royal Agricultural College, Cirencester.

The main service for the Volunteers and their friends was held, as usual, at eleven o'clock, under the great umbrella tent. This was arranged even better than usual, and the awnings having been removed, except upon the side most exposed to the sun, there was no inconvenience from heat, at the same time that the voices of both reader and preacher were audible to all within the limits of the marquee and for some appreciable distance beyond. The sermon was preached by the Rev. F. W. Farrar, one of the Queen's chaplain's and a master at Harrow, who was already known to the Volunteers from having similarly addressed them in 1866. His present appeal was by far the most telling that has been delivered on such an occasion. Dealing avowedly with the events of the hour, reading these by the light of history, reviewing the conditions of English life, social and political, as well as religious, and boldly declaring the national shortcomings, and the points in which these need to be amended, the sermon had upon the assembly to which it was addressed the effect of a trumpet-call. The text was taken from Proverbs xiv. 34: "Righteousness exalteth a nation, but sin is a reproach to any people."

On the 19th the Ashburton Challenge Shield was keenly contested by eight public schools, and carried off by Harrow, one of whose representatives won also the Spencer Cup, awarded to the best shot of the Public Schools' team.

The competition for the second stage of the Queen's Prize was exceedingly close, and the hero of the meeting was Private Humphries, of the 6th Surrey. As soon as his score was known, he was seized upon in the approved fashion, borne off to the Council tent to have his rifle tested, and, as soon as the verdict was delivered in his favour, was remounted upon the shoulders of his admiring supporters and carried off to make the tour of the camp, preceded by the emblem of victory and the strains of martial music.

The contest for the International Irish Challenge Trophy was very exciting. The representatives of the three nationalities were those who had made the highest scores in the respective Enfield Twenties on the previous day. Corporal Hopplestone, shooting for England, and Mr. M'Kenna, representing Ireland, made identical scores—i. e. 59. Colour-Sergeant Clewes, of the 3rd Renfrewshire, made four points additional, and thus obtained a victory for Scotland.

The great event of the 20th was the competition for the Elcho Challenge Shield, which England won by 62 points, her eleven scoring 1166 points altogether. The scores of Ireland and Scotland were 1104 and 1103 respectively.

The match between the representative squads of the two Universities terminated in favour of Cambridge by a considerable majority. Cambridge accordingly carried off for this year the Chancellor's Challenge Plate, given by the Duke of Devonshire and the late Earl of Derby.

For several hours during the day there was a continuous roll of Snider rifles at the Wimbledon extremity of the field. At these ranges the non-commissioned officers and privates of the regular army were competing for the prizes specially interesting to them, and in both competitions the honours of the day were carried off by the members of the 32nd Regiment.

On the 21st the Wimbledon Cup, always competed for by a very select band, was carried off by Mr. John Rigby, who, for six years, had proved himself one of the best shots in the Irish Eight.

On the 22nd the flying column, consisting of 2500 men, under General Carey, came marching up from Aldershot. The troops, entering from the Putney side, proceeded straight across the Common, and took a position at the opposite or Wimbledon extremity, pitching their tents much in the same lines as those of last year, the process of erecting the different marquees, picketing horses, &c., being conducted with signal and praiseworthy despatch.

From the time the troops had settled down, the encampment resumed its wonted air, such prizes as were still undisposed of being quietly shot for at the ranges. Shortly before noon, however,

Lord and Lady Elcho left hastily for town in consequence of the receipt of an urgent telegram; and simultaneously the Cottage was closed, and its flag hauled down. The nature of the occurrence which had happened was not known until late in the afternoon, but as soon as intelligence was received of the death of Mr. Charteris (see *Chronicle* of July 22) the flags in all the regimental camps were lowered to half-mast. The Council, meanwhile, had determined that a public presentation of prizes, being in its nature triumphal, would be wholly out of keeping, as well with the sad event which had occurred as with the general state of feeling on the subject, and they accordingly communicated, without loss of time, with her Royal Highness the Princess Mary of Teck, who was to have taken the leading part in this ceremony. The propriety, also, of abandoning the Review was mooted, but it was felt that this affected interests outside those which the Association could deal with, and that it was a matter for the decision of the Secretary of State for War, by whom the Review had been ordered to be held. Representations, in the course of the day, were received both at Wimbledon and at the War Office to the effect that it was the strong desire of the family that no change whatever should be made in the order of proceedings, and that a private sorrow should not be allowed to interfere with public duties or arrangements.

On the 23rd the proceedings closed with a combined Review of Regulars and Volunteers. The weather was favourable, and although the Grand Stand lacked some of its accustomed occupants, the large gathering of carriages and sightseers at every point bordering the enclosure from which a view of the movements could be obtained showed with what interest a field-day enjoying the co-operation of the Regular troops is regarded.

Half-past five was the hour named for the commencement of the Review, and at a quarter to six precisely the first shot was fired. The Regular troops had duly taken up the positions assigned to them in the front line of attack. The Volunteer brigades were to have formed the second and third lines, and to have sustained the contest after the first line had been driven back. The Volunteers, however, as happens sometimes, were late in their arrival, so that many of the regiments were only getting into position at the very moment when they should have been marching towards the front. The manœuvres which were performed consisted in a rapid forward movement of the Royal Artillery and 7th Dragoon Guards in the direction of the butts. After some heavy firing in that direction the cavalry gave way and retired, and an infantry advance followed. This was covered by the skirmishers of the Rifle Brigade, and from watching their movements many even of the most practised of our Volunteer corps might learn a useful lesson. Distances and lines were well preserved, and the supports and reserves especially worked in admirable time. As the line of skirmishers advanced, retired, or changed its front, so the little black knots of men behind

moved correspondingly, rising for a few moments from the grass, doubling to the proper point, and then throwing themselves down again, exactly like a flock of crows lifting, wheeling, and settling down into the herbage. The infantry regiments after a time retreated, as the mounted troops had done before; and then an entirely new front was formed, facing towards Putney Heath. Under cover of this the different regiments gradually edged away to the Wimbledon side of the Common, where they were in proper position to form for the march past. According to the original plan, the movements were to have been directed in chief by his Royal Highness the Duke of Cambridge, but the command practically devolved upon General Sir Hope Grant, his Royal Highness being anxious to express by every means in his power his deep sympathy with the affliction which had fallen upon the family of Lord Elcho, the official head of the Council at Wimbledon. The staff of the Regulars consisted of Major-General Carey, C.B., commanding; Lieutenant-Colonel Tupper, Assistant Adjutant-General; and Captain Knowles, Brigade Major. In command of the four brigades into which the Volunteers were formed were Lord Bury, Lord Truro, Lord Ranclagh, and Captain Jones. The mounted officers took up their position at the base of the flag-staff shortly before seven o'clock, and the Regulars, with the double object, no doubt, of appearing to the best advantage, and of magnifying their numbers, as far as possible, marched past in grand divisions. The perfect symmetry of the lines kept by the artillery and cavalry excited the admiration of all the spectators; the veterans of the 33rd, with a profusion of decorations on their breasts, including the new Abyssinian medal, were warmly greeted; but at the marching of the 42nd Highlanders, the old "Black Watch," there was what can only be described as a storm of applause. The Rifle Brigade uniform is hardly adapted for showy marching, the long, steady run, which gets over the ground so wonderfully, and in which the shoulders of the whole battalion work to and fro like those of one man, is more their *forte*. This was seen for a moment as they drew together after passing the flag-staff. Among the Regulars who also went by were a small battalion of the 13th Foot, a company of Royal Engineers, and some of the Engineer Train.

The duty of keeping the ground this year was admirably performed by the police, unaided. For this purpose 950 men were detailed, under the orders of Colonel Pearson, who had charge of the district. The Review may be said to have passed off without accident, only one man of the 33rd, who was overcome by heat and exertion, having been taken to the field hospital, where he was attended by Dr. Mayo. The removal was so quickly and quietly effected, that his own regiment were some little time before they found out what had become of him.

The ceremony of publicly presenting the prizes won during the recent meeting was not held, for the reasons already explained. The proceeding is one in its nature distinct from the Review, having

upon more than one occasion been held at the Crystal Palace on a different day.

We are happy to add that the financial results of the meeting were of a gratifying character. The receipts were in excess of what they had been in the previous year, though the prevalent gloom of the last two days exercised an inevitable effect upon the financial returns.

Colonel Colville, the Camp Commandant, at the close of every meeting has been in the habit of making a short address to those placed under his orders. This year he repeated the expressions of satisfaction that he had been enabled to offer for the last few years, and thanked all concerned for their ready observance of orders, and the discipline that was maintained in camp from the first. He said that he especially remarked this year how soon the lines assumed the orderly appearance that was their usual characteristic, and in how cheerful and good-humoured a manner the discomforts ensuing upon the heavy rain of the 11th inst. were endured, more especially by the occupants of the National Rifle Association lines—competitors for the Queen's Prize, &c.,—upon whom they naturally told more severely than upon those of the better appointed regimental lines. Colonel Colville's address closed with an assurance of his participation in the sorrow so deeply felt throughout the camp at the affliction that had fallen upon Lord Elcho and his family, and cast a gloom upon its breaking up.

13. OPENING OF THE THAMES EMBANKMENT.—The Prince of Wales, accompanied by her Royal Highness Princess Louise, performed the ceremony of opening the Thames Embankment on behalf of her Majesty.

The Embankment was commenced in February, 1864; and the river-side footway between Westminster Bridge and the Temple was opened to the public two years ago. At that time the completion of the carriage-way was prevented by the unfinished state of the Metropolitan District Railway between Westminster and Blackfriars, and this obstacle was not removed until the 30th of May last. Within six weeks from the opening of the railway the carriage-way of the Embankment was formed and the northern footway paved.

Until a day or two before, it was generally expected that her Majesty would herself take part in the opening ceremonial, and great preparations had been made to do honour to the occasion. Tiers of covered seats were erected on both sides of the way, from a point near Westminster to the Charing-Cross Railway bridge, and again on the north side for some distance beyond the Charing-Cross station. Altogether, about three miles of seats were provided, affording accommodation for 10,000 persons, and these seats, especially those of the principal pavilion, were gaily decorated with flags and crimson cloth. The line of the roadway was kept on both sides by the 1st Battalion of the Grenadier Guards and the Coldstream Guards, supported by a strong body of police. The footway, except where occupied by seats, was left open to the public. The principal

pavilion was on the north side, to the west of the Charing-Cross Railway bridge, and was chiefly occupied by ladies in brilliant toilettes, and carrying bouquets still more brilliant. The massive pillars supporting the railway bridge were partly screened by a well-contrived temporary bank of evergreens, and flowers and flags were displayed at the Metropolitan Railway stations, the Temple Gardens, and other places flanking the line of the Embankment.

Punctually at twelve o'clock the royal *cortège* arrived at the entrance to the Embankment from Bridge-street, Westminster. The carriages of the chairman and members of the Board of Works were already formed in line within the barrier, ready to head the procession; and they at once moved forward at a foot-pace. They were followed by four of the royal state carriages, each drawn by two horses, conveying the Officers of the Household in Waiting; then by a captain's escort of the Blues, and then by a fifth state carriage and pair, conveying their Royal Highnesses the Prince of Wales and Princess Louise, and the Master of the Horse, the Marquis of Aylesbury. The state portion of the procession was itself not particularly imposing, but the shabbiness and the ill-assorted carriages of the members of the Board of Works introduced an element of the grotesque which rendered the whole almost ridiculous. When the carriage conveying the Prince reached the Pavilion, the procession halted, and Sir John Thwaites presented an address, to which his Royal Highness read a suitable reply, and the procession then moved forward to the Blackfriars end, and, having returned to Westminster-bridge, the Prince declared the Embankment open, and a royal salute was fired to announce that he had done so. The state carriages returned with their occupants to Marlborough-house; and the sightseers, alarmed at the threatening state of the sky, made all speed to seek more sheltered situations. At this time a great mob of roughs was steadfastly bent upon pushing westward; but its progress was arrested in a masterly manner by the police, and the occupants of the reserved seats were spared a sudden commingling with some of the most unsavoury denizens of the least-favoured parts of London.

The disappointment that was felt at her Majesty's absence told greatly upon the attendance. Tickets had been issued for all the seats; but at least a thousand of them were vacant. The ceremonial, however, notwithstanding its bad arrangement and general shabbiness, marked the completion of a work of which it would be difficult to speak in terms of too great praise and admiration. The epithets that come readily to the pen when thinking of it will convey but a faint idea of its real greatness; and this, indeed, will be rendered more and more manifest by time.

15. EXTRAORDINARY TRIAL FOR MANSLAUGHTER.—This, which was known as the "Welsh fasting girl" case, attracted great attention. The prisoners were Evan and Hannah Jacobs, natives of Carmarthenshire, and they were tried for the manslaughter of their

daughter Sarah. The girl had pretended to be able to live without taking food, and had lain dressed as a bride for several months on a bed, where she had been visited by crowds of curious persons. To detect the imposture some nurses and doctors were sent from Guy's Hospital to watch her, during which operations the girl died, and her parents were indicted for withholding food from her. Mr. Justice Hannen, who tried the case at Carmarthen, summed up in a very elaborate manner, and asked the jury to pay particular attention to all the facts of the case. He ruled that, although the girl might have been, and probably was, a consenting party to the fraud, yet parents were bound to supply the wants of their children of tender years; and if the prisoners, in order to avoid detection of the fraud which they had entered upon, refused food to the girl they were guilty of manslaughter. The jury, after about half an hour's deliberation, found both prisoners guilty, but recommended the wife to the merciful consideration of the Court, as they believed that she acted under the control of her husband. The judge said he entirely concurred in the verdict, and he should adopt their recommendation as regarded the wife, because it was just possible that she was under the control of her husband more than had appeared. Still, both had been guilty of an aggravated offence; for no doubt they both assisted in this fraudulent deception on their neighbours and the public, and in order to carry it out they risked the life of their child, and she died. The male prisoner was sentenced to twelve months' hard labour, and his wife to six months' hard labour.

16. OPENING OF THE WORKMEN'S INTERNATIONAL EXHIBITION.—The Workmen's International Exhibition was opened at the Agricultural Hall, Islington, according to previous arrangement, by his Royal Highness the Prince of Wales. Great efforts had been made by the Executive Committee to bring the display as nearly as possible to a state of completeness, and although these efforts were in some measure frustrated by the absence or late arrival of goods, the general effect of the hall was extremely pleasing.

In anticipation of the Prince's visit, a raised platform, covered with crimson cloth, had been erected at the eastern end of the hall, and behind it a large orchestra, capable of containing 1000 performers, and on which, to test its strength and safety, 1000 men were actually placed by the contractor a few days before. Barriers were also erected across and along the hall at suitable distances, so as to divide the expected audience and to prevent the possibility of crowding or confusion.

His Royal Highness arrived at the hall punctually at three o'clock, accompanied by her Royal Highness the Princess Mary Adelaide of Teck and by his Serene Highness the Prince of Teck. The Prince and Princess were received at the entrance by the Hon. Auberon Herbert, M.P.; Mr. Paterson and Mr. Probyn, the honorary secretaries; and by Mr. Bullen, Sir Antonio Brady, Mr. Hamilton Hoare, and the other members of the Executive Committee and

Council, and were conducted to the platform, the organ playing the National Anthem. Mr. Probyn then read the Address, to which his Royal Highness replied.

Mr. Paterson next stepped forward, and presented to his Royal Highness a copy of the catalogue of the Exhibition, and also a copy of a newspaper printed in the building.

The Old Hundredth Psalm was then sung by the choir, and at its termination the royal party descended from the platform and were conducted over the ground floor of the Exhibition by the officials. They spent a considerable time in the inspection of the most prominent matters of interest, giving especial attention to the Italian department, and to objects from Bavaria, Austria, and Holland. Among English contributions those of Sheffield, Birmingham, Warwick, and Coventry, the Irish linen and flax, the carvings in bogwood, Mr. Bush's telescope, Mr. Lucraft's chair, the Worcester china, and Sir Antonio Brady's iron may be mentioned as having more particularly attracted the Prince's notice. After seeing these things his Royal Highness returned to the platform and declared the Exhibition open.

An Ode, written and composed for the occasion, was then performed by the band and choir, under the direction of Mr. R. Glen Wesley; and at its conclusion the royal party left the building amid the cheers of the large concourse of people who were assembled.

19. SUICIDE OF SIR ROBERT J. H. HARVEY.—Sir R. J. H. Harvey died at his residence, Crown Point, Norwich, of injuries inflicted by himself a few days previously under the following circumstances:—On the afternoon of the 15th Sir Robert was in his rosary or shrubbery at Crown Point, when suddenly two pistol-shots were heard. Some workmen and relatives rushed to the spot, and found Sir Robert in a sitting position, under an ash, bleeding from a severe wound. He was removed into his residence—a splendid mansion, recently erected at great cost—and two surgeons from Norwich, Mr. Cadge and Mr. Nichols, were promptly in attendance. They found that a pistol-shot had penetrated the chest and passed through at the back. Lady Henrietta Harvey, the wife of the hon. baronet, and other members of his family were summoned by telegraph to his bedside, and the Mayor of Norwich and other gentlemen called during the evening to express their condolence. Sir Robert rallied slightly, but on the 18th his symptoms changed for the worse, and he was visited by the Very Rev. the Dean of Norwich, who prayed with him. Later Sir Robert's prostration increased, and his mind wandered; indeed, for the last few hours of his life he was unconscious. Painful rumours circulated throughout Norwich on the 15th, and the next morning the following dismal notice was found to be affixed to the doors of the Norwich Crown Bank, in which Sir Robert was the principal partner:—"In consequence of the lamentable catastrophe which has happened to Sir Robert Harvey, it has been determined by the other partners to suspend



the business of the bank for the present.—Norwich, July 16th.” The Norwich Crown Bank was founded in 1774, and it had long had a large and respectable *clientèle*, and had many branches. A petition praying that the firm might be adjudicated bankrupt was presented by Mr. G. Gedge, the principal local creditor. The other partners in the banking firm were Mr. Allday Kerrison, and Mr. R. Kerrison, upon whom the catastrophe which befell the bank came with the suddenness of a thunderclap. The liabilities of the bank were estimated at 1,500,000*l.* in round figures, but it was calculated that the assets would enable a dividend of 15*s.* in the pound to be paid. The causes of the collapse were heavy commitments resulting from the operations of Sir R. Harvey upon the Stock-Exchange, Sir Robert having been a great speculator of late in Spanish and other foreign stocks. The profits of the bank had been 30,000*l.* per annum, and the business of the establishment properly so called was in a sound state. Part of Sir Robert’s landed property was entailed, but in other respects he had made a complete wreck of his once fine fortune. The Crown Bank—that is, the handsome premises and the goodwill of the concern—were afterwards purchased by Messrs. Gurneys, Birkbecks, Barclay, and Buxton, bankers, Norwich.

An inquest was held on the remains of the deceased baronet, and the following verdict was returned:—

“The jury are of opinion that Sir R. Harvey’s death was caused by fire-arms, discharged by himself while in a state of temporary insanity.”

Sir Robert at the time of his death was in his fifty-third year.

22. FATAL ACCIDENT TO THE HON. FRANCIS CHARTERIS.—An accident, terminating fatally, occurred to the Hon. Francis Charteris, eldest son of Lord Elcho, at his father’s residence, 23, St. James’s-place. The circumstances attending the death of Mr. Charteris, so far as they were ascertained, appear to be as follows:—He rose at his usual hour, and gave directions that his breakfast should be prepared. Some time afterwards he was missed, and search being made he was found in the apartment to which he had gone, with a terrible wound in the head, apparently inflicted by a bullet from a revolver. The bullet had passed below his right eye, and lodged in his head. His left side became rapidly paralyzed, but he lingered for a few days, and expired on the 28th. The precise circumstances under which the shot was fired were uncertain; but medical opinions afforded ground for the supposition that the occurrence was accidental. Mr. Charteris was only twenty-six years of age, having been born in 1844. He was a keen sportsman, but for the last two or three years he had been unfortunately in delicate health, and had made the tour of the world, in the hope of regaining strength. Of this at one time there seemed a fair promise, but latterly he had become extremely weak. Surgeon-Major Wyatt, of the Coldstream Guards, was called in, and remained throughout in attendance, but from the first there was, unhappily, no hope of recovery.

At the inquest held before Mr. Bedford, Coroner for Westminster, the following evidence was given:—Thomas Skellet said he had been valet to the deceased for the last ten months. On the morning of the 22nd inst., he called the deceased at eight o'clock. At nine o'clock he took his breakfast up. The deceased told him to fetch the *Times* of that morning. He left the house for that purpose, and on his return took the paper up to the deceased, but not finding him in his room he laid the paper on the table in the library, and went down-stairs. The only persons in the house besides the deceased and himself were the Misses Charteris, their maid, and a housemaid. Shortly after he had been down-stairs, he was called up by the housemaid, who said she heard groaning in Mr. Charteris's room. He went up to the room, which is next the library, and saw the deceased lying on the floor. There was smoke in the room, as if a pistol had been fired. He had heard no report of a pistol-shot. He saw the deceased had a wound in his head, from whence blood was issuing. He looked round the room, and saw a pistol lying on the seat of a closet in the room. He took up the pistol, and found one of the barrels had been recently discharged. The other four barrels were loaded. The pistol produced by Colonel Charteris was the pistol he had found. He had frequently seen it in the possession of the deceased. The pistol was kept in a glass case in deceased's bedroom. He then sent for Dr. Coulson, who at once attended. The body of the deceased was lying close to the closet where the pistol was found.

Dr. Walter Coulson, of 29, St. James's-place, consulting surgeon, said he found the deceased lying upon his back upon the floor, in a room adjoining the library, with his left arm thrown behind him. He was insensible. His head was lying in a pool of blood. On examination he found the wound was immediately above the orbit of the left eye. He at once sent for Sir William Ferguson, who attended. The deceased was removed into the library, and together they examined the wound. They found the bullet had penetrated behind the nasal bone, inflicting injury to the eye and to the brain. On making the *post mortem* examination the bullet was found in the right ventricle of the brain. The brain was quite healthy. He did not think the pistol had been fired off close to the head. The wound was not what he should expect to see as the result of a suicidal attempt. He had no doubt that the wound had caused death.

Mr. John Wyatt, Surgeon-Major to the Coldstream Guards, said he had known the deceased for a long time. His general health was good, but he had been lately suffering from a defective vision and an attack of debility. He was cheerful in his manner. He had never observed any thing about the manner of deceased to induce him to believe that he would destroy himself. He was not at all desponding. He saw him at the Wimbledon Camp three days before the occurrence, when he talked of going upon the Continent to observe the war operations. The witness added that he was all through the Crimean War, and had great experience in

gunshot wounds. He thought it was impossible that the pistol had been discharged close to the head of the deceased, for, if so, there would have been a discoloration of the skin from the powder. He was of opinion that deceased was examining the pistol at the time of its discharge, and the *post mortem* examination confirmed his opinion.

The Coroner here said that was all the evidence he had to lay before the jury, and they must form their own opinion upon it. If they should be of opinion that the deceased had intentionally destroyed his own life, then they would have to consider the state of mind he was in at the time.

After some deliberation the jury returned a verdict "That the death of the deceased was the result of accident by the discharge of a pistol while in his hand."

The Coroner expressed his entire approval of the verdict, and he felt certain the jury, with him, condoled with the family under their bereavement.

23. CALAMITOUS FIRE.—Early this morning an alarming fire occurred in the house of Mr. J. Hill, a cabinet-maker, in the Waterloo-road, Lambeth, and six of his children were burnt to death—his daughter Jane, fourteen years of age; Catherine, twelve years; Thomas, ten; Emily, eight; John, six; and Esther, four years. What, at first sight, appeared to render the affair more lamentable, if possible, was the fact that the house in which the fire occurred was but three doors from one of the principal stations of the Metropolitan Fire Brigade, and only about 520 yards from two of their fire-escape stands in the neighbourhood. However, the firemen and those of the immediate neighbours who witnessed the calamity were convinced that all the unfortunate children were first suffocated in their sleep before they were burnt, and that their sufferings were therefore probably brief. Mr. Hill occupied two adjoining houses in the Waterloo-road, numbered 132 and 134, the latter house forming the corner of a little side street called Aubin-street. They were each of three floors, exclusive of the basements—namely, a ground, first, and second floors, and had each an attic, with a single window protected by a coping-stone in front. Behind, in Aubin-street, were the workshops, which communicated with the two houses in front, and over the ground floor of the dwelling-house was a spacious verandah of wood and zinc springing from the level of the first floor, and stretching partly over the pavement, the space below being used for exhibiting furniture, with which both houses, with the basements, were largely stocked.

At the neighbouring station of the Metropolitan Fire Brigade on the previous night there were six men on duty—James William Wickenden, chief engineer, and five ordinary firemen, two of whom, Joyce and Geale, lay on truckle-beds on the ground floor, ready dressed and equipped for action, according to custom, in case of being wanted, and in order to call the rest in the event of any alarm of fire. At 3.24 the chief officer of the station, Wickenden,

and the rest of the men on duty were alarmed by hearing the fire-bell of the station violently rung from the outside and a policeman springing his rattle. It was then daylight. A passing stranger had rung the bell and said there was a fire at a house close by. Wickenden hastily dressed himself, and, running down-stairs, went to the scene of the fire, while the other men busied themselves in getting out two of their engines, and in telegraphing for assistance to the station of the Brigade at Kennington. The interior of the two houses was then on fire, and a person was visible at a second-floor window in a night-dress. The engine scaling-ladders were promptly brought out by Wickenden and a fireman named Williams, and by degrees raised to the first-floor window. By that time Mr. Hill, the occupier, had jumped from the second-floor window to the verandah beneath and thence into the street, and his wife dropped an infant, about three weeks old, from the same window on to the verandah. The fireman Williams then raised the ladder to the second-floor window in the hope of rescuing Mrs. Hill, but, in the attendant excitement, both fell upon the balcony below, but without sustaining any serious injury, though Williams had his arm badly grazed. She was taken in her night-dress from the balcony by Wickenden, and safely landed in the street, obtaining shelter afterwards with her infant in the house of Mr. Tidman, on the opposite side of the way. By that time volumes of smoke were issuing from the open windows on the first and second floors; and some one having called out that the children were in the attic, the ladders were lengthened, and two firemen, Williams and Thornton, ascended to the attic window, which they broke and tried to enter, but were driven back by the dense smoke and the intense heat from within. Neither at that time nor any other was the voice of any one of the children heard by the firemen, nor was any of them seen, and it was afterwards known that they all, six in number, slept in the attic, on two beds. Probably by that time they had all succumbed and been suffocated. The flames had then reached the second floor and cut off the retreat of Williams and Thornton from the attic, but they saved themselves by making their way along a coping-stone in front to an adjoining roof. About that time the fire-escape from the Blackfriars-road station arrived, but too late to be of any avail. The fireman in charge of it, however, pitched the machine against the second-floor window, but, failing to be of any service there, he left the escape and ascended to the attic by the ladder which Williams and Thornton, unable to return by it, had been compelled to leave. Like them, he too found it impossible to enter the attic by reason of the smoke, and, his retreat being cut off, he was obliged to join them on the roof of the adjacent house. There the three men remained some minutes, powerless to render any assistance. By that time the fire-escape from the Westminster-road station arrived, and was pitched against the burning house, but without being of any service. The attic window was never opened until it was forced in by the firemen Williams and Thornton,

which induced the belief that the children were suffocated in bed; had it been otherwise, or had they been previously alarmed, they would naturally have made for the window, and broken it open. A tradesman living immediately opposite, and who witnessed the fire from a front window of his house, with other members of his family, never saw or heard the children at the attic window.

So soon as it was safe to make a search for the bodies of the children, they were all found in the attic by the firemen. One was in bed, three lay together near the window, and the remaining two by the side of a bed, covered with pieces of the fallen roof. At that time the floor had fallen in at one end, and in the opinion of the firemen some of the bodies had rolled from the beds as it fell. Their remains were carefully collected in blankets and removed to the Lambeth dead-house in the course of the day. In the afternoon Mr. Carter, Coroner for Surrey, formally opened an inquest on the bodies at the Henry VIII. tavern, High-street. Captain Shaw, the chief of the Metropolitan Fire Brigade, and a solicitor from the Board of Works, were present at the ceremony.

Several witnesses were called, and the Coroner, in summing up, said every effort appeared to have been made by the Fire Brigade authorities to save the lives of the deceased children. An attempt made by the father and mother to save them from the inside had been unsuccessful, and there had been barely time left for them to escape themselves. The engines and men were on the spot three minutes after they were called by the officer. As to the cause of the fire, if it was shown that it was a malicious act, then the person committing it would be guilty of murder. But was there really any evidence to lead to such a supposition? No reason was shown for the occurrence, and there might be a fair deduction drawn from the whole of the evidence that the fire had happened through some mischance. Whether it arose intentionally or not was the question for the jury.

The jury, after a consultation of about twenty minutes, returned the following verdict:—"That the deceased children individually became suffocated and burnt by reason of certain dwelling-houses, Nos. 132 and 134, Waterloo-road, taking fire. We have no definite evidence as to what gave rise to that fire. We are of opinion that the police constable, Frederick Woodger, and the officers of the Metropolitan Fire Brigade, especially George Charles Williams, acted with great and praiseworthy exertions."

28. GOODWOOD RACES.—THE CUP DAY.—The Goodwood meeting this year was a dull and singularly uninteresting one, and the show both on lawn and in paddock was not the form usually displayed there.

The following is the account of the race for the Cup:—

The Goodwood Cup, value 300 sovs., added to a subscription of 20 sovs. each, h. ft. The second to receive 100 sovs. Two miles and a half. 33 subs.

Sir J. Hawley's Siderolite, by Asteroid, 4 yrs. 9st. (Wells) . . . . .	1
Mr. Savile's Champion, 3 yrs. 7st. 7lb. (Maidment) . . . . .	2
Mr. England's Pâté, 3 yrs. 7st. 3lb. (Wyatt) . . . . .	3
Mr. J. G. Hessey's Sabinus, 3 yrs. 7st. 10lb. (Hibberd) . . . . .	4
Sir J. Hawley's Morna, 4 yrs. 8st. 10lb. (Morris) . . . . .	0
Mr. W. Nelson's Chawbacon, 3 yrs. 7st. 7lb. (Jeffery) . . . . .	0

Betting:—55 to 50 on Sabinus, 9 to 4 agst Siderolite, 100 to 12 agst Pâté, and 20 to 1 agst Champion.

Morna jumped away with a commanding lead for the purpose of serving Siderolite, who followed second, with Champion, Pâté, Chawbacon, and Sabinus lying off. They ran thus round the clump, but on reappearing in sight, Morna, having fulfilled her mission, was seen in the extreme rear, and Siderolite was seen in advance closely attended by Champion, Pâté, and Sabinus, the two latter being side by side to the turn for home, where Sabinus was seen in difficulties, and when fairly in the bottom he gave way amid loud cheers from the stand; at the same time Champion challenged Sir Joseph's colt, whom he headed a quarter of a mile from home, and appeared to have the best of the race to within a dozen strides from the chair, when Wells, who had been waiting for the one run, now came with a rush, and just snatched the judge's fiat by a head. Pâté finished a bad third. Chawbacon was stopped some distance from home, having broken down.

## AUGUST.

1. EXECUTION OF WALTER MILLER AT THE OLD BAILEY.—Walter Miller, convicted at the last sessions of the Central Criminal Court of the murder of the Rev. Elias Huelin, a clergyman, eighty-four years of age, residing at Chelsea, and of Ann Boss, his housekeeper (see *Chronicle*, ante), under circumstances of horrible and revolting atrocity, expiated the crime with his life within the precincts of the gaol at Newgate. The convict was a plasterer by trade, and about thirty years of age. From first to last, after his conviction, he treated the ministrations of the Ordinary with indifference, and there was reason to fear he died impenitent. He nevertheless attended the ordinary services in the chapel of the prison with the rest of the inmates, and on Sunday, the last day he was permitted to live, he was present there twice. To the last he denied he was guilty of the murders, and persisted that he had been confounded with another man. Some singular circumstances attended the execution. The Ordinary of Newgate (the Rev. Lloyd Jones) slept

in the prison on Sunday night, and visited the convict early in the morning, with the view of preparing him for death; but he declined the pious offices which, as on previous occasions, were offered him, and therefore the Ordinary was at length constrained to abandon the attempt. For some reason there appeared all along to have been an impression among the officers of the prison that the convict might seek to anticipate the sentence by the commission of suicide, and hence more than the ordinary watch was kept over his movements. This surmise had some foundation, for as the time for his execution approached and he was about to be pinioned, eluding for a moment the vigilance of his keepers, he ran head foremost against a wall of the cell, inflicting a wound upon the forehead which stunned him for a moment, and he lay for some little time afterwards on a mattress on the floor. Refusing, when the time arrived, to submit himself to the executioner, he was pinioned in that prostrate condition, and then, declining or being unable to walk to the scaffold, he was borne thither on a chair, as the clock struck nine, by four warders, preceded by the Ordinary, and placed upon the drop, still seated on the chair, the prison bell tolling the while, and also that of St. Sepulchre's Church, hard by. Some of the officers of the prison believed that he was feigning illness at that time, the self-inflicted wound on the head being slight, or fainting from the apprehension of a violent death. The ordinary preparations were soon made, and the bolt having been drawn, the drop fell, and with it the convict, seated as before, the chair falling with him. After a brief struggle, during which there was more muscular action and writhing than usual, he ceased to live. A black flag was then hoisted on the roof of the prison in conformity with the recent practice on such occasions to denote to people outside that the capital sentence had been executed. For upwards of an hour before a considerable crowd had collected in front of the gaol, but there was no disorder, and on the appearance of the flag the people there quietly dispersed. Inside the prison walls, and within view of the scaffold, there were a few strangers, besides representatives of the Press. The sentence was inflicted in the presence of Mr. Sheriff Paterson and the Under-Sheriffs, Messrs. Baylis and Crossley.

2. FATAL ACCIDENT ON MONT BLANC.—A dreadful accident occurred to a party of English tourists, near the summit of Mont Blanc, by which a lady and a guide were killed. The party in question consisted of Mr. Marke, of Woodhill, Liskeard; Mrs. Marke, his wife; a young lady, her friend, and three guides. They left Chamounix on the 1st, about midday, with two guides, and arrived without accident at the Hotel de Grands Mulets at eight p.m. The route was remarkably easy and free from dangers, and the weather was splendid. Here they slept, and at 3.30 the next morning, having added to their party the third guide, they started on their upward journey. After having safely traversed the Great and Little Plateau, they gained the summit of Le Corridor about ten a.m. At this spot, as there was a considerable breeze, the ladies

with one of the guides halted, while Mr. Marke, with the two other guides, went up higher to see if the weather would permit them to continue their ascent. They promised to return in ten or fifteen minutes.

The ladies beginning to feel the cold, their guide, contrary to the injunctions of Mr. Marke and the express orders of his fellow guides, started off with them on their descent home. They were all three connected by a rope, Mrs. Marke, unfortunately, at the same time also leaning on the arm of the guide, her friend following a few steps behind. Scarcely had they gone 100 yards when Mrs. Marke and the guide suddenly disappeared into a crevasse, which was covered with a thin crust of frozen snow. Providentially for her friend the rope, being rotten, broke, and she remained half dead with fear, but in safety, close to the upper edge of the chasm. Mr. Marke and the two guides, hearing cries of distress, rushed down in all haste, and in less than five minutes had reached as near as they could with safety the edge of the crevasse. They looked down and shouted as loud as they could. The silence of the grave was their only answer; death had overtaken their companions, instantaneous, but, without doubt, painless.

Nothing remained now for the survivors but to hurry back to the Grands Mulets and send down to Chamounix for assistance as quickly as possible. In a very short time a party of porters and guides, with every thing requisite for the search after the remains of the ill-fated travellers, arrived at the scene of the disaster. The search continued when the weather permitted during the remainder of the week. No pains and no labour were spared; a large reward was offered, but owing to the situation and formation of the crevasse all their efforts proved unsuccessful.

A solemn and impressive funeral service was held in the English chapel at Chamounix on the 9th, at which a touching address was delivered by the Rev. M. Neligan, the chaplain. There was a crowded congregation, and all the guides of the neighbourhood attended. Mrs. Marke had only been married two months; she was the eldest daughter of the Rev. R. C. Maul, rector of Rickingham, in the county of Suffolk. The names of the two surviving guides were Franz Bourgeuer and Jean Pierre Zimbougen, natives of Valais, and that of the poor young fellow who lost his life, and who had joined the party at the Grands Mulets, Gay Crozier Ozyme, aged twenty-three, a Savoyard.

8. EXECUTION OF THE DENHAM MURDERER.—John Owen, alias Jones, was executed in the yard of Aylesbury Gaol, for the murders of Emanuel Marshall, his wife, sister, mother, and three children at Denham, in May last. (See *Remarkable Trials, post.*)

Since his apprehension the prisoner maintained a callous indifference to his situation, and refused all religious counsel.

The Rev. Mr. Bumberry, the chaplain of the gaol, was unremittent in his solicitations to bring the prisoner to penitence for his terrible crime, but the prisoner only returned his kindness by curses and foul expressions.



At length he said he was a Catholic, and a Roman Catholic clergyman from Wolverton on being sent for visited him. He, however, only received similar treatment, and the prisoner eventually declared that he did not believe that there was either God or devil, heaven or hell. At one time he virtually confessed to the murders by saying, "I am only sorry that I did not shoot Superintendent Dunham and a — Justice of the Peace that once sentenced me as well." He was visited by his father and wife, neither of whom he had seen for years, but he treated them coldly, and when they shed tears replied to their grief by saying, "What have you to snivel for?"

At three minutes to eight the bell began to toll, and he was brought from his cell by two warders. Calcraft met him in the corridor, and the prisoner at once submitted to be pinioned. The procession was then formed, accompanied by Mr. Sheriff Tyndall, Mr. R. C. Ceely, surgeon, Superintendent Jervis, the warders, and the chaplain reading a part of the burial service. When the culprit came in sight of the gallows it seemed to absorb his whole curiosity, and after surveying it for a moment he attempted to go up two steps at a time, but at the request of the warders he walked up in a more orderly manner. Calcraft then placed him on the drop, put the rope round his neck, and the white cap over his face. The culprit asked to be allowed to make a statement. Calcraft permitted him. The prisoner, whose back was towards the people, then turned round, and Calcraft lifted the cap above his mouth. The culprit then said, "My friends, I am going to die for the murder of Charles—What's his name? I forget. Oh! Charles Marshall; but I am innocent." He then turned round again, and put his feet close together to be pinioned. Calcraft at once strapped them, immediately walked off, and drew the bolt. The prisoner fell two feet and a half. The body seemed to fall heavily; death was almost instantaneous, and only one moment's convulsion marked his end. After an hour the body was cut down, and an inquest held.

10. TRIAL OF THE EDITOR OF THE "SHEFFIELD DAILY TELEGRAPH" FOR A LIBEL ON LORD AND LADY SEFTON.—A criminal information against the editor of the *Sheffield Daily Telegraph* for a libel upon Lord and Lady Sefton, in which also the name of the Prince of Wales appeared, was tried at the Leeds Summer Assizes, before the Lord Chief Baron and a special jury.

Sir John Karlake, counsel for the prosecution, said, "I appear on behalf of the Crown in a proceeding by way of criminal information against the defendant, Mr. Leng, who is the managing editor, printer, and publisher, and, I believe, a part proprietor of a paper called the *Sheffield Daily Telegraph*. The case consists in the publication of a libel which is complained of by Lord Sefton, to whom the conduct of this prosecution has been confided by the Court of Queen's Bench, and which was brought before the notice of the public in the defendant's paper on the 4th of April of this

year. In this paper there appeared in large type, and under the heading 'Latest News,' the following statement:—

“ ‘Latest News. Press Association Telegrams. Startling Rumour. The Prince of Wales likely to appear in the Divorce Court again.— It is stated in Westminster Hall that the Prince of Wales is likely to be again mentioned in the Divorce Court as a co-respondent in a case in which a Countess is the respondent. The case is said to be one by the Earl of Sefton against the Countess.’

“ This was published on the 4th of April, and shortly afterwards came to the ears of the Earl of Sefton. He applied to the Court of Queen’s Bench upon the affidavits of himself, the Countess, and the Prince of Wales for a criminal information. The affidavits showed that there was no shadow of pretence for the accusation, and subsequently the papers stated that that was so. Lord Sefton simply comes into court now in a public capacity. He has no vindictive feeling against Mr. Leng. It is suggested that the defendant himself was not aware of the insertion or publication of the paragraph; but I shall show that copies of the paper were sold at the office as late as the 14th of April.”

Formal proof of the publication of the libel was then given.

Mr. Seymour, Q.C., who appeared for the defendant, said that if the defendant were asked to express his regret, there were no words of sorrow and regret that he would not offer to Lord and Lady Sefton. An apology had been inserted in the paper, and the learned counsel could not help thinking that when it was no longer a question of character, and every one had been informed that there was not a shadow of a doubt that the rumour was unfounded, still to press for a conviction showed a degree of pressure which, consistently with public duty, might have been withheld. The rumour, with the exception of the concluding words as to the Earl and Countess, had appeared in the *Echo* on the 2nd of April. The Press Association (Limited) supplied country journals with information by telegraph. A telegram containing the rumour published in the *Echo* arrived at the office of the *Sheffield Daily Telegraph* on Saturday evening, and on Sunday the sub-editor, Mr. Peddie, and a Mr. Moss, a reporter, and another reporter being present, the telegram was read. Moss then said that he had received information from a well-known reporter of the Divorce Court who had informed him of the name of the Countess of Sefton. Mr. Peddie then thoughtlessly added to the telegram the concluding words as to the Earl and Countess of Sefton. Mr. Leng was ill at the time and never saw the telegram, and he administered a severe reprimand to his sub-editor, Mr. Peddie. The learned counsel then read from the *Sheffield Daily Telegraph* an announcement copied from the *Echo* denying the truth of any thing contained in the rumour which they had circulated. He next called attention to a paragraph in the same paper under the head “Domestic,” which was as follows:—

“With great gladness the nation will hail the contradiction by the representatives of the Prince of Wales of the recent rumour as

to his re-appearance in the Divorce Court. It will be seen from the announcement made by the *Echo*, which we print in another column, that the report is totally without foundation; and though our contemporary takes credit for doing a good deed in publishing such a story (as it thereby provoked its contradiction and so set it at rest), so cannot we. If the rumour was incorrect nothing could justify its publication. Provincial papers are now so much at the mercy of the news-supplying associations that they are, as a matter of course, almost compelled to publish every item sent them; but this is a different matter from justifying such items afterwards if proved incorrect."

The learned counsel called witnesses, who were cross-examined at length. The matter proved was generally of an uninteresting character, relating to the mode of issuing and preparing the paper.

Mr. Peddie, the sub-editor, stated that he had a general authority to publish the telegrams which came from the Association, so long as he did not alter them.

Mr. Moss, a reporter, stated that he heard the rumour in London from a reporter in the Divorce Court, who said he had it from an officer in the Divorce Court. When Mr. Peddie read the telegram, he said, "I suppose that refers to a report I heard in the beginning of the week about the Earl and Countess of Sefton." He did not see Peddie make the alteration in the telegram, and did not attach much importance to what he had stated.

Sir John Karlake, in the course of a very powerful reply, maintained, firstly, that Peddie had authority from the defendant to publish the libel; secondly, that the defendant never took any pains to restrict the publication after it had been brought to his knowledge; and, thirdly, that he never in any shape had retracted the statement as to the Earl and Countess. He pointed out that the original paragraph in the *Echo* only mentioned the Prince of Wales, and that, of course, the subsequent contradiction only related to the Prince, and that the paragraph referring to that contradiction also abstained from any reference to the Earl and Countess. The result of the statement in Mr. Leng's pages was to lead the public to suppose that there really was a divorce suit between the Earl and Countess, although the Prince was not the co-respondent.

The Lord Chief Baron having summed up, the jury found a verdict for the Crown.

Sentence was pronounced on the defendant, in the ensuing Michaelmas term, when he was fined 50*l*.

19. TERRIBLE COLLIERY EXPLOSION AT BRYNN HALL.—One of the most violent explosions of fire-damp on record occurred at the Brynn Hall Colliery, Ashton-in-Mackerfield, a short distance from Wigan. The colliery is situated on Sir Robert Gerard's estate, a short distance from the Brynn Station on the New Lancashire Union Railway, and it was one of a number which had recently been opened in order to work the extensive coal-fields in what has until recently been a

perfectly agricultural district. For two or three years the four-foot seam had alone been worked by the firm of Messrs. W. and J. B. Crippin, but within the past few months the Wigan nine-foot, or six-foot, as it is now termed, had been got to a limited extent, and it was apparently because of the smallness of the area of the mine that the effects of the explosion were so terrific on the surface.

About half-past nine o'clock in the morning the workers on the surface and the residents for miles around the colliery were made aware that a terrible catastrophe had occurred by a loud report from the up-cast shaft, and a fearful belching forth of smoke and flame. By this shaft coal had not hitherto been wound, and the mouth was covered by the "jiddy," or movable platform, which is invariably used when sinking operations are going on. This was shivered and scattered in all directions over the adjacent lines of railway, and the wreck was such that it was almost dangerous to approach the pit. In the down-cast the indications were not so strong, but the four-foot cage was broken by the concussion, and, falling down the shaft, it smashed the rods and horse-trees so as to render communication with the lower seam—180 yards from the surface—extremely dangerous and difficult. The news of the explosion spread wonderfully fast, and very shortly the managers and proprietors of the adjacent collieries arrived at the place to render what assistance and advice were in their power to Mr. Jacob Higson, the manager. Among those gentlemen were Messrs. Mercer and Evans, of the Park-lane Collieries; Mr. J. B. Latham and Mr. Wright, of Lord Hall (where the last explosion in the district occurred in the same seam in November, 1869); Messrs. Cross, of Cross, Tetley, and Co.; Mr. William Pickard, miners' agent, and others. Many of these descended the shaft with their underlookers, while on the surface the services of Mr. Mather, surgeon, of Ashton, were promptly obtained to attend to the injured.

The first business of those in charge was to bring to bank the workmen, nearly 100 in number, who were employed in the four-foot seam, and this having been safely effected by means of a hoppet, the exploring parties descended by both shafts to the nine-foot, where there was fearful confusion. The doors between the pits which regulated the ventilation were blown down, stoppings were destroyed, and the mutilated bodies of men and horses were lying at short distances from the pit eye. Some fifteen men were found alive, and they were at once sent above ground. Two or three had escaped almost scathless, but over a dozen were burnt more or less seriously, and some fatally.

Meanwhile the exploring parties had quickly discovered in the limited workings that the explosion must have occurred in one of a couple of levels which run from the down-cast shaft in a direction nearly north and south. They found several dead bodies, but in the easterly level there were "keen" indications of the presence of fire-damp, while in the westerly one those best competent to judge declared that the coal was on fire. Fortunately, the fresh air had not

reached the gas in sufficient quantity to render it explosive, and a cautious retreat to the surface was resolved upon.

They reported that the south workings, which had been carried to a distance of about eighty yards from the shaft, were clear of fire, but they were not quite certain as to those lying to the north of the shaft, which were rather more extensive. In this part of the mine there was much smoke, and the searchers had been unable to proceed to the extremity. The underlooker had been severely affected by the after-damp. After a consultation among the engineers on the pit brow it was decided to make another attempt on the north side, and Messrs. W. Smethurst, Jackson (Gidlow Pits), H. Clark, W. Pickard, and the fireman entered the hoppet, and descended the shaft. They were down nearly half an hour, and managed to travel a considerable distance on the north side. Their report was that the quantity of smoke had greatly diminished, and that they had been able to discover no signs of fire. Each exploring party had met with a great deal of gas, and in consequence of the amount of damage done to the workings by the force of the explosion, it was feared that the task of reaching the bodies would be one of considerable difficulty. Mr. John Higson, son of the Government inspector for the district, arrived from North Wales during the evening, and at once prepared to accompany the party going down for the purpose of restoring the ventilation. Mr. Watkin, of Messrs. Blundell's collieries, and other engineers, were also among those who descended the shaft.

From about nine o'clock p.m., when the last party of explorers left the workings, until nearly four o'clock the next morning the operations at the colliery were confined to clearing the down-cast shaft, the work being conducted under the direction of Mr. F. Crippin, the manager, Mr. Jacob Higson, consulting engineer, Mr. John Higson, Mr. J. D. Latham, and Mr. W. Pickard, all of whom remained all night on the spot. The cage, which had been much damaged by the explosion, was got out of the pit, and from the shaft nearly a railway-waggon load of timber was removed. The bodies of two horses were brought from the nine-feet.

Mr. John Higson and Mr. Pickard were in charge of the men endeavouring to clear out the gas from the north workings—on the south side it was not present in any large quantity—while Mr. Jacob Higson, on the surface, tested the air at the upcast, at the top of which the gas appeared in such quantity as to fire in the lamp.

The colliery had been in existence about four years, the pit having been sunk by the firm known as Messrs. Crippin and Smethurst, but the latter gentleman had recently withdrawn from the partnership. The nine-feet had only been worked about three months; the plan only occupied a few square inches, and so terrible an explosion in so small an area has seldom occurred.

The bodies were fearfully mangled. In fact, many as have been the explosions in this district during the past few years, nothing more terrible had ever been seen than the fearful mutilation of the

remains of the poor fellows who lay in the stables at Brynn Hall.

The members of the firm did not arrive at the colliery until the afternoon, when they did all in their power to relieve the sufferings of the injured, and to provide for the decent care of the dead.

It was singular that none of the injured men brought out of the mine were suffering from after-damp. All were burnt more or less seriously, and this fact itself shows how severe must have been the explosion in workings so confined.

There were about thirty-six men in the pit at the time of explosion, and the total number of persons killed was nineteen.

22. MURDER AND SUICIDE AT BATH.—A tragedy of a fearful nature—one of the worst, perhaps, that had occurred in Bath for the past twenty years—was discovered to have been perpetrated this afternoon at No. 1, Spencer's Bellevue, a house which for some little time past had been occupied by a person named Prankard as a collegiate school for junior boys. Some little time ago Mr. Prankard lost his wife, which greatly affected him, and in consequence he had greatly given way to intemperate habits.

Miss Minnie Prankard, one of the daughters of Mr. Prankard, was about to leave home for a situation on the continent; the packing incidental to the removal was being proceeded with, and in the course of the afternoon the servant overheard some high words between Mr. Prankard and this daughter in the schoolroom, a younger daughter being also present. The subject of the quarrel was the young lady's journey, to which her father strongly objected. About three o'clock in the afternoon the unfortunate man went into the schoolroom, in which were his two daughters, with a revolver concealed under a pocket handkerchief which he carried in his hand, and instantly fired twice at his elder daughter, a handsome young lady of twenty-one years of age, striking her in the right ear with one bullet, and in the left temple with the other, and causing her instantaneous death. He then seems to have turned round on his younger daughter, and also fired two shots at her, wounding her in such a dreadful manner that she was left by him for dead. Having satisfied himself that his deadly work was done, he immediately locked the door on them and rushed up-stairs to his own bedroom, where, after securely bolting himself in, he destroyed himself by a dose of prussic acid. Shortly after being left the youngest daughter recovered her consciousness, and, gathering up her strength as well as she could, hastened to the window which overlooked the garden, and by means of the roofs of some out-houses succeeded in getting from the parlour floor into the garden, and thence into the adjoining house, which was occupied by the Rev. J. H. Way, minister of Christ Church, Montpelier. The poor girl left sad traces of the way by which she made her escape, the window-frame, window-sill, and the roofs of the out-houses being covered with blood. The room in which the tragic scene occurred presented a fearful spectacle, the long school-desk on which the younger girl had fallen literally

swimming in blood. On reaching the next house she was instantly attended to, and medical assistance was promptly obtained ; but she was so exhausted by loss of blood as to be unable to give any lengthened account of the transaction. The house where the tragedy occurred was at once taken possession of by the police, who were unable, however, for a long time to find the revolver with which the murderous work had been done. On the body of the father was found over five pounds in cash, but he left no statement as to the cause of his rash act.

An inquest was held on the bodies at the Weymouth Arms, which was crowded by an anxious populace, and the facts disclosed in the evidence were of the most extraordinary description. After viewing the bodies of John Prankard, and his daughter Mary Minnie Prankard, the Coroner, Mr. English, called some voluminous evidence, the substance of which was as follows :—

Ellen Davis, the domestic servant at 1, Bellevue, Bath, said her master was the principal of a proprietary school, and his family included four daughters—Mary (deceased), twenty-two years of age ; Kate, nineteen ; and two other younger girls, one being an imbecile and the other having been conveyed away by her father, no one knew whither. The pupils were away for their holidays, and the two elder ladies were preparing for a journey to Holland. Early in the morning Mr. Prankard left home, and went to Bristol, returning sooner than was expected, about two o'clock. The two elder young ladies, who had been out, came in after their father, who appeared to be angry with them. They went up-stairs for their hats, after dinner, and the master violently shouted, " If you don't want any money, you can go," and " Go to your friend John Prankard," a relative of the same name as himself whom they had last summer been visiting. Witness, who was in the lower kitchen, then heard a scuffle, as if her master was pushing them along the hall into the schoolroom. Her master locked them in, taking with him the keys of three doors. After another altercation he came out, again locking the door after him. He then went up-stairs, and after a short absence re-entered the schoolroom where the ladies were, and, locking the door after him, was heard to exclaim, " Now then, what do you say to this ? " A moment or two afterwards witness heard reports, four in number, of a pistol, scarcely a moment elapsing between each discharge. Witness ran up-stairs in alarm into the passage leading to the flower-garden, and saw Miss Kate, the second daughter, who had evidently leapt in her terror through the window, close to the garden-wall, bleeding profusely. Kate said, " Go to Minnie," and on the servant proceeding to the schoolroom door, she asked if she might come in, but received no answer, and only heard groans. She ran down-stairs to get her cloak, and as she came up from the kitchen she saw her master, who gazed hard at her, rushing up-stairs. She ran to the next door, the Rev. Mr. Way's, and gave an alarm ; but it seems that Mr. Way had already gone for a doctor for Miss Kate Prankard, who had crawled in a wounded state over the wall into

his garden. Witness afterwards ventured into the house, and saw the body of her young mistress lying in a pool of blood in the school-room, and that of her master lying on the bed in his own room.

In answer to questions, the servant said that Mr. Prankard had frequently quarrelled with the deceased daughter, striking her and pulling down her hair, and once breaking a water-vessel over the head of the injured daughter.

Mr. Frederick Mason, physician and surgeon, Bath, said he found that Miss Minnie had a small circular bullet-wound over her left ear, and the probe (an ordinary one) did not reach the extent it had traversed. The young lady was quite dead. By using a longer probe, he found that the bullet had passed transversely through the brain and struck the skull on the other side. There was a similar wound on the right side in front of the ear, the bullet appearing to have gone downwards towards the neck. She must first have been shot on the right side, and the bullet not taking immediate effect she was then shot on the left side, the left side shot being fatal. There was a mark of burning on the forefinger, as if the young lady had lifted up her hand in self-protection. The surviving sister had received two distinct bullet-shots, one on the nose, and the other at the top of the throat, and she would not be out of danger for several weeks. The father was lying on his own bed quite dead. There were no external marks of violence. The eyes were bright and clear, the pupils being slightly dilated. He smelt very strongly of prussic acid, though no utensil that had contained that poison was discovered any where on the premises. His (Mr. Mason's) opinion was that death was caused by that poison.

Police Inspector Sutton deposed to the finding in the male deceased's trousers pockets of a powder-flask three parts full of powder and ten pistol-bullets. A handkerchief with five bullet perforations was also found in the coat pocket. Search had been made for the pistol, but in vain. The ladies' boxes appeared to be partly packed up, as if they were intending a journey.

Mr. John Prankard, of Langport, surgeon, deposed that the deceased gentleman was the illegitimate son of his (witness's) grandfather, but was always acknowledged by the family, and had enjoyed his share of the property by will. Witness once had the impression that Mr. Prankard was suffering from *delirium tremens*, but from facts that had since come to his knowledge he believed that he was in a state of insanity. One of these facts was that recently, when in France, the deceased gentleman took his daughters out in an open boat, and said, "Now, you must die. Choose between three deaths. I will either upset the boat, or you shall be shot, or take poison," and he made them drink half a pint of laudanum, which, however, owing to the rolling of the boat, they vomited.

It was explained by the servant that the younger daughter, who was with her in the kitchen when the shots were fired, was an imbecile, and could not give any alarm.

The jury, in the case of the deceased lady, returned a verdict of



“Wilful murder by John Prankard,” and as to the death of the father they returned one of “Felo-de-se.” The Coroner thereupon issued his warrant for the interment of the male deceased, without funeral rites, after nightfall on the 24th.

## SEPTEMBER.

6. ARRIVAL OF THE PRINCE IMPERIAL.—The Prince Imperial arrived at Dover, having slept the previous night at Ostend. The Prince was brought over in the Royal Belgian mail packet, which steamed alongside the landing-stage at half-past one o'clock.

Very few persons had been acquainted with the fact that the Prince was on board, but somehow it oozed out, and about a hundred people assembled on the pier in the soaking rain.

The Prince, who was accompanied by Commander Dupère (son of Admiral Dupère), Major Lamme, and Major Ferry, on landing was respectfully saluted by most of the spectators, and he frequently acknowledged their attentions by touching his hat. He was attired in a dark suit, and wore a grey great-coat and an ordinary deer-stalking hat. He appeared to be in perfect health, and conversed freely with his governor while walking up to the Lord Warden Hotel. He was met on the pier by Mr. Eborall, the general manager of the South Eastern Railway, who escorted him to the Lord Warden Hotel, where he remained until the afternoon, leaving Dover by the train on the South Eastern Railway at 3.45 for Hastings. He was accompanied by Commander Dupère and other gentlemen, and by Mr. Eborall.

Mr. Eborall, having received a telegram informing him of the proposed arrangements for the Prince Imperial leaving Dover, had come over from Folkestone and ordered a special train to be held in readiness to precede the mail train to convey his Imperial Highness to Hastings, *via* Ashford.

During his stay at the Lord Warden Hotel the utmost privacy was observed, the Duc de Gramont, and the Mayor and Mrs. Birmingham and family only having access to the Prince; and on taking his departure the Prince and his attendants reached the railway by the private staircase leading directly from the hotel to the trains; but, notwithstanding the desire to keep his departure strictly private, great numbers of people assembled in all the avenues inside or outside of the station. As, attended by Mr. Eborall, he walked up the platform there was considerable cheering. The Prince, who was visibly affected, on entering the carriage, cordially shook hands with the Mayor, Mr. Alderman Churchward, and other gentlemen within reach. Mr. Eborall, at the especial desire of the Prince, accompanied him in the royal carriage to his

destination, at the Marine Hotel, Hastings, where the party arrived at five o'clock p.m.

7. LOSS OF THE TURRET-SHIP "CAPTAIN."—A terrible calamity befell the nation in the loss of the "Captain," a six-gun turret-ship, built on the plan of Captain Cowper Coles, which foundered at sea. She was commanded by Captain Burgoyne, a son of Field Marshal Burgoyne, and had a crew of 500 men. Captain Coles, the inventor, a son of Mr. Childers, the First Lord of the Admiralty, and other visitors were on board.

Admiral Milne, in his report to the Admiralty, dated from her Majesty's ship "Lord Warden," off Finisterre, respecting the loss of the "Captain," said that on the evening of the 6th the squadron was formed into three divisions, the "Lord Warden" (the Admiral's ship), "Minotaur," and "Agincourt" leading, the "Captain" being the last, astern of the "Lord Warden." At eight and ten p.m. the ships were in station, and there was no indication of a heavy gale, although it looked cloudy to the westward. At eleven the breeze began to freshen, with rain. Towards midnight the barometer had fallen, and the wind increased, which rendered it necessary to reef; but before one a.m. the gale had set in at south-west, and square sails were furled. "At this time," Admiral Milne said, "the 'Captain' was astern of this ship, apparently closing under steam. The signal 'open order' was made, and at once answered; and at 1.15 a.m. she was on the 'Lord Warden's' lee quarter, about six points abaft of the beam. From that time until about 1.30 a.m. I constantly watched the ship; her topsails were either close reefed or on the lap, her foresail was close up, the mainsail having been furled at 5.30 p.m., but I could not see any fore and aft set. She was heeling over a good deal to starboard, with the wind on her port side. Her red bow light was all this time clearly seen. Some minutes after I again looked for her light, but it was thick with rain, and the light was no longer visible. The squalls of wind and rain were very heavy, and the 'Lord Warden' was kept, by the aid of the screw and after-trysails, with her bow to a heavy cross sea, and at times it was thought that the sea would have broken over her gangways. At 2.15 a.m. (the 7th) the gale had somewhat subsided, and the wind went round to the north-west, but without any squall; in fact, the weather moderated, the heavy bank of clouds had passed off to the eastward, and the stars came out clear and bright; the moon, which had given considerable light, was setting; no large ship was seen near us where the 'Captain' had been last observed, although the lights of some were visible at a distance. When the day broke the squadron was somewhat scattered, and only ten ships, instead of eleven, could be discerned, the 'Captain' being the missing one." Search was made in all directions by the ships of the squadron, but nothing was seen of the missing ship. Afterwards portions of wreck belonging to the "Captain" were picked up, and the body of a seaman. Admiral Milne said he could come to no other conclusion than that

the "Captain" had foundered, probably in one of the heavy squalls between 1.30 and 2.15 a.m., at which time a heavy cross sea was running.

Some of the crew escaped and landed at Corcubion, north of Cape Finisterre, in the evening, and arrived on the 12th at Portsmouth in H.M.S. "Volage."

The depositions of the men saved were taken on board the "Lord Warden" before leaving for home. They all belonged to the starboard watch. The watch was called, the men said, a few minutes past midnight, and, as the men were going on deck to muster, the ship gave a lurch to starboard, but righted herself again immediately.

Robert Hirst, able seaman, was stationed on the fore-castle. There was a strong wind, and the ship was then under her three topsails, double reefs in each, and the fore-topmast staysail. The yards were braced sharp up, and the ship did not seem to have much way upon her. As the watch were mustered he heard Captain Burgoyne give the order, "Let go the fore-topmast halyards!" followed by "Let go fore and main topsail sheets!" By the time the men got to the topsail sheets the ship was heeling over to starboard so much that the men were washed away off the deck, the ship lying down on her side as she was gradually turning over, and trembling with every blow which the short, jumping seas (the sea now was white all round with the squall) struck her, and the roar of the steam from the funnel roaring horribly above every thing, and continuing to do so when even under water. Hirst, with two other men, rushed to the weather-fore-castle netting and jumped overboard, and immediately afterwards they found themselves washed on to the bilge of the ship's bottom, but had no sooner got there than the ship went down. Hirst and his companions went down with the ship; but the next feeling of consciousness by the former was coming in contact with a floating spar, to which he tied himself with his black silk neckerchief. He was soon afterwards, however, washed away from the spar, but got hold of the stern of the second launch, which was floating as it was stowed on board the ship. Other men were there on the top of the canvas covering. They fell in with the steam life-boat pinnace, bottom up, with Captain Burgoyne and a number of men on her bottom, but could not distinguish how many. Four men, of whom Mr. May, the gunner, proved to be one, jumped from off the bottom of the steam-pinnace to the canvas covering of the galley and launches. The canvas was immediately cut away, the galley thrown out, the first launch floating away from underneath the second, and the oars got out in the second launch to pull up to the steam-pinnace to take off Captain Burgoyne and the men remaining there. It was soon found impossible to do this. As soon as they endeavoured to get the boat's head up to the sea to row her up to windward to where the capsized boat, with their captain and a few shipmates with him, was floating, the boat was swamped level to her thwarts, and two of the men were washed out of her. The pump was set

going, and caps used for baling the water out, and a second attempt was made to row the boat up against the sea. This proved as unsuccessful as the first. There were only nine oars in the boat, the remainder having been washed away, and one being in use for steering, only eight remained for pulling the boat. Nothing could be done under such conditions, with a heavy boat such as the second pinnace, and her head was put for the shore before the wind and sea, but Captain Burgoyne was away to windward, clinging to the bottom of a boat.

The following is a list of the officers of the "Captain":—Captain Hugh T. Burgoyne; Commander R. Sheepshanks; Lieutenants C. Giffard, F. B. Renshaw, R. B. Purdon, R. F. Castle, and E. W. F. Boxer; second Captain Marine Artillery, R. A. Gorges; Lieutenant Marines, J. A. A. Eckford; Chaplain and Naval Instructor, the Rev. E. S. Powles; Staff Commander R. J. C. Grant; Paymaster, Julian A. Messum; Assistant Paymasters, R. Cornish and A. West; Chief Engineer, G. Rock; Staff Surgeon, Matthew Burton, M.D.; Surgeon, R. Purves; Assistant Surgeon, J. Ryan; Sub-Lieutenants E. P. Hume, Lord Lewes Gordon, H. F. Murray, D. E. D. Curry, J. D. Kirkness, A. O. R. B. Ternan, and C. E. Goldsmith; Navigating Sub-Lieutenant, A. E. Tregaskis; Engineers, W. C. Morton, P. Baldwin, F. Pursell, G. H. Barnes, and J. H. Willis; Midshipmen, G. W. Trevor, Leonard G. E. Childers, A. Ripley, A. C. T. Mann, Hon. A. T. N. Baring, H. W. Gordon, A. A. Ashington, Hon. W. R. Herbert, E. F. Goodfellow, and E. D. Ryder; Assistant Engineers, G. P. Gardener, F. J. Baron, W. Curtis, A. Parkiss, and G. Harding; Gunner, J. May; Boatswain, R. Davie; Carpenter, C. Dyer; Assistant Clerk, W. Y. R. Hugh.

The "Captain" was built on the design of Captain Cowper Coles, the inventor of the turret principle, by Messrs. Laird and Sons, Birkenhead. It was generally agreed that in the whole *Navy List* there was not a more formidable fighting man-of-war. She was a double-screwed ship of 4272 tons and 900-horse power, and carried iron armour of varying strength, being in the most exposed positions as much as eight inches thick, and elsewhere ranging, fore and aft and below the water-line, between seven inches, four inches, and even three inches. In her two turrets she carried six guns of the heaviest calibre—an armament which made her more than the equal of any other ship in the Navy, and enabled Vice-Admiral Symonds to say of her, "She is a most formidable ship, and could, I believe, by her superior armament, destroy all the broadside ships of the squadron in detail." The "Captain" had made two successful voyages to Vigo, after the preliminary trip from Liverpool to the Channel, before the present fatal cruise. On the first of these she set sail on May 10, and returned on June 6. It was of this voyage, during which she experienced a considerable variety of weather, that Sir Thomas Symonds made his report to the Admiralty, and in which, beside the remark we have quoted with regard to her admirable fighting qualities, he stated, among other things, that

she was perfectly seaworthy, and that, in spite of her low seaboard, she was a dry ship. There was appended to the official report a short criticism of Sir Robert Spencer Robinson, who generally endorsed the views of Sir Thomas Symonds. The second voyage of the "Captain" across the Bay of Biscay was made between July 6 and 28, and the reports made of the "Captain" were equally favourable.

Captain Hugh Talbot Burgoyne, V.C., who commanded the ill-fated vessel, was the only son of Field Marshal Sir John Fox Burgoyne. He was born in 1833 in Dublin, where his father held for some years the Chairmanship of the Board of Public Works. He entered the Royal Navy in 1847, and was made a Commander in 1856. He commanded the "Wrangler" gunboat at the taking of Kinburn; and in 1857 he was one of the first recipients of the Victoria Cross. He was also a Knight of the Legion of Honour. He married, in 1864, Evelyn Laura, daughter of Admiral Sir Baldwin Wake Walker.

Captain Cowper Phipps Coles, R.N., the inventor of the principle on which turret-ships are constructed, was the third son of the late Rev. John Coles, of Ditcham-park, Hampshire, and was born about the year 1819 or 1820. He entered the service in 1831, and having served with ability on various stations, took an active part on board her Majesty's ship "Agamemnon" in the assault on Sebastopol, for which he was especially mentioned in the despatches of Lord Lyons. He subsequently distinguished himself by his zeal and ability at Kertch, and in the operations in the Sea of Azoff. In the following year his name was brought prominently before the nation by the appointment of a Board by the Commander-in-Chief to report upon a plan devised by Captain Coles for the construction of shot-proof rafts, with guns and mortars; and so favourable was the report of the Board that, in the expectation of the continuance of the war, he was ordered to England and placed in communication with the Surveyor of the Navy and the authorities of the Dockyard at Portsmouth. The cessation of the Russian war, however, for a time stayed further proceedings in the matter; but subsequently the matter was taken up by successive Governments, and eventually, as the naval authorities expressed their approval of the principle of the "shield-ship," orders were given that the "Royal Sovereign" should be adapted, under the superintendence of Captain Coles, to this method of construction. It was in 1862 that this change to the "turret system" was effected in the "Royal Sovereign," and Sir I. Brunel is said to have first suggested to Captain Coles the idea of placing the shield and gun upon a turn-table in preference to having to move the raft in order to point the gun. The principle having been once adopted, other vessels of the Royal Navy have since been constructed on a greater or less modification of Captain Coles's plan.

8. ARRIVAL OF THE EMPRESS EUGENIE.—The Empress Eugénie arrived in this country from Paris at the York Hotel, Ryde, at an

early hour in the morning fatigued, as any one would necessarily be on landing after crossing the Channel in a forty-ton cutter yacht under storm canvas, in the teeth of a strong north-westerly gale, but not presenting in other respects a different appearance in manners or dress from any English lady returning from a yachting excursion who had been overtaken by somewhat rough weather. The Empress was accompanied by Madame Le Breton, the only one among her personal attendants whom she had permitted to accompany her. One of the gentlemen in attendance had accompanied the Empress from Paris, and conducted her safely by carriage to the port of embarkation for England. The other gentleman of the party was Sir John Burgoyne, the owner of the cutter yacht "Gazelle," which had brought the Empress and her two attendants safely across the Channel from a French port.

The facts connected with the Empress's departure from Paris, her embarkation at a French port on board an English yacht, and her arrival in England may be briefly told. It had become evident that the Tuileries was no longer a safe residence for the Empress, among the signs of the times in this respect being the plundering of the imperial apartments and the private effects of the Empress by the servants of the imperial household. The Empress, therefore, determined to stay no longer in Paris or in France; and without luggage of any kind, and in a plain carriage, she left Paris and drove to the port of Deauville, near Trouville. But even here means had to be sought for reaching England. Fortunately for the fugitives, the "Gazelle" cutter lay in the harbour, and was to sail on the following day for England with Sir John and Lady Burgoyne. Lady Burgoyne had arrived on board that evening from Switzerland, but the yacht, with Sir John on board, had been lying some ten days in the harbour waiting Lady Burgoyne's arrival from Switzerland, which had necessarily been much delayed by the troubled state of things on the Continent. The first intimation Sir John Burgoyne received that other persons wished to cross to England in the "Gazelle" with Lady Burgoyne was a few hours before the time appointed for the "Gazelle" to weigh her anchor, when the Empress presented herself, announced her rank and difficult position, and claimed his protection as an English gentleman. There had been no suspicion by Sir John Burgoyne of the Empress's presence or intended presence in the port. Under such unexpected conditions he acted as an Englishman would act. Lady Burgoyne was introduced to the Empress, who became her guest for the voyage across the Channel. It was not, however, before her time, which had already been fixed—viz. at seven o'clock on the succeeding morning, the 7th—that the "Gazelle" gave signs of leaving harbour for England, and then, with a large British ensign flying from her peak, she sailed leisurely out of the harbour in charge of a French pilot. At 7.30 a.m. the pilot was discharged, and the "Gazelle" stood across Channel for England. For thirty miles from the French land the little cutter had a fair wind, but then the wind suddenly

chopped round to the N.W., and the remainder of the voyage was made under a three-reefed mainsail, foresail, and storm-jib in the teeth of a fresh gale. The "Gazelle's" seamen knew nothing of the Empress of the French being aboard, but they very probably made shrewd guesses among themselves relative to her rank. However that may have been, no man left the deck during the night's work across, and every one seemed anxious to shorten the distance between the two lands as much as possible. The "Gazelle" completed her voyage across Channel by dropping anchor in Ryde Roads at 3.35 a.m. After landing at Ryde from the "Gazelle," the Empress crossed by steamer to Portsmouth, and proceeded to Hastings to join the Prince Imperial, by the South Coast Railway and Brighton.

The Empress and Prince Imperial removed shortly afterwards to Camden Place, Chislehurst.

14. TERRIBLE ACCIDENT TO THE IRISH MAIL TRAIN.—A very serious accident, resulting in the death of three persons and the injury of several others, occurred to the up Irish mail this morning, at four o'clock, while passing through Tamworth station. There were four lines of rails at this station, the two centre lines being devoted exclusively to the main traffic, and the other two may be described as "platform sidings." These were entered north and south of the station by ordinary points, governed by the policeman who had charge of the station signals. No trains except those timed to stop at Tamworth should enter these sidings, and to neglect of duty on the part of the pointsman, he having turned the Irish mail from the main line into the up siding, the lamentable results which followed were attributable.

The mail train consisted of an engine and tender with first guard's break van, one composite carriage, a post-office and a post-office tender, a luggage van, three composites, two first-class carriages, and the rear guard's van. It was driven by Samuel Taylor, one of the most valued servants in the company's employ, who had been twenty-five years in their service. The first guard, John Reeve, and the second guard, Edwin Smith, had been respectively twenty-two and twenty years in the employ of the company. Smith, who escaped with a severe shaking, and came on with the mail to London a few hours later, said that the mail left Stafford fourteen minutes late, but having a favourable run, time was made up on the Trent Valley, and when approaching Tamworth the train was only nine minutes behind its proper period for passing that station—3.56 a.m. Smith stated very clearly that the distance signals north of Tamworth were at "all clear" when the mail passed them at its ordinary speed of forty miles an hour to run through the station; but at this instant on looking forward he observed that the main line signal was against them, and before he had time even to apply the break he felt the train suddenly turned off the main line into the platform siding. Another instant and he was thrown violently on the floor of his van. On recovering himself he got out of his van,

and found the train, with the exception of four or five carriages in its rear, a complete wreck. The powerful stop block at the south end of the siding, with its supporting earthwork, had been completely carried away, and engine and tender and guard's break, with portions of some of the leading carriages, had fallen down an embankment, nearly twenty feet high, into the river Anker, a tributary stream of the Tam, but swollen greatly beyond its normal width by recent rains. The engine and tender were completely submerged; the former made a somersault in its descent and, twisting round, fell under the bridge which carries the main line over the river at this spot. The first guard, John Reeve, was thrown with the wreck of his van into the water and, being stunned, narrowly escaped drowning. Providentially, he fell with a large portion of the roof of his van, upon which he floated until assisted out by means of a ladder thrown to him by persons on the bank. Taylor, the driver, was found dead upon the river bank, having probably jumped from, or been thrown off his engine by the shock. His stoker, John Davis, was thrown into the river, and subsequently recovered quite dead. The casualties unhappily did not end here. In the leading composite carriage two Roman Catholic priests were travelling together. This carriage was completely broken up, and one of its inmates, Father Healy, was taken out of the wreck dead and terribly mutilated. His fellow-traveller, Father Ring, fell into the river, was much shaken, and was removed to the station-master's house. The post-office and the post-office tender were broken up, and the three travelling sorters narrowly escaped with their lives. One of them, Mr. Clarke, fell into a water-tank, and but for his skill as a swimmer would inevitably have lost his life. The tank into which he fell was twenty feet deep with ten feet of water in it. Fortunately, the number of passengers by the up mail happened to be unusually small, and of those only a few suffered seriously.

Mr. Webster, station agent at Tamworth, exhibited great presence of mind. He was on the spot immediately, and at once telegraphed to Rugby for a train of carriages, and when the mails had been recovered from the river and the passengers mustered, he sent them on to London so promptly that, notwithstanding the terrible character of the catastrophe, the letters arrived at Euston at half-past ten o'clock, no stoppage to the ordinary traffic having occurred.

The pointsman, Alfred Evans, was taken into custody, and, at the conclusion of the inquest, the jury returned a verdict of "manslaughter" against him.

14. STATUE OF MR. GLADSTONE AT LIVERPOOL.—This fine memorial work of art was formally unveiled by the Mayor of Liverpool, Mr. Alderman Hubback. A few years back a number of gentlemen in Liverpool, of all shades of politics, being anxious that a statue should be erected to Mr. Gladstone in his native town, subscribed a sufficient sum of money for the purpose, and entrusted the execution of the work to Mr. Adams Acton, who fulfilled his important task in a manner that gave entire satisfaction to the



Statue Committee. The statue was subsequently presented to, and accepted by, the Corporation of the town, who appropriated to it one of the niches at the side of the centre door on the east wall of St. George's Hall, that of the late Earl of Derby occupying the corresponding niche on the other side of the door.

Previous to the unveiling, the Mayor entertained at luncheon in the library of St. George's Hall about eighty guests, consisting of the chief subscribers to the statue fund, and a number of eminent strangers who had arrived in Liverpool to attend the meeting of the British Association.

The public (or as many of them as could be accommodated) were admitted without restriction into St. George's Hall to witness the ceremony of the day, and shortly after three o'clock the space allotted to them was densely thronged. The reserved seats in the central portion of the hall were also well filled.

Among those present were Sir J. Lubbock, M.P., Viscount Sandon, M.P., Professor Huxley, Professor Rolleston, Sir Joseph Whitworth, Sir W. Fairbairn, Mr. C. Vignolles, President of the Association of Engineers; Mr. Glaisher, Mr. H. G. Bohn, Mr. T. Hawksley, C.E.; Mr. Charles MacIver, Mr. Whitley, the Town Clerk of Liverpool (Mr. Rayner), &c.

The statue represents the Premier standing in a sculpturesque attitude, with his right hand resting on his chest, and his left holding a scroll of notes. He is clothed in the robes of the Chancellor of the Exchequer, these being treated, however, after the manner of the drapery of the best Greek portrait statues. The expression of the countenance is calm and dignified, the artist having succeeded in portraying the aspect of concentrated thought and power which is so characteristic of Mr. Gladstone.

The Mayor and Professor Huxley both addressed the meeting.

16. MEMORIAL TO DANIEL DE FOE.—A monument to the memory of this eminent writer was unveiled at Bunhill Fields, in the presence of a large number of persons, by Mr. Charles Reed, M.P. Mr. J. Clarke, after regretting the absence of several gentlemen who were unable to attend, referred to the origin of the monument, which had been raised principally by the boys and girls of England, in answer to an appeal through the columns of the *Christian World*. Mr. Charles Reed, M.P., said they were met to do honour to the memory of a neglected man, who was buried in that place one hundred and thirty-nine years ago; and although Johnson, Franklin, Scott, Lamb, and Coleridge had broken the silence, and Talfourd had demanded that a public statue should be erected to his memory, it had been left to the boys and girls of England to carry the work out. Daniel Foe—his real name—was by business a hosier, but becoming a bankrupt changed his name to De Foe. He afterwards struggled on until he paid his creditors every penny. He wrote sixty-four public works, beside many other pieces; but his greatest work was *Robinson Crusoe*, and as such had been commemorated in the memorial. Mr. Reed then unveiled, amid

loud cheers, the monument, which bore the following inscription:—  
 "Daniel De Foe, born 1661, died 1731, author of *Robinson Crusoe*."  
 A vote of thanks to Mr. Reed terminated the proceedings.

17. LOSS OF THE "CAPTAIN."—MESSAGE FROM THE QUEEN.—The following gracious message from her Majesty was received by Admiral Sir Sydney Dacres, K.C.B., at the Admiralty:—"The Queen has already expressed to several of the widows and near relatives of the unfortunate sufferers in the late shipwreck her Majesty's deep sympathy with them in their affliction, but there are many others equally deprived of husbands and relatives whom the Queen is unable to reach except through an official channel. Her Majesty, therefore, desires that measures may be taken to signify to the widows and relatives of the whole of the crew, of all ranks, who perished in the "Captain" the expression of her Majesty's deep sympathy with them, and to assure them that the Queen feels most acutely the misfortune that has at once deprived her Majesty of one of her finest ships of war and of so many gallant seamen, and which has inflicted upon their widows and other relatives losses which must for ever be deplored."

21. MEETING OF THE SOCIAL SCIENCE CONGRESS AT NEWCASTLE.—The fourteenth annual congress of the National Association for the Promotion of Social Science took place at Newcastle-on-Tyne. A brilliant assembly of ladies and gentlemen congregated in the Town Hall to hear the inaugural address of the Duke of Northumberland, the president of the year.

The work of the Congress began on the 22nd. Before the opening of the several sections, a general meeting was held in the Town Hall, Lord Neaves in the chair. Mr. G. W. Hastings, President of the Council of the Association, delivered a long address, reviewing the progress of public opinion and legislation concerning popular education, the property of married women, neutral obligations by international law, and other questions of the present day.

The principal sections, which met at noon on the 22nd, were constituted and occupied as follows:—Section A, Jurisprudence and Amendment of the Law; under the presidency of a Scotch Judge, Lord Neaves. Section B, Municipal Law; under the presidency of Mr. Headlam, M.P. Section C, Repression of Crime, presided over by the Hon. Arthur Kinnaird, M.P. The other sections, or departments, were those of Education, Public Health, and Economy and Trade. There was also a Ladies' Conference, at which Lady Bowring presided.

The sections continued their sittings on the 23rd, 24th, 26th, and 27th. Another general meeting was held on the 24th, when Dr. Lyon Playfair read an interesting address on the principles of national education. Next in value to this was Mr. Edwin Chadwick's essay on the economical arguments for the maintenance of national armies, such as those of Germany, composed of men usually engaged in civilian industry, in preference to standing

armies of soldiers taken for a long period of service, whether raised by conscription or by hire. The question of the propriety and policy of making laws for a neutral State, to forbid the exportation of contraband wares, especially of arms and warlike ammunitions, to the belligerent States, was debated with much animation, Professor Leone Levi, Mr. T. Hodgkin, Dr. Waddilove, Mr. Westlake, Mr. Dickinson, M.P., and Mr. Hastings, taking different sides in the discussion. A letter from Earl Russell was also read, expressing his opinion that it is sufficient for a neutral State to prohibit the sending forth of armed and organized troops, or ships armed and manned, for the service of a belligerent State; and beyond this prohibition he would not go. The address of Mr. Robert Rawlinson, C.B., on the protection of the public health, delivered at a general meeting, on the 26th, was one of the most instructive contributions. Among the other subjects brought under the notice of the Congress were the working of the Habitual Criminals Act of 1869; the state of the law with respect to compensation for personal injury by railway accidents; the better arrangement of elementary schools; the jurisdiction of magistrates in petty sessions; the establishment of tribunals of commerce; sanitary precautions in buildings and towns; the industrial employment of children; trades unions and boards of arbitration between workmen and employers; baby-farming and infanticide (at the ladies' conference); the repression of drunkenness; the co-operative action of charitable agencies; the prevention of disasters at sea, and the improvement of the condition of sailors.

Excursions of large parties to the Roman Wall, the Elswick Ironworks, the new piers at Tynemouth, the collieries, and other objects of interest near Newcastle took place, with entire success.

The Congress wound up its proceedings, on the 28th, with a general meeting of the members and officers of the Association, at which Sir W. Armstrong took an elaborate review of the session. Subsequently there was a pleasure excursion by special train to Alnwick Castle, the seat of the Duke of Northumberland.

23. TRIAL FOR BABY-FARMING.—Margaret Waters, aged thirty-five, a widow, was capitally convicted, after a three days' trial, on a charge arising out of baby-farming at Brixton. The prisoner was proved to have inserted in *Lloyd's Newspaper* twenty-seven advertisements, at nine shillings each, offering to adopt children in return for a five-pound note; and it was stated that similar notices had for years past been constantly inserted for different persons. A musician named Cowen, whose daughter was about to have an illegitimate child, answered one of the prisoner's proposals, and in the negotiations which followed she represented herself to be a married woman named Willis. The child was taken away by her when it was three days old. Soon afterwards, Police-Sergeant Relf answered one of the advertisements, and in that way obtained admission to Mrs. Waters' establishment, where he found nine children in the most miserable condition conceivable, and drugged with opium.

It appeared that the largest amount of milk ever brought to the house was three pints per day, out of which as many as eleven children had at times to be fed. One of the witnesses deposed that the poor little sufferers soon appeared to lose the power of crying. The prisoner admitted that she had been four years in the "business," and that she had had "say forty" children confided to her. No fewer than ninety-two pawnbrokers' duplicates, mostly for articles of baby clothes, were found in her possession; and five of the children she had when she was arrested afterwards died. Mr. Ribton, who appeared for the prisoner, attempted to show that the worst crime that could be brought home to his client was receiving money under false pretences; but the jury, after nearly an hour's consideration, found her guilty of wilfully murdering the child John Walter Cowen.

The Lord Chief Baron, in sentencing her to be hanged, said, "You have been convicted, after a trial lasting nearly three days—during which the jury have patiently, calmly, and deliberately investigated the case—of the greatest crime that can be committed by any human being. You undertook the charge of this poor innocent child, and while it was in your care and keeping, by the conduct which you adopted towards it—by your shameful and scandalous neglect in not providing it with sufficient food and nourishment, and administering to it drugs calculated to put an end to its life, in depriving it of the chance of any medical attendance, you have caused the early premature death of this innocent child. I fear that in addition to this poor child others have become the victims of your cruel inhumanity,—those other poor children, four in number, at least three of them have been done to death through you, and those by whom you were assisted. It is necessary that the strong arm of the law should vindicate the justice of the country, and take up the cause of these poor helpless and innocent children."

Sarah Ellis, aged twenty-eight, her sister and associate, who had also been arraigned for wilful murder, but against whom the charge had been abandoned, pleaded guilty to conspiring with her to procure money by a false pretence that they would supply children with sufficient food and clothing. She was sentenced to eighteen months' hard labour; and the Court ordered Relf a gratuity of twenty pounds.

27. FATAL FIRE IN THE CITY.—A most disastrous fire occurred in the city this afternoon, involving a loss of four lives. The fire, which broke out about three o'clock, happened on the premises of Mr. William John Bush, a manufacturing chemist, at 30, Liverpool-street, Bishopsgate. Some persons passing down that street about the hour in question were all of a sudden surprised by seeing several men and women rush into the roadway from Mr. Bush's house, while at the same time others made their way into the main thoroughfare of Bishopsgate-street through a narrow court leading from the back of the premises, and loudly raised an alarm of fire. The fire-engine station was a few yards from the spot, and a steamer

was at once run out into the street and taken to the front of the building. The flames were then coming from the shop, and loud cries were heard from some persons on the second floor. The smoke was very dense, and the contents of the shop and back warehouse rapidly ignited, causing frequent and loud explosions. At ten minutes past three the "call" was received at the principal station of the Metropolitan Fire Brigade, in Watling-street, and a steam-engine, with Captain Shaw, the chief officer, and a number of men quickly set out. In the meantime, the alarm had been given by telegraph to other stations, and in less than half an hour, ten or twelve engines from Ratcliff, Poplar, Whitechapel, Welleclose-square, Farringdon-street, St. Luke's, Southwark, Mile-end, and other parts of the metropolis, were in attendance. The firemen numbered in all, between seventy and eighty, and were under Mr. Gatehouse, the district superintendent. Several of the vans of the London Salvage Corps were also taken to the spot. The house was nearly gutted in about an hour, and after the ruins were sufficiently cooled Captain Shaw and some of the firemen made an examination of the premises. Under the window of the front room on the first floor they found the body of Mr. James Woolley, the manager to Mr. Bush, and in a back room the remains of three persons: John Green, sixteen years of age, an errand boy; Martha Turner, twenty three, and Ellen Pope, eighteen, two of the workpeople. The bodies were fearfully disfigured and burnt, but the deaths must certainly have arisen from suffocation, the fumes of the chemicals being most overpowering. The three people in the back room were huddled together, and it was thought that being unable to make their way to the door they ran into the room to avoid the smoke and if possible to escape by the window. There were about twenty people in the building at the time, but no others were missing. The bodies were taken in shells to Bishopsgate dead house, to await an inquest.

## OCTOBER.

8. INQUIRY INTO THE LOSS OF THE "CAPTAIN."—The Naval Court formed to inquire into the cause of the loss of her Majesty's ship "Captain," which took place on the 17th of September, and to try Mr. James May, gunner, and the seventeen surviving seamen, *pro forma*, under the 91st and 92nd sections of the Naval Discipline Act of 1861, composed of Admiral Sir James Hope, G.C.B., Port Admiral and Naval Commander-in-Chief at Portsmouth, President; Vice-Admiral Sir Hastings Reginald Yelverton, K.C.B., Commanding-in-Chief the Channel Squadron; Captain George Hancock, her Majesty's ship "Duke of Wellington;" Captain Edward B. Rice,

A.D.C. to the Queen, her Majesty's ship "Asia;" Captain Henry Boys, her Majesty's ship "Excellent," and Superintendent of the Royal Naval College; Captain Charles H. May, her Majesty's ship "Northumberland;" Captain John Commerell, V.C., C.B., her Majesty's ship "Monarch;" Captain Thomas Brandreth, her Majesty's ship "Lord Warden;" Captain James G. Goodenough, her Majesty's ship "Minotaur;" Captain G. F. Blake, Royal Marines, Barrister-at-Law, officiating Judge-Advocate, assembled on board her Majesty's ship "Duke of Wellington" in Portsmouth Harbour, to consider the deliberations and weighing of evidence adduced before the Court by various witnesses, and to deliver judgment.

The judgment of the Court, opening with the usual preliminaries in naval legal technical formalities of wording, was read by Captain Blake, the officiating Judge-Advocate, and divested of this technical preparatory wording was as follows:—

"The Court having heard the evidence of Mr. James May relating thereto (the loss of the ship), and that of the remaining survivors, and such other evidence as they deemed necessary, and having deliberately weighed and considered the whole of the evidence before them, do find that her Majesty's ship 'Captain' was capsized on the morning of the 7th of September by the pressure of sail, assisted by the heave of the sea, and that the amount of sail carried at the time of her loss (regard being had to the force of the wind and the state of the sea) was insufficient to have endangered a ship endowed with a proper amount of stability. The Court further find that no blame is attributable to Mr. James May, gunner of the second class, and the survivors of the 'Captain' for her loss, and the Court do fully acquit them of all blame, and the said Mr. James May and the other survivors are fully acquitted accordingly. The Court before separating find it their duty to record the conviction they entertain that the 'Captain' was built in deference to public opinion as expressed in Parliament and through other channels, and in opposition to the views and opinions of the Controller of the Navy and his department, and that the evidence all tends that the Controller of the Navy and his department generally disapproved of her construction. It further appearing on evidence that before the 'Captain' was received from the contractors a grave departure from her original design had been committed, whereby her draught of water was increased by about two feet, and her freeboard was diminished to a corresponding extent, and that her stability proved to be dangerously small, combined with an area of sail, under these circumstances, excessive; the Court deeply regret that, if these facts were duly known and appreciated, they were not communicated to the officer in command of the ship; or, that, if otherwise, the ship was allowed to be employed in the ordinary service of the Fleet before these facts had been sufficiently ascertained by calculations and experiment."

After the reading of the Court's judgment had been concluded

by the officiating Judge-Advocate, the President, directing Mr. James May, the gunner, to stand forward at the head of the Court table, returned his sword to him and said:—

“Mr. May, I am desired by this Court to avail myself of this present occasion, the returning to you of your sword, to acquaint you that the Court is satisfied that you did every thing in your power at the time of the loss of the ‘Captain’ to save the lives of more of your shipmates, consistent with your duty, and that your conduct and that of the other survivors of the crew of the ‘Captain’ during the period they were under your command reflects credit on yourselves and on the service to which you belong.”

The Court was then declared dissolved.

11. EXECUTION OF MARGARET WATERS.—Margaret Waters, convicted at the last sessions of the Central Criminal Court of the murder of John Walter Cowen, an illegitimate child a few weeks old, of which she had assumed the charge for a consideration in money at her baby-farming establishment, so called, at Brixton, expiated the crime with her life within the precincts of Horsemonger lane Gaol, in which she was last confined after sentence.

After sentence of death had been passed, the convict Waters was removed from Newgate to the county gaol of Surrey, that being the jurisdiction within which the crime was committed, and there she was repeatedly visited by two of her brothers. By them and by Mr. Mayo, the solicitor who prepared her defence on the trial, urgent appeals had been made to the Home Secretary on various grounds for a commutation of the capital sentence. Failing in that, they memorialized Mr. Bruce to respite its execution for a time, to enable them to adduce fresh facts tending to bear out her repeated assurances that she had not intended to perpetrate murder, whatever other offence she might have committed, and that she had treated the children entrusted to her with as much care and kindness as her means admitted. That last appeal was made to the Home Secretary on the day preceding the execution, but without avail, and she prepared herself for death. During her confinement in the gaol of Horsemonger-lane she conducted herself with a propriety befitting her awful position. At times, however, she was unable to take food, and abandoned herself to despair. On the preceding evening, before retiring to rest for the night, she was some time engaged in writing a statement which she desired might be made public after death. It occupied about three sides of a sheet of foolscap, closely written, and in the morning she confided it to the care of the Rev. Mr. Jessop, the chaplain of the gaol, with that view. In it, in effect, she attributed her original difficulties to having been obliged to contract a loan for which she had to pay exorbitant interest, and stated that she had recourse to baby-farming in order to support herself. She admitted she had left in various places the dead bodies of five infants, the first being in March last, but explained that they all died of convulsions or diarrhœa. She said, moreover, that if she had not given the children suitable food it was from an error

in judgment, and thought it was hard that she should be blamed for the deaths of those who died in the workhouse so long after they were removed from her house. As to the charge of not having kept the children clean, she said she had sometimes paid as much as 10s. for washing, in addition to the washing which was done at home. As to the child Cowen, she stated she had employed a wet nurse for it, named Rowland, and that it did not die until a fortnight after being removed from her house. That being so, she thought it hard that she should be held responsible for its death. She thought, too, that the parents of illegitimate children who sought to get rid of them were more culpable than persons like herself, who assumed the charge of them, and that if there were not such parents there would be no baby-farmers.

During the preceding night the convict slept about two hours, but restlessly, and shortly after seven o'clock she rose and dressed herself. Presently afterwards the chaplain visited her in the cell and remained with her until the last. The execution was fixed for nine o'clock, and Mr. Under-Sheriff Abbott, accompanied by Mr. E. C. Durner, one of the visiting justices of the prison, was in attendance to see it carried into effect. As the clock struck nine the prison bell began to toll, and presently afterwards the convict left her cell, attended by the chaplain, and was escorted to the scaffold, which had been erected in a yard of the prison. She appeared quite collected and composed. On arriving at the entrance to the matron's apartments, through which she had to pass, she was confronted by the executioner, and calmly submitted herself to the process of pinioning, in which she even aided. That over, she resumed her progress, attended by the chaplain, the governor, and other officers of the prison, to the foot of the scaffold, which she had to ascend by a short ladder. There a warder was about to assist her in mounting the steps, but she declined the proffered help, and went up unaided. She was now left alone with the chaplain and the executioner, but her courage never forsook her for a moment. Without the slightest resistance of any kind she allowed herself to be placed upon the drop, and underwent the last part of the process of pinioning. While the executioner was adjusting the white cap and the noose, she uttered a most fervent and touching extemporary prayer for forgiveness, and with the words still upon her lips the bolt was drawn, and she soon ceased to live. The body, after hanging the usual time, was removed, and having afterwards been made the subject of an inquest, in conformity with the new law, was buried towards evening within the precincts of the prison.

The convict was a widow, and about thirty-four years of age. To the last she protested her innocence of any intention to commit murder, though she admitted she had been guilty of deceit and falsehood.

12. GREAT GALE.—During the night a gale of great violence blew from the west by south west, attended with occasional showers. Two wrecks occurred off Lowestoft, but the crews were saved.



The storm swept over Liverpool and caused considerable damage to the shipping in the river, accompanied with loss of life. Early the next morning three large schooners were seen ashore on the Burbo and West Hoyle Banks, and although the New Brighton and Liverpool lifeboats went out to their assistance, their efforts to save the crews were unsuccessful.

There was a flood in many parts of North Lancashire, caused, in the inland districts, by the heavy rain which had fallen, and in those parts contiguous to rivers by the conjoint action of fresh water and tide. On the south-western side of Preston the Ribble rose to a great height, and many of the cellars were flooded. The new public parks in Avenham also presented a very flooded appearance.

At Bolton several newly erected houses were blown down, but no loss of life occurred.

The coast at Swansea was visited with a perfect hurricane of wind and rain, and the shipping disasters reported were very numerous.

A terrific storm burst over Cork, injuring house property and shipping to a considerable extent. At Queenstown several vessels broke from their moorings, and got foul of other ships, causing some damage.

All round the coast the gale was very severe, and the various lifeboats rendered important services.

13. THE PRINCE AND PRINCESS OF WALES IN EDINBURGH.—This day was observed as a general holiday in Edinburgh on the occasion of the Prince of Wales laying the foundation-stone of the New Royal Infirmary. The weather continued dull all day, but from early morning rain had ceased to fall, and, although the absence of sunshine lessened the brilliancy of the day's proceedings, there were no unfavourable elements to spoil the pleasure of the great concourse of spectators.

The route followed by the procession was about a mile and a half in length, and along its entire line, as well as elsewhere in the city, flags and other decorations were profusely displayed. The Masonic lodges which took part in the procession—170 in number—assembled in Charlotte-square at one o'clock. The Masons present numbered above 4000, and among them were several representatives of English lodges. Immediately in front of the Grand Lodge at Freemasons' Hall, in George-street, the blue blanket, a historic flag borne at Flodden, was carried by Lodge Edinburgh Journeymen, No. 8, guarded by a body of halberdiers. The Prince was accompanied in his carriage by Lord Dalhousie, Grand Master, and Lord Rosslyn, Deputy Grand Master. The Princess, who also joined the procession at Freemasons' Hall, occupied a carriage with Lady Rosslyn, Lady Walden, and Colonel Teesdale.

Previous to the arrival of the procession at the site a number of public bodies, including the Corporation of Edinburgh, the University authorities, the Managers of the Royal Infirmary, &c., crossed

from Heriot's Hospital, and took up their position within the enclosure. Around the site of the foundation-stone extensive galleries had been erected, which were filled with a brilliant company, including the most prominent citizens and a large number of ladies. Among those present were Lord Rosehill, Lord Ardmillan, Lord Jerviswoode, Sir John Douglas (commanding the forces in North Britain), Sir George Harvey, Mr. W. E. S. Gordon, Q.C., M.P., Mr. Duncan M'Laren, M.P., Mr. P. Maclagan, M.P., Mr. P. R. Macfie, M.P., the Lord Justice Clerk (Rector of the University), Sir Alexander Grant (Principal of the University), Mr. George Harrison, Mr. Boyd (Master of the Merchant Company), &c.

The procession started at half-past one, and reached the ground a quarter before three. A royal salute was fired from the Castle as the Prince left the Freemasons' Hall, and another salute when the stone was lowered into its place. A few minutes before the Grand Lodge reached the stone the Princess of Wales stepped into a private gallery provided for her use, and was received with great cheering. The Grand Architect, Mr. David Bryce, also the architect of the building, was the first to enter the enclosure, followed by the various office-bearers, the Grand Master and the Prince, as Patron, coming last. The Lord Provost and other officials also entered the enclosure.

An appropriate prayer was then read by the Rev. Dr. Arnot, Grand Chaplain.

The Lord Provost, after making a short speech, handed to the Prince an elegant silver gilt trowel richly chased, and engraved with the Prince's arms and the arms of the Royal Infirmary. A hermetically sealed bottle was then placed in the cavity of the under stone, with a brass plate narrating the style of his Royal Highness and the purpose of the building to be erected. The Prince having spread the mortar, the upper stone was lowered into its place according to proper Masonic form. The Junior Grand Warden applied the plumb, the Senior Grand Warden applied the level, and the Substitute Grand Master applied the square to the stone. The Prince then gave the stone three knocks with his mallet, and said,—"May the Almighty Architect of the Universe look down with benignity upon our present undertaking and crown the edifice of which we have now laid the foundation with every success." The cornucopia with flowers and corn was then handed to the Prince, who emptied the contents upon the stone, afterwards pouring a libation of oil and wine from massive silver vases.

At the conclusion of the ceremony, the Prince and Princess of Wales drove off in the same carriage, returning by the original route to the Douglas Hotel. The Masonic lodges returned also through the streets, which had been lined by the military in garrison and by a large number of the local Volunteers.

15. FATAL RIOT IN CUMBERLAND.—Scenes of violence and bloodshed were enacted on this and the following morning at the village of Armathwaite, about twelve miles south of Carlisle, where a large

number of navvies were employed upon the contract of Messrs. Baylis and Eckersley, in the construction of the Settle and Carlisle extension of the Midland Railway. This was "big pay day," and the navvies, after receiving their wages, repaired in gangs to their respective quarters. The men consisted of Englishmen, Irishmen, and Scotchmen, divided into distinct gangs, who worked together, drank together, and fought together, too. The English fancied that the Irishmen were working for less money than themselves, and this suspicion engendered much ill-feeling, which vented itself in a very forcible manner when the men had drunk deep. A company of navvies were drinking in the New Inn, about a mile from the village, and tossing for gallons of ale, when another gang came up and demanded admittance. The inn being already full, they could not obtain admission but by way of effecting a forcible entrance; they stormed the house, smashing the windows with stones, and making a complete wreck of the place. A general fight ensued, in which many heads were broken and one man fatally injured; this was a navvy, named Cornelius Cox, an Irishman, who had been held up and kicked in a very savage manner by two navvies, while a third battered his head with a spade. After being thus abused he was thrown over a wall, where he was discovered two or three hours afterwards so much injured that his case was at once seen to be hopeless. He died on the 17th. A Scotchman named Campbell was pursued by a dozen navvies to a store belonging to the contractors, and there brutally kicked and mutilated. Another navvy was left on the road with his ribs broken, while broken heads and bruised faces were numerous. The next day (Sunday) was spent in drinking and disorder; but as the New Inn had been wrecked, and the principal publichouse of the village drunk dry, the violence somewhat abated, and the arrival of a body of police to reinforce the local constabulary tended to preserve order. On Sunday, however, a combined plan of action had been arranged. The Irishmen all worked in a cutting known as Dickenson's cutting, and two strong gangs of Englishmen, much more numerous than the Irish, were employed in Lowwood cutting and Barrowwood cutting. On the 17th a gang from each of these places began simultaneously to march upon Dickenson's cutting, with the avowed intention of driving the Irish from the works. The Lowwood division was found in the village four deep, armed with bludgeons. But the timely appearance of a body of the county police across the road with cutlasses had the effect of checking the march. The other gang from Barrowwood, however, did succeed in making its way to Dickenson's cutting, and driving the Irishmen from the works. This done, they broke up into groups and spent the rest of the day in loitering about the roads, and there were frequent fights; all work being suspended.

19. WRECK OF THE STEAMER "CAMBRIA."—The "Cambria," one of the Anchor Line of steamers, which left New York on the 8th, went ashore on the island of Innistrahull during the gale that

aged during this night, and became a total wreck. Four boats containing some of the passengers and crew left the ship, but only one of them was picked up, and that contained only one sailor and one lady passenger—the former alive, the latter dead. The loss of life was very great, over 170 persons. Large quantities of the wreck were washed ashore on various parts of the coast at Antrim and Donegal. The body of a lady, about twenty-five years of age, elegantly dressed, was washed ashore at Dunluce Castle, Portrush. This was supposed to have been the lady who was in the boat with the rescued sailor, M'Gartland, who made a statement of his escape. He said in the night the weather was very bad, so that he could see nothing outside the ship. He remained on deck till about eleven o'clock. Then he went below.

"I had seated myself," he continued, "at my bunk, thinking over old times and my near approach to home, when suddenly there was a horrid crash, and I was sent spinning forward on my face on the floor. I did not lose my senses, although I was a good deal frightened, and, getting to my feet, I hurried up on deck. Here I found passengers running to and fro in great excitement, but I cannot say there was much crying or shouting. I was myself much put about. I heard the order given, 'Launch the boats,' but I cannot say whose voice it was; and I also heard some one saying, 'There's a mighty big hole in the boat.' Our vessel, I now knew, had struck the rock of Innistrahull, bow on, but at that time I really saw nothing beyond the boat itself, the night was so dark, and there was so much blinding rain and spray. I did not see the light on Innistrahull. There were seven small boats, I think, on board, four of which were lowered. When the boat in the steerage end was lowered, I got into it with others. There were in all, to the best of my judgment, ten or eleven of us, all steerage passengers, I think, besides two seamen. No provisions were taken on board; we were near shore. Our boat, however, was scarcely launched when she capsized. When the boat lurched over I got hold of it, but I cannot say what part of it, and when it righted again I managed to scramble in. I never saw a living soul after that. I did not hear a single cry when the boat heeled over, and I never afterwards saw any of my companions. I was very much put about. I must have grasped the boat quite mechanically, and when I got into it again I don't know that I could have told where I was. I did not see the 'Cambria' go down. The waves carried my boat quickly away from her. When I recovered myself I noticed some one lying in the bottom of the boat. I stooped down and found that it was a young woman, lying face downwards. She was dead. I saw that nothing could be done for her, poor thing; and, to tell you the truth, I did not feel able to do much for myself. The oars were tied with small ropes to the boat, and I was not equal to the exertion of recovering them; I just let the boat drift aimlessly along. The wind and the waves carried me along all the morning with my melancholy burden—the poor thing at the bottom of the

boat. At half-past two o'clock that afternoon, after fourteen hours' and a half drifting helplessly in the storm, I was picked up by the 'Enterprise' (Captain Gillespie) in Lough Foyle. I was almost insensible at the time. A rope was passed round my body, and I was drawn on deck. I was brought to Londonderry, and have since been almost entirely confined to bed. I lost all my clothes and eleven guineas in money."

The vessel, it appears, which was under sail and steam, and proceeding at a rapid pace, struck on Innistrathull, a dangerous island, guarded with lighthouses, about ten miles from the coast of Donegal, and about 135 miles from the city of Derry. The vessel immediately commenced to fill, a tremendous hole having been made in her bottom. The fires were at once put out, and every attempt was made then to save the passengers, who rushed on the deck, and crowded the boats, four in number, which had been speedily launched. The chief keeper of the Innistrathull Lighthouse made a confirmatory statement:—On the night when the "Cambria" was wrecked he had opened a door or window in the lighthouse apparently a few minutes after the steamer struck on the rocks. Looking to seaward he observed a light a short distance away which suddenly disappeared, and then rose above the roar of the tempest the agonizing shrieks of men and women, which were quickly stilled. The following is a list of passengers, in addition to those in the steerage. The names of places refer to the destination of the passengers:—

CABIN.—Mr. James Hague and Mrs. Hague, Liverpool; Mr. Joseph Clerk, Londonderry; Colonel Hayden, Liverpool; General Davis, Glasgow; Mr. George Witton, Glasgow; Mr. James Purse and Mrs. Purse and two children, Glasgow; Mr. Joseph Smith and Miss Rebecca Smith, Liverpool; Miss A. Steers, Liverpool; Miss Elsie Kattie, Liverpool; Mrs. George Hill, Liverpool; Mrs. M'Naire and two children, Liverpool; Mr. and Mrs. George T. Emery, London; Mrs. Peoples, Londonderry; Mr. Leonard Heussmann, Glasgow; Mr. A. L. Holland, Liverpool; Miss Jessie Greenleaf, Glasgow; Miss E. H. Pusey, Liverpool; Mr. and Mrs. W. Bingham and two children, Glasgow; Mr. and Mrs. John Hobson, Liverpool; Mrs. C. Hayden and Miss L. Hayden, Liverpool; Mr. Heinrich Zimmermann, Antwerp; Mr. George Wildfang, Liverpool; Mr. R. Rawson, Liverpool; Mrs. A. L. Pall and Miss Ellen Pall, Liverpool; Miss Agnes Notman, Glasgow.

INTERMEDIATE.—Mr. William Hill and Miss Theresa Hill, Glasgow; Mr. Henry Waltman, London; Miss Harriet M'Creedy, Londonderry; Miss Mary Adams, Glasgow; Miss Agnes Burr, Glasgow; Mr. James Baird, Glasgow; Mr. S. D. Granay, Liverpool; Mrs. Granay, Liverpool; Mr. Matthew Mowat, Glasgow; Mr. Robert Patton, Glasgow; Mr. L. Gilmour, Glasgow; Mrs. Asdale, Glasgow; Mrs. Young, Glasgow; Mr. James Kesch, Glasgow; Mrs. J. Rustom, Glasgow.

The "Cambria" was an iron screw steamship, of 1312 tons

register and 1997 tons builders' measurement. She was built at Port Glasgow by Messrs. Robert Duncan and Co., under special survey, and classed at the highest rate at Lloyd's, having been constructed with heavier plating than is required by the rules. Her length was 324 feet 6 inches; breadth of beam, 35 feet 2 inches; depth of hold, 22 feet 5 inches; and she was fitted up with six bulkheads and part awning deck. Her engines, which were made at the Finniestown Steamship Works, Glasgow, were of 400-horse power. She left the Clyde for New York on the 17th of September, her crew numbering seventy-four all told. She was in command of Captain George Carnahan, who had long been in the service of Messrs. Handyside and Henderson, and enjoyed their confidence as an able and experienced officer.

24. THE AURORA BOREALIS.—This evening about 7.30 the sky over London was overcast with a bright appearance similar to what is often seen in connexion with a great conflagration. In a short time several forked pillars of the Aurora Borealis made their appearance, extending from the zenith in a north-western direction. The pillars were of considerable brightness, and after flitting and moving about in the atmosphere for some time they entirely disappeared. There was scarcely any wind, and the atmosphere, although not decidedly frosty, felt keen. At a few minutes past eight o'clock, the "calls" were received simultaneously to a large fire supposed to be raging in the locality of Kingsland. At that moment a bright cloud could be witnessed in the northern and western horizon—the points, as far they could be traced in smoky London, were from the east-north-east, terminating, as near as possible, west-north-west by south. From all parts of this cloud issued flashes, first of dark red, changing to light blue, and succeeded by others of an orange pink and even green hue. The whole rose in pulses along the dome of the sky towards the zenith, where the corona was about to form, when it suddenly parted. It was not till then that the many thousands of London fireseekers became convinced that they had been deceived as to the raging of a fire. The London Salvage Corps turned out with their engine and traps, and the metropolitan bridges were crowded with thousands of persons, watching what they imagined to be the progress of the largest fire that had ever occurred in London. The moment the phenomenon disappeared the stars shone out brilliantly, with a clear blue sky.

At eight o'clock in the evening the sky north-east of Windsor Castle was most brilliantly illuminated by the Northern Lights. So bright were the atmospheric phenomena that crowds of people rushed up to the Castle under the impression that a large fire was raging in the district. The Aurora consisted of various tints, chiefly of a rose colour, variegated with streaks of yellow and white light, fading into cerulean blue with a tinge of green. The display lasted about an hour. The dark outline of the Castle Chapel stood out wonderfully against the strange bright light.

At Norwich a magnificent display of the Aurora Borealis was

visible about ten minutes past eight, and lasted about twenty minutes. The whole horizon was lit up with masses of colour, as if the town were on fire. The streamers were white, suddenly changing to pink, and then to carmine, while the corona in the zenith was deep purple. These gave place to other white streamers, again colouring. A less vivid display was visible for some time longer.

## NOVEMBER.

9. LORD MAYOR'S DAY.—According to usage on the 9th of November, the new Lord Mayor of London (Alderman Dakin) was escorted to Westminster, with all the accustomed civic pomp, to be formally presented to the Barons of the Exchequer. The weather unfortunately was most inauspicious, the whole metropolis, and the city part of it especially, having during the greater part of the day been wrapped in one of the densest fogs ever known within living memory. At one time the authorities at Guildhall thought they should have had to resort to torchlights in conducting their Chief Magistrate to Westminster; but the notion appeared to be fraught in practice with many inconveniences, if not with positive danger, and was therefore abandoned. As an alternative they ordered the whole of the street lamps to be lit, and that was done accordingly throughout the line of procession. About one o'clock the civic dignitaries, including the new Lord Mayor, with his predecessor in office (Alderman Besley), all wearing their official robes, assembled at Guildhall, having previously gone thither from the Mansion-house, preceded by trumpeters. The route of the pageant lay through Gresham-street, Princes-street, King William-street, Cannon-street, St. Paul's-churchyard, Ludgate-hill, New Bridge-street, Blackfriars, and thence on to Westminster by the Thames Embankment, and it was crowded on both sides from beginning to end, especially the eastern part of Cannon-street, which, with some of the adjacent-streets, includes the Ward of Candlewick, represented by the new Lord Mayor in the Court of Aldermen, and which was here and there decked with banners in honour of the occasion.

At two o'clock the procession was marshalled in front of the Guildhall, and started on its way amid a blaze of gaslights. First came the band of the Grenadier Guards, followed by men bearing the banners of the Livery Companies of Lorimers, Painter Stainers, Wax Chandlers, Cutlers, Goldsmiths, Fishmongers, and Grocers. Behind them were the Masters and Wardens of the Tallow Chandlers', Innholders', and Spectacle Makers' Companies, all in open carriages, with their distinctive banners, and escorted at intervals by the bands of the London Rifle Brigade, the Thirty-third Middlesex Volunteers, and the Victoria Rifles. Next came Mr. Under-Sheriff

Crosley and Mr. Under-Sheriff Jones, each in his state carriage, followed by the officers of the Corporation of London according to degree, and proceeded by the band of the London Scottish Volunteers, wearing kilts, whose appearance seemed to excite general admiration along the route. Mr. Sheriff Jones and Mr. Alderman and Sheriff Owden, each in his state chariot and four, attended by his chaplain, went next, preceded by trumpeters and by the band of the 1st City of London Engineers, and the drums and fifes of the Royal London Militia. Then there were the Aldermen who had and the Aldermen who had not passed the chair, each in a carriage and pair, followed by the late Lord Mayor, and attended by two farriers on horseback, trumpeters, and the band of the Hon. Artillery Company. A number of Thames watermen, carrying banners and streamers, formed a conspicuous and somewhat grotesque part of the procession, and at times excited much laughter among the crowd. Last of all came the Lord Mayor in the old state coach, drawn by six horses, attended by his Chaplain, Sword-bearer, and Common Crier, with an escort of the 10th Hussars, and preceded by the mounted band of the Life Guards, his servants in state liveries, and the City Marshal (Mr. Brown) on horseback.

All along Gresham-street, Princes-street, the open space in front of the Mansion-house, and King William-street, the crowd was enormous but good-natured. As the procession emerged into Cannon-street, which is the entrance to the Lord Mayor's ward, the fog suddenly dispersed and there was a gleam of sunshine. During the rest of the journey the atmosphere had much improved, and the pageant was seen to great advantage, especially on the fine sweep of the Thames Embankment, where an immense number of people had assembled, and where it could be seen as a whole. Wherever the retiring Lord Mayor was recognized he was warmly cheered, and his successor in office was equally well received.

The civic dignitaries entered the Court of Exchequer at a quarter-past three, and were received by the Lord Chief Baron and Barons Bramwell, Pigott, and Cleasby. The court itself, dimly lighted, presented a somewhat dismal appearance, which even the richness of civic robes failed to relieve.

The Recorder presented the Lord Mayor to Chief Baron Kelly, who welcomed him in a speech in which he referred at some length to the disastrous war on the continent.

The customary formalities having been observed, the Recorder invited the Barons, in the name of the Lord Mayor, to dine with his Lordship in the Guildhall, and afterwards proceeded to the other courts to invite the rest of her Majesty's Judges.

With that the ceremony ended, and the civic authorities took their departure, returning by way of Parliament-street, Charing-cross, the Strand, Fleet-street, Ludgate-hill, St. Paul's-churchyard, Cheapside, and King-street, to Guildhall, the Lady Mayoress in her state carriage having joined the procession on the way.

In the evening the accustomed inaugural entertainment was given



by the Lord Mayor and Sheriffs in Guildhall, which presented a scene of imposing grandeur and magnificence.

The Lord Mayor presided, having the late Lord Mayor, the Lord Chancellor and Lady Hatherley, Mr. and Mrs. Gladstone on the right; and the Lady Mayoress, the late Lady Mayoress, &c., on his left.

The chief speakers were the Lord Chancellor, Mr. Gladstone, and Earl Granville.

14. FATAL GAS ACCIDENT.—At Leeds, an inquest was opened before Mr. Emsley, the coroner, on view of the bodies of Mrs. Jane Wood, aged seventy-three, Selina Wicks Wood, aged thirty-seven, John Henry Tighe, aged six, and Elizabeth Tighe, aged four. Mrs. Wood resided in Moor Crescent-road, Dewsbury-road, Hunslet, with a maiden daughter. Her next door neighbours were John Tighe, a mechanic, his wife, and two children. On the preceding morning it was noticed in the neighbourhood that neither Mrs. Wood's house nor that of John Tighe was opened as usual. About four o'clock in the afternoon people had become so alarmed that the houses were broken open and entered, when Mrs. Wood and her daughter were found quite dead. In Tighe's house Tighe himself was found insensible in bed, and from another bed where Mrs. Tighe and her two children had been sleeping, Mrs. Tighe was rescued, though in great agony, but the two children had expired. John Tighe expired the following day in the Leeds Infirmary. The house was full of gas, and a Mrs. Perkin, the wife of the occupier of the house next to Tighe's, found by applying a candle that there was a copious escape of gas through the front wall of the cellar. The supposition, therefore, was that the gas had been escaping from the mains.

A woman named Conder, who lived at the back of the house of the deceased Mrs. Wood, deposed that about four a.m. on the 13th, she heard a noise as of a woman moaning who was in great pain. When she went down stairs she perceived a strong smell of gas, and a neighbour complained of it also.

Another neighbour named Beardhale, who lived in a house behind that occupied by the Tighes, said between four and five a.m. on the 13th, she heard a noise as of some person ill. About seven o'clock she and her husband heard the same kind of noise, but much louder. In her own house she did not smell any gas until half-past nine, and it was then strongest in the cellars. At 3.45 p.m. she heard the moaning again.

Mr. J. E. Jenkins, surgeon, said on the afternoon of the 13th he was sent for to Mount Crescent-road, and found Mr. and Mrs. Tighe laid on chairs in the street and insensible. Mrs. Wood he found dead in her bedroom; her daughter was also dead in the next room. The former appeared to have been dead some hours. He next saw the two children, and they were dead. Some people thought the children were not quite dead, and he directed them what to do, having to give his best attention to Mr. and Mrs. Tighe. For three hours restoratives were perseveringly applied, and then strong stimulants

were administered, after which Mr. and Mrs. Tighe were removed to the Leeds General Infirmary. He had made a *post mortem* examination of the body of one of the deceased children, and he was of opinion that death had resulted from narcotism produced by coal gas. On the bedrooms being filled with gas there would be first stupor, then vomiting, and soon total insensibility, which would end in death by the exclusion of common atmospheric air.

Other evidence was given as to a fracture in the main pipe in the street from which gas was likely to escape.

The jury returned a verdict of "Accidental Death."

17. EXPLOSION AT BIRMINGHAM.—Towards midday an explosion occurred at the large cartridge works of Messrs. Kynoch and Co., of Witton, near Birmingham. In this instance no less than twenty-seven young persons, including nine girls from the age of twelve upwards, were so severely hurt as to necessitate their removal to the hospital, where several remained for some time in a very precarious condition. The explosion occurred in a strong, spacious shed, where about sixty hands were engaged in priming and finishing Snider cartridges, and was supposed to have been caused either by a careless use of the choking-machine which finishes the cartridge, or in the breaking up of some old cartridges, the ignition of which could hardly fail to fire the large quantity of gunpowder lying in loose heaps along the benches. The result was that the shed was almost instantaneously reduced to a mass of ruins, amid which the sufferers were found lying about with bodies scorched, clothing burnt off, and features disfigured. One of the girls was scarcely recognizable. Cabs and cars being at hand, the sufferers were promptly removed to the General Hospital, where twenty-three of them were found to be so badly injured as to require in-patient treatment.

21. MURDER OF A SCHOOLMASTER IN LIVERPOOL.—At the Liverpool Police Court, Richard Edward Howchin was charged with the murder of Mr. Christian Flueck, proprietor of a boarding-school at Dingle Hill, Liverpool.

Detective-Superintendent Kehoe said that the prisoner was in the service of the deceased as tutor. On the evening of the 18th, between five and six o'clock, Mr. Flueck was found to have been grievously assaulted in his own sitting-room, and he had since died. The following details had been ascertained:—

Mr. Flueck had returned home, after a short absence, about half-past five o'clock on the evening of the 18th, and retired to his customary sitting-room over the kitchen of the house, where his servants were at the time taking their tea. Shortly after their master's return they heard a heavy fall on the floor above, but supposing it to result from the romping of some of the pupils, they did not investigate the cause. Mrs. Flueck was absent at the time; but on returning home she at once repaired to the sitting-room referred to, and discovered her husband lying on the floor in front of the fire utterly insensible. Supposing his ailment to be a temporary fit, she immediately procured cold water for the purpose of bathing

his face; but on a closer examination, she found that his head was covered with blood. On a further examination, it was ascertained that his skull was fractured in several places, and a portion of the brain was protruding. Medical aid was immediately procured, and the extensive injuries demonstrated at once that they had been inflicted with an iron bar or staple which lay close to the victim. Dr. Barratt and Messrs. Bickersteth and Hodgson were promptly convened for consultation, and pronounced the case to be of the most perilous character. Suspicion attaching to Mr. Howchin, the tutor, he was apprehended. It was stated that Mr. Flueck had given him notice to leave at Christmas, and it was also reported there had been some difference between them during the week. The schoolroom was on the same floor as Mr. Flueck's sitting-room. The fall on the floor was heard shortly before six o'clock. Mr. Howchin left the school-room—so it was said—for about ten minutes between half-past five and six. When Mrs. Flueck subsequently raised the alarm, Howchin and others went to the sitting-room, and he was the first to go for medical aid. His hat was noticed on the table during his absence, but it was afterwards accounted for by his having placed it there before going out. A handkerchief belonging to Mr. Howchin was found marked with blood. As, however, he had assisted in lifting Mr. Flueck from the floor, the state of the handkerchief might be accounted for in a simple manner. Mr. Howchin was quite a young man, very intelligent, about 5ft. 5in. in height, and of a form not at all suggestive of great strength. He was committed for trial at the Liverpool Winter Assizes, but was acquitted.

25. DARING ROBBERY OF JEWELRY AT HULL.—Early this morning a daring robbery of jewelry was discovered at Hull. Mr. Scott, watchmaker and jeweller, Market-place, on opening his shop, found that his window had during the night been cleared of about eighty gold and silver watches, diamond rings, pins, brooches, and other articles. He also found that access to his shop had been obtained by the thieves cutting a hole through the wall from the shop next door. This shop was untenanted, and the thieves had obtained an entrance to the empty shop by means of skeleton keys, which they left behind them. Once in the shop they could, of course, work unobserved; and as the partition wall was only one brick in thickness, their task would be comparatively easy. The mortar scraped out of the wall was all taken into the empty shop and deposited upon a piece of cloth, which had been laid down to deaden the sound. The value of the property stolen was estimated by Mr. Scott at from 1200*l.* to 1500*l.*

26. TERRIBLE RAILWAY ACCIDENT AT HARROW.—A terrible accident occurred to the Liverpool express train leaving Euston at 5 p.m., resulting in the loss of seven lives and severe injuries to several persons. The scene of the catastrophe was nearly a hundred yards from Harrow Station, and the cause may be thus briefly stated. A goods train having met with a casualty, an attempt was made to get it on to a siding. Before this could be done, the 5 p.m.

express from town came up at full speed, and dashed into two of the trucks, which had not been shunted clear of the line. The express train consisted of about twenty carriages, drawn by two engines. The first engine was dashed to pieces, and the second thrown off the line. Several of the succeeding passenger carriages were also wrecked. A fog which prevailed at the time, and which possibly prevented the driver of the express from seeing the danger signals, added to the horrors of the scene; and although the greatest exertions were made by the servants of the company, and the volunteers who flocked to their assistance, it was a considerable time before all the sufferers could be removed, and the lines were not cleared for several hours. The following is one of the descriptive accounts of the occurrence:—

The express train was drawn by two powerful engines, the first of which was thrown on its side, the second taking a leap over and resting on it; and in that position it continued in motion, tearing to pieces all that came in its way. The force of the collision completely rolled the luggage trucks together, "heaping them up," to quote an eye-witness, "like a mountain." In addition to the guard's van, several of the carriages belonging to the express, most of them first class, were thrown on the top of the trucks, and the screams and terror of the unfortunate passengers were heartrending. When the accident became known, assistance was soon at hand; and, in reply to messages, the authorities at Camden Town and Euston quickly despatched the appliances commonly made use of in such cases. To aid in the search for the buried passengers the fragments of the broken trucks were set fire to, and the fire thus occasioned did not tend to lessen the melancholy surroundings. Much difficulty was experienced in rescuing the occupants of the various compartments, the carriages being piled up as already described. Pickaxes and other means were resorted to in tearing portions of the carriages asunder, and as the sufferers were extricated therefrom they were attended to, and the most urgent cases sent into the town. Here a fortunate passenger was seen employing his handkerchief as a bandage to the head or arm of a fellow-traveller, and in other directions the same attention was being paid to a broken arm, leg, and other injuries. Drs. Bridgewater, Tite, Hulett, and Skelden (surgeon to the company) were in attendance, and rendered efficient aid.

Among the sufferers, Mr. J. C. Rowley, of Warford Hall, Cheshire, was removed to the Railway Hotel, where he had his leg amputated, from the effects of which he died the next morning at eight o'clock. Mr. Jas. Wilson Jefferys, of Langham Hotel, was taken to the "Queen's Arms," where he also died after much suffering. James Shelvey, the driver of the first engine, was among the fatal cases; and four other dead bodies were identified. The delay occasioned by the accident was very great. The "metal" had been torn asunder for a distance of fifty yards, and the line was not clear at a late hour the next night. Crowds of persons were attracted to the scene of the disaster. There were three watches found among the

dead, and in each instance they had stopped at twenty-five minutes past five—the time of the accident. Mr. Lambert, a resident at Harrow, received several of the wounded, and the inhabitants generally rendered praiseworthy aid.

The inquest was opened on the 28th, when a jury of fifteen persons was sworn, the Rev. R. J. Knight, vicar of Harrow Weald, foreman.

The following verdict was returned by the jury:—

“ We find that James Wilson Jefferys did die from the mortal effects of injuries received at Harrow on the London and North-Western Railway; that the said injuries were caused by a collision between the 5 p.m. express train from Euston and a truck preceding it with orders to shunt at Harrow, but which was not on the siding in the time allotted in consequence of the breaking of a coupling of one of the waggons; that the said collision was caused by neglect of danger signals on the part of William Shelvey, the driver of the pilot engine of the express; and that the precautions directed by the company’s rules in the case of foggy weather were not complied with in this case. That the train was not protected by fog signals at Wembley at all, nor at Harrow until it was too late to prevent collision. We think that Charles Robinson, the signalman at Wembley cutting, is deserving of censure for not using fog signals. We believe that the safety of the public will not be secured until it is enacted that the goods and passenger trains shall not run on the same metals, when the traffic is so extensive as on the London and North-Western Railway in the neighbourhood of the Metropolis. We further think that in all cases the absolute block system should be rigidly enforced; and that the hours of work of the signalmen are excessive, and should be reduced.”

A similar verdict was recorded in each of the other cases of death, with the exception of William Shelvey, who was declared to have caused his own death in the manner described.

The Coroner having thanked the jury for the patient attention they had given to the case, and expressed his opinion that every person who candidly considered the evidence must come to the same conclusion, the proceedings terminated.

26. SUSPENSION OF THE REV. MR. MACKONCHIE.—Mr. Mackonchie, incumbent of St. Alban’s, Holborn, who had been summoned before the Privy Council for disobeying its monitions, was suspended for three months from performing clerical duties. Their lordships declared that Mr. Mackonchie had not complied with the monition in respect of the elevation of the paten, or wafer and chalice, or as to abstaining from prostration before the consecrated elements; and they ordered that he be suspended for the space of three calendar months, from the time of notice of the suspension, from all discharge of his clerical duties and offices, and the execution thereof—that was to say, from preaching the Word of God and administering the Sacraments, and celebrating all other clerical duties and offices; and, further, that he pay the costs of this application.

30. VISIT OF HER MAJESTY TO THE EMPRESS OF THE FRENCH.— Her Majesty the Queen, accompanied by her Royal Highness Princess Beatrice, and attended by Lord Charles Fitzroy and the Marchioness of Ely, left Windsor Castle this morning, in order to visit her Imperial Majesty the Empress of the French, at Chiselhurst. The Queen drove to the Windsor Terminus of the London and South-Western Railway, and was received at the station by Mr. W. M. Williams, superintendent of the line, Mr. Beattie, Mr. Jacomb, and Mr. Cheesman (station-master), and conducted to the royal saloon, in which her Majesty took her seat, with Princess Beatrice. The special train consisted of a fast narrow-gauge engine, two royal saloons, and four other carriages, provided by the directors of the South-Western Line, and furnished with Mr. Preece's system of electrical communication. A number of ladies and spectators assembled to witness the Queen's departure for Chiselhurst. Her Majesty and the Princess quitted Windsor at 10.50 a.m. precisely, and proceeded rapidly over the South-Western line, *viâ* Staines, Richmond, and Clapham Junction, to Waterloo, which was reached at 11.35 a.m., and where, under the supervision of Mr. Cockburn, the engine was changed for one belonging to the South-Eastern Railway Company. The journey was resumed at 11.38, and Chiselhurst was reached at 11.55. Royal carriages, sent from Windsor, were in readiness at the station, and in these her Majesty and the Princess drove to Chiselhurst. Her Majesty was warmly welcomed by the Empress Eugenie. At the close of the visit the Queen and Princess took leave of the Empress and drove back to Chiselhurst Station, where the special train had in the meantime been waiting. Her Majesty and the Princess then returned to Windsor.

## DECEMBER.

5. THE SMITHFIELD CLUB CATTLE SHOW.— The seventy-second exhibition of the Smithfield Cattle Club was opened in the Agricultural Hall, Islington. The champion plate of 100*l.* was carried off by Mr. Pulver's short-horn, shown as extra stock, which had previously taken the principal prize at Birmingham. The silver cups for the best steer and best heifer, value 40*l.* each, were awarded to Messrs. Taylor, of West Ham, and Senior, of Aylesbury, for their Devons. In Herefords the Queen took two second prizes, and one first, and the Earl of Darnley a first. In short-horns the honours went to the Marquis of Ailesbury, Colonel Loyd-Lindsay, Mr. Searson, Mr. Stratton, and the Earl of Faversham. In sheep the cup for the best long-wools was won by Lord Berners, and for the short-wools by Lord Walsingham, who also won the 50*l.* plate for the best pen of sheep in the show. In other classes, Mr. Brown (of

Yorkshire), Colonel Lowther, M.P., Mr. Hall (of Great Barford), Mr. Lister (of Lincoln), Mr. Foljambe, M.P., the Duke of Richmond, Mr. Morrison (of Tisbury), and Messrs. R. and J. Russell (of the Vale of Darent, Kent), were the principal prizemen. The cup for the best pig in the show was awarded to Mr. Benjafield, of Stourbridge, Dorsetshire.

6. FATAL RAILWAY ACCIDENTS.—The close of the year 1870 was rendered memorable in England by a succession of alarming and fatal railway accidents. On the 26th of November seven persons lost their lives by a collision at Harrow Station, and for December we have to recount three more very serious accidents.

The first of these occurred on the 6th, at Brockley Whins, where the passenger traffic from Newcastle to Sunderland and Shields separates, and whence also a large coal traffic is turned off from the main line to Sunderland and to the Tyne Dock. The express train which came into collision with a coal train at this place, left Sunderland at half-past ten o'clock; and this morning, in addition to the ordinary passengers, there were several butchers proceeding by it to Newcastle cattle-market, and millers and corn merchants who were going to the corn-market. At the particular place where the collision occurred the coal traffic is turned to the left for the Tyne Dock, and the passenger traffic from Newcastle is brought across from the left to the right, to enable the train from Sunderland to discharge or take up passengers at the Brockley Whins, where one platform is used for up and down traffic. The cause of the collision, from which such fearful results followed, is very easily explained. The switches were in charge of a pointsman named Hedley. As the express train was coming from the east and was being "slowed" to pass the Brockley Whins station, at which it had not to call, however, a coal train for the Tyne Dock was coming from the west, and when it reached the points to be turned down to the Tyne Dock, Hedley had got into a fluster, lost his head, and had opened the wrong points, which turned the coal train into the crossing leading to the station platform. But the disastrous mistake did not end here, for the same action opened the points at the other end, and brought the express train, which consisted of a guard's van and five carriages—a first class, a composite, and three seconds—off the up line on to the crossing, and dashed the two engines on to each other, end on. The speed of the express at the time of striking was estimated at about the rate of ten miles an hour, while that of the coal train was about eight; and the force of the collision was sufficient to smash in the fronts of both engines, and to strew the whole of the surrounding spot with shattered plates, loosened wheels, and innumerable pieces of rubbish from the terribly shattered carriages themselves. The van, indeed, was broken to fragments, one of the sides flying out in a perfect piece; while the adjoining first-class was forced in at the bottom in such a way as to hurl the occupants high into the air, and to cause several of them to fall upon the burning boilers of the locomotives adjoining. The sides and roof of the composite compartments disappeared in the same manner, and two

of the three carriages for second class passengers, being forced aloft by the shock, were literally smashed to atoms by falling on to the embankment and the travelling-way. The station-master and porters at Brockley Whins at once hastened to render what assistance they could to the unfortunate people who were entangled among the ruins. When a sufficient clearance had been made to enable the searchers to reach the people embedded in the rubbish, they came upon the dead body of Mr. Frederick Younge, a gentleman well known for his acting in *Caste*, *Play*, *School*, and several other plays of Mr. T. W. Robertson. The blood was streaming from his head, which appeared to be terribly fractured at the back; but beyond this there was no other sign of injury to the body or limbs. A lady, also severely cut and bruised about the head, was lifted from a compartment near Mr. Younge, and was carried away insensible. It subsequently transpired that this was Miss Julia Martell, a member of the *Caste* company. She eventually recovered very considerably, though still deprived of the power of speech. The dead body of Mr. H. Y. Richardson, a paper manufacturer at Bishopwearmouth, was lifted from about the same spot, and was almost instantly joined by that of Mr. C. Turnbull, a clerk and commission agent. Both were sadly cut and mutilated. While people were making ready to remove the dead, others had been successful in releasing Mr. W. B. Ogden and Herbert Taplin from the wreck, but both were so frightfully smashed that even then but little hopes were entertained of their recovery. Mr. Ogden's face and head were much battered, and his left eye appeared to have been knocked completely from the socket; while Taplin, a porter at the central station, who had been merely put on temporarily to act as guard to the express, had the bones of both legs crushed almost to powder. They were at once removed to the waiting-room, and promptly attended to; but Mr. Ogden succumbed to his injuries about one o'clock, and Taplin, who had been compelled to have one leg amputated, also died in the course of the afternoon. A majority of the injured were taken to the Queen's and the Palatine Hotels, in Sunderland. On the arrival of the officials, among whom were Mr. Alderman Hartley, Mr. Fletcher, Mr. Mitford, Mr. A. Harrison, Mr. Smith, Mr. Simkins, and Mr. Forsyth—a good staff of workmen were set to clear the line, and so rapidly did the work progress that the shattered engines, tenders, and carriages were all removed from the line before three o'clock, and the traffic was then resumed. On inquiries being made for the pointsman, Hedley, he could not be found, and accordingly rumours were at once circulated that he had either absconded or committed suicide: but later in the evening he was apprehended in his own house, and conveyed to the lock-up at Jarrow. The man was originally a platelayer, and had only been at his new duty for about three months.

The following is a list of the killed:—Frederick Younge, manager of the *Caste* Dramatic Company; W. B. Ogden, chemical manufacturer, Deptford, unmarried; Henry Y. Richardson, Wearmouth, paper manu-



facturer, Deptford, aged between 40 and 50; R. C. Turnbull, commission agent, Sunderland, and agent to Mrs. R. H. Tweddell and Co., aged 24 or 25; Herbert Taplin, guard of passenger train.

At the inquest the jury were of opinion that the accident was caused by "Robert Hedley having omitted to place the points right, and that it was an error in judgment on the part of the said Robert Hedley." Robert Hedley was tried at the Durham Winter Assizes for manslaughter, and acquitted.

**COLLISION NEAR BARNSELY.**—Scarcely had the public recovered from the shock of the accident at Brockley Whins, when they were startled by the news of a terrible collision on the Manchester, Sheffield, and Lincolnshire line, at Stairfoot, two miles from Barnsley. This took place on the 12th, when, shortly after six p.m., some trucks which were in process of shunting at the latter place got loose, and ran down the incline into the Sheffield train just as it had been drawn up at the platform. The break-van and two of the passenger carriages were smashed to pieces, and the line for some distance was torn up. Fourteen passengers were killed, and upwards of twenty seriously injured. The following is a list of the dead:—Richard Parks, landlord of the Ordnance Arms Hotel, Hathersage; Hannah Walton, domestic servant, Mortemley, near Sheffield; James Stoperth, miner, Hemmingfield; William Allerton, sexton, Darfield; Thomas Richmond, mechanic, Chapeltown; Frank Thorpe, miner, Highgreen; Clara Wadsworth, domestic servant, Headingley; Emma Flint, domestic servant, Lundhill; Sarah Briggs, girl, Tankersley; John Cusworth, banksman, Tingle-bridge; John Winstanley, landlord, Crown Inn, West Melton; John Harsfield, Elscar; John Beaumont, wine and spirit merchant, Wombwell; and George Flint, miner, 20, Hemmingfield. As there was no telegraphic communication with Stairfoot, some time elapsed before proper assistance could be rendered, but at length special trains were run from Barnsley to remove the injured. The line was not cleared till midnight. The *Sheffield Independent* describes the scene as follows:—

"The train arrived at Ardsley station at thirteen minutes past six o'clock; and the passengers who got out there had scarcely crossed the rails on their way from the station when a number of goods waggons—probably nine or ten—were seen coming down the line in the direction from Barnsley. They were without an engine and were travelling at the rate of forty or fifty miles an hour. Almost as soon as the waggons were seen, and before any thing could be done to avert the impending collision, the waggons dashed into the end of the passenger train, killing and maiming severely several of the occupants of the last two carriages, and covering the line with *débris* of broken waggons. The collision is described as being most terrible to witness. It is said that the first two waggons, immediately on coming into contact with the hind part of the train, appeared to dash right through the composite carriage, the waggons behind jumped up in the air, and then fell, some on their sides and

some partly on the up and down lines. The two last waggons were heavily laden with gas-pipes, and in consequence kept the rails. All that is at present known is that by some means or other a number of waggons, which were on what is called the Pontefract siding at the Barnsley station, suddenly left their positions. From Barnsley to Ardsley there is a descent of one in 100. This soon gave the waggons a high rate of speed, and at the time the collision occurred they could not have been going at a less speed than between forty and fifty miles an hour. On their way to Ardsley they must have passed several pointsmen, but, singular to say, they were not shunted, nor was any information given to the officials at Ardsley as to the runaway trucks. There is a conflict of testimony as to whether the passenger train, when the collision occurred, had actually started from the station, or whether it was still standing. There is however, very good authority for saying that the train was just on the move, and the guard, William Duce, was in the act of jumping into his van when he looked back and saw the runaway trucks coming towards him with fearful velocity. He instantly leaped back on to the platform, and immediately the trucks dashed into the rear of the passenger train with a terrible crash, which was heard at a great distance."

At the inquest the jury delivered the following verdict :—

"We are of opinion that William Allerton and others have come to their death by a collision caused by the breaking away of a goods train from Barnsley station ; that such goods train broke away owing to the guard, John Hathershaw, not having properly spragged the waggons, and to improper shunting. Also we are of opinion that the company, on all inclines where goods have to be shunted to form a train, should provide catch points immediately below the siding."

In answer to the Coroner, the foreman said their opinion was that John Hathershaw was guilty of manslaughter.

Bail was accepted.

ACCIDENT NEAR HATFIELD.—A third deplorable accident occurred on the 26th near Hatfield, which caused the deaths of eight persons, and injured, more or less, four others ; but the sufferers were not all passengers, four—two of whom were killed and two injured—being persons who happened to be near the line when this unforeseen calamity occurred, and so shared in its dangers.

There was no mystery attending the accident, for the cause was traced to a simple breakage, and the circumstances can be stated with precision. The train to which the accident occurred was the one which left King's Cross at 4.25 p.m., being the fast train to Peterborough, timed to stop at Hatfield, which is twenty miles out of London. The train was made up, in the fore part, of a breakvan next to the engine-tender, a second and a third class following, and five other carriages with a guard's break at the end. The train travelled at good speed until about midway between Potter's Bar station and Hatfield station, near a place called Bell Bar, where

there is a level crossing guarded by gates, with a gatekeeper's house on the down-line side. The train reached this spot in about twenty-five minutes' travelling, and was going at the rate then of thirty miles an hour along a straight road. A gatekeeper named Henry Town was standing on the up-line side as the train was approaching, and he noticed that as the train came near there was a momentary jumping with the break-van, which, just after passing the crossing, broke suddenly away from the engine—dropped, in fact—and so snapped the couplings, and the engine went on. The crash that followed must have been terrible, for the two following carriages were literally smashed to pieces, and the one dashed over the other to such a height as to knock away a corner of the gatekeeper's cottage wall near the roof, at about fifteen feet from the ground. At the same moment the first carriage was pitched across the up-line, a portion of it dashing against the gateway on the up-line side with a force which must have been tremendous, for the strong iron gate was completely bulged out, while the two other carriages were split about on the down-line side in the direction of Hatfield. The fourth and fifth carriages were displaced from the line, but were said to be uninjured, and the sixth, seventh, and eighth remained quietly on the line. The guard at the rear took all precautions to prevent any additional calamity from a collision occurring on the London side, and a coal train which was approaching from Hatfield was promptly stopped by the engine-driver of the unfortunate train, who went on with his engine to Hatfield to obtain assistance and to stop all traffic.

The passengers who were uninjured, and there were some thirty or forty, quickly descended into the snow, and they were declared by the inhabitants of the neighbourhood to have behaved nobly, both sexes and all classes, in rendering aid in this terrible scene, assistance being doubly needed from the extreme cold and heavy snow then falling. A most striking feature of this accident was that the dead far outnumbered the wounded, the reverse being more generally the case in railway accidents, and the mangled bodies of the killed, then numbering seven, were laid out on a bank by the passengers, and three of the five wounded persons found under the broken carriages were distributed among cottages in the neighbourhood. Dr. Dredge, of Hatfield, and Dr. Osbaldiston, of the same town, were quickly on the spot, and the latter gave his attention to a man who was mortally injured, and who kept crying out to be put near a fire, but he lived scarcely half an hour. From the examination then made an opinion was given that all the occupants of one carriage were killed, with the exception of one, who was severely wounded. The extent of the calamity was soon ascertained. Every care having been bestowed upon the wounded sufferers, seven of the eight dead were removed to Woolmer-green, a village some half-mile distant, where the bodies were placed in coffins under the direction of Mr. R. Williams, the superintendent at King's Cross.

The cause of the accident was then sought for, and it was not far to seek. It was found in the total breakage of a patent tire, of the best steel, a description of tire which has hitherto been held in the highest esteem, and counted as the most secure, from its supposed holding power in case of breakage. It was considered that if the steel broke in one place the wheel would still hold together, but this tire was in several pieces, and as the wheel broke down the axle snapped, the severance from the engine followed, and this terrible loss of life was the result. The permanent way was, owing to the hard frost, quite uninjured, and the broken carriages having been cleared away the train went on to Hatfield, where many of the passengers broke their journey.

The passengers who were killed and injured were all second-class passengers, no first-class passengers having sustained injuries. The others killed and injured were four persons who were walking on the line to a signalman's box.

9. FEARFUL EXPLOSION AT BIRMINGHAM.—A most awful explosion occurred at Birmingham between twelve and one o'clock this afternoon, at the cartridge works of Messrs. Ludlow, at Witton, the scene of previous similar catastrophes. The accident occurred in a large field adjoining the embankment of the South Staffordshire Railway, shortly after it passes Aston. At this place there were erected some nineteen sheds, in which about 500 persons, chiefly girls and boys, were employed in the work of making and priming cartridges, their particular task at the time of the accident being the manufacture of Enfield cartridges for the French Government. It was in one of the priming sheds, in which a good deal of powder was necessarily lying about, that the first explosion occurred, and from this it extended to two other sheds, the nearest of which was not more than from ten to twelve yards distant. The result was the entire destruction of the three sheds, in which some hundreds of persons were at work, and a frightful sacrifice of life. Seventeen persons were killed outright, and fifty-three others, all women and girls, so seriously injured that most of them could not be recognized, and had to be removed to the General Hospital. The scene in the vicinity of the accident was most distressing, the field for yards around being strewn with the mutilated remains of human bodies. Heads and limbs and fragments of clothing were scattered about, and the appearance of many of the charred and blackened survivors was horrible. It was rumoured among the workpeople that the apron of one of the women caught fire as she was standing before an open stove, and that the flame spread to the powder on the benches. The following is a more particular account of this dreadful catastrophe.

The site of the explosion was a low-lying field, bounded on one side by a railway embankment, and fenced off on the others from neighbouring fields and from the main road, Witton-lane, which at this point, some three miles and a half from Birmingham, passes under the railway. On this patch of ground stood some nineteen substantial wooden stalls, averaging about 40 feet long by 20 feet

wide, and separated from each other by intervals of from 10 to 20 yards. The interior arrangements of these sheds may be said to have consisted generally of wooden benches, running round the walls, and narrow tables disposed longitudinally in couples on each side of the centre, which was left free for locomotion. It was in the centre that the heating stove was usually placed, and that was its position in the "shop" or shed where the explosion originated. This latter shed, technically known as the "Enfield loading shop," and used for completing the "loading" of the cartridges—the most dangerous part of the manufacturing process—stood at a distance of some 80 or 90 feet from the road fence. About ten yards from this, in an oblique direction, was another shed used for charging the cartridges with powder, and some seventeen yards farther off was a third shed, appropriated to a similar purpose. In the three sheds there probably were employed altogether about 100 persons, chiefly women and girls, and of these scarcely any escaped without injuries more or less serious. At the moment of the explosion the manager or overseer of the works was quitting a magazine in another part of the field, and had just stepped out of the door, when he saw a dazzling sheet of flame shoot out from beneath the Enfield shop, which was immediately rent asunder with a deafening roar. In a minute the wreck was a mass of fire, and the blazing fragments by the force of the explosion were scattered far and wide. Some of them apparently fell upon the neighbouring "shop," which must have been partially burst in by the force of the concussion, as it exploded almost instantaneously under the shower of live sparks from the first shed, and in its turn communicated the fire to shed No. 3. The most destructive of the three explosions was the first, in which out of some twenty-five workwomen seventeen were killed on the spot, or devoured by the flames in view of the spectators, without a chance of rescue. From the other two sheds the workpeople for the most part contrived to scramble out unaided, burnt, blackened, bleeding, and blinded, but still alive. Many of the poor women who staggered out moaning and shrieking into the road, where they fell down, had scarcely a strip of clothing left on them, and the ground for yards around was strewed with the burnt and tattered and blood-stained fragments of female dress. Help was, happily, soon at hand, both from the neighbouring works of Messrs. Kynoch and from the houses in the road, and in an incredibly short space of time no less than fifty-three women and girls whose injuries demanded medical treatment were removed in cabs and cars to the General Hospital. Seventeen others who had been engaged in the Enfield loading shop were burnt almost to cinders, and their charred remains were removed to neighbouring premises to await identification.

Five of the least disfigured corpses were identified, but even in their cases the features were entirely obliterated, and the only clue to their identity was some ornament or fragment of apparel. One of the first bodies identified was that of a girl, who was recognized

solely by one of her boots and a button of her dress. Another body was claimed by no less than three different people, one being the supposed husband of the deceased, whose claim, however, was overruled. Another was identified by a piece of flannel round her throat, and another by a ring of peculiar form; but the great majority of attempts at identification were futile, and the sorrowing survivors had to depart without even the melancholy satisfaction of claiming the remains of their relative. One man who had lost both a wife and a daughter contrived to identify the former by means of a belt she wore, but the daughter's body was not distinguishable. Another man, an old one, with whitened hair and tottering steps, was so overpowered by the ghastly sight in the shed, where he came to seek his child's corpse, that he fled from the building with a shriek of horror.

All accounts concurred in attributing the accident to the awkwardness or inadvertence of one of the workwomen, whose dress caught fire as she stood near the open stove where her dinner was warming. On discovering her peril the poor girl was said to have rushed screaming to and fro, and her companions apparently had not the presence of mind to throw her down and crush out the fire before it communicated with the loose powder lying about. From the benches, the sheet of flame would easily extend to the "hoppers" or reservoirs of gunpowder from which the cartridges are fed, and this would explain the statement of one of the survivors, that the flash "came down the whole side like lightning." The stove which caused the mischief was said to have been recently fixed for the purpose of warming the shed—a truly perilous comfort.

At the end of the year the number of those that died from their injuries in the hospital amounted to about thirty-three, making with the seventeen who were killed on the spot, fifty who lost their lives by this terrible calamity.

Notice was given that a Government inspector would thoroughly investigate the cause of the accident.

22. ECLIPSE OF THE SUN.—The long foretold eclipse of the sun was distinctly seen in London. Owing to the cloudy state of the atmosphere the sun was not at first visible, but at a quarter-past twelve the sky became very clear, and after this time the progress of the phenomenon could be distinctly watched to the end. With a telescope of moderate power the sun presented an interesting appearance. His disc was reduced to a sickle of light, having its convexity upwards, and its two points nearly on a horizontal line. The breadth of the sickle resembled that of the moon when about four days old.

Two large sun-spots, or rather a double group of spots connected by a relatively narrow zone of penumbra (or half-light) had come into view above and towards the right of the moon's disc. Numbers of minute and very dark spots could be seen around the two large ones, and along the connecting streak of half-shadow. It was worthy of notice that this remarkable group of spots was the same which was seen by so many with the naked eye when the sun was seen like a globe of red-hot iron through the fogs of last November.

One feature of the eclipse was spoken of as very interesting. The sun's face showed many small and seemingly very dark spots. As the moon, passing onwards, disclosed these one after another, the following succession of appearances was presented.

First, it seemed as though a lunar mountain were being upheaved by some gigantic sublunarian force. As this seeming mountain grew to its full height one could recognize in it a distinctly marked difference of darkness as compared with the moon, and a somewhat ruddy aspect. It was, indeed, almost possible to persuade oneself that the seeming mountain was of the nature of those red prominences which during total eclipse seem to surround the moon, "as garnets round a brooch of jet." Then the moon would detach itself from this appendage, and it was very noteworthy how plainly the moon's onward motion could be recognized while the small spot was still close by; but as the moon's distance gradually increased, the spot which had appeared a few moments before to be travelling away from the moon's edge seemed to come to rest—at least, its gradual increase of distance from the moon could no longer be recognized.

The eclipse was seen to great advantage from the streets of Manchester. A clear frosty atmosphere prevailed, and at about one-third of the obscuration the sun shone out brilliantly, but during the greater part of the eclipse it could be seen with ease by the naked eye. At the moment of greatest obscuration there was no apparent difference in the light, so that, but for the groups collected in the streets to watch it, the attention of many people would not have been attracted. A rather thick mist succeeded the phenomenon, and prevailed during the rest of the day.

The eclipse was also seen to great advantage at Leeds, the weather being splendid, and the view remarkably clear.

**SEVERE FROST.**—A severe frost set in shortly before Christmas Day, and continued till the end of the year. The London Parks were in consequence crowded with thousands of skaters and sliders.

A disastrous accident occurred on the 24th to the eldest son of Mr. Walter, of Bearwood, Berkshire, who in endeavouring to save his brother and cousin, who had fallen into the ice, unfortunately lost his own life though he preserved theirs.

In the county of Norfolk there was a very large fall of snow. In the western division there were three or four inches of snow. In the Fens of Cambridgeshire snow was also plentiful.

In Yorkshire the winter set in with great severity. On the night of the 23rd, at Messrs. Slater's Nurseries, Malton, the thermometer fell to eight degrees. In the town the lowest point was fourteen degrees. On the 24th, though the sun was bright, the temperature never rose above twenty-two degrees.

There was a hard frost in Northumberland and Durham. The upper reaches of the Tyne, Wear, and Tees, and all the smaller rivers in these counties were frozen over; and the weather had not been so severe in the neighbourhood of Newcastle since the Christmas of

1860. All out-door employment was stopped, and so was all the trade by keels and other craft above Tyne-ridge. On Christmas-eve the sheets of water frozen in the neighbourhood of Newcastle were crowded with skaters.

In the island of Jersey, a strong frost suddenly set in, the cold being more severe than had been known for many years. The glass fell as low as twenty degrees, an unusually low temperature for this island.

The *Scotsman* said it was many years since the occurrence of such cold weather as that experienced at the end of the year; in fact, it was questionable whether the same low temperature had been felt within living memory in Edinburgh. At one o'clock a.m. on the 23rd, the thermometer recorded sixteen degrees of frost, and the readings later in the morning showed the mercury at twelve degrees and a half. This reading was made in a south suburb, the thermometer being placed about five feet from the ground. A thermometer, attached to a third story window, on a level with Princes-street and with a southern exposure, exhibited no less than twenty degrees of frost—a reading almost unprecedented in the neighbourhood.



# OBITUARY

OF

## EMINENT PERSONS DECEASED IN 1870.

### THE EARL OF CLARENDON, K.G.

THE Right Hon. George William Frederick Villiers, Earl of Clarendon, of Clarendon, near Salisbury, and Baron Hyde, of Hindon, in the county of Wilts, K.G., G.C.B., &c., who died on the 27th of June, was born in London, on the 26th of January, 1800. He was the eldest son of the Hon. George Villiers, by the Hon. Teresa Parker, daughter of John, first Lord Boringdon, and sister of the first Earl of Morley. He succeeded to the family honours, as fourth Earl, in December, 1838, upon the death of his uncle, John Charles, third Earl.

He entered the diplomatic service at an early age, and was attached to the Embassy at St. Petersburg as far back as the year 1820. Three years later he was appointed a Commissioner of Excise, and was employed in Ireland for two or three years—we believe in 1827-29—in arranging the union of the English and Irish Excise Boards.

In 1831 he was sent to France for the purpose of negotiating a commercial treaty.

In discharging the duties of these, comparatively speaking, subordinate posts, he showed so much judgment, discretion, and energy that, in September, 1833, he was accredited by Lord Grey's Administration as Envoy Extraordinary and Minister Plenipotentiary to the Court of Madrid. His residence in Spain in that capacity was coincident with the warfare which raged in that unfortunate country between the Queen's party, or Constitutionalists—known also as Christians—and the adherents of the Pre-

tender, Don Carlos. It would be impossible to give here a history of that sanguinary war; but it may safely be said that, placed in a post which required the greatest tact, firmness, and discretion, our Minister acquitted himself with the greatest honour, not only to his own personal character, but to the country which he represented. He was largely instrumental in procuring, in April, 1834, the signature of the Treaty concluded in London, which was known as the "Quadruple Alliance," on account of the four contracting parties, England, France, Spain, and Portugal. The object of this Treaty was the pacification of the two kingdoms of the Peninsula; under its articles Spain and Portugal mutually engaged to assist each other in the task of expelling from their respective territories Don Carlos and Don Miguel. France bound herself to second their efforts in any way she could, and England undertook to co-operate by employing a naval force on the Portuguese and Spanish coasts. Such being the case, the position of the British Envoy at Madrid became one of extreme difficulty and delicacy, the more so as France showed herself, if not lukewarm in the matter, at least far less disposed than England to take active measures in support of the objects of the Alliance. The advice of Mr. Villiers, therefore, was eagerly sought, and received with corresponding deference by the Spanish Government. It was also mainly through his efforts that England was successful in negotiating with Spain a treaty for the more effectual abolition of the slave trade in the Spanish Colonies, a measure

to which that most Christian Government, up to that time, had refused to listen, but which, as soon as it was ratified, was hailed with delight by the philanthropists of this country.

The services of Mr. Villiers in his diplomatic capacity were cordially approved by Lord Melbourne, then at the head of the Government at home, who conferred on him the Grand Cross of the Order of the Bath, while Lord Palmerston, at that time Minister for Foreign Affairs, in his place in the House of Commons, on the 19th of April, 1837, bore personal witness to the fact "that the respect Spain entertained for this country was very much owing to the able and judicious conduct of the British Minister at Madrid; and that the high character which that Minister had personally established, joined with the good faith which the British Government had observed in its dealings, had indeed rendered the character of an Englishman a passport through Spain." A higher testimony to personal worth could scarcely have been given, or a higher compliment paid to official ability.

At the beginning of the year 1839, having recently succeeded to his uncle's title, Lord Clarendon resigned his post at Madrid, and came to London to take his seat in the House of Lords. In the month of July following the conduct of the British Government and their representative in Spain having been severely commented upon by Lord Londonderry, a speech was elicited from Lord Clarendon, which proved that, though not, of course, an accomplished debater, he could state a case so clearly and effectively as to command the attention and the sympathy of his audience. On this occasion his speech contained a masterly exposition of the policy which had been followed in dealing with the tangled web of Spanish affairs, in which he declared that no greater mistake could be made than to suppose the people of the Peninsula unfit for freedom or radically opposed to a Liberal and enlightened form of Government, and that whatever changes had lately been made had produced, at all events, some measure of free discussion, public opinion, popular representation, and a free Press. As soon as this speech reached the Peninsula a gold medal was struck in his honour, and in recognition of his services to the cause of constitutional freedom in that country. A meeting, too, was held at which it was resolved that the speech should be forthwith translated into the Spanish language, and circulated as widely as possible through-

out Spain. It was also subsequently resolved to present Lord Clarendon with a handsome work of art *in perpetuam rei memoriam*.

In the following January, upon some changes being effected in Lord Melbourne's Cabinet, Lord Clarendon was appointed to succeed Lord Duncannon in the office of Lord Privy Seal, and in the October of the same year he succeeded Lord Holland in the Chancellorship of the Duchy of Lancaster. There is not, however, much to say about him in either of those not very laborious or very responsible posts, except that as a Cabinet Minister he rendered good service to the feeble Administration of which he had become a member so shortly before its fall. In little more than a year and a half after his joining the Cabinet came the General Election of July, 1841, the resignation of the Whig Government followed only a few weeks later, and the accession of Sir Robert Peel and the Conservatives to power, with a majority of nearly a hundred votes in the House of Commons.

Having been at all times favourable to the principles of Free Trade, as soon as he saw that Sir Robert Peel was becoming convinced of their truth, Lord Clarendon, though firmly adhering to his own party, gave a hearty support to the commercial policy which that statesman inaugurated. Of the repeal, the total repeal, of the Corn Laws there had never been a more staunch and persistent advocate than his brother, Mr. Charles Pelham Villiers, the member for Wolverhampton; and when that crowning act of legislation was brought forward for discussion in the House of Peers, Lord Clarendon accompanied his vote for the measure by a speech of great ability. It was but natural, therefore, that on the return of the Liberals to office in 1846, with Lord John Russell at their head, Lord Clarendon was appointed President of the Board of Trade, and in the following year he was entrusted with the important post of Lord Lieutenant of Ireland. In spite of the famine, caused by the failure of the potato crop, which, having begun in 1846, in 1847 was almost universal, he entered on his Viceroyalty under the most favourable auspices. His nomination was considered as one of the most popular appointments made by the new Premier; and we have Lord Brougham as our authority for saying that the feeling of the Irish towards their new Lord Lieutenant was one not of "eulogy or praise," but of "veneration and all most worship." He at once exerted

himself to mitigate the sufferings of the people by organizing machinery for their relief, and for administering that relief in such a way as to give the full effect at once to the contributions of private charity and to the beneficent intentions of the Legislature. His popularity, it is true, was to some extent diminished by the agitation of the "Young Ireland" party, who were tempted to the very verge of treason by the success of the Paris Revolution in February, 1848; and the "veneration" and "worship" of the Celtic part of the population gave way to another set of feelings towards him, both personally and officially, when Mr. Smith O'Brien, having risen in arms against the Queen, was ignominiously defeated in a cabbage-garden, arrested, tried for high treason, and condemned to death. The sentence, however, was subsequently commuted to transportation for life—a punishment to which O'Brien's fellow-conspirators, Messrs. Meagher and Mitchell, were also sentenced. It is much to Lord Clarendon's credit that he was able in such troubled times to vindicate the law, without appealing to the Legislature for any extraordinary coercive powers. It will be remembered also that, in suppressing these seditious outbreaks among the misguided Celtic peasantry, Lord Clarendon most wisely declined the proffered services of the Orange Lodges. With similar firmness and impartiality, shortly afterwards, he superseded Lord Roden and two other members of Orange Lodges in the Commission of the Peace, on account of the "untoward" affair in the pass of Dolly's Brae. His conduct as Lord Lieutenant in this transaction was severely questioned at the time in the House of Peers, not only by Lord Roden's friends, but by the late Lord Derby; but Lord Clarendon's reply was a masterly vindication of the impartial policy pursued by the Irish Executive.

That, in spite of his supersession of Lord Roden as a magistrate, Lord Clarendon did not lose the respect even of Lord Roden's champion, Lord Derby himself, was very markedly shown, as we shall see, on a subsequent occasion. In February, 1853, he was appointed Secretary of State for Foreign Affairs in the Cabinet of Lord Aberdeen, that post being vacated by Lord John Russell, after he had held it scarcely two months; and it fell to his lot in this capacity to direct the several intricate and difficult negotiations of the British Government with France, Austria, Prussia, Sardinia, and Turkey, which the Russian war entailed. When the Aber-

deen Ministry fell in the spring of 1855, Lord Derby was commanded by her Majesty to construct a Cabinet; and on this occasion the Tory chief expressed a strong desire to leave the direction of Foreign Affairs in the hands of Lord Clarendon. Lord Derby was unable to form a Cabinet, and Lord Palmerston, who then succeeded to the helm, in reforming the Cabinet of Lord Aberdeen, very naturally handed back the portfolio of Foreign Affairs to Lord Clarendon, who in that capacity and as British Plenipotentiary signed the treaty of peace which was negotiated in Paris at the commencement of the following year. His services on that occasion elicited the highest praise both in Parliament and from the Press, and it was said that he was offered, but declined, the coronet of a Marquis. He continued to hold the direction of Foreign Affairs until the retirement of his chief in 1858. In 1864 he rejoined Lord Palmerston's third Ministry as Chancellor of the Duchy of Lancaster; but resumed his former post as Foreign Secretary in the following year, under the Administration of Lord Russell. Remaining out of office with his party during Lord Derby's last Ministry and that of Mr. Disraeli, he returned in December, 1868, on the formation of the Gladstone Cabinet, to the Office which he held to the last, and with which his name will hereafter be chiefly identified.

The retrospect of so long a public and official life as that of Lord Clarendon is full of instruction and interest. His principal qualifications for the posts he filled was, perhaps, his unwearied industry. Probably there never was a harder worker. He wrote with extraordinary facility as well as felicity, and his correspondence embraced all sorts and conditions of men, and included in its range every variety of subject. He was an admirable talker, and, what is possibly equally rare, a most patient listener. If any thing were to be learnt from the most tedious visitor, he suppressed all sign of weariness, followed him through every irrelevant excursion, brought him back dexterously to the point, and elicited the one grain of worth from whole bushels of chaff. But we should do him injustice if we enlarged only on his rare power of listening. He was a master of the art of conversation. No man was more gay, more "light in hand," none more full of happy illustrations, of pleasant anecdote collected in a wide experience of society, no one could put a whole argument into an epigram more neatly, or, where the

occasion required, could deliver himself with greater weight of authority. It was his misfortune that he was never in the House of Commons. In that great school of eloquence he would have learnt the power of making the keen wit and exquisite facility of illustration, which shone so brightly in private, influence a large assembly, and command the sympathies of his countrymen. In the Lords there is not much scope for eloquence; and though he was never deficient when a course of policy had to be explained or defended, and could hold his own on such occasions, even against such giants as Lord Derby or Lord Ellenborough, he seldom intruded upon that apathetic audience, which, much as it relishes intellectual attainments in private, seems always to discourage the display of them in its debates. But by those whose good fortune it was to know Lord Clarendon in the unrestrained intercourse of private life he will ever be remembered, not only as the great Minister, the intimate friend of Sovereigns, and the depository of their confidences, but as the most genial of companions and the staunchest of friends, ever ready to cheer by his sympathy or to assist by advice derived from an almost unexampled experience and a most intimate knowledge of mankind and of affairs. By them his memory will be long cherished, and they will not fail to hand down to a succeeding generation the record of the qualities which in their time have won such high distinction for him whom the elders among them preferred to call "George Villiers."

#### SIR JAMES CLARK.

This distinguished physician, who died on the 29th of June, was the elder of the two sons of Mr. David Clark, of Findlater, in the county of Banff; his mother was Isabella, daughter of Mr. John Scott, of Glassaugh, North Britain. He was born at Findlater, on the 14th of December, 1788. He received his rudimentary instruction at the Grammar School at Fordyce, and his more advanced education at King's College, Aberdeen, from which, many years afterwards, he received his degree of M.A. He subsequently studied medicine at the University of Edinburgh, and passed his examination at the College of Surgeons of that city, and also of London. At the end of his university career he entered the navy as an assistant-surgeon, and remained afloat until 1815, when he returned to Edinburgh, resumed his in-

terrupted studies, and in 1817 took his degree of M.D. Dr. Clark next devoted some time to foreign travel, and eventually settled down at Rome, where he practised as a physician for eight or nine years. During his residence in Italy, with an earnest desire to become acquainted with all the modes adopted by the medical men of the Continent in the treatment of various diseases, he visited the medical schools and universities of Italy, France, and Germany, and thus, by laying wide the foundation of his medical experience, he secured for himself that high position in the medical world which he enjoyed for so many years. He visited most of the mineral springs of the Continent, made himself practically acquainted with their chemical constitution, and carefully studied their several influences on the diseases of the human frame. At this time also he had the opportunity of observing the effects of climate on the diseases connected with the lungs, and especially on consumption in its various forms. At Rome Dr. Clark fortunately made the acquaintance of Prince Leopold of Saxe Coburg. The acquaintance was renewed at Carlsbad, and it led eventually to his appointment as physician to that prince on his settling in England. Two years after his return to England Dr. Clark was appointed Physician to St. George's Parochial Infirmary. In 1828 he published, as the result of his previous studies and observation, a work "On the Sanative Influence of Climate," which has passed through several editions, and is still in high repute. In connexion with this subject Dr. Clark drew public attention to the importance of securing correct meteorological tables, and to the influence of his remarks may be attributed much of the attention which this question has since received. In 1832 he was elected a Fellow of the Royal Society, and he has repeatedly been chosen a member of its council. On the death of Dr. Maton he was appointed Physician to her Majesty, at that time Princess Victoria, and, on her accession to the throne, he was appointed First Physician in Ordinary to the Queen. Already, as far back as 1835, he had published a "Treatise on Pulmonary Consumption and Scrofulous Diseases;" and certainly he was among the first to prove that the rise of these diseases was due to a deterioration of the system itself and a weakening of the powers of vitality.

On the foundation of the University of London Dr. Clark was chosen a member of the senate of that body, and he then produced his pamphlet on "Clinical

Instruction." The defects in our medical education which he pointed out in this publication have since been remedied in this country, more especially since the University of London has made the examination at the bedside an essential part of the examination of candidates for degrees in medicine and surgery. In 1837, soon after the accession of her Majesty, Dr. Clark was created a baronet of the United Kingdom.

Sir James Clark was always a zealous advocate of all useful measures of sanitary reform; and he had the satisfaction of seeing, though late in life, those hygienic measures which he had always supported securing the attention of the Legislature, and put into active operation in most of our large towns and cities. To the *Cyclopaedia of Practical Medicine* Sir James contributed a valuable paper on "Change of Air;" and he was the author also of numerous other papers which from time to time have appeared in the journals devoted to medical science. Sir James Clark took great interest in the establishment of the College of Chemistry, which was warmly supported by the late Prince Consort; and at a public dinner given to Dr. Hofman, of that college, prior to his departure for Germany, the services of Sir James Clark in connexion with the College of Chemistry were fully acknowledged. Finding his health to be failing Sir James Clark retired from public practice several years ago, and from that time he lived principally at Bagshot Park, which had been assigned to him by her Majesty as a residence. But although he had withdrawn from general practice, still, down to a very recent date, he continued to attend her Majesty and the younger members of the Royal Family, chiefly as consulting physician. To the last he took the deepest interest in every question connected with the improvement of our medical schools, the progress of hygienic measures, and the advancement of scientific knowledge.

Sir James Clark married, in 1820, the daughter of the late Rev. John Stephen, LL.D., by whom he had an only son.

#### THE BISHOP OF CHICHESTER.

The Right Rev. Ashurst Turner Gilbert, D.D., Lord Bishop of Chichester, died at the Episcopal Palace, Chichester, on the 21st of February, in the eighty-fourth year of his age.

If the late Bishop Gilbert was not so distinguished a prolate, or one who will

hereafter be found to have left so lasting a mark on the Established Church, as the Blomfields, Sumners, and Philpotts, who have been among his contemporaries and colleagues on the episcopal bench, at all events he was a man who did good hard work in his day, both at Oxford and in the southern diocese which he administered actively and effectively for more than a quarter of a century.

The Right Rev. Ashurst Turner Gilbert was the son of a gentleman who at one time was a captain in the Marines, and was born in the neighbourhood of Portsmouth about the year 1785, though the exact date is not given or recorded. His father, Mr. Thomas Gilbert, is said to have been sprung of a respectable Devonshire family, and, at the beginning of the present century, is recorded as being of "Ratcliffe, in the county of Buckingham." He subsequently removed to Henley-on-Thames, where a monument to his memory is to be seen upon the wall of the parish church. Young Gilbert, after a few years of preparatory training, was sent, in January, 1800, to the Grammar School of Manchester, at that time under the late Rev. C. Lawson, of Corpus Christi College, Oxford (a man who was by birth and principle a non-juror, and who never, therefore, took priests' orders). Having remained at Manchester five years, he was entered at Brasenose College, Oxford, where he went into residence with an Exhibition from his school. He took his Bachelor's degree in Michaelmas Term, 1808; and his name stood side by side with that of the late Sir Robert Peel in the first class in the newly-established school of "Literae Humaniores." He put on his Bachelor's gown in the following January, and a month or two later was nominated a Hulseian Exhibitioner of his college. Having subsequently been elected to a Fellowship at Brasenose, he took his M.A. degree in 1811, and occupied himself for several years as tutor of his college, acting also in 1816-17 and in 1817-18 as one of the public examiners in the classical schools.

On the somewhat sudden death of Dr. Frodsham Hodson, early in 1822, he was chosen Principal of his college; and while holding that post he discharged the duties of Vice-Chancellor of his university for the customary space of four years, in 1836-40. On the death of Dr. Philip N. Shuttleworth he was presented to the See of Chichester by Sir Robert Peel, his old friend and contemporary at Oxford, and was consecrated

in the chapel of Lambeth Palace, on the 27th of February, 1842. On quitting Oxford he was presented by the fellows and graduate members of Brasenose with a handsometable service of plate, in token of his zeal in watching over the interests of his college, and the courtesy and urbanity with which he had discharged the duties of his high position.

While still at Brasenose, and even more recently, after his elevation to the Bench, he took a lively interest in his old school in the north, which had sent him forth on his successful career at Oxford, and nothing gave him greater pleasure than attending its anniversary meetings. His fostering care as Bishop of Chichester was extended to Lancing College and the other educational institutions connected with it which have sprung up at Hurstpierpoint and elsewhere in the county of Sussex. He was also much beloved by the parochial clergy of his diocese. Though his personal leaning was in the direction of High Church opinions, he was averse to any approach to Romanism or Romanizing doings; and in October, 1868, he interdicted Mr. Purchas from carrying on his ultra-Ritualistic services at St. James's Chapel, Brighton. Dr. Gilbert was not the author of any theological works, beyond a few sermons, pamphlets, and Charges.

Dr. Gilbert's fine tall figure and handsome face, white hair and dark eyes, will long be remembered by Oxford men; and his memory will be held in honour and affection in the diocese over which he so long presided. He married, on the 31st of December, 1823, Mary Anne, only child and heiress of the late Rev. R. Wintle, vicar of Culham, near Oxford, by whom he had a numerous family—two sons and nine daughters.

#### CHARLES DICKENS.

Mr. Charles Dickens died, after a very sudden illness, at his residence, Gad's Hill Place, near Rochester, on the 9th of June.

There is no one of the men of the present day whose name will live longer in the memories of English readers, or will be more thoroughly identified with the English language, than the inimitable author of "Pickwick." But the story of his life is soon told. The son of Mr. John Dickens, who held at one time a position in the Navy Pay Department, Charles Dickens was born at Portsmouth in the month of February, 1812. The duties of his father's office obliged

him frequently to change his residence, and much of the future novelist's infancy was spent at Plymouth, Sheerness, Chatham, and other seaport towns. The European war however came to an end before he had completed his fourth year, and his father, finding his "occupation gone," retired on a pension and came to London, where he obtained employment as a Parliamentary reporter for one of the daily papers. It was at first intended that young Charles should be sent to an attorney's office; but he had literary tastes, and eventually was permitted by his father to exchange the law for a post as one of the reporters on the staff of the *True Sun*, from which he subsequently transferred his services to the *Morning Chronicle*, then under the late Mr. John Black, who accepted and inserted in the evening edition of his journal the first fruits of the pen of Charles Dickens—those "Sketches of English Life and Character" which were afterwards reprinted and published, in a collective form, under the title of "Sketches by Boz," in 1836, and the following year.

These "Sketches" at once attracted notice, and the public looked with something more than curiosity for the time when the successful author should throw off his mask and proclaim himself to the world.

Almost simultaneously with these "sketches" appeared a comic opera from his pen, entitled "The Village Coquettes."

The graphic power of describing the ordinary scenes of common life, more especially in their more ludicrous aspects, did not escape the notice of Messrs. Chapman and Hall, then of the Strand, but now of Piccadilly, and they accordingly requested "Boz" to write for them a serial story in monthly parts; the result was the publication of the "Posthumous Papers of the Pickwick Club." It is said that a portion of the rough outline of the work was the result of a suggestion thrown out by Mr. Hall, one of the firm above mentioned; but be that as it may, the subject was treated by "Boz" in a manner at once so easy, so graphic, and so natural, and yet with such a flow of genuine humour, that the author found himself raised almost at a single step to the highest pinnacle of literary fame. Illustrated at first by poor Seymour, and afterwards by Mr. Hablot K. Brown ("Phiz"), the "Pickwick Papers" found an enormous sale from their first appearance, and Mr. Charles Dickens presented himself to the world as their author in 1838.

The great success of "Pickwick" naturally led to offers being made to Mr. Dickens by the London publishers; but the author wisely consulted his own reputation, and confined himself to the production of "Nicholas Nickleby" in a similar style and form. The work was written to expose in detail the cruelties which were practised upon orphans and other neglected children at small and cheap schools, where the sum charged for the board of hungry and growing lads, with every thing included, ranges from £16 to £20 a year. Mr. Dickens tells us, in the preface to this book, as it stands republished in the collective edition of his works, that it was the result of a personal visit of inspection paid by himself to some nameless "Dotheboys Hall" amid the wolds of Yorkshire; and the reader who has carefully studied it will with difficulty be persuaded that Mr. Squeers and Mr. John Browdie are not taken from living examples. The work was published in 1839.

About the same time he commenced in the pages of *Bentley's Miscellany*, of which he was the first editor, a tale of a very different cast. "Oliver Twist" lets the reader into the secrets of life as it was, and perhaps still is, to be found too often in workhouses and in the "slums" of London. When finished it was republished as a novel in three volumes, and in that shape too enjoyed an extensive sale. The following year Mr. Dickens undertook the production of a collection of stories in weekly numbers. The series was entitled "Master Humphrey's Clock," and it contained, among other tales, those since republished under the names of "The Old Curiosity Shop"—famous for its touching episode of "Little Nell,"—and of "Barnaby Rudge," which carries the reader back to the days of the Gordon Riots.

The pen of Mr. Charles Dickens was henceforth almost incessantly at work. About the time of the publication of "Master Humphrey's Clock" appeared his "Memoirs of Joseph Grimaldi," the celebrated clown, almost his only production which deals with the plain prose of facts, and with everyday life divested of all imagination. Though much interest attaches to the work, we shall not be suspected of any intention of depreciating the author's reputation when we say that his imaginative powers rank far higher than his skill as a biographer. In fact, while "Pickwick" and "Nickleby" live, "Grimaldi" is forgotten. After completing "Master Humphrey's Clock" Mr. Dickens visited

America, where he was received with extraordinary honours. On his return, in 1842, he published the materials which he had collected in the United States under the title "American Notes for General Circulation." Many of its statements, however, were controverted by American pens in a book entitled "Change for American Notes."

In 1844 he published "Martin Chuzzlewit" in numbers, like "Pickwick" and "Nicholas Nickleby," and in the summer of the same year visited Italy and Rome. An account of much that he saw and heard in this tour he gave afterwards to the world in the columns of the *Daily News*, of which he became the first editor. Its first number appeared on January 1, 1846; but after a few months Mr. Dickens withdrew from the editorship, and returned to his former line of humorous serial publications, varying, however, their monthly appearances with occasional stories of a more strictly imaginative cast, called "Christmas Books." Of these the first, "A Christmas Carol," was published so far back as 1843; the second, the "Chimes," appeared at Christmas, 1845; the third, the "Cricket on the Hearth," followed in 1846; the fourth, the "Battle of Life," in 1847; and the fifth, the "Haunted Man and the Ghost's Bargain," in 1848.

Besides these Mr. Dickens published "Dealings with the Firm of Dombey and Son," the "History of David Copperfield," "Bleak House," "Little Dorrit," "A Tale of Two Cities," "Our Mutual Friend," the "Uncommercial Traveller," "Great Expectations," and last of all the "Mystery of Edwin Drood," of which only three numbers appeared before his death. In 1850 Mr. Dickens projected a cheap weekly periodical which he called *Household Words*, and which was published by Messrs. Bradbury and Evans; but difficulties having arisen between author and publisher, it was discontinued in 1859, and Mr. Dickens commenced in its stead its successor, *All the Year Round*, which he continued to conduct to the last.

Mr. Dickens was one of the founders of the Guild of Literature, and was an ardent advocate of reforms in the administration of the Literary Fund. He was also an accomplished amateur performer, and often took part in private theatricals for charitable objects. Of late years he had frequently appeared before the public as a "reader" of the most popular portions of his own works, of which he showed himself to be a most vivid and dramatic interpreter.

He retired from this work only in March last, when his reputation stood at its highest. His renderings of his best creations, both humorous and pathetic, of his most stirring scenes and warmest pictures of life, will not readily be forgotten. Men and women, persons and places, we knew all before in the brilliant pages of his novels; but the characters lived with a new life, and the scenes took the shape of reality in the readings of the master. America had an opportunity of appreciating his powers in this direction on the second visit he paid to that country in 1868.

While "Pickwick" charms us with its broad humour, it is in "Nicholas Nickleby" and "Oliver Twist" that the power of Charles Dickens's pathos shows itself. In those two works he evinced a sympathy for the poor, the suffering, and the oppressed which took all hearts by storm. This power of sympathy it was, no doubt, which has made his name a household word in English homes. How many a phase of cruelty and wrong his pen exposed, and how often he stirred others to try at least to lessen the amount of evil and of suffering which must be ever abroad in the world, will never be fully known. There was always a lesson beneath his mirth.

It only remains for us to add that he married, in 1838, a daughter of the late Mr. George Hogarth, a musical writer of some eminence in his day, and a man of high literary attainments, who was formerly the friend and law agent of Sir Walter Scott, and well known in private life to Jeffery, Cockburn, and the other literary celebrities who adorned the society of Edinburgh some forty or fifty years ago.

#### ALEXANDRE DUMAS.

M. Alexandre Dumas, the most popular and most prolific of French novelists and dramatic writers, died, in the beginning of December, of a paralytic seizure.

His father, M. Alexandre Davy Dumas, was a French general officer, who distinguished himself in the wars of the First Napoleon, and who, according to the received account, was the natural son of the Marquis de Pailletterie by a negress from the island of St. Domingo. Born on the 24th of June, 1803, at Villiers Cotterets, he was brought up, if not in the school of poverty, at all events in narrow circumstances, for his mother applied, though in vain, for a military pension. The son's education, therefore, was rather of a haphazard kind; on applying for employment

through the interest of his father's friends, he found but little chance of aid; and he might have starved or died of hunger if it had not been for the kindness of General Foy, who resolved to befriend him. Finding that young Dumas wrote a neat hand, the General recommended him to the post of supernumerary clerk in the office of the secretary of the Duke of Orleans (afterwards King of the French). His scanty income of £50 was then a fortune to him who afterwards conceived that dream of exhaustless wealth, "Monte Christo." For three years he lived the life of an office; the whole of his leisure being devoted to supplying the defects in the education of his early years, and by this means he soon acquired a taste for literature and a desire to excel as an author. Having witnessed Charles Kemble's representation of Hamlet, in Paris, his ambition was stimulated to produce a tragedy after the model of the English dramatist, and on the 1st of February, 1829, his first drama, "Henri III. et sa Cour," was played, and met with unbounded applause, spreading the fame of the author far and wide. After this came, in rapid succession, a whole series of plays—"Charles VII.," "Christine," "Anthony," "Richard Arlington," "Therese," "Angela"—all of which were equally successful. Out of his own country the name of M. Dumas was probably better known as a novelist than a dramatist, and more especially by his "Monte Christo" and "Les Trois Mousquetaires," the former of which has been reproduced in England in a variety of forms. As a dramatic author he was a bold innovator upon the old-established manner of the French stage, and his writings have been of considerable service to French literature in assisting to free his countrymen from subjection to arbitrary rules of composition. His claim to the authorship of the "Tour de Neze" is disputed; but it is conceded that he furnished a great part of it. The controversy regarding this work, it may be remembered, led to a duel between Dumas and Gaillardet, the two claimants. His first romances were "Isabeau de Bavière," "Les Souvenirs d'Antony," and "Gaule et France;" then came his "Impressions de Voyage"—very amusing reading, but, as travels, monstrous fictions. In 1857 M. Dumas visited England during the General Election, and in 1869 he was with Garibaldi in Italy, and wrote that great soldier's memoirs, and for a brief period held the office of Conservator of the Naples Museum. In 1852 Dumas began



to publish his "Memoirs," and of these upwards of thirty volumes have appeared. Taken collectively the catalogue of his writings is scarcely conceivable for its extent, numbering, it is said, from first to last, more than 1200 volumes.

A writer in a London newspaper, some years ago, gave the following description of M. Dumas:—

"If you should ever go to Paris, and chance in some of the streets to meet a great boy, about 5ft. 4in. in height, having a physiognomy resembling that of a negro, with frizzled hair, broad nose, and an olive complexion, his costume also being distinguished by some peculiarity, such as a light-yellow under-waistcoat, or a riband of an infinite variety of colours, depending from his button-hole, speaking loudly and gesticulating fiercely, as if he was quarrelling instead of conversing with a friend—you may go boldly up to him, and say, without fear of being deceived, 'Good day, Monsieur Dumas.' Be assured it is the man himself; for there are not two such physiognomies to be found in Paris at least, though there may be in the colonies, among men of colour. He will receive you very civilly, converse with you, and in a few moments you will feel, as it were almost instinctively, that you are confronted with the greatest or, at all events, the most prolific writer of modern times."

M. Dumas' pen, during the hey-day of his popularity, was in constant and well-paid employment; and it is said that at one time his literary earnings amounted to an average of between 700,000f. and 800,000f. a year; in other words, about £28,000 or £32,000. But, notwithstanding this princely income, so great was his recklessness and improvidence, that he was constantly in pecuniary difficulties. His contributions to the French *feuilletons* were at the bottom of this success; and such a popularity, in France at least, was the high road to wealth. The temptations held out to him by rival journalists, to write for their papers, were abundant and irresistible; and at last, we are told, he entered into agreements to write five romances, at once, for as many papers, an instalment of each appearing daily. At one time, indeed, about a quarter of a century ago, so great a *furor* was raised about his name as a contributor, and so fierce was the contest as to who should have the pre-emption of his pen, that the question came before a court of law at Paris, and he had to sustain a *procès* against several (we believe five)

of the great literary capitalists of Paris, who sued him for breach of literary contract.

It must not be supposed that M. Dumas wrote out all his romances, word for word and line for line, for the publishers. On the contrary, he kept in constant employment a school of disciples—a corps of "underwriters"—who worked out the ideas which he sketched in the rough, and brought their labours back to him, to be retouched by the hand of the great master whom they served.

#### GENERAL SIR DE LACY EVANS.

This gallant veteran, who was equally well known as a soldier and popular member of Parliament, was born at Moig, Ireland, in the year 1787. He received his early education at the Woolwich Academy. He obtained a commission in the army in 1806 or 1807. In the latter year he proceeded to India, for three years taking part in the operations against Ameer Khan and the Pindarees. He was also at the capture of the Mauritius. In 1810 he joined the army under Wellington in the Peninsula. He accompanied the army in its retreat from Burgos, and took part in nearly all the principal battles in Spain and Portugal. When Wellington was about to enter France, De Lacy Murray was sent forward by Sir George Murray to survey the passes of the Pyrenees. This work he executed with such ability as to obtain staff employ. After the advance into France he was present at the Battle of Toulouse, where he had a horse shot under him. He gained distinction by volunteering for storming parties and all enterprises where honour was to be gained by deeds of personal bravery. He received in rapid succession his company, his majority, and his lieutenant-colonelcy for services rendered against the enemy.

Having quitted the army of Wellington, he was in 1814 ordered on active service to North America, to take part in the war against the United States. At the battle of Bladensburg he had his horse shot under him: at Washington, with a very small force of infantry, he forced the Congress House, and he took part in the attack on Baltimore and in the assault on New Orleans. Returning to Europe in the spring of 1815, he was in time to join the army in Flanders under Wellington, and was engaged at Quatre Bras and at Waterloo, where he had two horses shot under him. He

advanced with the army to Paris, and remained on the staff of the Duke of Wellington during the occupation.

With the peace which followed, De Lacy Evans began to devote his active mind to politics. He entered the House of Commons in 1831 as member for Rye, and represented that borough in one short Parliament. In December, 1832, he was unsuccessful there, and also as a candidate for Westminster, though a few months later he was returned by the latter constituency, when Sir John Cam Hobhouse sought re-election at its hands on taking office in Lord Grey's administration.

In 1835 the Queen Regent of Spain, through her Minister at the Court of St. James's solicited leave from the British Government to raise an auxiliary force in this country, in order to support her cause and that of her daughter Isabella against her Absolutist rival, Don Carlos. Her request was granted. A force of 10,000 men was raised and sent to Spain, under the name of the "British Legion." The command of this force was accepted by Colonel Evans. For two years he carried on the contest in Spain, and on returning home, in 1837, was nominated a Knight Commander of the Bath. He was re-chosen for the city of Westminster in 1835 and 1837; but was doomed to lose his seat at the general election of 1841, when Admiral Rous headed him at the poll. At the next dissolution he regained his place, and continued to represent that constituency down to 1865, when he retired from political life.

In 1846 Sir De Lacy Evans attained the rank of Major-General, and on the breaking out of the Russian War, in 1854, he was appointed to the command of the second division of the Eastern Army, with the rank of Lieutenant-General. At the battle of the Alma his bravery was conspicuous. He distinguished himself in repulsing the attack of the Russians on our lines before Sebastopol on October 26, and was mentioned by Lord Raglan in the highest terms in his despatches. He again showed his worth as a man and as a general at the Battle of Inkerman (Nov. 5). When on that morning the Russians attacked the position occupied by the second division, General Evans was so worn out by illness and fatigue that he had gone on board a vessel at Balaklava, leaving General Pennefather to command the division. On hearing that fighting was going on, however, the general rose from his sick-bed, and joined his troops, not to take the honour

of the day from Pennefather, but to aid him with his counsel. His conduct on this occasion was highly praised by the Commander-in-Chief, and in the despatch in which the Minister of War conveyed her Majesty's thanks to the army of the East. In the following February, on his return to England, invalided, General Evans received in person, in his place in St. Stephen's, the thanks of the House of Commons "for his distinguished services in the Crimea," the vote being conveyed to him in a speech from the Speaker. In the same year he was promoted to be a Knight Grand Cross of the Order of the Bath, and created an honorary D.C.L. by the University of Oxford, and, in 1856, a grand officer of the Legion of Honour. Sir De Lacy Evans died on the 9th of January.

#### LORD JUSTICE GIFFARD.

Sir George Markham Giffard, who died on the 13th of July, in the 57th year of his age, was the son of Admiral Giffard, by Susannah, daughter of Sir John Carter, and was born at Portsmouth in 1813. He was educated at Winchester and at New College, Oxford, and was called to the bar in 1840. He was soon well known in the courts of equity, and for many years he was among the very first of the junior counsel at the Chancery bar. It was not until 1859 that he applied for, and obtained, a silk gown. He attached himself to the court of the present Lord Chancellor (then Vice-Chancellor) Sir William Page Wood, where he proved as successful within as he had been behind the bar. In March, 1868, he was offered, and accepted, the Vice-Chancellorship, which Sir William Page Wood had vacated on being made Lord Justice, and within ten months afterwards, viz., in December, 1868, he again succeeded Sir William Page Wood, as Lord Justice, on the promotion of the latter to the Wool-sack. Just after the late Lord Justice was made a Queen's counsel he was seriously ill, and was long absent from court; and though he had apparently recovered his health, the recollection of his former illness naturally increased anxiety of his friends when he was again attacked. "His numerous clients," says a writer in the *Solicitor's Journal*, "his friends at the bar, and those who in any capacity came before him while on the bench can alike testify to the high legal powers of the Lord Justice Giffard. The present age has witnessed few men more learned in the law, especially in

mercantile law, or more quick in applying its principles, and that in no narrow, technical manner, to the facts of a particular case. While a junior he seldom made a speech, and as a leader he never affected display. On the other hand, his terse style, ever directed to the real point, was well adapted to argument, and deserved and obtained great weight with the court, while those who have listened to or perused his judgments know in what precise and forcible language his equally precise and forcible ideas were expressed. In politics the late Lord Justice was a decided but moderate Liberal. He never sought a seat in Parliament, and he obtained his appointment as Vice-Chancellor from a Conservative Government. The Lord Justice was no mere lawyer. His refined and cultivated taste, combined with considerable learning in many departments of knowledge, made him an agreeable companion, and long as he will be remembered as a counsel, an advocate, and a judge, still longer will his friends dwell on his social qualities. There are many men at the bar who recall with pleasure the days passed in his pupil-room, the popularity of which was as much due to his kindly manner towards them as it was to the quantity of work to be found in his chambers, and the style in which it was done. He endeared himself to all members of the profession with whom he came in contact, and to know him in private life was justly deemed a privilege." Sir G. M. Giffard was born at his father's official residence in Portsmouth Dockyard; he became a Fellow of his college, and married, several years after his call to the Bar, Maria, second daughter of Mr. Charles Pilgrim, of Kingfield, Southampton.

#### SIR WILLIAM GORDON.

There passed from among us on the 8th of February, by a most tragic end, one whose name—as Gordon of Gordon's Battery—was once very familiar to Englishmen, and whose memory will be remembered so long as the story of the Crimean War has interest for English ears. No nobler type of the Christian soldier has ever adorned the ranks of our army than he whose death occurred by the saddest fate such a man could meet. Of the circumstances of his end we would here say nothing, but it is not fit that such a man should be lost to us without a brief record of what he was before his brain succumbed to a secret malady.

Forty years have passed since Gordon

was gazetted to a commission in the Royal Engineers, won chiefly by intense study during his residence at Woolwich, for he was naturally inferior in quickness to most of his fellow-cadets. The days were those of profound peace and neglect of all military study, and the subaltern passed from home to foreign and foreign to home stations, distinguished from others only by his steady devotion to the pettiest details of duty, his superior physical powers of endurance, and his strong religious sentiments, which in those days took the somewhat gloomy form so common in the land of his birth, where Calvinism has influenced society so much more deeply than in Calvin's own country. Promotion in the Engineers was naturally slow, and Gordon looked a middle-aged man when, as a captain not long gazetted, he took his company abroad to commence the vast works which promise to make Bermuda the Gibraltar of the west. His health had, just after his promotion, been threatened by an hereditary taint of consumption; but the change of climate restored it completely, and gave him the full use of the vast physical powers which were the envy and admiration of his brother officers. To run, to swim, to row distances impossible to others, were his daily habits, not for mere pleasure's sake, but because he held it part of a soldier's duty to keep his body up to its full mark of power, and ready for instant action. Such a theory would not now be surprising after the scenes in which the British army has shared during these last fifteen years; but it needed great strength of mind to maintain it in those days of slumbrous inactivity, when to see service was an exceptional event, however slight the service might be. The European revolution of 1848-9 broke rudely in on the close of forty years of peace, and Gordon found himself at home again before the whirl of events and the hasty ambition of the Czar drew us into the coming struggle for the preservation of Turkey. His peculiar character and powers were now well known to his superiors, and he was named for one of the first detachments of Engineers to be sent to the East. His early duties here were with Sir G. Brown's division, and it is sufficient to add that their performance was such as to win the fullest approval of one of the most exacting chiefs a Staff officer ever followed. But events travelled rapidly. From Gallipoli the troops were hurried on to Varna, and thence the Allies transferred their operations across the Black Sea, and began the momentous campaign whose end so

few of their gallant array were to witness. The demands of real active war were now enhanced by deadly sickness, and one short month after the siege of Sebastopol was commenced, Gordon, originally the fifth in seniority of the officers sent out, commanded the Engineers of our army, acting, however, under the general supervision of Sir J. Burgoyne, who held the somewhat anomalous position of adviser to Lord Raglan, without actually being on the Staff. As the winter fell on the Allies, the Engineers' duties became heavier and their numbers fewer, and then was seen by all what a gift in war physical endurance, combined with energy, may be. Gordon breathed his own spirit into every man and soldier under him—the spirit of resolution, patience, and personal daring. He never left his trenches when a bombardment was in progress, and on one such occasion, at least, was seen walking on still in his sleep, when three long nights under fire had at last vanquished the power of his watchful eyes. Among the Naval Brigade he was especially beloved for his undaunted endurance, and his presence was never unwelcome even when the tall form which he disdained to hide drew the enemy's bullets, an effect which his visits so often produced as to cause the tars to name him "Old Fireworks," a *soubriquet* he enjoyed among them throughout the siege. Relieved from the immediate command of his department by the arrival of Sir Harry Jones, when the new Ministry, afraid to replace Lord Raglan, removed Sir J. Burgoyne, Gordon served his new chief as though he had never had a higher duty, and was no less useful in our siege-work than before. In the great March sortie, in which Hedley Vicers and other good soldiers fell, Gordon, standing on the parapet to hurl down stones, while summoning up a reluctant guard of the trenches, drew the volley which he sought from the Russians, hitherto concealed in the darkness, and was very severely wounded in the arm which he had uplifted. Although he soon returned to his duty, and was able to command his department in the Kertch expedition, his iron frame gave way at last to the effects of the wounds, and he was absent on enforced sick leave when the great fortress fell, to the overthrow of which he had contributed more than any individual soldier of the allied armies. His late services as Deputy Adjutant-General of Engineers, and later on the Portsmouth Works, were varied by a call to Canada when the Trent affair

caused us to be threatened in that quarter. From the Portsmouth command he was promoted to be Major-General, and was selected recently to be Inspector-General of Engineers, an appointment he had once before refused. England has had more brilliant officers, possibly more able Engineers, but a more devoted soldier than he of whom we have written she can never have, nor will her services ever number a more unselfish or pure-minded hero. His means were considerable, and devoted mainly to deeds of charity. His kindness in private life knew no limit. As an official man his one fault was the excess to which he carried the principle of self-abnegation, which he demanded in all he had to do with, arising possibly from a want of sympathy with the human weaknesses he seemed not to share. It is well known that he suffered greatly of late from his old wounds, and it was probably only his extreme reserve as to his personal ailments which prevented means being used to save him from the increasing irritation that finally destroyed his judgment, and brought him to the premature end which cast a gloom over all who knew him. Cast in the true heroic mould, he had taught himself to endure over much, and nature at last revenged herself by prompting him to commit an act which he above all others would, while in a sound state of mind, have condemned.

#### MR. MARK LEMON.

Mr. Mark Lemon, who died on the 23rd of May, had occupied the editorial chair of *Punch* for nearly thirty years. He was born in the neighbourhood of Oxford-street on the 30th of November, 1809. His early education was received at a school at Cheam, near Epsom, where he had the Rev. Mr. Wilding for his master, and the learned Charles Butler as his teacher in mathematics. His earliest efforts were in the lighter drama, and while quite a young man he devoted himself to the construction of a series of pieces, some of which have survived as stock plays down to the present day. At this period he occasionally appeared on the stage himself. He was one of the knot of authors who, in 1841, set on foot the popular periodical with which his name was so long associated, and from the first he acted as joint editor. Upon the secession of Mr. Henry Mayhew, however, about two years later, he succeeded to the chief post, and this he continued to hold till his death. Mr. Lemon was the author of about sixty

plays of various descriptions, principally farces and melodramas, among which perhaps the most popular are, "The Ladies' Club," "The School for Tigers," "What will the World say?" and "Hearts are Trumps." Besides these he wrote a host of charming "novellettes" and lyrics, many of which appeared without his name. He was also a frequent contributor to *Household Words*, to *Once a Week* in its palmy days, to the *Illustrated London News*, and to the *Illuminated Magazine*; and some of his brochures which originally appeared in these periodicals were subsequently collected and republished under the title of "Prose and Verse." He also was the author of "The Enchanted Doll" and "Tinnykin's Transformations," two Christmas fairy-tales for children; "The Lost Book," "Legends of Number Nip" (from the German), "Tom Moody's Tales," and three or four novels, each in three volumes: "Wait for the End," "Lovel at Last," and "Faulkner Lyle." He also edited a collection of jests in one volume, and wrote about a hundred songs.

In January, 1862, Mr. Mark Lemon appeared at the Gallery of Illustration in a course of lectures "About London." These lectures, which were exceedingly instructive and elaborate, related to Old London City within the wall, Old London Bridge, and Old Southwark, Cornhill on May-day, Cheap and the Marching Watch, the Fire of London, the Old Guildhall, &c., and were illustrated by scenic representations of the places referred to, painted by Mr. Dalby and Mr. Thompson. The substance of the lectures, we believe, was afterwards printed in a collected form under the title of "The Streets of London."

During the winter of 1868-69 Mr. Lemon again appeared at the Gallery of Illustration, but in an entirely different character, namely, an impersonation of Falstaff in scenes from Shakspeare's "Henry IV." This occupied a kind of middle position between a stage representation and what is ordinarily called a "reading." The entertainment proved exceedingly attractive, and was highly spoken of by the press, and was afterwards as popular in the provinces as in London. Mr. Lemon's kindly and genial disposition was well known to a large circle of authors and literary men. He was married, and left a numerous family of sons and daughters.

DANIEL MACLISE, R.A.

In the person of Daniel Maclise, who

died on the 25th of April, very suddenly, from an attack of heart disease, the world of Art in England lost one of its foremost members.

He had only just attained the fifty-ninth year of his age, having been born on the 25th of January, 1811. His native place was Cork, but his ancestry was Scotch. While still young Daniel Macclise showed a great aptitude for drawing, and was anxious to become a painter. His wish, however, was thwarted by circumstances, and for a time he occupied a stool as a clerk in a bank in his native city. At the age of sixteen, however, he was enabled to follow his bent. Coming to London about the year 1828, he entered as a student at the Royal Academy, and during his course of study obtained not only the gold medal, but every other medal for which he competed. The summer of 1830 he spent in Paris, and for the next two or three years worked hard in making designs and sketches for the leading publishers, painting also, we believe, a few portraits. Many of his early etchings appeared as illustrations to *Fraser's Magazine*.

He first exhibited at the Academy in 1833, his subjects being "Mokanna unveiling her Features to Zelica," "All Hallow Eve," and "A Love Adventure of Francis I. with Diana of Poitiers." In 1835 he was elected an Associate of the Academy on his exhibiting "The Chivalrous Vow of the Ladies and the Peacock." This was followed, in 1836, by "Robin Hood and Richard Coeur de Lion," "Salvator Rosa painting Mananniello," "Merry Christmas in the Baron's Hall," and several other pictures, including "Scene in 'Macbeth' (1840)," "Gil Blas dressed as cavalier," "Scenes from 'Twelfth Night,'" "The Sleeping Beauty," &c. In 1841, at the age of thirty, he was promoted to the full honours of the Academy.

In the following year his chief work was "The Play Scene in 'Hamlet,'" now in the Vernon Gallery, "The Return of the Knight," and "The Origin of the Harp." In 1843 appeared his "Actors' Reception of the Author, Gil Blas," which was followed in the next year by "The Lady released by Sabrina from the Enchanted Chair," a scene from Milton's "Comus," which he subsequently repeated as a fresco in the summer-house at Buckingham Palace. In 1846 he gave to the world his "Ordeal by Touch," and in 1847 "The Sacrifice of Noah," and also his famous design from Shakspeare's "Seven Ages."

It would be impossible, within the

space at our command, to enumerate all the pictures which he exhibited since the last-named date. That list includes, *inter alia*, "The Spirit of Justice" and "The Spirit of Chivalry," both painted in oil and fresco for the apartments of the House of Lords; "Alfred in Guthrum's Tent," a cartoon; "Caxton showing to Edward IV. his First Proof-sheet in the Almonry at Westminster;" "Prospero and Miranda;" "The Wrestling Scene in 'As You Like It';" "Peter the Great working as a Shipwright in the Dockyard at Deptford;" "The Marriage of Strongbow with Eva in ratification of the Conquest of Ireland by Henry II.;"—a subject familiar to all who have visited the House of Lords, where his series of historical frescoes hold a very prominent place.

About fifteen years ago the active pursuit of his profession was interrupted by a tour through Italy, which he undertook partly in search after the best specimens of his favourite frescoes, and partly as one of the jurors appointed for the Fine Art Department of the Paris Exhibition. For the last few years he had been a somewhat fitful exhibitor in Trafalgar Square; but we remember his picture in 1859, "The Poet to his Wife," his "Winter Night's Tale," and "Othello, Desdemona, and Emilia," in 1867, and his "Cophetua and the Beggar Maid," from Tennyson, exhibited last year.

At the death of Sir Charles Eastlake, some three or four years since, the presidential chair of the Royal Academy was offered to Mr. Maclise, but eventually declined by him. His handsome face, his genial smile, and engaging manners rendered him a very agreeable companion, and a most popular member of society, and his loss was extensively felt in many London circles.

Maclise retained to the end his place as one of the first of our painters in popularity, though he had at times to endure his share of adverse criticism at the hands of writers on Art, and especially of Mr. Ruskin.

#### M. DE MONTALEMBERT.

Charles, Count de Montalembert, who died after a long illness on 15th March, sprang from an ancient family of provincial nobility for centuries settled in Poitou.

Count René de Montalembert, his father, quitted France, with so many others of his order, in 1792, and when the army of Condé was broken up after Hagenau and Bentheim he entered the

English service, and took part in the campaigns of Egypt, India, and Spain, where he obtained the rank of colonel. He returned to France on the second Restoration; was raised to the peerage in 1819; and was sent in 1826 as Ambassador to Sweden, where he remained till the overthrow of Charles X. His son Charles was born in England in 1810, his mother being a Scotch lady named Forbes. When quite a young man he formed an intimate acquaintance with the Abbé Lamennais, then the ardent advocate of an alliance between Catholicism and Democracy, and started a journal, the *Avenir*, as their organ. They entered upon a fierce contest with the University of Paris, denounced its monopoly of education, and, to prove the superiority of their system, Montalembert, in conjunction with Laocordaire, opened a "free school" without the licence of the authorities. Laocordaire, who had given up the Bar and taken Orders four years previously—the Council of Advocates not having acceded to his request to be allowed to act at once as a priest and a barrister—was then chaplain to the College of Henri IV. The *Avenir*, which the three friends conducted, had for its device "God and Liberty, the Pope and Liberty," and defended not only religious, but civil and political freedom, as perfectly compatible with Catholicism. The paper was not destined to a long existence. The vehemence of its animadversions brought it into trouble. It was prosecuted, and the principal editor, Lamennais, then Ultramontane, had to appear before the Assize Court of Paris, where he defended himself. On the other hand, Montalembert had to answer in the Correctional Police Court for the heinous offence of setting up a school without the Minister's permission. Before the proceedings commenced his father died, and Montalembert succeeded to the peerage. He claimed his right to be tried by the Chamber of which he was a member, and pleaded his own cause in a speech giving promise of future excellence. The law, however, was precise; he was guilty of having taught children their letters without official permission, and was condemned to pay the *minimum* fine of 100f. On attaining the legal age he took his seat as a Peer of France (1835), and the first speech he made in the Chamber brought him into collision with the Ministry; it was against the laws restricting the liberty of the Press, known as the Laws of September, introduced by the Cabinet of which M. Thiers was a member immediately after

the Fieschi attempt, as the "exceptional laws" were by the Imperial Government after the crime of Orsini.

The doctrines which Lamennais, Lacordaire, and Montalembert defended with so much energy and eloquence in the *Avenir*—the union of Catholicism and Democracy—found but little favour at Rome in those times of revolution, and the friends resolved to proceed thither and plead their cause in person. After some delay the doctrines which Lamennais exaggerated were reprobated by Gregory XVI. in the Encyclical of June, 1835, as they had been three years before. Lacordaire and Montalembert submitted to the judgment of the Pope; but Lamennais revolted, and from that day all intercourse ceased between him and his two friends. Montalembert—the first of his race, as he more than once said, whose weapon was the pen—betook himself, with characteristic ardour and perseverance, to study the ideas and manners of the Middle Ages, which always had a great charm for him. In 1836 he published his first important work, *The Life of St. Elizabeth of Hungary*, and, with reference to the animated debate in the Chamber of Peers on the relations between Church and State, produced an elaborate pamphlet, the *Manifesto Catholique*. The following year he made his three famous speeches in the Chamber of Peers against a Bill introduced by M. Villemin, then a member of the Cabinet, on the liberty of the Church, the liberty of instruction, and the liberty of the monastic orders. It was on this occasion that he declared himself the defender of the Society of Jesus; and in his last speech on that occasion he uttered the words which have been since so often quoted by adversaries as well as friends as indicative of his aristocratic and religious predilections,—“We are the sons of the Crusaders; and the sons of the Crusaders will never, never give way before the sons of Voltaire.”

In 1845 he founded the “Committee of Religious Associates” with a view to the elections, and exerted himself to the utmost to procure the return of candidates of his own way of thinking. Long before the easy subversion of the Orleans Monarchy he predicted the triumph of Radicalism as the result of the contest between the Government and the nation, and, as its inevitable consequence the loss of French liberty. The catastrophe of February completely justified his warnings. Montalembert, who, with all his family traditions, was not, strictly speaking, a Legitimist, any more than

an Orleanist or a Republican, but a lover of liberty, had no alternative but to accept the new Government as the only one which at that moment had a chance of restoring order. In the General Elections of 1848 he presented himself as candidate in the department of the Doubs, where his family possessed considerable property. He was returned the last on a list of eight, by 23,000; and, as every one expected, took his place with the Conservative majority. Generally supporting the majority, he yet voted against the decree banishing the Orleans family. On the other hand, he voted with the Left against the re-establishment of the money guarantee exacted by the Republican Government from the journals, against martial law while the Constitution was under discussion, against the impeachment of Louis Blanc, and, finally, he refused his approbation to the elaborate Constitution of 1848. Among his happiest efforts at that time was his speech on the despatch of the Duke d’Harcourt, then Envoy to Rome, giving an account of the murder of the Pope’s Minister, Rossi, on the steps of the Roman Assembly while that Assembly continued its deliberations and affected not to notice it in its Minutes, as if it were an unimportant and ordinary incident. It is hardly necessary to say that he gave his hearty approbation to French intervention in favour of the Pope, and to the military expedition to Rome.

When the elections for the Legislature which succeeded the Constitutional Assembly came on, Montalembert was returned at once in two departments, the Doubs and the Côtes du Nord. One of the most brilliant speeches made by him in those days was on the *motu proprio* of the Pope. It was while member of the Commission charged with preparing the law of the 31st of May, which placed certain restrictions on the exercise of universal suffrage, that he used the words of which he was so often reminded afterwards, that “a Roman expedition was indispensable to the interests of France.” In the beginning of 1851 the hostility which had long existed in a latent state against the President of the Republic became aggravated. Montalembert, whose nature revolted against what he thought injustice, from whatever quarter it came, voted frequently against his own party in defence of Louis Napoleon, disclaiming at the same time, all ideas of being either his adviser or his confidant. He was simply, he said, an impartial witness in his behalf, and he strongly denounced

the conduct of those who were undermining his legitimate authority as a "stupid and inexcusable ingratitude."

It is certain that a *Coup d'Etat* had been expected by Montalembert. When it did come, however, he protested against the arrest and imprisonment of the representatives. He was named by the President member of the Consulting Commission preliminary to the Council of State, and at once elected Deputy for the Doubs to the new Legislative Chamber. He was, however, grieved and indignant at the decree confiscating the property of the Orleans Princes; and that act, and perhaps also the influence of his political friends, soon detached him from the Government and drove him into opposition. The same year he was elected to the French Academy in place of M. Droz. His address, which was replied to by M. Guizot, was an eloquent eulogy on his predecessor, and as eloquent as invective against the revolution. In the General Elections of 1857 Montalembert, who was now looked upon as the declared adversary of the Empire, was defeated in his own department. This defeat closed his Parliamentary career. His exclusion from an arena for which he was so eminently fitted, and the tame submission of men, who, not long before, were reckless agitators, aroused in him a bitterness of feeling which he rarely restrained. The laws on the newspaper Press prevented him from openly criticizing the Government, but his feelings found vent in an article on the Indian debates in the English Parliament, published in the *Correspondant*, a monthly periodical, the organ of the liberal Catholic party, and through the thin veil of insinuation the praises of English institutions were in reality a satire on those of France. He was prosecuted on the usual ground of having used language tending to excite hatred against the Imperial institutions, bringing the laws into contempt, and attacking the rights which the Constitution had conferred upon the Sovereign. He was convicted, and sentenced to six months' imprisonment and a fine of 3000f. An appeal was lodged in the superior Court; but the judgment was confirmed as regarded the first two counts, the fine was maintained, and the term of imprisonment was reduced to three months. No one believed that either for six or for three months the Emperor would allow such a man to be sent to prison for such an offence. Immediately after the First Court pronounced judgment, a few lines in the *Moniteur*

announced that his Majesty had remitted all the penalties.

Montalembert's first work, *La Vie de Sainte Elisabeth de Hongrie*, was published in 1830. Since then we have had his volume on *The Political Future of England* (1855); *Pie IX. et Lord Palmerston* (1856); a pamphlet on Poland, *Une Nation en Deuil* (1861); a biographical sketch of Lacordaire; the pamphlet *L'Eglise libre dans l'Etat libre, Le Pape et la Pologne*, besides divers articles in the *Encyclopédie Catholique* and the *Correspondant* to which he was, when his health permitted, an assiduous contributor. But the work to which he devoted all his energy, for which he had laid up large stores of erudition, and which he hoped would take a prominent place in the literature of his country, was his history, *Les Moines de l'Occident depuis Saint Benoit jusqu'à Saint Bernard*, of which five volumes have appeared.

With some passing outbreaks of irritation at certain acts of her foreign policy, Montalembert felt the highest admiration for England and English institutions, and Edmund Burke he looked upon as the greatest philosophical statesmen of ancient or modern times, and as a giant in intellect.

The first symptoms of the malady which ended fatally he attributed to the anxiety of mind and the worry and fatigue he was exposed to in his efforts to stem the revolutionary torrent of 1848. A few years ago he contemplated a visit to the United States, but he was compelled to forego that pleasure. For more than five years he was, with some intervals, a sufferer; but during these intervals he received the visits of his friends, and conversed with his usual animation. He had lately lost all hope of a permanent cure, but he bore his long illness with fortitude, and he contemplated the result with quiet submission to the will of Providence. All the consolation that the tender affection of his family, the sympathy of numerous friends, and even of political adversaries, could give, he had.

#### SIR FREDERICK POLLOCK.

In the career of the ex-Chief Baron Pollock, who died on the 23rd of August, as in the careers of Lord Tenterden, Lord Eldon, and Lord St. Leonards, we see an illustration of the fact that the highest honours of the legal profession lie open in this country, not to a privileged few, but to the sons of that middle class which forms the sinews and strength of the nation.



Some eighty years ago a certain Mr. David Pollock, of Scottish extraction, kept a saddler's shop in the neighbourhood of Charing Cross. He was a worthy and successful man of business, and he married a Miss Sarah Parsons, a lady of remarkable energy and force of character. By her he became the father of a young family, three of whom in succession rose to distinction in the world:—they were, first, the late Sir David Pollock, Chief Justice of Bombay, who died many years ago; the third, Field-Marshal Sir George Pollock, is best known as the hero of the Khyber Pass and of Cabul; and the second was the Chief Baron.

The Right Hon. Sir Frederick Pollock, late Lord Chief Baron of her Majesty's Court of Exchequer, was born at his father's house, in the parish of St. Martin-in-the-Fields, on the 23rd of September, 1783. Having received his early education under private instructors, he was sent, at the age of fifteen or sixteen, to complete it at St. Paul's School, over which the late Rev. Dr. Roberts then presided as "High Master." Here he distinguished himself above his fellows, both in classics and mathematics; and when, in 1802, he exchanged St. Paul's School for the wider theatre of Trinity College, Cambridge, he found that his high reputation for hard work, and for learning, too, had preceded him to the banks of the Cam. Here he came out first in every successive college examination; and in 1806 he closed a very brilliant undergraduate career by "going out" as Senior Wrangler and first Smith's Prizeman. In the following year he was elected to a fellowship in his college, and he proceeded M.A. in due course.

He had already apparently made choice of the law as his future profession, for we find him called to the Bar in Michaelmas Term, 1807, at the Middle Temple, the working man's Inn of Court, as it has been happily called. Bringing to his aid great mental powers and a capacity for work which was as untiring as it was characteristic of the man, he soon found he had an extensive and very lucrative practice, both in London and in the provinces. He went the Northern Circuit, on which he occupied a prominent place at a time when it boasted such brilliant leaders as Scarlett, Campbell, and Brougham, who were all his seniors. Here his success was owing not so much to any showy qualities or attractive powers as a speaker—for these he never possessed—as to the extraordinary reputation for

industry and general ability which had followed him from Cambridge to London, and from London to the great cities of the North, supported and confirmed as it was by the accurate and extensive legal knowledge which he displayed on every occasion on which his services were called for. Hence he had many clients from the very outset, and never knew what it was to sit waiting for a brief. His business in the courts of Westminster, always select and lucrative, grew more and more extensive, and after a successful practice of some twenty years he obtained the well-earned dignity of a silk gown, being made a King's Counsel in 1827. From this time forward his progress was still more rapid than before; for many years he engrossed the leading business of his circuit, and found himself retained in nearly every cause of importance. "Attorneys and suitors," says one who knew him well at this period, "alike thought themselves safe when they had secured his services, and not unfrequently were left lamenting when they were told that their adversaries had forestalled them."

From the legal to the senatorial side of Westminster Hall is only a natural transition with most able and ambitious lawyers, who, as a rule, seldom reach the highest honours of their profession until they have gone through an apprenticeship, shorter or longer, in St. Stephen's. Accordingly, in 1831, Mr. Pollock offered himself as a candidate in the Tory interest for the borough of Huntingdon, and had the good luck to be elected.

He was again chosen at the dissolution which followed on the passing of the first Reform Bill in the following year, and continued to be rechosen by his steady admirers and faithful friends, the burgesses of that quiet borough, and almost invariably without a contest, until his retirement from Parliamentary life on his promotion to the judicial bench.

The accession to power of Sir R. Peel, towards the close of the year 1834, was the signal for the promotion of Mr. Pollock, to whom was offered the post of Attorney-General under the new administration. It is needless to add that he accepted the offer, and was honoured with the customary knighthood. He did not, however, long enjoy his post; Sir Robert Peel found it impossible to carry on the Government in the face of an adverse majority, and resigned with his party. Sir Frederick Pollock now returned to his former practice in the

courts, holding meantime his seat as M.P. for Huntingdon; and when his chief returned to Downing Street, at the head of a majority of 90, in 1841, it followed as a matter of course that Sir F. Pollock should be reinstated in his former position. He accordingly resumed his functions as Attorney-General, and continued to hold that office until the year 1844, when he succeeded his old friend and companion on circuit, the late Lord Abinger,—better known, perhaps, now by his old name of Sir James Scarlett,—as Chief Baron of the Exchequer. At the same time, in conformity with precedent, he was sworn a member of the Privy Council.

As Chief Baron he showed himself an excellent judge—sound, safe, sensible, able, and indefatigable, ever ready at his post, and inflexible in the discharge of his judicial duties. His legal merits were enhanced by his personal worth, his scrupulously honourable character, and his uniform courtesy and kindness to all with whom he was brought into contact, from the highest to the lowest. During his career as Chief Baron he presided at several criminal trials of more than ordinary importance, including those of the Mannings for murder; of Müller for the murder of Mr. Briggs at Hackney; of Kohl, for murder, in the following year; and, if our memory serves us correctly, of Mullins for the murder of Mrs. Elmsley. On all these occasions he exhibited the highest qualities of a judge—firmness, patience, clearness in his explanation of the points of law which arose, and a lucidity in his summings-up which was beyond all praise.

It was owing to the weight of eighty-three years, and the natural desire for rest which is incident to all men, after a long life of labour, and one in which mental and bodily activity were combined, that in July, 1866, on the return of the late Lord Derby to office, Sir F. Pollock resigned his office of Chief Baron of the Exchequer, and retired upon the judicial pension to which he had long before been entitled. At the same time he accepted a baronetcy. Perfectly versed in all the antiquated refinements of old-fashioned special pleading, he saw with contentment a new and improved system take its place in 1852, and recognized in the latter the natural corollary of the changes introduced into the process of the courts by the County Courts Act of 1847. But, Tory as he was, he never allowed either the one measure or the other to interfere with the discharge of his duty, or to shock his personal and professional preference for the system

to which he had so long been accustomed. His leaning was ever to the side of substantial justice rather than to mere technical accuracy; and while sensible of the scientific value of the latter object, he never allowed it to interfere with the higher claims of the former. To this desire of securing the triumph of right and the punishment of wrong must be attributed that apparent readiness to take a side, which has sometimes been brought against the departed judge by captious critics; but even in this failing, if such it was, he ever "leant to virtue's side;" and if, in his anxiety to place the salient points of a case well before a jury, he was sometimes led to sink in a measure the judge in the advocate, it must be owned that his charges were for the most part as solemn and impressive as they were clear and effective. For instance, during Müller's trial, it will be remembered by all who were present how his emphatic eloquence moved the deepest feelings of the audience, among whom every sound was hushed and every nerve was painfully strained as the full force of some apparently trivial point of evidence was pointed out, and its bearing explained to the jury, on whose verdict hung the life or death of the criminal. In a different way his dealing with the Alexandra case was equally noticeable. Though repeatedly pressed to do so, he refused to sign a bill of exceptions to what he had not said, or to certify that he had directed the jury in words which he had never used. The result was that the Crown lawyers were defeated, and the prosecution failed.

The name of Sir Frederick Pollock may not go down to distant posterity as one of the great original lawyers of the nineteenth century, but his memory, as a man and as a judge, will long be cherished with affection and respect by the legal profession. His name is linked with no one great legal measure, no important judicial change; but it will long furnish an incentive to the diligent study of the law, the upright and honourable practice of legal labour, and the persevering and successful pursuit of its rewards.

Sir Frederick Pollock, in the later years of his life, applied practically to more than one branch of scientific pursuit the mathematical principles which he had imbibed at Cambridge. Thus, for instance, he took the greatest interest and delight in the pursuit of photography, and was one of the very best amateur photographers of our time. He was an active member of the Council of the London Photographic Society, over the

meetings of which, at King's College, he would frequently preside down to a very recent date. He also contributed several papers upon his favourite study to the "Philosophical Transactions of the Royal Society." To the very last he retained his kindness of heart, untainted and uncorroded by all that he must have seen in his long and active life of the weak and warped side of human nature; and his genial and lively humour was as playful during the last Guildhall sittings at which he presided as when he first made his appearance at the Bar, or took his seat upon the Bench in the Court of Exchequer.

The late Chief Baron was twice married—firstly, in 1813, to Frances, daughter of Mr. F. Rivors, of Spring Gardens, who died in 1827; and secondly, in 1835, to Sarah Ann, daughter of Captain Richard Lanslow, of Hatton, near Hounslow, Middlesex. He had a large family by each marriage; we believe upwards of twenty by both wives.

#### M. PREVOST-PARADOL.

The sudden death, by his own hand, of the newly-appointed French Minister to the United States of America, M. Prevost-Paradol, excited a profound sensation of regret, with many painful speculations upon the cause of so terrible an act. He had been well known during the past ten or twelve years to most Englishmen acquainted with the political literature and journalism of France as one of the ablest and sincerest champions of constitutional freedom, and one of the severest censors of the despotic Empire. He was an accomplished scholar, a successful author, critic, essayist, and historian, and a member of the French Academy; he lived in the best society of his age, and had gained a European fame. He had many personal friends among us, and a host of admirers in the reading world. It is scarcely a twelvemonth since he visited this country and delivered two lectures, in English, at the Edinburgh Philosophical Institution, upon the social and political condition of France. He since contributed to the most influential of London daily papers a series of letters "from a French correspondent," revealing the state of opinion among Liberals, and the growing disposition to claim the realization of a Parliamentary Government. When the formation of M. Ollivier's first Ministry, about the beginning of this year, appeared to open a prospect of establishing liberty upon this foundation, M. Prevost-Paradol accepted from

his old political associates, then coming into office, a high post in the diplomatic service. It was the appointment of Envoy Extraordinary and Minister Plenipotentiary at Washington; and, besides the personal distinction it conferred upon him, and the career of honourable effort in the public service to which it admitted him, the emoluments of this post furnished him with the means of providing for his motherless daughters, to whom he was tenderly attached. The appointment was offered and accepted in January, since which time great changes had come over the spirit of the French Government, causing the secession of several of M. Emile Ollivier's Liberal colleagues from his Administration, and threatening a relapse to the old system of autocratic rule under the Empire, with a mere show of Parliamentary action. M. Prevost-Paradol was solicited and warned by many of his friends to resign the official appointment he had taken, and to return to the ranks of the Opposition. He conceived, however, that, having become a member of the diplomatic service, he was thenceforth exempted from responsibility for the domestic politics of the Empire, and that he would be enabled, with a clear conscience, to represent the national interests abroad. Under this persuasion he left France at length, with his family and suite, on board the frigate "Lavalette," for America. The first news that greeted him on landing was that which had come across the Atlantic by the submarine telegraph during his voyage, announcing the French declaration of war against Prussia, in spite of M. Emile Ollivier's statement, two days before, that France was satisfied by the withdrawal of the Prince of Hohenzollern. This was an instance of the real character of the Government he had undertaken to represent, which must have had a very painful effect on the sensitive mind of M. Prevost-Paradol. He said little about it, but brooded in deep sadness over the state of affairs. On the 16th of July, the new Ambassador was officially presented to the President. M. Prevost-Paradol said he rejoiced at being selected for this mission at a time when the traditional friendship between France and the United States was darkened by no cloud. He would faithfully endeavour to strengthen the political sympathy and to enlarge the industrial and commercial relations between France and the United States. President Grant replied by assuring M. Prevost-Paradol of his cordial support in every effort to increase the commerce and to perpetuate the tradi-

tional amicable relations between the two countries. These were but words of course. The unhappy Frenchman, less of a diplomatist than of an earnest politician, a patriotic citizen and literary soldier of liberty, had other things at heart. Three days later, at midnight, on the 19th, he shot himself in the breast with a revolver, and died in a few minutes, leaving a written message or note to desire M. Berthemy to take his place. He had directed his valet a day or two before to take care of his papers and money, in case any thing happened to him. The extreme heat of the weather at Washington may have affected his brain; but there was no evidence of insanity in his language or behaviour, and the business of his office had not been heavy. The verdict of the Coroner's jury at the inquest simply recorded that he came to his death by a wound from a pistol in his own hand.

SIR G. F. SEYMOUR, G.C.B., G.C.H.

This distinguished officer's services extended over many of the most stormy times of England's naval history during the wars with France at the end of the last and the beginning of the present century. In later times his services when in command in the Pacific were of a very high order. When our relations with France had become of a very precarious nature in consequence of the misunderstanding which grew out of the Pritchard affair, these difficulties were mainly adjusted through the careful management of Sir George Seymour. So, again, in the arduous negotiations which we were carrying on with the United States of America relative to the fishery question, that these were brought to a satisfactory conclusion was chiefly to be ascribed to the tact, ability, and decision shown by the subject of this memoir, to which the Earl of Malmesbury and the Earl of Clarendon (the Foreign Minister of the day) bore conspicuous testimony in the House of Lords, and for which Sir James Graham, the First Lord of the Admiralty, bestowed on him the good service pension.

The object of our memoir was born on the 17th of September, 1787, and was eldest son of Vice-Admiral Lord Hugh Seymour, one of Lord Howe's captains at the battle of the 1st of June, 1794, fifth son of Francis, first Marquis of Hertford, and of Lady Anne Horatia, third daughter of James, second Earl of Waldegrave.

He entered the navy on the 10th of October, 1797, as first-class volunteer,

and from March, 1798, to May, 1802, served on the Channel and West Indian stations as midshipman in his father's flagship, the *Sanspareil*, and *Prince of Wales*. In the latter ship he was at the capture of Surinam in 1799. In 1802-3 he served in the *Endymion*, 40, *Isis*, 50, and the *Victory*, bearing the flag of Lord Nelson. In the *Endymion* he contributed to the capture of *La Colombe* and *La Bacchante*, corvettes, *L'Adour*, and *Le Général Moreau*, privateer, of 16 guns. In 1804 he was acting lieutenant in the *Madras*, 54, and *Donegal*, 74, Captain Sir R. Strachan, and Captain Pulteney Malcolm, in which latter ship he was made lieutenant in October, 1804, and was present at the capture of the Spanish frigates *Matilda* and *Amphitrite*; afterwards sailed with Lord Nelson in 1805 to the West Indies and back in search of the combined fleets of France and Spain, and assisted in taking *El Rayo*, of 100 guns. He joined the *Northumberland*, 74, bearing the flag of Rear-Admiral Hon. Alexander Cochrane, in February, 1806, and was in the action of St. Domingo, where he was dangerously wounded by an iron splinter shattering his lower jaw, and for which he received a pension. For his conduct he was appointed commander of the *Kingfisher*, and in that ship greatly distinguished himself in running under the batteries of the *Isle d'Aix*, and succeeded in rescuing Lord Cochrane's ship, the *Pallas*, 32, which had been utterly disabled by French frigates.

In July, 1806, he was promoted to be post-captain in the *Aurora*, in the Mediterranean, and in 1807 was employed on the Coast of Calabria. In February, 1808, being transferred to the *Pallas*, he took part in the embarkation of Sir John Moore's army at Corunna. The *Pallas*, on the 11th of April, 1809, was employed in support of the fireships in the Basque Roads, and belonged to the attacking force in the success gained on the 12th in the Roads off the *Isle d'Aix*. His eminent services on this occasion are related in Lord Dundonald's autobiography. His next services were during the Walcheren Expedition and the attack on Flensburg, and shortly afterwards, in command of the *Manilla*, 36, he was on the Lisbon station, rendering services to the army under Lord Wellington. In 1812 he took command of the *Fortune*, and soon afterwards of the *Leonidas*, 46, in which he captured the American privateer Paul Jones, 16, and some other American vessels. In 1814 he sailed in the *Leonidas* for the West Indies.

At the conclusion of the war Captain Seymour was named one of the original Companions of the Bath. In 1819 he was appointed Sergeant-at-Arms to the House of Lords, and in 1827 held the temporary command of the Briton frigate on a special mission to St. Petersburg. He was in 1830 appointed Master of the Robes to King William IV., and remained so till the King's death in 1837. His Majesty, being a member of the same profession, fully appreciated Sir George's character and services. In 1841 Sir George was advanced to flag rank, and, resigning his appointment as Sergeant-at-Arms, became a Lord of the Admiralty until May, 1844, when he was appointed Commander-in-Chief in the Pacific, with his flag in the *Collingwood*, 80, and having become a Vice-Admiral in 1850, he was, in 1851, appointed to the command of the North American and West Indian stations. His important services on these two stations have been above alluded to. In 1856 we next find him Commander-in-Chief at Portsmouth, with his flag in the *Victory*, the same ship in which he had the honour of serving under Lord Nelson more than half a century before. During this command it fell to his lot to organize the great review of the magnificent fleet prepared to carry on the war against Russia. In May, 1857, he became a full Admiral.

Since then his advice and opinion were frequently sought for by committees on naval affairs of both Houses of Parliament, his lengthened experience and sound judgment having made him one of the highest authorities in such matters that this country could boast of.

The honours conferred on him, besides his pension for wounds, included his investiture as G.C.H. in 1834, and G.C.B. in 1860. He was made Rear-Admiral of the United Kingdom, and subsequently Vice-Admiral of the same, and in November, 1866, Admiral of the Fleet.

Sir George Seymour, whose death occurred on the 20th of January, married in 1811 Georgina Mary, second daughter of Admiral Sir G. C. Berkeley, G.C.B., by whom he left issue two sons and three daughters.

#### GENERAL WINDHAM.

Major-General Sir Charles Ashe Windham, K.C.B., whose name was so familiar to English ears some fifteen years ago as "the Hero of the Redan," was the third son of Vice-Admiral Windham, and brother of Mr. William Henry Windham, of Felbrigg, Norfolk (who was M.P. for East Norfolk in the first Reformed Par-

liament). His uncle, the Right Hon. William Windham, many years M.P. for Norwich, St. Mawes, New Romney, Higham Ferrers, &c., will long be remembered as having been Secretary of State for the War and Colonial Departments in Lord Grenville's Ministry of "All the Talents." The family name was Lukin, until it was exchanged about half a century ago for that of Windham; and the Windhams or Wymondhams have been seated in Norfolk, according to Sir Bernard Burke, since the twelfth century.

The future General was born in Norfolk in the year 1810, and received his early education at the Royal Military College, Sandhurst. In December, 1826, we find him gazetted to a commission as Ensign and Lieutenant in the Coldstream Guards. He was promoted to Lieutenant and Captain in May, 1833, obtained his Majority in November, 1846, and was promoted to Lieutenant-Colonel in the following month. He obtained these steps by purchase, as also his Colonelcy in June, 1854, a few weeks after the proclamation of the war against Russia.

In the same summer he accompanied the British Forces to the Crimea, and during the earlier part of the campaign he acted as Assistant-Quartermaster-General to the Fourth Division. A vacancy, however, occurring, General Simpson, who had lately succeeded Lord Raglan in the chief command, appointed Colonel Windham to a brigade in the Second Division. When, after the battle of the Alma, Lord Raglan resolved, following the advice of Sir John Burgoyne, to make a flank march on Balaklava, and to send to Admirals Dundas and Lyons, requesting them to support that movement by bringing the fleet round to that point, Colonel Windham was the officer selected for the duty of carrying the despatch on that occasion. He was subsequently engaged at Inkermann, where he was publicly thanked by Sir George Cathcart for his gallant services; he was by the side of that General when he received his mortal wound; and on his death the command of a division devolved upon him.

It was not, however, till a subsequent date that his name came to be known far and wide in England. On the 8th of September, 1855—just a year after the battle of the Alma—the tricolor flag was waved from the Malakoff as the signal for the English to advance against the Redan. General Windham was the first to enter the stronghold, and amid the shower of bullets and cannon balls that flew around him he seemed to bear

about him a charmed life. At length, finding it hopeless to obtain support by sending messengers, he coolly walked across the open space before the ramparts in the midst of a well-sustained fire, to demand assistance in person. The "Royals" were then placed at his disposal; but no sooner were they put in formation than the men in the Redan were obliged to abandon the work. The opportunity had been lost.

The correspondents of the press were not slow in recording the heroic bravery of Windham on this occasion, and on the arrival of General Codrington's despatches at the Horse Guards, the subject of this memoir was rewarded by promotion to the rank of Major-General, for his distinguished conduct in having, with the greatest intrepidity and coolness, headed the column of attack which assaulted the enemy's defences on the 8th of September, 1855. For the same service he received the honour of the usual medal with clasps; and he was immediately appointed by the Commander-in-Chief to the command of Karabelnaia,—the British portion of Sebastopol. On the retirement of Sir Henry Bentinck he was nominated to the permanent command of the Fourth Division.

On the resignation of the late Sir Henry W. Barnard, in the November following, General Windham was appointed Chief of the Staff of the Army in the East, and in virtue of his office became the responsible head of the two departments of the Adjutant-General and the Quartermaster-General.

On his return to England at the conclusion of the war, General Windham was received in London with all appropriate honours, and in his own county he was presented with a handsome sword,

a subscription for the purpose of a testimonial among the gentlemen and yeomen of Norfolk having in a few days reached 1000*l*.

At the General Election of April, 1857, his native county again showed its appreciation of his public character, for the constituency of East Norfolk returned him to Parliament in the Liberal interest without a contest. On that occasion he professed himself an advocate of electoral, legal, and military reform, and of the permanent embodiment and establishment of the militia. In Parliament he took part in several discussions relating to army commissions, and advocated the system of public competition instead of private patronage.

In the following month of August General Windham left England for India a few days after Lord Clyde, in order to undertake the command of a column. His services in support of Lord Clyde at Cawnpore and at the relief of Lucknow, when he defeated the Gwalior Contingent, and subsequently as Commander at Lahore in the Punjab, will long be remembered.

He was promoted in 1863 to the rank of Lieutenant-General, and nominated a Knight Commander of the Order of the Bath in 1865; Colonel of the 46th Foot in 1861, and in 1867 was appointed to the command of the British Forces in North America.

Sir Charles Windham, who died on the 1st of February, was twice married—firstly, in 1849, to Marianne Catharine Emily, youngest daughter of the late Vice-Admiral Sir John Poo Beresford, K.C.B., M.P., who died in 1865; and, secondly, in 1866, to Charlotte Jane, daughter of the late Rev. Henry Des Vœux.

# REMARKABLE TRIALS.

## I.

### LADY MORDAUNT'S CASE.

MORDAUNT V. MORDAUNT, COLE, AND JOHNSTONE.

THIS was a judgment by the full Court of Divorce and Matrimonial Causes on a novel point, and one of great general interest. The question which it decided had reference to the right of a petitioner to sue for a divorce, when the respondent was at the time or shortly after the service of the citation insane. The previous history of this case was as follows:—

A petition had been presented by Sir Charles Mordaunt, of Walton-hall, in the county of Warwick, for a dissolution of his marriage with Harriet Sarah, Lady Mordaunt, on the ground of adultery. The petitioner alleged the marriage on the 6th of December, 1866, at St. John's Episcopal Church, Perth; cohabitation at Walton Hall, and at 6, Belgrave-square: and adultery with Viscount Cole in May, June, and July, 1868, at Chesham-place, and in July, 1868, and January, 1869, at Walton-hall; and adultery with Sir Frederick Johnstone, in November and December, 1868, at Walton-hall, and in December, 1868, at the Alexandra Hotel, Knightsbridge; and adultery also with some person between the 15th of June, 1868, and the 28th of February, 1869. The citation was served on Lady Mordant at Walton-hall on the 30th of April, 1869. An application was afterwards made on her behalf to stay the proceedings, on the ground that she was not of sound mind, and was, therefore, unable to plead and to give instructions for her defence, and the application was supported by affidavits. Counter affidavits were filed on behalf of the petitioner, with the view of showing that Lady Mordaunt was feigning insanity in order to avoid pleading to the petition, and on the 27th of July, 1869, an order was made that her ladyship's father Sir Thomas Moncrieffe, should appear as her guardian *ad litem*, for the purpose of raising the question as to her state of mind. On the 30th of July 1869, Sir Thomas Moncrieffe accordingly entered an appearance, and alleged that at the time when the citation in this suit was served on the respondent, to wit, on the 30th of April, 1869, the respondent was not of sound mind, and that she had not since been and was not then of sound mind. The petitioner having taken issue on this allegation, the question was ordered to be tried before the Court by a special jury.

The case accordingly came on before Lord Penzance (the Judge Ordinary) on the 16th of February, and lasted for more than a week. Though the real issue was the state of mind of Lady Mordaunt, witnesses were called to prove her adultery with several persons, in order to show that her insanity was feigned and that she had a strong motive for the pretence. Amongst others his Royal Highness the Prince of Wales was examined as to his conduct with the respondent, and he satisfactorily denied that there had ever been any improper familiarity between him and Lady Mordaunt. In the end the jury found that on the 30th of April the respondent was in such a condition of mental disorder as to be unfit and unable to answer the petition and to instruct her attorney for her defence, and the order of Lord Penzance for staying further proceedings on that account was subsequently affirmed by a majority of the full Court.

The learned judges differed in opinion, Lord Penzance and Mr. Justice Keating holding that the respondent's insanity was a bar to the petitioner's proceeding for a divorce, while Chief Baron Kelly took a contrary view of the case.

The judgments were as follows :—

Mr. Justice Keating: The question is whether the order of the Judge Ordinary appealed from should be rescinded or varied, or, in other words, whether proceedings upon a charge of adultery, with a view to a divorce, can or ought to be continued against a respondent who at the commencement of the suit was, and still is, wholly unable and unfit, through mental incapacity, to defend herself, so long as that mental incapacity continues; and I am of opinion that the order made ought not to be rescinded or varied. If this were a criminal proceeding or a proceeding *in pœnam*, properly so called, of course there could be no doubt upon the subject. Mental incapacity not only excuses the commission of what otherwise would be crime, but is a bar at every stage to any proceeding on the part of the Crown in respect of it. It excuses the act charged as crime, because the essence of crime is the *mens rea*, which could not exist in such a case, and it is a bar to criminal proceedings in consequence of want of capacity on the part of the accused to understand the charge or make a defence to it. See the rule and the reason for it well stated in *4 Broom and Hadley's Commentaries on the Laws of England*, p. 22, citing *Hale, P.C.*, 14. Now, it is true that by the law of England adultery is not the subject of indictment (*2 Co. Inst.*, 488; "*Galizard v. Rigault*," *Holt's Reports*, 598), and therefore cannot with strict technical accuracy be termed a crime; yet the charge, both in its nature and consequences, much resembles a criminal charge. Indeed, Mr. Emlyn, whose learning and ability are vouched by Mr. Hargrave in his preface to the second edition of the *State Trials*, p. 33, note H, expresses an opinion that it was indictable by our law, and cites authorities for his opinion. By the law of France it is punishable as a criminal offence, and we have the authority of Lord Holt in the case referred to ("*Galizard v. Rigault*") that it is considered as such in the Spiritual Courts. In divorce proceedings in the House of Lords also it appears to be so treated. In the Duchess of Norfolk's case (*12 State Trials*, 890) the entry is, "Upon reading the charge which Henry Duke of Norfolk hath exhibited against his wife, Mary Duchess of Norfolk, for the crime of adultery, it is ordered—." No case is to be found in the Ecclesiastical Courts where the question has arisen how far adultery to justify a divorce could be committed in the absence of the *mens rea*, but it seems clear that by the French law it is essential to the commission of the crime (*Gilbert, Codes, Annotés par Sirey; Code Pénal*, 336; and *Merlin, 1 Rep. Adultère*, n. 10). In America the decisions



conflict upon the point (2 *Wheaton's Com.*, 82). How that question will be dealt with should it arise in the courts of this country it is not necessary to anticipate; for, at all events, the nature of the offence charged seems to me to distinguish the proceedings in divorce essentially from those merely of a civil character, in which the object is the recovery of debt or damages for an injury to person or property (see *Bacon's Abridgment, title Trespass G.*), but where the personal *status* of the defendant is wholly unaffected. In proceedings for a divorce, although the consequences to the party charged and found guilty are certainly not the same as in misdemeanour, yet in the case of a wife respondent they are so incalculably more terrible than fine and imprisonment that it seems contrary to all sense of natural justice that a woman should be convicted of adultery, involving a change in her personal *status*, and that by a judgment *in rem*, without the fullest opportunity of making her defence. By analogy, therefore, to those principles which have been established in the administration of criminal justice in this country, it seems to be that the proceeding for a divorce for cause of adultery, although not strictly a criminal proceeding, is at least a proceeding *quasi in penam*, and ought to afford similar protection to parties accused. But by far the most cogent reasons for supporting the present order are, in my opinion, to be found in the provisions of the statute itself upon which the jurisdiction of this Court is founded; and in order to appreciate their effect it is necessary to bear in mind that before the passing of the statute 20 and 21 Victoria, cap. 83, by the law of England marriage, when lawfully contracted, was an indissoluble contract. Unlike all other civil contracts, it could neither be put an end to by mutual consent nor by act or operation of law. The husband whose wife had proved unfaithful might, indeed, go into the Spiritual Court, and, upon proof of adultery, without fault on his part, obtain a divorce *a mens et thoro*, and also bring an action for damages against the adulterer; but the marriage contract remained undissolved, nor could the parties during their joint lives marry again unless by special interference of the Legislature. In that state of things the statute 20 and 21 Victoria, cap. 85, was passed, which for the first time gave to a court of law the power to dissolve a lawful marriage, but only *sub modo*, and subject to certain conditions. The 27th section of that statute enables either party to present a petition for dissolution of marriage. The 28th section provides that the person charged with adultery with either party may be made respondent, and that either party may have the facts tried by a jury. Section 29 enacts that "upon any such petition for a dissolution of marriage it shall be the duty of the Court to satisfy itself, so far as it reasonably can, not only as to the facts alleged, but also whether or no the petitioner has been in any manner accessory to or conniving at the adultery, or has condoned the same, and shall also inquire into any counter-charge which may be made against the petitioner." By section 30, "in case the Court, on the evidence in relation to any such petition, shall not be satisfied that the alleged adultery has been committed, or shall find that the petitioner has been accessory to or conniving at the adultery of the other party to the marriage, or has condoned the adultery complained of, or that the petition is presented or prosecuted in collusion with either of the respondents, then in any of the said cases the Court shall dismiss the said petition." The 31st section provides "that in case the Court shall be satisfied on the evidence that the case of the petitioner has been proved, and shall not find that the petitioner has been in any manner accessory to, or conniving at, the adultery of the other party to the marriage, or has condoned the adultery complained of, or that

the petition is presented or prosecuted in collusion with either of the respondents, then the Court shall pronounce a decree declaring such marriage to be dissolved; provided always that the Court shall not be bound to pronounce such decree if it shall find that the petitioner has, during the marriage, been guilty of adultery, or if the petitioner shall, in the opinion of the Court, have been guilty of unreasonable delay in presenting or prosecuting such petition, or of cruelty towards the other party to the marriage, or of having deserted or wilfully separated himself or herself from the other party before the adultery complained of, and without reasonable excuse, or of such wilful neglect or misconduct as has conduced to the adultery." And the 43rd section enables the Court to have the petitioner examined and cross-examined on oath, if necessary, in order to obtain information with reference to the various matters upon which it is to satisfy itself, saving only the right of the petitioner to refuse to answer any question tending to prove his or her adultery. Now, it appears to me to be impossible to apply these provisions of the statute in the manner contemplated by the Legislature when one of the parties is insane. The Court cannot pronounce a decree of divorce, unless satisfied, after inquiry, which it is bound to make, that none of the statutable impediments exist, yet the existence of those impediments, or of most of them, is peculiarly, and often exclusively, within the knowledge of the parties themselves. How, then, can it be supposed that the Legislature contemplated such a suit proceeding during the insanity of one of the parties to it? Connivance, condonation, cruelty, desertion, wilful separation without reasonable excuse, wilful neglect or misconduct, concurring to the adultery, are all matters upon which it is the duty of the Court to satisfy itself, as to some absolutely, as to others if charged; but how are they ever to be supported, much less proved, when one of the parties is insane? Take the case of a petitioner. Is a petition for a divorce to be presented or prosecuted on behalf of a lunatic with a view to alter his or her personal *status* without his or her consent? Who can say that such a proceeding, if it could be taken, would necessarily be for his or her benefit or would be approved upon recovery? A proceeding for a judicial separation stands upon a totally different ground. It is temporary in its effect, and always contemplates the possibility of reunion, and there certainly is authority for such a decree being made on the petition of the committee of a lunatic ("*Woodgate v. Taylor*," 30 *L. J.*, Probate and Divorce, 197, and see Note 1), where the distinct, but judicial, separation and divorce seems to have been present to the minds of the Lords Justices in making their order for proceedings. It is also to be observed as to the case that the attention of the Court does not seem to have been called to the provisions of the 41st section of the statute. But whatever may have been the case with reference to a petition, yet in the case of a respondent, although proceedings for judicial separation are not fenced round with all the statutable conditions applicable to a case of divorce, there is no instance to be found in which a decree for even a judicial separation has been made against a lunatic respondent, and there seems to be an additional objection to making such a decree in the fact that by a recent statute, 32 and 33 Victoria, cap. 68, he or she is made a competent witness, and has the right to give evidence in disproof of the charge of adultery. It would seem, therefore, extremely unjust to deprive the parties charged of the right without any fault on their part. It is not difficult to suppose many cases where suspicion of the gravest kind resulting from conversations or letters or entries might be dispelled by a few words of explanation, which could only be given by the absent lunatic, or when a totally different complexion

might be put upon facts apparently of a highly criminating character, by the evidence of the party charged. I do not wish to attach undue importance to the fact that charge or counter-charge is either by statute or rule to be made upon the oaths of the parties respectively, as, perhaps, the Court could, in furtherance of justice, relax the stringency of the requirements; but such a provision in the statute in the case of a petitioner tends at least to show the Legislature contemplated the parties being in a state of sanity. Neither does it seem to me that the argument used at the Bar, that as the Court could pronounce a decree of divorce against a party not served, so it might do in the case of a lunatic, avails much to the case of the appellant. When such a decree is made the Court is satisfied either that the party has gone away to avoid service, or may have had notice by means of advertisements or other notices directed to be given, whereas in the case of an insane person the Court knows that the party had not and could not have had notice, and cannot possibly defend himself or herself against the charge. The authorities upon this point are necessarily few, but what authority there is upon the subject is clearly in favour of the present order. In a case not reported, but furnished from the notes of the late Sir Herbert Jenner Fust, the question seems to have arisen whether a decree *a mensâ et thoro* could be made against a lunatic respondent. That learned Judge, expressing a doubt whether he could make such a decree, took time to consider. No judgment is known to have been given, nor is there any trace of such decree having been made. However, the question arose afterwards before the late Sir Cresswell Cresswell in the case of "*Bawden v. Bawden*," reported in 2nd *Swabey and Tristram's Reports*, on a petition for a divorce under the present Act, and that eminent Judge, after taking time to consider, gave judgment that the proceedings should be stayed. Now, this decision is admitted to be in point, and indeed the present appeal is with a view to overrule that case, although in form it is directed against the order of the Judge Ordinary made upon its authority. In my judgment, however, that case was rightly decided. I do not refer to the cases of hardship suggested, quite as great on the one side as on the other, as it was admitted the case must be decided on other considerations. The order as made stays the proceedings until the petitioner, who has the custody of the respondent, can assert her recovery. Meanwhile, he is in the same position as he would have been in before the passing of the statute. The facts of this case are not before us, but should it upon those facts, in consequence of any peculiar hardship, be deemed one fit for legislation, of course there is nothing to prevent it. In my opinion the Order of the Judge Ordinary was right, and the appeal against it ought to be dismissed.

**LORD PENZANCE.**—The main question to which the insanity of the respondent gives rise is, whether the suit can be permitted to proceed to a decree against her so long as she remains insane. A suggestion has been made that the order now under appeal should be altered by staying the proceedings for a time, until recovery shall be declared hopeless. An obvious objection to this course is that the probability of recovery is a matter more of speculation than of definite conclusion. But it seems to me that the propriety of adopting it depends upon the legal effect of the respondent's insanity, so long as that insanity continues. If while the insanity continues the petitioner is entitled, nevertheless, to proceed to prove his case, it would still be right, in justice to the respondent, to stay the proceedings for a reasonable time, to take the chance of her recovery, before the charge is pressed against her. If, on the other hand, the true view is that no

proof or decree can lawfully be made against her so long as she continues insane, there is no need, as it seems to me, for a stay of proceedings for any period short of her recovery, and no justification for the postponement of a decision on the main matter, which the parties have asked at our hands. The authority of this Court to entertain a suit for the dissolution of marriage is derived wholly and solely from the statute by which this Court was first instituted. The relief which the Court was then for the first time empowered to give in cases where the marriage vow had been violated has been defined and regulated by the various provisions of that statute, and restricted by the conditions thereby imposed. The language that has been held in argument invites and provokes some consideration of the nature and extent of these various provisions. It has been argued that marriage is nothing but a contract, subject to all the legal incidents of an ordinary contract, and giving rise to the like legal remedies. From this position, if tenable, the conclusion would not be difficult that insanity in her who has broken the contract, should be no bar to the remedy of him who complains of the breach of it. For the Courts of Law and Equity have always, though in different ways, enforced remedies arising out of contract, notwithstanding the insanity of the defendant. But, is it true that marriage is an ordinary contract? Surely it is something more. I may be excused if I dwell somewhat on this matter, because I conceive it lies at the very root of the question in discussion. Marriage is an institution. It confers a *status* on the parties to it and upon the children that issue from it. Though entered into by individuals, it has a public character. It is the basis upon which the framework of civilized society is built, and, as such, is subject in all countries to general laws, which dictate and control its obligations and incidents, independently of the volition of those who enter upon it. Marriage, moreover, has features which belong to no other contract whatever, and notably these two—it cannot be rescinded, even by the consent of both parties to it, and it is commonly contracted under the sanction of a religious ceremony. This, the leading feature of marriage, its indissolubility, was preserved by the law of this country up to the time that the statute constituting this Court passed into legislation. No matter how flagrantly the obligations of the contract had been violated on one side, there was no right to a release from the corresponding obligations on the other. Cases of grievous hardship brought about a remedy by measures above and beyond the law for those who could afford to pay for them; but the essence of the marriage contract remained the same, and the bargain to live together for better and for worse continued to be one from which there was no voluntary retreat or legal escape. To what extent, then, did the Legislature intend by the Divorce Act to break in upon the integrity of this system? It is worth while to examine this matter, for the power conferred by this Act of resorting to this Court has been treated in argument as if it were simply a new means of asserting a pre-existing right. According to this view the act of adultery is treated as conferring at once the right to a dissolution, and the Divorce Act only as furnishing the necessary machinery. But is this so? It appears to me that the new remedies, like those of a more limited character accorded by the Ecclesiastical Courts, were granted, if I may use the expression, rather *ex gratia* than *ex debito justitiæ*. The Divorce Act kept alive the restrictions under which the Legislature in the case of Divorce Bills, and the Spiritual Courts in the case of divorce suits *a mensâ et thoro*, had been used to act, and those restrictions plainly show the spirit in which the relief was granted. It was a principle of universal application in the Spiritual Courts that a suitor who prayed

for a relaxation of his marriage should come into court with clean hands. It was further necessary that he should not, even in a moment of excitement, have pardoned his wife and taken her back to him. It was a further principle that he should be sincere in the grievance under which he professed to suffer. And, lastly, he was bound to be prompt, and not open to the charge of unreasonable delay. In a like spirit, a Divorce Bill, when passing through the House of Lords, was treated rather as a matter of general merits, laying the foundation for a measure of grace, than a mere investigation of delinquency, drawing after it an absolute right to redress. The entire conduct of the husband was submitted to review, the complaints and excuses of the wife were entertained, and the Bill, which passed into a law only if the case were in all respects meritorious, was liable to be defeated in its last stages if the husband failed to restore an adequate part of the fortune, if any, that his wife had brought him. No doubt the breadth of this discretion in granting relief was much narrowed, and its limits defined when the dissolution of marriage was confided to the hands of a regular tribunal; still a large discretion was left. The Court, under section 31, has the discretion to refuse a decree if the petitioner has been guilty of adultery, if he has been guilty of cruelty, if he has been fairly chargeable with unreasonable delay, if he has wilfully and without reasonable excuse separated himself from his wife, if he has deserted her, and, lastly, if he has been guilty of any neglect or misconduct conducing to his wife's adultery. And here it is to be observed that the maintenance of these restrictions and qualifications is treated by the Legislature as a matter not merely of equity to the erring wife, but of public concern. The enactments which followed the Divorce Act made special provision to ensure divorces not being granted when any of these imputations could be successfully made against the petitioner. It cast upon a public officer, the Queen's Proctor, the duty of intervening at any time, and bringing them to light, and even empowered individuals, whether interested in the matter or entire strangers to the parties, to do the like. It is only, therefore, if the petitioner is free from all reasonable complaint of misconduct himself that the Legislature intended to release him from bonds in their terms and their nature permanent. The statute accorded to those to whose own conduct no blame could be imputed a relief from obligations voluntarily undertaken and still binding, but which the unprovoked misconduct of others had rendered a grievous and intolerable burden. But it did not, as it seems to me, intend to do more. It did not intend to affirm that adultery of the wife at once conferred upon the husband an immediate though defeasible right to have his contract of marriage dissolved, treating his release from the contract as a simple right growing out of the breach of it by the other party, and thus placing it on a level with a contract for the sale of goods or the hire of a ship. When the Court, therefore, is asked to deal with this question of insanity as courts of law would deal with a case of ordinary contract, the answer is that marriage is not an ordinary contract. When the analogy of legal remedies in other cases of contract is put forward for adoption, the answer is that the analogy does not exist. If it did it would no doubt give a summary solution to all difficulties, but a rather startling one. A lunatic at common law is liable to be sued, and until arrest was abolished held to bail,—just the same a sane man. There is no need at common law for the appointment of a guardian or the nomination of any one to act in the lunatic's place; the suit proceeds in all respects as if the defendant were sane. If this Court, then, were to act in analogy with this system, the petitioner would have only to prove service of the petition on his lunatic wife, and he might, with-

out warning to her family or her friends, proceed to establish her guilt without danger of defence or recrimination. For these reasons, it appears to me that we must look elsewhere for the solution of the question at issue than to the analogy of ordinary remedies for the breach of ordinary contracts. And as it must be conceded that the true meaning of the Legislature in the Divorce Act, if it can be arrived at, is that which ought alone to guide our decision, it is to the provisions of that Act that I again recur. It is to be observed, at the outset, that there are no words specially applicable to the case of lunacy either of the petitioner or the respondent. If suits were intended to be entertained by and against such persons it would be reasonable to look for some provisions by which their friends or relations might act for them and protect their interests. But there are none such, nor, indeed, any special provisions or machinery for the conduct of such suits. If the statute applies to lunatics at all, it deals with them in all respects like other persons. Accordingly the lunatic petitioner must present a petition, and accompany it by an affidavit sworn by himself as to the truth of its allegations. On this section 41 of the statute is express. The lunatic respondent, too, must be served personally with the petition, unless the Court dispense with it. Then the lunatic respondent is invited to recriminate, and submit the petitioner's matrimonial conduct to investigation. If she does this, the rules of the Court, as they stand at present, require that she should affirm the truth of the charges on personal affidavit. Any such charges the petitioner, whether a lunatic or not, has to meet, and the duty is by section 29 directly cast upon the Court of investigating all such counter-charges. Now, so far as the mere machinery here indicated is concerned, its defects might, no doubt, be to some extent supplied by rules of Court. It is not, therefore, so much that the means of entertaining such a suit as this are beyond reach if it could only be made plain that the Legislature so intended, as that the absence of appropriate provision for lunatics in those parts of the Act which concern procedure tends to show that the Act was not designed for any but sane suitors. But I pass to a more general view, and I ask myself the broad question whether, looking at the substance, rather than the form, of these remedies, they were intended for lunatic petitioners and lunatic respondents. I say lunatic petitioners as well as respondents, for there is no distinction made in the Act; the words throughout are quite general, and there is no middle ground between the two opposite opinions that these words include lunatics or exclude them altogether. Take the case of the lunatic petitioner first. Did the Legislature really intend that while a man was out of his senses, either he or his friends should be at liberty to take legal proceedings to put away his wife? Surely such a matter as the divorce of his wife (perhaps the mother of his children) is one upon which he should be allowed himself to exercise some reasonable option; and while from aberration of mind he is incapable of exercising that option, was it really contemplated that he, or his friends on his behalf, should be permitted to bring to the scandal of a public trial his wife's alleged guilt and his own supposed dishonour? But another result might follow. His wife, though guilty herself, might recriminate and charge him with conduct which his condition of mind would prevent him from answering with effect. His suit would then fail; the counter-charge would be established against him, and his remedy be barred for ever, though he should recover his senses and wish to pursue it. Then take the case of the lunatic respondent. The gravest of all charges short of indictable crime is made against her. She is unable to give any explanation to her advisers of the circumstances from which her guilt is argued. The charge is of a purely

personal character, and the decree sought is aimed directly at her personal *status*; her exculpation, if there be one, probably lies in facts and events known only to herself. All her letters and documents have probably passed into the hands of her husband, who may produce what he likes, without fear of inquiries for the rest. Those who defend her—and if she belong to the humbler classes the expense of defence will probably not be incurred at all—can only stand by and sift the petitioner's proofs, for all counter-evidence or proof of explanatory facts they will in most cases be wholly at a loss, for want of the knowledge which alone could lead to their production. Could the bare issue of adultery then be fairly tried against a person so placed? And if not, did the statute which I have endeavoured to show is so framed as to stipulate with scrupulous care for an equitable and meritorious view of conjugal delinquency on both sides, really intend to place a dissolution of his marriage within the reach of a husband upon an inquiry so one-sided and incomplete? But if such an inquiry would be incomplete and inequitable on the fact of adultery, on all matters of recrimination, on all charges of neglect or misconduct, on the part of the husband himself it would literally, in most cases, be no inquiry at all. Who is to know, much less find proof of the husband's cruelty? Who is to give the clue to and to bring to light the neglect or misconduct which may have conduced to the wife's adultery? If, before the adultery, he has deserted her, or separated himself from her, who is to meet or confute the facts he may put forward as a "reasonable excuse" for so doing? And these, be it remembered, are not only defences to the wife, but are by the statute made matter of public concern, and unusual means are enacted to preclude a decree of divorce from passing in any case in which they may exist. It is not too much to say that in the case of an insane respondent all these careful provisions and restrictions would become practically a dead letter; and as it is plain that the Legislature did in no case intend that they should be so, I conclude that such a suit as this is not within the statute. I have thus far proceeded on the reason of the thing; authority upon the subject there is but little. With the exception of the case of "*Bawden v. Bawden*," this is the first attempt in this Court to make an insane wife responsible in a suit for divorce. The judgment in that case was not an elaborate one, but no one who reveres the sound legal capacity of my predecessor in this court as it deserves to be revered, can fail to attribute great weight to his decision. It is in entire conformity with the order now under review. In the Ecclesiastical Court no case has been cited in which so much as a contrary *dictum* is to be found; and on the only occasion which the matter was mooted, the Judge's notes show an opinion in conformity with that of Sir Cresswell Cresswell. In the record of Divorce Bills none is to be found against an insane wife. It may safely, therefore, be asserted that all previous authority is against the petitioner and the further maintenance of this suit. It is hardly needful to say that in the foregoing remarks I have made no allusion to the actual facts of this or any other case. The question is one of general principle, and I have so treated it. Neither has it seemed right to base any conclusion upon mere considerations of hardship that may arise out of a decision in one direction or the other. As far as the petitioner is concerned, there is no hardship, unless on the assumption of the respondent's guilt, an assumption we are not at liberty to make. If in no case where the respondent is insane is the petitioner entitled to claim relief, there may, no doubt, arise some cases in which the petitioner will suffer a grievous hardship. If, in all cases in which the respondent is insane, the petitioner is nevertheless entitled to proceed, there may be some cases in which

the respondent will be the victim, not merely of hardship, but fatal injustice. In whichever way the statute is interpreted, full and complete justice is not in all cases within reach of the Court. But this is the inevitable result of the malady with which the respondent has been afflicted, and which has rendered a fair investigation of the truth impossible. In conclusion, I will advert to one other subject. It was suggested in argument that in staying the suit the interests of the co-respondents might be compromised. It might be sufficient, perhaps, to observe that the supposed hardships of the co-respondents are put forward, not by them, but in the interests of the petitioner. The co-respondents themselves have not either of them appealed against this order, nor have they made any application regarding their costs. But, if they had, I do not conceive that they have either the interest or the right to insist on a continuance of this suit, or that they can be wronged by its discontinuance. Suppose the respondent had died, could the petitioner have been obliged to continue the suit against the co-respondents? It must be remembered that the petitioner makes no claim for damages, and asks in his petition for no decree against them. They are made parties to the suit, only because the statute peremptorily requires that they should be so. The object of this provision was no doubt to give them a *locus standi* to contest the proof of adultery. If no such proof is offered their legal interest in the matter is at an end. Is, then, a petitioner, it may be asked, who has commenced a suit, bound to go on with it whether he will or no? Suppose after the suit has begun he sees reason to doubt whether his wife is guilty, is he bound to continue the investigation in open court, in order to clear the reputation of the co-respondent? Or, again, if he forgive his wife, and they come together again, as not unfrequently happens, is he bound for the sake of the co-respondent to produce what he considers his proof of her infidelity, in order that the co-respondent may meet it in open court? And if the court were to hold that he were so bound, and that the suit must go on to a termination against the co-respondents, would the co-respondents obtain the end they are supposed to seek? No power of the Court can make the husband really try to prove adultery, unless he be so minded, and the reputation of the co-respondents would be in no degree mended by the form without the substance of an adverse investigation. The truth is that it is a misfortune inseparable from permitting a husband to charge his wife in public with adultery, that the name and reputation of a third person (if known) should be exposed to compromise. If the parties are innocent this cannot be otherwise than a grievous wrong, which nothing can wholly redress, and for which there is no practical mitigation, but in that sense of justice on the part of the public which withholds a judgment until a charge is not only made, but proved. I am, therefore, of opinion that the petition of the co-respondents throws no light upon the propriety of the order now under appeal. Their position is the same as it would have been if the respondent had died; if the petitioner had found his proofs of guilt insufficient, and had ceased to urge them; if he had forgiven his wife, and taken her back; or if, for any other reason whatever, he had ceased to demand relief at the hands of the Court. The order ought in my judgment to be affirmed. I desire to add that if the form of the present order should make any difficulty in the way of the petitioner appealing to the House of Lords, and if a dismissal of the petition will remove that difficulty, I shall be very willing to hear any future application that the condition of the respondent or other considerations may warrant the petitioner in making with that object.

The Lord Chief Baron.—I am of opinion that the order in question should be

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rescinded or varied, and that the order to be made should be that further proceedings in the cause be stayed for such limited time as the Judge Ordinary shall think reasonable and expedient, unless the respondent shall in the meantime recover, with liberty to either party to apply. The ground upon which I think that the postponement should at present be temporary only is, that to decide the question now, and either to grant the order in the terms prayed or to permit the cause to proceed, notwithstanding the insanity of the respondent, may do great and grievous injustice and an irreparable injury to the one party or the other, whereas a stay of proceedings for a limited time will meet the present exigencies of the case, and do no wrong to either. In considering the real nature of this order, and its ultimate consequences, I must disclaim any allusion to the parties before us in this particular case, and whom, as no evidence has been taken upon the petition, I shall presume to be free from all imputation. But in dealing with the case we must remember that our decision will govern all such cases hereafter, and determine the rights of all parties to a suit for the dissolution of marriage on the ground of adultery, under whatever circumstances it may come before the Court. The order, although in its terms conditional, is in effect, if the malady prove permanent or should continue during the life of the petitioner, an absolute bar to the suit, a final judgment against the petitioner, and a denial of the redress which he claims to be entitled to under the provisions of the statute, not only as regards the wife, but against the co-respondents. If such an order be made, the consequence to a petitioner is, that although he may have evidence incontrovertible of the adultery of his wife, and a just claim to damages to a large amount against a co-respondent, he finds himself—without any fault of his own, from an accident which he had no power to prevent—tied and bound to an adulterous wife for the remainder of his life, compelled by law to maintain her suitably to his own condition and rank and fortune, liable to the risk of spurious issue, his legitimate children or natural heirs despoiled of property, as, by the wife's claim to dower, or to personalty passing to her if he should die intestate, and himself for ever precluded from contracting marriage with another woman. On the other hand, if the petitioner be permitted to proceed, the consequences are scarcely less calamitous to the wife, it may be an innocent wife, in a case in which more than in any other species of judicial inquiry evidence may be given against her which she alone may be able to contradict or to explain away; and after a trial upon which, but for her insanity, she might have established a complete defence, she may recover her reason only to find herself dishonoured and disgraced for ever by a sentence of divorce for adultery. I venture to think that this Court ought not to entertain a question by its decision upon which it is compelled to choose between these two great evils, until, at least the recovery of the respondent has become hopeless, and the Court is called upon, *ex debito justitiæ*, by one party or the other, to make the order, and, in effect, put an end to the suit, or to allow the petitioner to proceed and entitle himself to the redress which he seeks. It appears to be the result of the evidence upon the issue of insanity, as stated by the learned Judge Ordinary when this order was originally pronounced, "that persons suffering from puerperal insanity for the most part recover within a year, some within eighteen months or two years, and some never." And it was then observed by the learned Judge, "that it had been extremely probable at the outset that the lady, if deranged, would before long cease to be so; and that there was some not unreasonable hope of her recovery still." The learned Judge further observed

“ that whatever be the case in reference to permanent insanity, whether it ought to bar a suit or not, it may with some force be argued that until all well-founded expectation or fair hope of the respondent's being able to answer the petition be dispelled, the petitioner ought, for a reasonable time at least, to be forbidden to proceed without that answer.” I entirely concur in the view thus taken of this case, I believe, as late as the month of April last, and am still of opinion that the disastrous consequences which may or must ensue whenever the Court is compelled to decide this question are such as imperatively to call upon the Court to vary and qualify this order, and stay the proceedings only for a limited and definite time. But from the view taken of the case by the Judge Ordinary and my Brother Keating, it becomes necessary to consider what power or jurisdiction this Court possesses to make an order which, in case the respondent should not recover, operates as a judgment against the petitioner, and a final bar to his suit. And here it is objected *in limine* that the Court has no power to appoint or to recognize a guardian *ad litem* to the respondent, and that therefore, if the cause proceed, no defence at all can be made on her behalf. But I am clearly of opinion that such is not the law or the practice of the Court. I conceive it to be a power inherent in all the superior Courts of Law and Equity to appoint a guardian *ad litem* to any infant or lunatic who may be a party to a suit, whether *ex motu proprio*, or at the instance of any fit and proper person willing to assume and perform the duties of the office. All the cases upon this point referred to on the one side and on the other are uniform to show that it has always been the practice of Courts Spiritual, as of other Courts of Law and Equity, to appoint and recognize guardians to minors and lunatics, parties to suits before them. In “*Barham v. Barham*,” 1 *Hag. Consist. Rep.* 5, a wife, a minor, plaintiff in a suit against her husband for cruelty and adultery, appeared by a curator *ad litem*; and in “*Beauraine v. Beauraine*,” 1 *Hag. Consist.*, p. 498, a curator *ad litem* was appointed to the respondent, a minor, sued by his wife for a divorce by reason of cruelty and adultery. This appointment was afterwards set aside by reason of the guardian having refused to accept the office. But the practice for a minor to appear by guardian in such a suit is not questioned. And in “*Hancock v. Peaty*,” 1 *Law. Rep.*, Divorce, p. 335, in a suit of nullity of marriage by a wife against her husband, on the ground that she was insane at the time of the marriage, the plaintiff or petitioner appeared by a guardian, her brother, specially assigned by the Court at his own instance, and the suit was carried on and a decree of nullity pronounced, the plaintiff being lunatic, and therefore incapable of acting herself, and having appeared by guardian from the beginning to the end of the suit. In “*Parnell v. Parnell*,” 2 *Hag. Consist. Rep.*, 169, a husband, lunatic, was permitted to institute and carry on a suit by his committee or guardian against his wife for a divorce by reason of adultery; and the principle upon which the practice rests was clearly laid down by Lord Stowell. This case is important as showing conclusively that the insanity of a petitioner or plaintiff is no bar to a suit or a decree for a divorce by reason of adultery; and, inasmuch as adultery may be set up by way of recrimination as a defence against such petition, it seems to follow that insanity is no bar to such a charge against a lunatic, and that he must defend himself against such charge through his guardian or committee. From what fell from the Court in this case it is also clear that, if necessary, the Court of Chancery might be applied to to appoint a committee, either generally or for a limited purpose, as *ad litem* in any suit and in any Court; and in the case now before us the Court has assumed and

exercised this power, and it is under the appointment by the Court of the guardian who is now conducting the defence of the respondent that the trial of an issue has taken place, motions have been entertained, and the very order now in question has been made. If the Court had no power to appoint a guardian and proceed with the suit against the respondent by her guardian, notwithstanding her insanity, what authority had it to try that issue, or to entertain this motion, receiving evidence upon oath  *viva voce* or by affidavit; and above all, where was the authority to make the order now in question? All these acts and proceedings must be valid and binding alike on the petitioner and the respondent and the co-respondents, or they are absolutely void; and they cannot be binding if the Court had no power to proceed in the suit during the insanity of the respondent. And if they are void, how could the witnesses upon the trial or the deponents upon the motion, be indicted for perjury? or how can the act of the guardian in appearing upon this motion, or in opposing or supporting this or any other order, be binding upon the petitioner, or upon the co-respondents, or upon the respondent herself if she should recover? If it be said that the Court being incompetent to proceed with the suit while the respondent is insane, it must of necessity resort to some kind of process, and receive evidence before it can be informed or assured of the fact of the insanity, does not this show that where the purposes of justice require that proceedings in a suit, whatever may be their nature, must be had notwithstanding the insanity of one of the parties, it is of necessity that the Court must permit and entertain these proceedings without the personal participation of the party lunatic, and admit a guardian to appear and act on his or her behalf? If, then, the respondent be well represented by the guardian now before the Court, the question at once arises, is the permanent insanity of the respondent a final bar to the suit? Now a suit for a dissolution of marriage is the creature of the Act of Parliament, and we must look to the Act itself to see whether an order having this operation and effect is authorized expressly, or by necessary implication, by any of its provisions. I conceive that it is to misapprehend the question to inquire whether the Court has power to go on with the suit notwithstanding the insanity of the respondent, and that the true question is whether the Court has any power to stop the suit except by a final judgment in the cause upon the issues joined or by default, as expressly directed by the Act, or for nonconformity to some rule or practice lawfully made or established under the authority of the Act. For unless a power is conferred upon the Court by the terms of the Act to bar the suit upon this ground, it has no more jurisdiction to do so than it would have had to entertain the suit and adjudicate upon it if the Act had never been passed. A writ, or process, or the whole proceeding in a suit, may be set aside for irregularity or bad faith; but in such a case the proceeding is not stayed but set aside, and the party complainant may begin  *de novo*, whereas here the power claimed by the Court is at once to put a stop to the suit which bars the right of the complainant for ever. To refuse to proceed in a suit where either party demands that it should be carried on to its natural determination according to law, and by an arbitrary act at once to bar the complainant of a statutory right for ever, appears to me to be a usurpation of authority and a denial of justice; and no instance occurs to me of such an act ever having been done by any Court. Where the proceeding with an action at law is stayed by a perpetual injunction the writ restrains the party only, and does not operate on the suit itself, and the injunction is founded upon some established rule or doctrine of equity which has obtained the force of law. I

must, however, except the case of "*Bawden v. Bawden*," which is, undoubtedly, an authority in support of the order, and being the decision of a very learned and eminent judge, is entitled to every consideration. But it can scarcely be said that that case was either argued or decided with all the attention which such a question deserved. The respondent was a pauper lunatic in a workhouse, her guardian the overseer of the parish, and the learned judge appears to have proceeded, at least in some measure, upon the authority of a case before Sir Herbert Jenner, which, when examined into, turns out to be no decision at all. But were it otherwise, we, sitting as a Court of Appeal, are entitled to review that decision, and bound to decide the great question before us upon its own real merits, after bestowing on it the attention and the serious consideration which its high importance demands. Does the statute, then, confer this power? Does it not in effect prohibit the making of such an order, and render it imperative upon the Court to hear and proceed with the cause? By the 27th section of the Statute 20 and 21 Vict., c. 85, "it is made lawful for any husband to present a petition to the Court praying that his marriage may be dissolved on the ground that his wife has, since the celebration thereof, been guilty of adultery." And by section 31, "in case the Court shall be satisfied on the evidence that the case of the petitioner has been proved, then the Court shall pronounce a decree declaring such marriage to be dissolved." Where, then, is the power under this statute to make an order, by reason of the insanity of a party, or for any other cause not declared and specified in the Act, that a suit instituted in strict conformity to its provisions shall not be heard, that the petitioner shall not be permitted to give evidence in support of his petition, and shall be barred of his right, although his case be proved, to a judgment of dissolution of marriage, which right is expressly conferred upon him by this section of the Act of Parliament? I must say that it appears to me that to make such an order would be in effect to insert a clause in the Act which it does not contain, and in some such terms as these:—"Provided always that in case the respondent shall become insane no further proceedings shall be had upon any such petition unless and until such respondent shall recover." The language of the 30th and 31st sections seems to me conclusive against this interpolation of a defence which the Legislature has not thought fit to authorize; for the statute here in plain and express terms enumerates and specifies the several cases in which the petitioner shall be disentitled to the relief sought." By the 30th section—(1) "in case the Court shall not be satisfied that the alleged adultery has been committed," (2) "or shall find the petitioner accessory to or conniving at the adultery," (3) "or has condoned the adultery," (4) "or that the petition is presented or prosecuted in collusion with either respondent," "the Court shall dismiss the petition." Then, by the 31st section, "the Court shall not be bound to pronounce such decree"—(1) "if the petitioner has been guilty of adultery," or (2) "of unreasonable delay in presenting or prosecuting the petition," or (3) "of cruelty," or (4) "of desertion without reasonable excuse," or (5) "of such wilful neglect or misconduct as has conduced to the adultery." What authority has the Court to add to these cases and disregard the express provision before referred to, that if the Court shall be satisfied that the petitioner's case has been proved, and shall not find any of these specified defences, then "the Court shall pronounce a decree declaring such marriage to be dissolved?" I forbear to trace the consequences of such an order as this into a later stage of the suit, except to observe that it might well occur

that after evidence taken on both sides and closed, and when the Court, perhaps without a jury, is, to use the language of the Act of Parliament, "satisfied on the evidence that the case of the petitioner has been proved," the respondent might become insane after the case had been so closed, and the Court about to pronounce a decree declaring the marriage to be dissolved. The suit would thus have arrived at that stage at which the words of the statute are imperative that "it shall pronounce the decree;" yet, if such an order can be made, this provision of the statute is absolutely set at naught. It would be well, also, to consider whether, if the Court had pronounced judgment in favour of the respondent and dismissed the suit, and the petitioner within the time allowed by the Act were to appeal, and the respondent then should become insane, the petitioner is also in this case to be barred of the right of appeal conferred upon him by the statute. If the making of this order be to contravene the provisions of the Act of Parliament, no question as to the analogy of a petition for a divorce to other proceedings, civil or criminal, can arise. But if it were necessary to deal with this question of analogy, I must say that I think there is no analogy whatever in a suit of this nature to an indictment for an offence against the criminal law, to which it has been assimilated in argument, and in which the personal presence of the accused, and in a sane state of mind, is indispensable. In a suit like this, there is in the petitioner a right to a reparation for a wrong done, to damages against co-respondents, and it may be to property, or to interest in property, real and personal, which might otherwise pass to or continue in the respondent. Upon an indictment there is no such party to the cause, no right to redress for a personal wrong, or to damages, or to any interest in property, or affecting property, involved in the proceeding. The party prosecuting is the Crown, representing the public, and no one is injured in either person or property by the suit being brought to an end without a trial or a judgment. So far is a suit for a divorce from partaking in any degree of the character of a criminal proceeding, that, if such a suit had been instituted in any Court Spiritual before the Act establishing the Divorce Court, it could not have been conjoined with proceedings *in pœnam* of a criminal nature, for adultery. The Court might pronounce sentence of divorce *a mensâ et thoro*, but had no jurisdiction to inflict any penalty or punishment. And if proceedings of a criminal character had been instituted, it must have been by means of articles, upon the office of the Judge promoted, as by indictment at the suit of the Queen in a criminal prosecution at the common law; and then, and then only, in such criminal suit could a sentence by way of penalty or punishment have been pronounced; and the jurisdiction to entertain a suit *in pœnam* for adultery and pronounce a sentence inflicting punishment is still confined to the Court Spiritual, and is not conferred upon this Court by the Act. This Court, indeed, possesses no criminal jurisdiction at all. It is true that a judgment of dissolution may operate as a punishment, but so, also, may any verdict and judgment in a civil action, whether for a wrong, as a libel or an assault, or to recover landed estate, as in ejectment, or to recover a debt or damages in an action of *assumpsit* or trover. Yet in all or any of these cases insanity is no defence and no bar to the suit, and no ground for a stay of proceedings. It is enough that the defendant has done a wrong, and given a right of action to the plaintiff for any of the causes above enumerated in any such case, although after the wrong done he may become insane, and so incapable of making his defence or instructing an attorney or counsel. A committee or guardian is appointed who conducts the defence, and the plaintiff

enforces his legal right and proceeds with the suit to verdict and judgment. Indeed, this doctrine has been carried to its extreme length by Lord Eldon, who awarded a commission of bankruptcy, partaking both of a civil and criminal character, against an insolvent trader who, after committing an act of bankruptcy, had become insane. Again, in an indictment for a criminal offence, a trial cannot be had or begun in the absence of the accused, because he has a right, not by way of procedure, but as parcel of the common law, to be asked whether he is guilty or not guilty, and to plead "not guilty" in his own person, before he can be put upon his trial. In this suit, as in a civil cause for land, or debt, or damages, no such right exists. The Court may dispense with service of the petition, and proceed to trial and judgment in the absence of the respondent. In criminal cases, although the accused may have fled from justice, and his place of abode in a foreign country may be known, his personal appearance cannot be dispensed with, and no prosecution against him can be begun, continued, or ended, but in his presence. In these suits again, as in all other civil proceedings, if the respondent or defendant has departed the realm or secreted himself to avoid service of process, the service may be dispensed with and the suit may proceed. Indeed, upon every act, step, and stage of a cause the analogy to a civil suit is perfect, while to an indictment for a criminal offence it altogether fails. It is said that the *status* of the respondent is affected by the judgment; but so is that of the defendant in an action of ejectment involving a question of marriage or of legitimacy. It is true that the judgment in such an action is not a judgment *in rem*; but this really makes no difference. Upon an information in respect of smuggled goods exhibited under the revenue laws the judgment is a judgment *in rem* that the goods be forfeited, but the insanity of the defendant would be no bar to such an information. Not only, then, is there no authority that a suit involving the *status* of one of the parties, or terminating in a judgment *in rem*, cannot be carried on against a lunatic, but the case before cited of "*Hancock v. Peaty*" is a direct authority to the contrary; the judgment in that case being a judgment *in rem*, putting an end to the *status* of marriage, and the suit having been carried on from the beginning to the end while one of the parties whose marriage was declared null and void was lunatic, and appeared throughout by her guardian. But another objection arises as to this order, which appears to me insuperable. We find that in this case two gentlemen are, under the exigency of the 28th section, made co-respondents. We must consider, therefore, how they are affected by this order, and in what condition they are placed. They are charged with acts of adultery with the chief respondent, the wife of the petitioner—a charge, if either of them be married, of a double adultery, and in that case of such a nature that until disproved it may disturb or be fatal to the domestic peace and happiness of the accused and of his wife; or if the petitioner has been the friend of the co-respondent the charge may involve the imputation of the basest treachery or ingratitude. Upon what ground can the Court deprive the co-respondent in such a case of his right to insist that the suit shall proceed to judgment; that he shall be enabled to deny and disprove these charges made against him? It was suggested during the argument that the suit might be continued against the co-respondents only. But this is not so. The petitioner may, under the 33rd section, proceed for damages alone against an alleged adulterer with his wife, and by section 11 of the 21 & 22 Victoria, cap. 108, the Court may, after the close of the evidence for the petitioner, direct the co-respondent to be dismissed. But neither of these provisions applies to the

present case; for here the petitioner has proceeded against the respondent and co-respondents jointly, and had he proceeded against the co-respondents alone the insanity of the wife would not have affected the suit, and no such order as this could have been made. So here the evidence is not closed, or indeed opened; but if it had been closed, it would only have been if the case had failed that the co-respondents could have been dismissed, and the dismissal would have been a proceeding in the suit which this order forbids. There is, therefore, no power in the Act conferred upon the Court either to direct or to permit the cause to proceed against the co-respondents under the circumstances of this case. Indeed, if the petitioner had the power, and were so to proceed, and the wife were afterwards to recover, the adultery might be tried twice over, and with different results; the co-respondents might be convicted of adultery with the wife and made to pay large damages, and the wife might be acquitted of adultery with the co-respondents. Then, let us look again to section 28. If the insanity of a respondent wife puts an end to the suit, so also must the insanity of a respondent husband against whom a divorce for adultery is sought under the 28th section. And here a lady may be made a co-respondent and charged with adultery with another lady's husband. And if this husband become insane, the suit must be stopped, and the lady, stigmatized as an adulteress, must pass the remainder of her life with this charge hanging over her head, unable to bring her accuser to the proof and insist upon her acquittal, the petitioner in the meantime averring her guilt, but unable also to bring forward her evidence and substantiate her charge. But, further, it is provided in this clause that "either party may insist on having the contested matter of fact tried by a jury." Such an order as this absolutely repeals this all-important provision of the statute. What power has the Court so to obliterate this portion of the Act of Parliament, and take upon itself to deny alike to the accuser and the accused this great privilege thus conferred upon them by the Legislature? Next, how does this order affect the petitioner with respect to the co-respondents? Here there is no claim to damages. But in cases hereafter to be governed by this decision the petitioner may have a just claim, which he seeks to enforce against a co-respondent, to large and exemplary damages. How is he to recover them? How is justice to be done? The action of *crim. con.* is at an end, and the order expressly forbids any further proceedings in the suit unless the chief respondent shall recover. Can it be that the Legislature intended to perpetrate this wrong? Then, as to the costs. The petitioner or the co-respondents may have incurred considerable or absolutely ruinous costs. Is there to be no means of recovering them, even where the facts of the case entitling the one party or the other to claim them may be capable of clear and immediate proof? I cannot but think that if the Legislature had intended that the Court should have power to make such an order as this, provisions would have been found in the Act for doing justice as well to the petitioner and to the co-respondents as to the party in whose favour the order is made. Lastly, it has been said that, as by the Act of Parliament the respondent may set up matters recriminatory by way of defence, it would be unjust to allow the petitioner to proceed while the respondent is in such a condition as that she cannot avail herself of the statutory defence. But the same argument might be urged in every civil cause where the defendant has become insane. The answer is that no such incapability exists, for the guardian of the respondent may plead and give evidence in support of the plea of recrimination in like manner as the respondent herself. It is true that a rule has been made, under

the authority of the statute, that a plea of recrimination must be verified by affidavit, and it is clear that no affidavit can be made by an insane respondent; and if the necessity for this affidavit had arisen from a provision in the statute it would, no doubt, have presented the argument in a much stronger form. Where, however, the statute requires the petition to be verified by affidavit (sec. 41), the petitioner is to file an affidavit verifying the same only "so far as he or she is enabled to do so." But if the statute is imperative that the Court shall pronounce for a dissolution of marriage if satisfied upon the evidence that the charge in the petition is established, I conceive that it is not competent to the Court to make an order, the indirect effect of which would be to disable itself to proceed as required by the terms of the statute. And, as before observed, "*Parnell v. Parnell*," 2 *Consist.*, 169, is an authority that the committee of a lunatic husband may sue for adultery, although the wife might in such a suit plead recrimination by way of defence, thus putting the lunatic husband in the condition of a respondent. It is undoubtedly a great evil that a woman—perhaps an innocent woman—should be made to undergo a trial in a case of this nature while labouring under a state of mind which subjects her, or those who represent her in the suit, to many and great disadvantages in making her defence, and the grievance is but partially mitigated by the consideration that a judge or jury could not fail to have regard to her unhappy condition while dealing with the evidence adduced against her. But whether the evil is so great as to overbalance the wrong done to a husband, who, with possibly conclusive evidence that his wife is an adultress, finds himself bound to her for a lifetime, by a tie that is indissoluble, and denied for ever the redress that he had been taught to believe an Act of Parliament had secured to him, is a question well worthy the serious consideration of the Legislature. But I think that the Legislature should have a voice in it, and that it is not for this Court to attempt to settle the question by a law of its own making. To the Legislature, therefore, the question should be left; and if, at last, it be its will that a husband is to be thus dealt with, it is to be hoped that the Act to be passed may contain provisions under which something like justice may be done as well to him as to all other parties to the suit. Upon all these grounds, I am of opinion that this order cannot be sustained, that the Court should stay the proceedings from time to time as long as a reasonable hope remains that the respondent may recover, but when that hope shall have ceased the petitioner should be permitted to proceed with his suit.

In accordance with the judgment of the majority of the Court, the order of the Judge Ordinary was affirmed, and the appeal dismissed with costs.

## II.

### THE WICKLOW PEERAGE CLAIM.

THE proceedings in this curious case commenced last year before the Committee of Privileges of the House of Lords, and the following is a summary of the facts:—

William, fourth Earl of Wicklow, died on the 22nd of March, 1869, without leaving any living male issue. His next brother, the Hon. and Rev. Francis Howard, who had died in the late Earl's lifetime, had had three sons by his first marriage, all of whom were dead. By his second marriage he had had a son,



Charles Francis Howard, one of the claimants to the earldom in the present suit. The other claimant was an infant calling himself William George Howard, and alleged to be the issue of a marriage between William George Howard, eldest son of the Hon. and Rev. Francis Howard by his first marriage, and a certain Miss Ellen Richardson, by whom as guardian the infant appeared in these proceedings. The fact of Mr. and Mrs. Howard's marriage was not questioned by the other claimant; it was the infant's birth which was disputed by him, and that chiefly on the ground of the suspicious circumstances connected with it. These circumstances were as follows:—

In June, 1863, four months after the above-mentioned marriage of Mr. W. G. Howard, who was a person of dissipated habits and embarrassed circumstances, the couple went to lodge with a Mr. Bloor, an out-door officer in the Customs, at 27, Burton-street, Eaton-square. After three weeks, however, they left Burton-street and did not return until the latter end of the year, when Mr. Howard, being unable to obtain lodgings at Mr. Bloor's, took apartments for his wife at No. 32, in the same street. He himself did not occupy the lodgings, nor was he even in the habit of visiting his wife there, but was accustomed to meet her, by Mr Bloor's permission, in a room at No. 27. Later, Mrs. Howard returned to lodge at Mr. Bloor's, where she occupied the whole of the upper part of the house, the lower being in the occupation of a friend of the Howards, of the name of Baudenave. Mr. Howard, from the time of Mrs. Howard's return to Burton-street, at the latter end of 1863, never lived with his wife, but remained, it was said, hiding from his creditors in Ireland. In April or May, 1864, Mr. Bloor went to Ireland at Mrs. Howard's request, and had an interview with Mr. Howard, who asked him if he would permit Mrs. Howard to be confined at his house; and Mr. Bloor consented to make the necessary arrangements. On the 16th of May, 1864, Mrs. Howard, whose confinement was not then immediately expected, expressed her intention of leaving London for a time, and accordingly left the house in a cab with one large box to go to the railway station. In a very short time she returned saying she felt very ill, and went to bed. On Mr. Bloor's returning home from business, Mrs. Bloor at once despatched him for Dr. Wilkins, a medical man whom Mrs. Howard specially requested might be sent for, though he was not the usual attendant of the house, and lived at some distance. Bloor left the house at about 8 or 8.30 p.m.; but on his return at 9.30 he heard from Mrs. Bloor that the child was born, and Mrs. Howard would not, therefore, require the attendance of Dr. Wilkins. Some weeks after, however, according to the statement of the Bloors, Dr. Wilkins did see and prescribe for the child. His evidence on the subject could not be obtained, as he died before the case came on. Mrs. Bloor, who attended Mrs. Howard during her confinement, Miss Rosa Day, sister of Mrs. Bloor, who assisted her in that attendance, Miss Jane Richardson, sister of Mrs. Howard, and Mr. Baudenave, their fellow-lodger, were all alleged to have seen the child on several occasions during the next few months, but with these exceptions it was admitted that its birth had been kept a profound secret from every one. The evidence of all these witnesses, with the exception of that of Mr. Baudenave, was obtained, and agreed in all material particulars. Mrs. Bloor, who deposed to having witnessed the birth of the child, was, in particular, subjected to the most severe cross-examination, but adhered in the main to her original story. Their lordships expressed a desire to examine Mr. Baudenave, but he had disappeared shortly after the commencement of the proceedings, and it was found impossible to procure his attendance.

The case for the counter-claimant, Mr. Charles Howard, rested partly on the negative testimony afforded by the secrecy and suspicion in which his opponent's case was involved, and partly on affirmative evidence produced upon his own side. The evidence of a dressmaker of the name of Godden, who measured Mrs. Howard for a dress about the period of her alleged confinement, was adduced, and was to the effect that no traces of her condition were then visible. Dr. Baker Brown and another medical man deposed to having attended professionally a person whom they swore to as Mrs. Howard, and to having found circumstances negating the story of the confinement. Louisa Jones, a servant, who waited in the house in Burton-street shortly after the birth of the infant, had never seen or heard of its existence.

On the 4th of August, 1869, the Solicitor-General summed up his case, and Sir John Karlake replied upon the whole evidence. He relied upon the evidence which we have summarized above; dwelt upon the connexion now shown to exist between Mrs. Howard and Mr. Baudenave, and declared that the case for the infant was the result of a conspiracy of which Mr. Baudenave was the prime agent, and in which the other witnesses were induced from motives of self-interest to become accomplices. The proceedings were then closed for the session, on the understanding that they might be reopened by either party on the production of fresh evidence.

On the 25th of February, 1870, Mrs. Howard produced evidence to show that she was at Longney, in Staffordshire, during the whole of that period of the month of August, 1864, to which the evidence of Dr. Baker Brown and the other medical witness related.

On March 1st this extraordinary case took a new and completely unexpected turn. Sir R. Palmer informed the committee that he was now in a position to prove that in the month of August, 1864, Mrs. Howard and another lady visited a workhouse in Liverpool, and there procured a recently born child from its mother, one Mary Best, a pauper then lying in the workhouse hospital. He had obtained the attendance of Mrs. Higginson, the head-nurse, and of two of the under-nurses, Mrs. Stuart and Mrs. O'Hara, two of whom (the third being in doubt) could swear to Mrs. Howard's identity. The Solicitor-General requested an adjournment in order to meet the new case thus presented. Their lordships, however, expressed a wish to cross-examine Mrs. Howard at once; but she had suddenly disappeared from the House of Lords, and search after her at her lodgings and elsewhere proved ineffectual. The case was then adjourned. At the next sitting, a week afterwards, Mrs. Howard appeared before the Committee, but refused to be sworn, contending that the fresh witnesses who had been produced against her should be examined first. Persisting in her refusal, she was committed to the custody of the Black Rod for contempt of court, and the new witnesses were examined. They consisted of the three nurses above mentioned—Mrs. Higginson, Mrs. Stewart, and Mrs. O'Hara—and of Mary Best, the mother of the child alleged to have been procured by Mrs. Howard. They all, with the exception of one of the nurses who was doubtful, swore positively to Mrs. Howard's identity. Towards the close of the sitting fresh evidence in rebuttal of these witnesses was announced, and a clerk of Mrs. Howard's solicitors stated that he had received a telegram from Boulogne to the effect that information had been obtained as to the real purchasers of Mary Best's child. Mrs. Howard was then recalled, and ordered to pay certain fees for her discharge from custody. On non-payment, she was recommitted, but afterwards discharged.

At the next sitting the Solicitor-General effected a fresh surprise by the announcement that the former clue supplied by the Boulogne information had been abandoned, but that they were prepared with evidence completely proving the falsity of Mary Best's story. The case was then adjourned for some days to procure the attendance of Mary Best. On the resumption of the proceedings, Mary Best was subjected to a severe cross-examination at the hands of the Solicitor-General, in the course of which she admitted that she had left the workhouse with a baby, which she passed off as her own. It was given her, she alleges, while in the workhouse, but she did not know the name either of the mother or of the person who brought it to her. She paid all the expenses of the child, and when she returned to her father's in Yorkshire, she took it with her, and there exhibited it to her family as her child. She paid for its burial after it died; she had never received any money for its expenses from any one. A quantity of evidence of the friends and relatives of Mary Best was produced in confirmation of these facts. The nurses were recalled, and denied all knowledge of the second child now introduced into Mary Best's story. Not only did they not know that any other child had been brought to her, but they affirmed that it was impossible such a thing could have taken place without their knowledge. Mrs. Higginson, the head nurse, was sharply cross-examined as to the circumstances under which she identified Mrs. Howard.

In addition to the evidence to discredit Mary Best, Mrs. Howard also produced a number of witnesses who swore to facts establishing an *alibi* in her favour on the days upon which the child was said to have been purchased in the Liverpool workhouse. Upon this new evidence Sir R. Palmer was heard on behalf of the counter-claimant, Mr. Charles Howard, and the Solicitor-General replied. Judgment was pronounced on the 31st March, when

The Lord Chancellor proceeded to discharge the very painful duty of explaining to their lordships why he had come to the conclusion that the petitioner, Charles Francis Arnold Howard had made out his claim and was entitled to vote at the election of representative peers for Ireland as Earl of Wicklow, and why it was that he had come to the conclusion that the infant claimant, the alleged son of Mrs. Howard, had failed in establishing his claim to that privilege. The case of Charles Francis Arnold Howard was simply this. Before the case of Mrs. Howard was arrived at he established his position as claimant to the Earldom of Wicklow to this extent, that he was the nephew of the late earl, being the son by a second marriage of his younger brother, the Rev. Francis Howard. By the first marriage the Rev. Francis Howard had three sons, the eldest of whom was George William Howard, the husband of Mrs. Howard, the other two dying without issue. The question, therefore, was whether George William Howard, who died in October, 1864, had also died without issue, or whether he had left a son, the child now put forward by Mrs. Howard as the lawful issue of herself and her deceased husband. Her marriage with Mr. Howard having been undoubtedly proved, if Mrs. Howard could have established the fact of the birth of the child, that child would undoubtedly have been the rightful Earl of Wicklow. The real difficulty that surrounded the case was that put forward in the first instance by Mr. Charles Clark, the learned counsel for Mrs. Howard, who admitted that he was called upon to prove the birth of the child without the evidence usually forthcoming in proof of such an event—neither medical man nor nurse having been present at the birth, or having attended either the mother or the child subsequently. The fact that the existence of the child had been con-

ceased from all the world, and that the child had neither been registered nor baptized, had also increased the difficulties in the way of Mrs. Howard's case. In arriving at a determination upon this case it was necessary that he should narrate historical facts which had been laid before their lordships in the course of this long and painful inquiry; and in the first place he should request their lordships to turn their attention to the circumstances which led up to the alleged birth, and to the number and character of the persons who were around the lady up to and at that date. It was a remarkable fact that up to that time, with the exception of three persons who had undoubtedly sworn distinctly to certain circumstances, no human being had been called who had noticed that Mrs. Howard showed signs of being in the family-way, and it was equally remarkable that those who had had ample opportunity of noticing her condition at the time, and who might have given distinct and positive evidence on the point, had either not been called or had refused to give evidence in the case. Undoubtedly, as far as words could go, their lordships had had the distinct evidence of two witnesses, who stated that they were present when the alleged birth occurred, and of another who had stated that he had gone to fetch the doctor, who was sent for not because the birth was expected to occur, but because Mrs. Howard was taken suddenly ill. Of course, if credence could be given to the statement of these witnesses, the case put forward by Mrs. Howard was established beyond a doubt, and most painful was it for him to arrive at the conclusion, as he felt bound to do, that those persons had been guilty of the great crime of not only giving false evidence by deposing to events that had never occurred, but of conspiring together to endeavour to impose upon the Wicklow family a child who was not the real heir to the title and estates attaching to the earldom. He need not dilate upon the pain and anxiety their lordships must feel in dealing with the matter when such were the circumstances of this extraordinary case. The facts which had been developed in the history of the parties up to the time of the alleged birth were these:—William George Howard, a person of unfortunate and intemperate habits, involved in serious pecuniary difficulties, having been bankrupt and insolvent, was introduced in 1862 to Miss Ellen Richardson, who subsequently, on the 23rd of February, 1863, became his wife, and became, as she alleged, the mother of the infant claimant. As it was probable that he should have to direct their lordships' attention to other parts of the case at considerable length, he did not feel himself justified at dwelling upon the details of the circumstances surrounding the marriage, further than to remark that Mrs. Howard was introduced to her husband by Mr. Baudenave, a person who had taken a very prominent part in all points of the case except one—that of giving evidence. Previous to the marriage, letters of a character highly creditable to both Mr. and Mrs. Howard passed between the former and Mrs. Butterfield, the mother of the latter, and eventually, as he had already stated, the marriage was solemnized on the 23rd of February, 1863. After that date the married couple remained for five or six weeks at an hotel in London, about which time Mr. Baudenave came upon the scene under very remarkable circumstances, because within a week after the marriage he introduced Mr. Fuller, a medical man, to Mrs. Howard, who thought from something that had occurred that she had had a miscarriage at that early period of her wedded life. The noble and learned Lord then proceeded to narrate the circumstances of the visit of Mr. and Mrs. Howard and Mr. Baudenave to Ireland, and the return to England together of the two latter. He then commented upon the extraordinary nature

of the story of the alleged nocturnal visits paid by Mr. Howard in January, 1864, to his wife at 27, Burton-street, at the very time that he was employing detectives to watch his wife with the view of instituting a suit of divorce against her, on the ground of her adultery with Mr. Baudenave—a story which he had no hesitation to state was, in his opinion, utterly incredible, and which, having been deposed to by the Bloors, threw suspicion upon the whole of their testimony. He also remarked upon the fact of Mrs. Howard placing her name as a single lady upon the books of the Governesses' Institution, with the view of obtaining a situation as a governess, and of her having called at that establishment frequently, at a time when, if her statement were true, she must have been far advanced in pregnancy. Coming to the date of the alleged birth—the 16th of May, 1864—he pointed out that at that date there were residing at 27, Burton-street—a lodging-house, kept by a Custom-house officer named Bloor—besides Mrs. Howard, who occupied the drawing-rooms, Mr. Baudenave, who occupied the dining-room and a bed-room behind; Mr. Bloor himself, his wife, and her sister, Rosa Day, and a servant girl named Louisa Jones. The first three of those persons had given at their Lordships' bar a detailed statement of the circumstances attending the alleged birth, and he was bound to add that the demeanour of Mrs. Bloor and of Rosa Day was such that, if the case were not of such prodigious importance, and if it had not been contradicted by all surrounding circumstances, their statement, which they had given with firmness and without hesitation, would have obtained credence. It was, however, so utterly inconsistent with all the admitted facts and with the rest of the evidence, that he was compelled to arrive at the painful conclusion that it was a mere fabrication, intended to defeat the ends of justice. The evidence of Dr. Baker Brown, who had identified Mrs. Howard as the person whom he had examined on the 8th of July, 1864, and who had stated to him that she had never had a child, was very strong, and was only to be explained upon the supposition that it was a case of mistaken identity, and that it was Jane Richardson who was examined, and not Mrs. Howard. This supposition, however, was entirely set aside by the Longney witnesses, who stated that on the occasion of the birthday dinner-party at Longney both Mrs. Howard and her sister Jane Richardson were present. It was evident, therefore, either that the story could not be true or that the witnesses were mistaken as to the day on which that event had occurred, and under these circumstances the whole evidence in support of the *alibi* broke down altogether. Having arrived at this conclusion with respect to the original case set up by Mrs. Howard, it was scarcely necessary that he should allude to the Liverpool story, which was certainly an extraordinary and a singular one, and had a tendency to damage the case of those who had set it up, although he did not see how they could possibly have withheld it from the knowledge of their Lordships. Looking at the fact that Mary Best was proved to have been delivered of a fair child, and that the child she took out of the workhouse with her was a dark child, he confessed that much might be said both in favour of and against the truth of her statement; but it was, perhaps, as well that it might be entirely disregarded in the present case, and, at all events, in his opinion, there was nothing in its being brought forward which was calculated to shake their lordships' confidence in the character of those who were conducting the case on behalf of the original claimant. He expressed his regret that he should have been compelled to go into the case at such length, but in the interests of justice he had felt bound to lay clearly before their Lordships the reasons that had induced him to arrive at the conclu-

sion that they ought to hold that the claim of Charles Francis Arnold Howard to vote at the election of Representative Peers for Ireland had been established to their satisfaction.

Lord Chelmsford, in the course of a long judgment, remarked that it was impossible to disbelieve the story of the alleged birth, as he did, without coming to the conclusion that certain of the witnesses had been guilty of the grave crimes of conspiracy and perjury. With reference to the Liverpool story, he said he was satisfied that the child brought into the workhouse by Mary Best was not that of which she had been confined, although he did not believe her statement of the way in which she had become possessed of the child which she had subsequently passed off as her own. He had arrived at the same conclusion as the Lord Chancellor with reference to the case of Mrs. Howard, and was of opinion that the case of the claimant was fully established.

Lord Colonsay briefly explained the reasons which induced him to coincide in the opinions expressed by their Lordships.

The Earl of Winchilsea, as a lay lord and as one of the public, gave it as his opinion that the story told by Mrs. Howard was utterly incredible, being only worthy to form the plot of a sensational novel. He regretted that Mr. Baude nave, the principal mover in this conspiracy, would escape unscathed.

Lord Redesdale having expressed his concurrence in the Lord Chancellor's opinion,

Their Lordships resolved that the claimant had made out his right to vote at the election of Representative Peers for Ireland as Earl of Wicklow.

### III.

## THE DENHAM MURDERS.

### TRIAL OF JOHN JONES.

A short account of the numerous horrible murders committed by John Jones at Denham, near Uxbridge, has been given in our Chronicle (*see ante*).

The trial of this notorious criminal took place at the Summer Assizes at Aylesbury, before Baron Channell. The doors of the court-house were opened at nine o'clock, and such a rush was made by the parties who had, long before the time fixed for the opening of the court, assembled outside, as was never seen on any other similar occasion. Barriers were erected on the staircase, and they were jealously guarded by a body of policemen, who endeavoured to prevent the ingress of more persons than the hall would accommodate. As it was, every place was crammed with a dense mass of people, and the hall outside the court-house was also thronged.

The prisoner, *John Jones*, 38, blacksmith, was charged with the wilful murder of Emmanuel Marshall, Mary Ann Marshall, Charlotte Marshall, **Mary Marshall** the elder, Mary Marshall the younger, Theresa Marshall, and Gertrude Marshall, at Denham, on the 22nd May, 1870.

He pleaded Not Guilty to each of the charges in the indictment.

Mr. O'Malley, Q.C., and Mr. Metcalfe, prosecuted; Dr. Abdy defended the prisoner.

Mr. O'Malley opened the case, and the first witness called was

Superintendent Dunham, who deposed—I am superintendent of police at

Slough. In consequence of information received, I went to the house where the murder was committed, which is about a couple of miles from Uxbridge on the Oxford-road. There is also a smithy, just outside the cottage, attached to it. There is no communication between the smithy and the shop. There was a back room and kitchen and pantry on the ground floor, and a stair leading upstairs from the back room. When I first went into the premises I went into the front door. The door was locked and the key was gone. Outside the threshold, on the bricks and the door-post, there was blood. When I went inside the parlour door I found the body of Mrs. Marshall, and another young woman, Mary Ann Marshall, the sister of Mr. Marshall, lying by the door-post. The gown on Mrs. Marshall was unfastened. She had her night-dress on, and the gown was thrown over it, but not fastened. Her head was very much cut about. It was not bleeding then. She had evidently been dead some time. Both women were lying together, but the head of the young woman was in a different direction to that of Mrs. Marshall. She had a very severe wound, apparently from a chopper, over the eye, and her head was also battered in. She was also partly dressed. She had no stockings on, but she had a night-dress on, and her feet were partly in her boots. Her night-dress was up over her head, and she lay quite exposed till some one put something over her body. I should think that she was not killed in the room, but that she was dragged from the back kitchen. There were marks of blood where she had been dragged. I went to the back kitchen, where I found the body of an aged female, who, I was informed, was the mother of Marshall. She was lying on her right side, with several severe cuts on her head and blows on the face. The back part of the head was entirely battered in. There was a large pool of blood under her head. I did not find any instrument then, but was afterwards shown an axe and poker which were found in the house. She was seventy-seven years old, and her name was Mary Marshall. She was also partly dressed. She had one stocking on, and her garter was partly fastened. She had also a petticoat partly drawn over her. Lying against her breast was the body of a young child, a little girl four years of age. The back part of her head was smashed in. She was in her night-dress too. In the fireplace were the bodies of two children, Mary Marshall, aged eight, and Theresa Marshall, aged six. Their heads were lying in the fireplace, and one body was lying across the other. The head of Mary was very much cut about, as if thrown down after being murdered. The jaw was dreadfully cut. She was more disfigured than any of the others. She was quite naked, with the exception of her chemise, and that was thrown up over her shoulders. Theresa Marshall was lying with her face downwards. Her hands were black with soot. She had evidently struggled very much. She, too, was very much cut about the head, but was not so much cut as the other child. The children were lying across each other. I then went into the blacksmith's shop, where I found the body of Emmanuel Marshall. He was lying behind the anvil on his back, with his face towards the wall. I examined his head and body, and found the left side of his face was completely smashed in. He had a terrible cut over the bridge of the nose, almost in the shape of a horse-shoe, and on the back of his head were two very severe cuts. I did not see any bruises on his head. On examining the shop I found marks of a struggle near the door on the other side to that where the body was lying. There the struggle evidently took place, and there was a pool of blood under his head and a quantity of blood about the place also. There were marks on his face where he had been dragged. I then

examined Marshall's clothes and stockings. They were clean, and had evidently been put on that morning. He had no boots on. He could not have stood in the stockings, for there was no mark on them, and they were perfectly clean. The shirt was clean, except a mark on it as if he had been dragged. His pockets were turned inside out. I then went upstairs. I found three bedrooms and a bed in each room. Every one of them had been slept in. The bedroom facing the west was occupied by Marshall and his wife. That room is next to the smithy, and any one could hear from there any noise in the smithy. The clothes on the bed were thrown off, as if in a hurry. I found a pair of trousers and a pair of boots, which I now produce. They are cord trousers, with a patch of blue cloth on the seat, and one patch on the knee. The trousers were marked with blood, and the boots were completely saturated with blood, the right one especially so, and adhering to it was a piece of brain. In a bedroom, facing the smithy, I found a black coat, torn, and an old white corduroy jacket, and an old shirt. There was also a fustian waistcoat, an old blue shirt, an old pair of stockings, a pocket-handkerchief, a neckerchief, also a small hammer, and an old billycock hat. In the same room I found two boxes with the covers broken off, and two drawers drawn out, and several articles of wearing apparel lying about the floor, and the room was in great disorder, and there was also an empty watch-stand and a watch key on the bureau. I went into the other rooms, but there was nothing I discovered of importance. I afterwards received this silver watch and gold chain, which I produce, from James Weston, a pawnbroker's assistant, in Uxbridge. Charles Coombs came to me in the street, and from what he told me I went to the Oxford Arms, in Silver-street, Reading. I went into the tramps' kitchen, and when we got to the door Coombs said, "That's the man" (pointing to the prisoner). As soon as Coombs said, "That's the man," the prisoner said, "I have never killed man, woman, or child." This was about five o'clock in the afternoon. Up to this time nothing had been said about the murder. At that time no one in Reading knew of the murder. Reading is about thirty miles distant from Uxbridge. I went towards him as quickly as possible, and caught hold of him by the throat, and the Reading policeman, who was with me at the time, said, "He is pulling something out of his pocket." The Reading policeman caught hold of his hand and pulled the pistol which I produce out of his pocket. It was loaded up to the muzzle, but there was no nipple cap on. I found the cap afterwards in the prisoner's pocket. I produce a pistol which was found in Marshall's house, which corresponds with the pistol found on the prisoner. They are both made by the same maker. I then put the handcuffs on him, and charged him with wilfully murdering Emmanuel Marshall and six others at Denham, in the county of Bucks. The prisoner said, "I have never murdered man, woman, or child, but I know who did." I then said, "Why you have got on the murdered man's boots." He replied, "That may be." I produce the boots taken from his feet. I took them from him after I brought him back from Slough. I said, "You have got his trousers on too," and he again said, "That may be." I took this neck-tie (black neck-tie) off his neck before I took him away. I also took from him a purse which had money in it, and a knife. I then went to a second-hand clothes' shop in Union-street, Reading, and received from a man named Lyons, who keeps the shop, a black cloth coat, and this light waistcoat, which I produce. I then took Lyons to the police-station, and he identified the prisoner as the man from whom he received the boots. The prisoner was wearing a pair of cross-striped trousers and a



shirt, which I also produce. He was also wearing a pair of side-spring boots which I now produce. On the left boot there is a spot of blood.

Cross-examined by Dr. Abdy.—When I charged him, he said “I never murdered man, woman, nor child, but I know who did.”

To the Judge.—I think he said “I stood by when the murder was committed.” That is my impression, but I will not swear that he said that.

Cross-examination continued.—The smithy could be seen from the road, and a noise of a struggle could be heard from there. From what I saw in the smithy, I should think there must have been a very severe struggle. The body had the appearance that Marshall was dressed for the day, and he had clean clothes on. The report of the murder was in many papers on the day I went to Reading. I went to Reading about five o'clock in the evening. The papers got to Reading about nine o'clock. Directly we went into the lodging-house, Coombs pointed to the prisoner, and said, “That's the man.”

Charles Alderman, a fresh witness, said on the 23rd of May, about seven o'clock, he went to the house of Emmanuel Marshall, and seeing no one about, he broke open the door. When he got in, he saw the dead bodies of the children on the floor. He sent for Tavener the policeman, and nothing was touched until Tavener came.

Charles Tavener said—I am a police-constable stationed at Denham. On the evening of the 23rd of May I went to the cottage of Marshall, and found the last witness there. I locked the door and left a man named West outside. When I went inside the cottage I found two bodies—the wife and the sister—lying just inside the door, the head of the wife lying towards the door, and the sister's feet towards her head. A petticoat covered them. About two feet from them was a sledge-hammer (produced.) This was covered with blood. I then went into the washhouse and found the bodies of the three children and the grandmother. I found the axe (produced) also covered with blood, in the kitchen near the fireplace, near the head of the child Theresa. The axe had evidently been used both ways, back and edge. I found the body of Emmanuel, the father, in the forge adjoining, lying flat on his face. He had apparently been dragged some little distance. The body was covered with a sack, an apron, and an old coat. There was a pool of blood a few yards from the body, and part of a poker (produced) lying near the body. Two pieces of poker found correspond in pattern with the shovel and tongs found in the parlour of the house. These were also covered with blood. The three instruments I took possession of, and left the rest of the things in the state I found them. He then continued—On Sunday morning the 22nd of May, at a few minutes before three o'clock, I was on my duty at Denham, and met the prisoner coming from the direction of the canal, in the Uxbridge-road (that is going towards the murdered man's house). He came up to me and said, “I wish I had met you before, policeman,” and I said, “What's the matter now?” He replied, I was going along the “cut” (the canal) just now, and a man and woman were quarrelling. The man said that he would throw the woman into the cut, and if he had thrown her in I would have thrown him in.” I said, “Do you know the party?” and he said, “No, I am a stranger about this part.” I said, “How came you that way if you are but a stranger?” for I knew that there was only a foot-path leading from the canal into the road. He said that another man was there and showed him the road. I asked him what he did that way, and he said he was on the way to Oxford, mentioning some other place, the name of which I did not catch. We were then under the shade of some trees and I let him pass

on a distance; but I went after him, offering to show him the way to the Oxford-road, but really to look at him. I then took particular notice of him and of his dress, and as the under-coat which he wore under a fustian jacket made him appear very bulky, I purposed searching him; but seeing that the bulk was only this extra coat, I did not search him. The coat and hat produced are like those which he wore. The hat was drawn down over his eyes.

Cross-examined.—After I spoke to the prisoner I followed him into the village, so that I might have a better look at him, and spoke to him for some time, I felt under his coat to see what caused the bulk underneath it. I noticed glass buttons shining on his coat. I noticed them particularly.

Elizabeth Simpson—I am the wife of William Simpson, groom, and live at Cheapside, Denham, about 100 yards from Marshall's house. I never spoke to Marshall, but my husband has often spoken to him. I saw Marshall about eight o'clock on Saturday night, and the eldest little girl also just before that time. I was out on the road early on Sunday morning, about seven o'clock. I went out to look for a key which I had lost the night before. I saw a respectably-dressed man come out of Marshall's house, and walk up the road. At first I thought it was Mr. Marshall. I have since seen that man, to the best of my knowledge, at the prison. I only saw his side face, so I cannot swear to him for certain. I overtook him on the Uxbridge-road, and he bade me "Good morning," and asked me if I was for the train. I told him I was looking for a key I had lost, and he said I had a bad chance of finding it, as there had been a good many tramps about in the morning. He told me he had been nearly running over a man and his wife the previous night, and that the man had tried to throw his wife into the canal. He said also that he told the policeman about it, and said he would not interfere between a man and his wife again. He told me he did not know Mr. Flitney, as he had not been in the place for six years. I said I thought I had been speaking to Mr. Marshall all the time, and asked him if I did not see him come out from that house. He said, "Yes, you did. The man at that house and his wife—his mother and his children are all gone for a holiday." I said "I dare say they are gone to London," and he said "I dare say they are."

Cross-examined—Mr. Arnold and his son passed us going to the train, while I was speaking to this man. I have always said that young Mr. Arnold and his father were in the trap. I have not said that it was Mrs. Arnold who was with Mr. Arnold. All I can say is that the man I was talking to was a man with a dark beard. I went to the prison to see this man with Mr. Dunham and Mr. Tavener. Before I gave my evidence, I spoke to Mr. Dunham in my house. He asked me the description of the man whom I met in the morning, and I told him as well as I was able. When prisoner met me, he did not attempt to conceal his face from me.

Charles Coombs said—I am a bricklayer, and was lodging with Mrs. Balham, at Uxbridge, on Saturday, the 21st of May. I know the prisoner, whom I saw sitting in the kitchen when I returned from my work about half-past five or six o'clock on Saturday evening. At nine o'clock, when I came in again, prisoner was not there, and I do not think I saw him any more that night. I saw the prisoner next morning, about half-past eight, or from that to nine o'clock. On the Saturday he was dressed in clothes like those produced. I will not swear to the trousers, but I will swear to the jacket. The other coat produced, which I can swear to, he wore over his jacket. On Sunday morning he was dressed in a pair of striped trousers, light waistcoat, nice coat, and a black neck-tie, and a straw

hat, and boots which were cracked across the toe of one of them. The boots produced are those he had on. The trousers he wore were like those produced. I am almost sure the waistcoat produced is that he wore when he came into the house on Sunday morning, and I am quite sure that the jacket produced is the same. He had on a neck-tie also like that produced, and a white shirt. When he came into the house on Sunday morning, I stepped back and said, "Why, John, I don't know you." He said "I have been to see a brother." I said "You have no brother round about here," and he said "Yes, I have." He afterwards told me that his brother gave him the clothes. Jones remained all the morning, and went away at dinner-time, and came back at three o'clock. The last time I saw him at Mrs. Balham's was about five o'clock on Tuesday morning, when he came up into my bedroom and told me he was going to Reading. I saw no more of him afterwards until I saw him in the lodging-house at Reading. I had heard of the murder on Monday night, about eight o'clock. When prisoner was in the lodging-house on Monday, he told me he was going to pawn his watch. I did not see the watch, but I saw the chain, which was similar to that produced. I went on Tuesday morning to Superintendent Dunham, and told him what I knew of the matter.

Cross-examined—I remember being at the Queen's Head, Uxbridge, on Monday night, with the prisoner and Jem the blacksmith, and a man came in and asked if we had heard about the murder. Prisoner thereupon lifted up his head, and asked if there had been a murder committed.

Charlotte Balham said—I keep a lodging-house at Uxbridge, and knew the prisoner before May last. He came to me on the 22nd of May, and asked if he could have lodgings, and I told him "Yes," and he was to go to the kitchen where he was before. About eight o'clock I went to look for the money. The other lodgers gave me their money, and I looked at him, and he said, "You won't have any thing of me to-night, mother." I asked him why not, and he said he was going to see his brother that night. I said "That is strange, after coming and asking if I could lodge you." I then went about my work, and did not see prisoner any more that night. Prisoner had then a dark cloth jacket. When he came in next morning he was dressed in different clothes, and I looked at him rather surprised. He had striped trousers on then, a clean shirt, good coat, and altogether respectably dressed. He had a carpet bag with him. I looked surprised, and he said I need not look at him surprised. I said, "Yes, I am surprised to see you with a new suit on." He said "I have been to see my brother, and he gave them to me." I think I should know the clothes again. The clothes produced are very much like those he wore. He brought in a beefsteak, and asked me to make a pudding for his breakfast. He took the beef out of a carpet-bag. On Monday evening the prisoner came in, and I told him that Marshall, his wife, and all his children had been murdered at Denham, and he remarked that it was a very shocking thing. He afterwards asked for the carpet-bag which he had left in my possession, and told me he was going away for a fortnight or three weeks.

Cross-examined—The prisoner has lodged with me several times, and his conduct has been very well in the house. When he came back on Sunday, he talked just as before, and joked as usual.

Henry Salter said—I am a carman. On the 22nd of May I was going along the road in the direction of Acton, and fell in with the prisoner near the Hanwell Asylum. He asked me for a ride, and I gave him one. He was in my company nearly three hours. I first met him about three o'clock, and it was ten minutes

to six when I left him. He had on the round billycock hat and the coat produced. The trousers were also the same. I distinctly remember it by the black patch on it. I had a conversation with him, in the course of which he told me that he had no money, but his brother had, and he would have some of it. He said he should not go to his brother's house until after dark.

Cross-examined—I am certain that the hat produced is the same one as that the prisoner wore. There is nothing particular about the hat, but it is the one which the prisoner had on. I have one like it myself.

Sarah Alderman said she kept a house on the road from Denham to Uxbridge. She saw the prisoner that morning at a quarter before eight. He called for some beer, and paid for it with a shilling, which he took out of the purse produced.

John Smith said he met the prisoner on the road, and he showed him a lot of money, and remarked "That is the way to get money." He showed him a watch and chain, and asked him to buy it. He told him before he counted his money that he had 19*l.* 9*s.* 9*d.* He said he had been to see his brother who had given him 20*l.*

Elizabeth Selwood said she was in the prisoner's company the Sunday before she heard of the murder at Denham, and changed a sovereign for him. He took the money out of a purse like that produced. He had a watch and chain with him; the chain was like that produced. He had with him a pistol also like that produced. He passed Sunday night with her, and left at half-past six o'clock on Monday morning.

James Weston, an assistant to Mr. Butcher, a pawnbroker at Uxbridge, said he delivered up a watch and chain to the police, which had been offered in pledge by the prisoner. He did not take it in pledge, but bought it of him, giving him fifteen shillings for it. He gave the name of Geo. Wilson, of Reading.

James Woodeson said he saw the prisoner at the Oxford Arms, Reading, on the evening of Tuesday, the 24th of May. He saw a key with him, an ordinary door-key. He was offering it to any person in the room who would have it. He asked a woman in the room if she would have it, but she said she did not want it. He took the key from the prisoner and put it in a cupboard. He said he would sell his coat to get some beer, and he went with him to a marine store dealer's shop, Mr. Lyons, where he sold his coat and waistcoat for 4*s.* 6*d.* He showed him a pawn-ticket then for fifteen shillings, which he had for a pledge at Uxbridge.

Mary, wife of Martin Lyons, a marine-store dealer at Reading, proved buying the coat and waistcoat produced, for 4*s.* 6*d.*

Harriet Willis said she worked at the Oxford Arms at Reading, and proved finding the key in the cupboard, which she gave to Superintendent Jervis.

Superintendent Jervis produced the lock of the front door of Marshall's house, and said—It is an ordinary house-door lock. The key produced fits that door, and on the key is some paint exactly corresponding to the paint on the lock of the door.

Mary Ann Sparks said—I am sister to the late Mrs. Marshall, and was the first person who noticed the house shut up on Monday, and got a man to break open the door. The tie, collar, and shirt produced belonged to my brother. I did some of the work on it myself. The braces I also recognize as his, as well as the trousers, but not the waistcoat. The purse I don't know, but I know the knife to be my brother's. Miss Marshall had a watch and chain, and locket attached to it. I recognize the chain as hers. My brother had a pair of pistols.

The one produced I found in the house. The other (found on the prisoner) is like it.

Thyrza Spooner said—I am a sister of the late Emmanuel Marshall. My late sister, Mary Ann Marshall, had a watch and guard. The watch is very much like that produced, but I cannot swear to it. I can swear to the chain as hers.

Daniel Love, warder at Reading Gaol, said that the prisoner left that gaol in January, last year. When he left he gave him the jacket produced.

Dr. Ferris then detailed the nature of the wounds which he found on the bodies of the murdered Marshalls, and stated that the weapons produced would cause such wounds as were found on the deceased. The deceased had been dead for forty hours.

The different articles of clothing which had been put in evidence were then, at the request of the judge, placed on the table.

Dr. Abdy then addressed the jury for the defence in a long and able speech, and urged every point that could possibly be urged. The points he raised were, that the prisoner was not seen going in or out of the house; that Marshall was found dressed as if for the day, and did not come down in a hurry; and that the coolness with which he went about mingling with persons in the neighbourhood was incompatible with guilt.

The learned Judge then commenced his charge to the jury, which occupied three-quarters of an hour and embraced the most salient points in the evidence.

The jury were only two minutes in consultation, and when they had taken their seats, the clerk of arraigns, addressing the foreman of the jury, asked—

Do you find the prisoner at the bar guilty or not guilty?

Foreman.—Guilty.

Baron Channell, then assuming the black cap, proceeded to pronounce sentence upon him. He said—John Jones, you have been convicted, after a lengthened and patient trial, of the very serious offence charged against you on this indictment. Although the indictment of wilfully murdering Emmanuel Marshall is the only indictment which has been tried against you, there is no reason to doubt from the evidence that you have been guilty of wholesale murder. The evidence which has been produced is, to my mind, quite satisfactory to show that you were the perpetrator of these murders. Although I suggested to the jury any points which may possibly have admitted of doubt, yet the short time which they took to come to a conclusion shows that the evidence was quite as satisfactory to them as it has been to me. I hope the Lord will be more merciful to you than you have been to your victims. I trust you will make the best use of the time which is left you in this world, and that you will endeavour to obtain forgiveness and pardon for the offence which you have committed. His lordship then passed sentence of death in the usual form, after which the prisoner (with a wave of the hand) said, Thank you, my lord.

His lordship then called up Superintendent Dunham, and said that on the recommendation of the magistrates he would give directions, in accordance with the Act of Parliament empowering him to do so, for a gratuity of ten pounds, to be given him for his conduct in apprehending the prisoner, and getting up the case.

## APPENDIX.

### PUBLIC DOCUMENTS AND STATE PAPERS.

#### I.

#### CORRESPONDENCE IN MEDIATION BETWEEN FRANCE AND PRUSSIA<sup>1</sup>.

EARL GRANVILLE TO LORD LYONS.

*Foreign Office, July 8, 1870.*

MY LORD,—Count Bernstorff called upon me to-day, and informed me that he had received letters from the King of Prussia, and also from Berlin and from Count Bismarck, from the general tenour of which it appeared that the reply of the North German Government to the request first made to them by France, for explanation respecting the offer of the Crown of Spain to Prince Leopold of Hohenzollern, was to the effect that it was not an affair which concerned the Prussian Government. They did not pretend to interfere with the independence of the Spanish nation, but left it to the Spaniards to settle their own affairs, and they were unable to give any information as to the negotiations which had passed between the Provisional Government of Madrid and the Prince of Hohenzollern.

Count Bernstorff said that he was not aware of the date at which the demand for explanation was made by the French Government, or of that of the answer which was returned to it.

His Excellency went on to say that the North German Government did not wish to interfere with the matter, but left it to the French to take what course they liked; and the Prussian representative at Paris had been directed to abstain from taking any part in it.

The North German Government had no desire for a war of succession, but if

France chooses to make war on them on account of the choice of a King made by Spain, such a proceeding on her part would be an evidence of a disposition to quarrel without any lawful cause. It was premature, however, to discuss the question as long as the Cortes has not decided on accepting Prince Leopold as King of Spain; still, if France chooses to attack North Germany, that country will defend itself.

Count Bernstorff went on to say that the language which he had stated to me as held by the North German Government was also held by the King of Prussia. His Majesty, he added, was a stranger to the negotiations with Prince Leopold, but he will not forbid the Prince to accept the Crown of Spain.

Count Bernstorff dwelt much on the violent language of France.

I repeated to his Excellency the principal arguments of a despatch which I had addressed to Lord Augustus Loftus, in which I pointed out that it was in the interest of the world that Her Majesty's Government pressed the North German Government to consider the importance of an amicable solution being found for the question that had been raised, and I added that the position of North Germany was such that, while it need not yield to menace, it ought not to be swayed in another direction by hasty words uttered in a moment of great excitement.

I am, &c.,  
(Signed) GRANVILLE.

<sup>1</sup> Selected from Papers presented to Parliament in the Session of 1870.

LORD LYONS TO EARL GRANVILLE.

(Received July 9.)

Paris, July 8, 1870.

My Lord,—The Duc de Gramont expressed to me this afternoon great satisfaction with a report which he had just received of a conversation which your Lordship had had with the Marquis de Lavalette. He desired me to give your Lordship his best thanks for the friendly feeling you had manifested towards France.

M. de Gramont went on to say that he was still without any answer from Prussia, and that this silence rendered it impossible for the French Government to abstain any longer from making military preparations. Some steps in this direction had been already taken, and to-morrow the military authorities must begin in earnest. The movements of troops would be settled at the Council to be held at St. Cloud in the morning.

On my manifesting some surprise and regret at the rapid pace at which the French Government seemed to be proceeding, M. de Gramont insisted that it was impossible for them to delay any longer. They had reason to know (indeed the Spanish Ministers did not deny it) that the King of Prussia had been cognizant of the negotiation between Marshal Prim and the Prince of Hohenzollern throughout. It was, therefore, incumbent upon His Majesty, if he desired to show friendship towards France, to prohibit formally the acceptance of the Crown by a Prince of his House. Silence or an evasive answer would be equivalent to a refusal. It could not be said that the quarrel was of France's seeking. On the contrary, from the battle of Sadowa up to this incident, France had shown a patience, a moderation, and a conciliatory spirit which had, in the opinion of a vast number of Frenchmen, been carried much too far. Now, when all was tranquil, and the irritation caused by the aggrandizement of Prussia was gradually subsiding, the Prussians, in defiance of the feelings and of the interest of France, endeavoured to establish one of their Princes beyond the Pyrenees. This aggression it was impossible for France to put up with. It was earnestly to be hoped that the King would efface the impression it had made by openly forbidding the Prince to go to Spain.

There was another solution of the question to which the Duc de Gramont would beg me to call the particular attention of Her Majesty's Government. The Prince of Hohenzollern might of his

own accord abandon his pretensions to the Spanish Crown. He must surely have accepted the offer of it in the hope of doing good to his adopted country. When he saw that his accession would bring domestic and foreign war upon his new country, while it would plunge the country of his birth, and indeed all Europe, into hostilities, he would surely hesitate to make himself responsible for such calamities. If this view of the subject were pressed upon him, he could not but feel that honour and duty required him to sacrifice the idle ambition of ascending a throne on which it was plain he could never be secure.

A voluntary renunciation on the part of the Prince would, M. de Gramont thought, be a most fortunate solution of difficult and intricate questions; and he begged Her Majesty's Government to use all their influence to bring it about.

I have, &c.,

(Signed) LYONS.

LORD LYONS TO EARL GRANVILLE.

(Extract.)

M. de Gramont said that in this matter the French Ministers were following, not leading, the nation. Public opinion would not admit of their doing less than they had done.

As regarded military preparations, common prudence required that they should not be behindhand. In the midst of a profound calm, when the French Cabinet and Chamber were employed in reducing their military budget, Prussia exploded upon them this mine which she had prepared in secret. It was necessary that France should be at least as forward as Prussia in military preparations.

M. de Gramont went on to say that he would tell me exactly how the question now stood. The King of Prussia had told M. Benedetti last evening that he had in fact consented to the Prince of Hohenzollern's accepting the Crown of Spain; and that, having given his consent, it would be difficult for him now to withdraw it. His Majesty had added, however, that he would confer with the Prince, and would give a definitive answer to France when he had done so.

Thus, M. de Gramont observed, two things are clear; first, that the King of Prussia was a consenting party to the acceptance of the Crown by the Prince; and, secondly, that the Prince's decision to persist in his acceptance, or to retire, will be made in concert with His Majesty. Thus, then, said M. de Gramont,

the affair is now, beyond all controversy, one between France and the King.

The French Government would, M. de Gramont went on to say, defer for a short time longer (for 24 hours, for instance) those great ostensible preparations for war (such as calling out the reserves) which would inflame public feeling in France. All essential preparations must, however, be carried out unremittingly. The French Ministers would be unwise if they ran any risk of allowing Prussia to gain time by dilatory pretexts.

Finally, M. de Gramont told me that I might report to your Lordship that if the Prince of Hohenzollern should now, on the advice of the King of Prussia, withdraw his acceptance of the Crown, the whole affair would be at an end.

M. de Gramont did not, however, conceal from me that if, on the other hand, the Prince, after his conference with the King, persisted in coming forward as a candidate for the Throne of Spain, France would forthwith declare war against Prussia.

LORD LYONS TO EARL GRANVILLE.

(Received July 13.)

(Extract.)

Paris, July 12, 1870.

I have only time to report briefly to your Lordship, what passed at an interview with the Duc de Gramont, from which I have just returned.

The Duke said that the King of Prussia was neither courteous nor satisfactory. His Majesty disclaimed all connexion with the offer of the crown of Spain to the Prince Leopold of Hohenzollern, and declined to advise the Prince to withdraw his acceptance. On the other hand, Prince Leopold's father had formally announced in the name of his son that the acceptance was withdrawn. In fact, the Prince had sent a copy of a telegram which he had despatched to Marshal Prim, declaring that his son's candidature was at an end.

M. de Gramont said that this state of things was very embarrassing to the French Government. On the one hand, public opinion was so much excited in France, that it was doubtful whether the Ministry would not be overthrown if it went down to the Chamber to-morrow, and announced that it regarded the affair as finished without having obtained some more complete satisfaction from Prussia. On the other hand, the renunciation of the Crown by Prince Leopold put an end to the original cause of the

dispute. The most satisfactory part of the affair was, M. de Gramont said, that Spain was, at all events, now quite clear of the dispute. The quarrel, if quarrel there was, was confined to France and Prussia.

I did not conceal from M. de Gramont my surprise and regret that the French Government should hesitate for a moment to accept the renunciation of the Prince as a settlement of the affair. I reminded him pointedly of the assurance which he had formally authorized me to give to Her Majesty's Government, that if the Prince withdrew his candidature the affair would be at an end. I urged as strongly as I could all the reasons which would render a withdrawal on his part from this assurance painful and disquieting to Her Majesty's Government.

I pointed out, moreover, that the renunciation wholly changed the position of France. If war occurred now, all Europe would say that it was the fault of France; that France rushed into it without any substantial cause—merely from pride and resentment. One of the advantages of the former position of France was that the quarrel rested on a cause in which the feelings of Germany were very little concerned, and German interests not at all. Now Prussia might well expect to rally all Germany to resist an attack which could be attributed to no other motives than illwill and jealousy on the part of France, and a passionate desire to humiliate her neighbour. In fact, I said France would have public opinion throughout the world against her, and her antagonist would have all the advantage of being manifestly forced into the war in self-defence to repel an attack. If there should at the first moment be some disappointment felt here in the Chamber and in the country, I could not but think that the Ministry would in a very short time stand better with both if it contented itself with the diplomatic triumph it had achieved, and abstained from plunging the country into war, for which there was certainly no avowable motive.

After some discussion, M. de Gramont said a final resolution must be come to at a Council which would be held in presence of the Emperor to-morrow, and the result must be announced to the Chamber immediately afterwards. By three o'clock to-morrow, then the public would know what course France would take. He should not, he said, be able to see me between the Council and his appearance in the Chamber, but he would assure me that due weight should be



given to the opinion I had given on behalf of Her Majesty's Government.

LORD LYONS TO EARL GRANVILLE.

(Extract.)

M. de Gramont said he would explain to me in a few words the position taken up by the Government of the Emperor.

The Spanish ambassador had formally announced to him that the candidature of Prince Leopold had been withdrawn. This put an end to all question with Spain. Spain was no longer a party concerned. But from Prussia France had obtained nothing, literally nothing.

M. de Gramont here read to me a telegram from General Fleury, who stated that the Emperor Alexander had written to the King of Prussia to beg him to order the Prince of Hohenzollern to withdraw his acceptance of the Crown, and had, moreover, expressed himself in most friendly terms to France, and manifested a most earnest desire to avert a war.

The King of Prussia had, M. de Gramont went on to say, refused to comply with this request from his Imperial nephew. The King had not given a word of explanation to France.

His Majesty had, he repeated, done nothing, absolutely nothing. France would not take offence at this. She would not call upon His Majesty to make her any amends. The King had authorized the Prince of Hohenzollern to accept the Crown of Spain; all that France now asked was, that His Majesty would forbid the Prince to alter at any future time his decision to withdraw that acceptance. Surely, it was but reasonable that France should take some precautions against a repetition of what had occurred when Prince Leopold's brother went off to Bucharost. It was not to be supposed that France would run the risk of Prince Leopold suddenly presenting himself in Spain, and appealing to the chivalry of the Spanish people. Still, France did not call upon Prussia to prevent the Prince's going to Spain; all she desired was, that the King should forbid him to change his present resolution to withdraw his candidature. If His Majesty would do this, the whole affair would be absolutely and entirely at an end.

I asked him whether he authorized me categorically to state to Her Majesty's Government, in the name of the Government of the Emperor, that in this case the whole affair would be completely over.

He said, "Undoubtedly;" and he took

a sheet of paper and wrote the following memorandum, which he placed in my hands:—

"Nous demandons au Roi de Prusse de défendre au Prince de Hohenzollern de revenir sur sa résolution. S'il le fait tout l'incident est terminé."

I observed to M. de Gramont that I could hardly conceive that the French Government could really apprehend, after all that had occurred Prince Leopold would again offer himself as a candidate, or be accepted by the Spanish Government if he did.

M. de Gramont said that he was bound to take precautions against such an occurrence, and that if the King refused to issue the simple prohibition which was proposed, France could only suppose that designs hostile to her were entertained, and must take her measures accordingly.

Finally, M. de Gramont asked me whether France could count upon the good offices of England to help her in obtaining from the King this prohibition.

I said that nothing could exceed the desire of Her Majesty's Government to effect a reconciliation between France and Prussia, but that, of course, I could not take upon myself to answer offhand, without reference to Her Majesty's Government, a specific question of this kind.

EARL GRANVILLE TO LORD LYONS.

(Extract.)

Count Bernstorff called upon me this morning, and informed me that he had received a telegram from Count Bismarck, in which he expressed his regret that Her Majesty's Government should have made a proposal which it would be impossible for him to recommend to the King for His Majesty's acceptance.

Prussia had shown, under a public menace from France, a calmness and moderation which would render any further concession on her part equivalent to a submission to the arbitrary will of France, and would be viewed in the light of a humiliation, which the national feeling throughout Germany would certainly repudiate as a fresh insult.

Public opinion in Germany proves that, under the influence of the menaces of France, the whole of Germany had arrived at the conclusion that war, even under the most difficult circumstances, would be preferable to the submission of the King to the unjustifiable demands of France.

The Prussian Government, as such, has nothing to do with the acceptance of the candidature of Prince Leopold of

Hohenzollern, and had not even been cognizant of it. They could not, therefore, balance their assent to such acceptance by their assent to its withdrawal.

A demand for interference on the part of a Sovereign in a matter of purely private character could not, his Excellency considered, be made the subject of public communication between Governments, and as the original pretext for such a demand was to be found in the candidature itself, it could no longer be necessary now that the candidature had been renounced.

LORD A. LOFTUS TO EARL GRANVILLE.

(Received July 15.)

Berlin, July 13, 1870.

I had an interview with Count Bismarck to-day and congratulated his Excellency on the apparent solution of the impending crisis by the spontaneous renunciation of the Prince of Hohenzollern.

His Excellency appeared somewhat doubtful as to whether this solution would prove a settlement of the difference with France. He told me that the extreme moderation evinced by the King of Prussia under the menacing tone of the French Government, and the courteous reception by His Majesty of Count Benedetti at Ems, after the severe language held to Prussia, both officially and in the French Press, was producing throughout Prussia general indignation.

He had that morning, he said, received telegrams from Bremen, Königsberg, and other places, expressing strong disapprobation of the conciliatory course pursued by the King of Prussia at Ems, and requiring that the honour of the country should not be sacrificed.

Count Bismarck then expressed a wish that Her Majesty's Government should take some opportunity, possibly by a declaration in Parliament, of expressing their satisfaction at the solution of the Spanish difficulty by the spontaneous act of Prince Leopold, and of bearing public testimony to the calm and wise moderation of the King of Prussia, his Government, and of the public Press.

His Excellency adverted to the declaration made by the Duc de Gramont to the Corps Législatif, "that the Powers of Europe had recognized the just grounds of France in the demand addressed to the Prussian Government;" and he was, therefore, anxious that some public testimony should be given that the Powers who had used their "bons offices" to urge on the Prussian Government a renunciation by Prince Leopold, should likewise express their appreciation of the

peaceful and conciliatory disposition manifested by the King of Prussia.

Count Bismarck then observed that intelligence had been received from Paris (though not officially from Baron Werther) that the solution of the Spanish difficulty would not suffice to content the French Government, and that other claims would be advanced. If such be the case, said his Excellency, it was evident that the question of the succession to the Spanish Throne was but a mere pretext, and that the real object of France was to seek a revenge for Königsgratz.

The feeling of the German nation, said his Excellency, was that they were fully equal to cope with France, and they were as confident as the French might be of military success. The feeling, therefore, in Prussia and in Germany was that they should accept no humiliation or insult from France, and that if unjustly provoked they should accept the combat.

But, said his Excellency, we do not wish for war, and we have proved, and shall continue to prove, our peaceful disposition; at the same time we cannot allow the French to have the start of us as regards armaments. "I have," said his Excellency, "positive information that military preparations have been made, and are making, in France for war. Large stores of munition are being concentrated, large purchases of hay and other materials necessary for a campaign are making, and horses are being collected." If these continued, said his Excellency, we shall be obliged to ask the French Government for explanations as to their object and meaning.

After what has now occurred we must require some assurance, some guarantee, that we may not be subjected to a sudden attack; we must know that this Spanish difficulty once removed, there are no other lurking designs which may burst upon us like a thunderstorm.

Count Bismarck further stated that unless some assurance, some declaration, were given by France to the European Powers, or in some official form, that the present solution of the Spanish question was a final and satisfactory settlement of the French demands, and that no further claims were to be raised; and if, further, a withdrawal or a satisfactory explanation of the menacing language held by the Duc de Gramont were not made, the Prussian Government would be obliged to seek explanations from France. It was impossible, added his Excellency, that Prussia could tamely and quietly sit under the affront offered to the King and to the nation by the

menacing language of the French Government. I could not, said his Excellency, hold communication with the French Ambassador after the language held to Prussia by the French Minister for Foreign Affairs in the face of Europe.

From the foregoing observations of Count Bismarck, your Lordship will perceive that unless some timely counsel, some friendly hand, can intervene to appease the irritation between the two Governments, the breach, in lieu of being closed by the solution of the Spanish difficulty, is likely to become wider.

It is evident to me that Count Bismarck and the Prussian Ministry regret the attitude and disposition of the King towards Count Benedotti, and that in the view of the public opinion of Germany they feel the necessity of some decided measures to safeguard the honour of the nation.

The only means which could pacify the wounded pride of the German nation, and restore confidence in the maintenance of peace, would be by a declaration of the French Government that the incident of the Spanish difficulty has been satisfactorily adjusted, and in rendering justice to the moderate and peaceful disposition of the King of Prussia and his Government, that the good relations existing between the two States were not likely to be again exposed to any disturbing influences. I greatly fear that if no mediating influences can be successfully brought to bear on the French Government to appease the irritation against Prussia, and to counsel moderation, war will be inevitable.

**EARL GRANVILLE TO OUR AMBASSADORS  
AT PARIS AND BERLIN:—**

*Foreign Office, July 15, 1870.*

My Lord,—Her Majesty's Government deeply regret that, according to present appearances, the breaking out of war between France and Prussia seems imminent. They deplore the possibility of this great calamity, not only as regards the two Powers themselves, to whom they are bound by intimate ties of friendship, but also as regards Europe at large.

But, being anxious not to neglect the slightest chance of averting it, they appeal to the 23rd Protocol of the Conference held at Paris in the year 1856, in which "les Plénipotentiaires n'hésitent pas à exprimer, au nom de leurs Gouvernements, le vœu que les Etats entre lesquels s'éleverait un dissentiment sérieux, avant d'en appeler aux armes, eussent recours, en tant que les circonstances admettraient, aux bons offices d'une Puissance amie;" and they feel themselves the more warranted in doing so, inasmuch as the question in regard to which the two Powers are at issue is brought within narrow limits.

Her Majesty's Government therefore suggest to France and to Prussia, in identical terms, that before proceeding to extremities they should have recourse to the good offices of some friendly Power or Powers acceptable to both; and Her Majesty's Government, your Excellency will say, are ready to take any part which may be desired in the matter.

I am, &c.,

(Signed) GRANVILLE.

## II.

### PROJECTED TREATY BETWEEN FRANCE AND PRUSSIA.

[Published in the "Times" of July 25.]

His Majesty the King of Prussia and His Majesty the Emperor of the French, judging it useful to bind closer the ties of friendship which unite them, and so confirm the relations of good neighbourhood which happily exist between the two countries, and being besides convinced that to attain this result, which is, moreover, of a kind to insure the maintenance of the general peace, it is for their interest to come to an understanding on the questions concerning their future relations, have resolved to conclude a Treaty to the following effect, and have in consequence nominated as

their representatives the following persons, viz. :—

His Majesty, &c.

His Majesty, &c.

Who, after exchanging their full powers, which have been found in good and due form, have agreed on the following Articles:—

"Art. I.—His Majesty the Emperor of the French acquiesces in and recognises the gains made by Prussia in the course of the last war waged by her against Austria and that Power's allies.

"Art. II.—His Majesty the King of Prussia engages to facilitate the acqui-

sition by France of Luxemburg; and for this purpose His Majesty will enter into negotiations with His Majesty the King of the Netherlands with the view of inducing him to cede his sovereign rights over the Duchy to the Emperor of the French, on the terms of such compensation as shall be judged adequate or otherwise. The Emperor of the French, on his side, engages to assume whatever pecuniary charges this arrangement may involve.

"Art. III.—His Majesty the Emperor of the French shall raise no opposition to a federal union of the Confederation of North Germany with the States of South Germany, excepting Austria, and this federal union may be based on one common Parliament, due reservation, however, being made of the sovereignty of the said States.

"Art. IV.—His Majesty the King of Prussia, on his side, in case His Majesty the Emperor of the French should be led by circumstances to cause his troops to

enter Belgium or to conquer it, shall grant armed aid to France, and shall support her with all his forces, military and naval, in the face of and against every Power which should, in this eventuality, declare war.

"Art. V.—To insure the complete execution of the preceding conditions, His Majesty the King of Prussia and His Majesty the Emperor of the French contract, by the present Treaty, an alliance offensive and defensive, which they solemnly engage to maintain. Their Majesties bind themselves, besides and in particular, to observe its terms in all cases when their respective States, the integrity of which they reciprocally guarantee, may be threatened with attack; and they shall hold themselves bound, in any like conjuncture, to undertake without delay, and under no pretext to decline, whatever military arrangements may be enjoined by their common interest conformably to the terms and provisions above declared."

### III.

#### THE BELGIAN NEUTRALITY TREATIES.

TREATIES BETWEEN HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND ON THE ONE SIDE AND THE KING OF PRUSSIA AND THE EMPEROR OF THE FRENCH ON THE OTHER, RELATIVE TO THE INDEPENDENCE AND NEUTRALITY OF BELGIUM. THE TREATY WITH THE KING OF PRUSSIA, SIGNED IN LONDON, AUGUST 9, 1870.

"Art. I.—His Majesty the King of Prussia having declared that, notwithstanding the hostilities in which the North German Confederation is engaged with France, it is his fixed determination to respect the neutrality of Belgium so long as the same shall be respected by France. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland on her part declares that if during the said hostilities, the armies of France should violate that neutrality, she will be prepared to co-operate with His Prussian Majesty for the defence of the same in such manner as may be mutually agreed upon, employing for that purpose her naval and military forces to insure its observance, and to maintain, in conjunction with His Prussian Majesty, then and thereafter the independence and neutrality of Belgium. It is clearly understood that Her Majesty the Queen of the United Kingdom of Great Britain and Ireland does not engage herself by this Treaty to take part in any of the general operations of the

war now carried on between the North German Confederation and France beyond the limits of Belgium, as defined in the Treaty between Belgium and the Netherlands of April 19, 1839.

"Art. II.—His Majesty the King of Prussia agrees on his part, in the event provided for in the foregoing Article, to co-operate with Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, employing his naval and military forces for the purposes aforesaid; and, the case arising, to concert with Her Majesty the measures which shall be taken, separately or in common, to secure the neutrality and independence of Belgium.

"Art. III.—This Treaty shall be binding on the high contracting parties during the continuance of the present war between the North German Confederation and France, and for twelve months after the ratification of any Treaty of Peace concluded between these parties; and on the expiration of that time the independence and neutrality of Belgium will, so far as the high contracting parties are respectively concerned, continue to rest as heretofore on the 1st Article of the Quintuple Treaty of the 19th of April, 1839."

The Treaty with the Emperor of the French, signed in London, August 11, 1870, contains, *mutatis mutandis*, exactly the same provisions.

## IV.

CORRESPONDENCE RESPECTING THE TREATY  
OF 1856.PRINCE GORTSCHAKOFF'S CIRCULAR  
NOTE.*Czarskoe Selo, Oct. (31) 19.*

Successive alterations in the Treaties considered as the foundation of the European balance of power have rendered it necessary for the Imperial Cabinet to inquire how far the political position of Russia has been and ought to be modified by these changes. Among the Treaties alluded to, that which touches Russia more nearly than any other is the compact of March 30, 1856. The special convention between the two States bordering on the Black Sea, which forms an appendix to this Treaty, obliges Russia to confine her naval forces to a *minimum*; at the same time this Treaty establishes the principle of the neutralization of the Black Sea. By laying down this principle the signatory Powers intended to remove the very possibility of a conflict between the Powers bordering on the Black Sea, or between either of them and the Maritime Powers. This arrangement was intended to increase the number of the territories which have been accorded the benefit of neutrality by common consent, and thus protect Russia herself from the danger of attack. A fifteen years' experience has proved that this principle, on which the safety of the South Russian frontiers exclusively depends, is no more than a theory. In reality, while Russia disarmed in the Black Sea, and, by a declaration contained in the minutes of the Conference, likewise loyally deprived herself of the possibility of taking measures for an effectual maritime defence in the adjoining seas and ports, Turkey preserved her privilege of having an unlimited number of men-of-war in the Archipelago and the Straits, while France and England were also at liberty to assemble their squadrons in the Mediterranean. Again, under the Treaty in question, the war flag of all nations is formally and perpetually prohibited entry into the Black Sea, but the so-called Straits Treaty closes the Straits only in time of peace to men-of-war. Owing to this inconsistency, the shores of the Russian Empire are exposed to attack even from less powerful States if they have some naval forces at their disposal. All that Russia

could oppose to them would be some ships of small size. The Treaty of March 30 has, moreover, been modified by some of those infringements to which most European transactions have been latterly exposed, and in the face of which it would be difficult to maintain that the written law, founded upon the respect for Treaties as the basis of public right and the rule governing the relations between States, retains the moral validity which it may have possessed at other times. We have witnessed the Principalities, Moldavia and Wallachia, whose position had, under the guarantee of the Great Powers, been defined in the Treaty of Peace and the appended Protocols, accomplish a series of revolutions, which are equally at variance with the letter and spirit of these transactions, arrangements which first led to their reunion, and subsequently to the installation of a foreign Prince. These facts have obtained the sanction of the Porte and the consent of the Great Powers—or, at any rate, the latter have not thought it necessary to enforce their objection. The representative of Russia was the only one who raised his voice to remind the Cabinets that by this tolerance they were departing from distinct Treaty engagements. No doubt, if these concessions to one of the Christian nationalities of the East had proceeded from a general agreement between the Cabinets and the Porte, and if they had been based upon a principle alike applicable to all the Christian populations of Turkey, they would have been applauded by the Imperial Cabinet; but they were exclusive. The Imperial Cabinet could not but be surprised at seeing a most essential stipulation of the Treaty of March 30, 1856, violated with impunity but a few years after the conclusion of the said compact, and this at a moment when the representatives of the Great Powers, on whose collective authority the East relied for peace, were again assembled in Conference at Paris. But this infraction was not the only one. Repeatedly, and under various pretexts, foreign men-of-war have been suffered to enter the Straits, and whole squadrons, whose presence in those waters was inconsistent with their unconditional neutralization, admitted to the Black Sea.

While all the guarantees contained in the Treaty, and more especially those for the effective neutralization of the Black Sea, were thus being gradually invalidated, the adoption of ironclad vessels, a craft unknown and unforeseen in 1856, increased the danger menacing Russia in the event of war. She was now more unable than ever to encounter an enemy in the Black Sea. Under these circumstances, His Majesty could not but ask himself what are the rights and duties accruing to Russia from this modification of the general situation and the disregard shown to engagements which, although conceived in a spirit of distrust and levelled at herself, she has invariably and most conscientiously obeyed. After maturely considering this question, His Imperial Majesty arrived at the following conclusions, which you are instructed to bring to the knowledge of the Government to which you are accredited. Our illustrious Master cannot admit, *de jure*, that Treaties, violated in several of their general and essential clauses, should remain binding in other clauses directly affecting the interests of his Empire. Nor can His Imperial Majesty admit, *de facto*, that Russia should rely for safety on a fiction which has not stood the test of time, and that she should allow her safety to be imperilled by herself respecting a Treaty partly set aside by others. Confiding in the equitable sentiments of the Powers who have signed the Treaty of 1856, as well as in their consciousness of their own dignity, the Emperor commands you to declare that His Imperial Majesty cannot any longer hold himself bound by those stipulations of the Treaty of March 30, 1856, which restrict the exercise of his sovereign rights in the Black Sea; that His Imperial Majesty deems himself both entitled and obliged to announce to His Majesty the Sultan that he will no longer regard as valid the special and additional convention appended to the said Treaty, the latter of which fixes the number and size of the men-of-war which the two Powers bordering on the Black Sea shall keep in that sea; that His Majesty loyally informs of this the Powers who have signed and guaranteed the more comprehensive Treaty, an integral part of which is the convention in question; and that His Majesty restores to the Sultan the full exercise of his sovereign rights in this respect, reclaiming the like full exercise of the same rights for himself. In acquitting yourself of this duty, you will take care to point out that the only object of our illustrious Master in this step is to pro-

tect the safety and dignity of his Empire. His Imperial Majesty has no wish to revive the Eastern Question. His Imperial Majesty sincerely desires to contribute towards the continuance and consolidation of peace in the East as well as every where else. His Imperial Majesty fully adheres to his consent to the general principles of the Treaty of 1856, which have fixed the position of Turkey in the European system. His Imperial Majesty is ready to enter into an understanding with the Powers who have signed that transaction, for the purpose either of confirming its general stipulations, or of renewing them, or of replacing them by some other equitable arrangement, calculated to secure the quiet of the East and the balance of power in Europe. His Imperial Majesty is convinced that peace and the balance of power will receive a fresh guarantee, if they are based upon a more just and solid foundation than one involving a state of things which no great Power can accept as the normal condition of its existence.

You are requested to read this despatch to the Minister of Foreign Affairs and leave him a copy.

I avail myself, &c.,  
(Signed) GORTSCHAKOFF.

PRINCE GORTSCHAKOFF TO BARON  
BRUNNOW.

*Czarshkos Selo, Oct. 20, 1870.*

M. le Baron,—In making the communication to the principal Secretary of State of Her Britannic Majesty, according to the orders of His Majesty the Emperor, you will take care to explain its sense and bearing. When, at the commencement of 1866, there was a question of conferences between the Three Powers, with a view to prevent the war then imminent in Germany, by the Assembly of a Congress, in discussing the bases of such conferences with Earl Russell you had the opportunity of pointing out to him the compensations and the guarantees of security which would be necessarily required by Russia in case of certain eventualities occurring calculated to modify the *status quo* existing in the East. Lord Russell admitted this with perfect equity. He in no way disputed that any alteration made in the text and the spirit of the Treaty of 1856 must lead to the revision of that Act. Although those eventualities have not occurred, Lord Granville will not contest the fact that already this Treaty has undergone serious modifications in one of its essential provisions. That which must impress

Russia in respect of these modifications is not the appearance of factitious hostility towards her which they seem to bear, nor is it the consequences which may ensue to a great country from the creation upon its frontiers of a small quasi independent State; it is chiefly the facility with which, scarcely ten years after its conclusion, a solemn arrangement, clothed with a European guarantee, has been infringed both in letter and in spirit under the very eyes of the Powers who should have been its guardians. With such a precedent before us, what value can Russia attach to the efficacy of that arrangement and to the pledge of security which she believed she had obtained in the principle of the neutralization of the Black Sea? The balance of power established in the East by the Treaty of 1856 has, therefore, been disturbed to the detriment of Russia. The resolution adopted by our august Master has no other object than to restore that equilibrium.

The Government of Her Britannic Majesty would never consent to leave the security of her shores to the mercy of an arrangement which was no longer respected. It is too equitable not to award us the same duties and the same rights. But what we especially desire to impress is that this decision implies no change in the policy which His Majesty the Emperor has pursued in the East. You have already had on many occasions opportunities of discussing with the Cabinet of London the general views which the two Governments hold upon this important question. You have been able to establish a conformity of principles and interests, which we have noted with great satisfaction. From that we have drawn the conclusion that at present it is neither from England nor Russia that can arise the dangers which may menace the Ottoman Empire, that the two Cabinets have an equal desire to maintain its existence as long as possible by conciliation, and allaying differences between the Porte and the Christian subjects of the Sultan, and that, in the event of any decisive crisis presenting itself, despite their efforts, both were equally resolved to seek for its solution in the general agreement of the Great European Powers.

We have not ceased to hold these views. We believe that their perfect analogy renders possible a thorough understanding between the Government of Her Britannic Majesty and ourselves, and we attach the greatest value to it, as the best guarantee for the preservation of peace and the balance of power in Europe

from dangers which may result from complications in the East. By the order of His Majesty the Emperor your Excellency is authorized to repeat this assurance to Lord Granville. We shall sincerely congratulate ourselves if the frankness of these explanations may contribute to that end by removing every possibility of misunderstanding between the Government of Her Britannic Majesty and ourselves.

Receive, &c.,  
(Signed) GORTSCHAKOFF.

EARL GRANVILLE TO SIR A. BUCHANAN.

*Foreign Office, Nov. 10, 1870.*

Sir,—Baron Brunnow made to me yesterday the communication respecting the Convention between the Emperor of Russia and the Sultan, limiting their naval forces in the Black Sea, signed at Paris on the 30th of March, 1856, to which you allude in your telegram of yesterday afternoon.

In my despatch of yesterday I gave you an account of what passed between us, and I now propose to observe upon Prince Gortschakoff's despatches of the 19th and 20th ult., communicated to me by the Russian Ambassador on that occasion.

Prince Gortschakoff declares, on the part of His Imperial Majesty, that the Treaty of 1856 has been infringed in various respects to the prejudice of Russia, and more especially in the case of the Principalities, against the explicit protest of his representative, and that, in consequence of these infractions, Russia is entitled to renounce those stipulations of the Treaty which directly touch her interests.

It is then announced that she will no longer be bound by the Treaties which restrict her rights of sovereignty in the Black Sea.

We have here an allegation that certain facts have occurred which, in the judgment of Russia, are at variance with certain stipulations of the Treaty, and the assumption is made that Russia, upon the strength of her own judgment as to the character of those facts, is entitled to release herself from certain other stipulations of that instrument.

This assumption is limited in its practical application to some of the provisions of the Treaty, but the assumption of a right to renounce any one of its terms involves the assumption of a right to renounce the whole.

This statement is wholly independent of the reasonableness or unreasonableness, on its own merits, of the desire of

Russia to be released from the observation of the stipulations of the Treaty of 1856 respecting the Black Sea.

For the question is, in whose hand lies the power of releasing one or more of the parties from all or any of these stipulations?

It has always been held that that right belongs only to the Governments who have been parties to the original instrument.

The despatches of Prince Gortschakoff appear to assume that any one of the Powers who have signed the engagement may allege that occurrences have taken place which in its opinion are at variance with the provisions of the Treaty; and although this view is not shared nor admitted by the co-signatory Powers, may found upon that allegation, not a request to those Governments for the consideration of the case, but an announcement to them that it has emancipated itself, or holds itself emancipated, from any stipulations of the Treaty which it thinks fit to disprove. Yet it is quite evident that the effect of such doctrine, and of any proceeding which, with or without avowal, is founded upon it, is to bring the entire authority and efficacy of Treaties under the discretionary control of each one of the Powers who may have signed them; the result of which would be the entire destruction of Treaties in their essence. For whereas their whole object is to bind Powers to one another, and for this purpose each one of the parties surrenders a portion of its free agency, by the doctrine and proceeding now in question one of the parties in its separate and individual capacity may bring back the entire subject into its own control, and remains bound only to itself.

Accordingly, Prince Gortschakoff has announced in these despatches the intention of Russia to continue to observe certain of the provisions of the Treaty. However satisfactory this might be in itself, it is obviously an expression of the free will of that Power, which it might at any time alter or withdraw; and in this it is thus open to the same objections as the other portions of the communications, because it implies the right of Russia to annul the Treaty on the ground of allegations of which she constitutes herself the only judge.

The question therefore arises, not whether any desire expressed by Russia ought to be carefully examined in a friendly spirit by the co-signatory Powers, but whether they are to accept from her the announcement that, by her own act, without any consent from them,

she has released herself from a solemn covenant.

I need scarcely say that Her Majesty's Government have received this communication with deep regret, because it opens a discussion which might unsettle the cordial understanding it has been their earnest endeavour to maintain with the Russian Empire; and for the above-mentioned reasons it is impossible for Her Majesty's Government to give any sanction, on their part, to the course announced by Prince Gortschakoff.

If, instead of such a declaration, the Russian Government had addressed Her Majesty's Government and the other Powers who are parties to the Treaty of 1856, and had proposed for consideration with them, whether any thing has occurred which could be held to amount to an infraction of the Treaty, or whether there is any thing in the terms which, from altered circumstances, presses with undue severity upon Russia, or which, in the course of events, had become unnecessary for the due protection of Turkey, Her Majesty's Government would not have refused to examine the question in concert with the co-signatories to the Treaty. Whatever might have been the result of such communications, a risk of future complications and a very dangerous precedent as to the validity of international obligations would have been avoided.

I am, &c.,

(Signed) GRANVILLE.

P.S.—You will read and give a copy of this despatch to Prince Gortschakoff.

PRINCE GORTSCHAKOFF TO BARON  
BRUNNOW.

*Czarskoe Selo*, 8 (20) November, 1870.

M. le Baron,—The English Ambassador has read to and given me a copy of a despatch of Lord Granville relating to our communications of the 19th (31) of October.

I have hastened to place it before His Majesty the Emperor. It has pleased our August Master to notice, first, the earnest desire of the Cabinet of London to maintain a cordial understanding between England and Russia, and secondly, the assurance that it would not refuse to examine the modifications which circumstances have caused in the results of the Treaty of 1856. As regards the view of strict right laid down by Lord Granville we do not wish to enter into any discussion, recall any precedent, or cite any example, because such a debate would not conduce to the understanding that we desire.



Our August Master has had an imperative duty to fulfil towards his country, without wishing to wound or threaten any of the Governments who signed the Treaty of 1856. On the contrary, His Imperial Majesty appeals to their sentiments of justice, and to the consciousness of their own dignity.

We regret to see that Lord Granville dwells chiefly on the form of our communications. It was not done by our choice. Assuredly, we should have desired nothing better than to arrive at the result in harmony with the Powers who signed the Treaty of 1856. But Her Britannic Majesty's principal Secretary of State well knows that all the efforts repeatedly made to unite the Powers in a common deliberation, in order to do away with the causes of complication which trouble the general peace have constantly failed. The prolongation of the actual crisis, and the absence of a regular Power in France remove still further the possibility of such an union. Meanwhile, the position of Russia by this Treaty has become more and more intolerable. Lord Granville will allow that the Europe of to-day is very different from that which signed the Act of 1856. It was impossible that Russia should consent to remain indefinitely bound by a transaction which, already onerous when concluded, lost its guarantees from day to day.

Our August Master knows his duty towards his country too well to impose on it any longer an obligation against which the national feeling protests.

We cannot admit that the abrogation of a theoretical principle without immediate application, which only restores to Russia a right of which no other nation would be deprived, can be considered as a menace to peace, or that the annulment of one point in the Treaty implies the annulment of the whole.

Such has never been the intention of the Imperial Cabinet. On the contrary, our communications of the 19th (31st) of October declare in the most explicit manner that His Majesty the Emperor adheres entirely to the general principles of the Treaty of 1856, and that he is ready to come to an understanding with the Powers who signed that transaction, either by confirming the general stipulations, or by renewing them, or by substituting for them any other equitable arrangement which will be considered fitting to ensure tranquillity in the East, and the equilibrium of Europe. There seems to be no reason why the Cabinet of London, if agreeable to it, should

not enter into explanations with those who signed the Treaty of 1856.

On our part, we are ready to join in any deliberation having for its object the general guarantees for consolidating the peace of the East.

We are sure that this peace would receive additional security if a permanent cause of irritation now existing between the two Powers most directly interested in it was removed and their mutual relations were re-settled on a good and solid understanding.

You are requested, M. le Baron, to read and give a copy of this despatch to Lord Granville.

The principal Secretary of State of Her Britannic Majesty has expressed to you the regret he would experience if this discussion would alter the good understanding which the Government of Her Majesty the Queen has striven to maintain between the two countries. Will you inform his Excellency how much the Imperial Cabinet would share in this regret.

We think the good understanding of the two Governments essentially useful to the two countries, as well as to the peace of the world. It is with a lively satisfaction that we have seen it become during the last few years more and more intimate and cordial.

The parity of the circumstances in which we are placed seem of a kind to render this more desirable than ever.

Receive, &c.,

GORTSCHAKOFF.

EARL GRANVILLE TO SIR A. BUCHANAN.

*Foreign Office, Nov. 28.*

Sir,—The Russian Ambassador has read and given to me a copy of a despatch of Prince Gortschakoff of the date of 8th (20th) November.

It is not necessary for Her Majesty's Government to recur to the important questions of international law raised by the circular of Prince Gortschakoff, as they have nothing to add to the declaration on the subject which they have already made.

His Excellency has been good enough to appeal to my knowledge of facts which his Excellency states prevented that consultation and agreement with other parties to this Treaty which Russia would have preferred.

I am aware that suggestions for Congresses to settle other European questions have been made and not adopted.

It has been also stated to me that intimations have been given to some of my predecessors, that in the case of cer-

tain contingencies, which however have never occurred, such as the possession of the Principalities by Austria, Russia would feel bound to call into question some of the provisions of the Treaty of 1856. But I am ignorant of any occasion on which Russia, the party most interested, has proposed in any way to this country that a relaxation of the Treaty should be taken into consideration.

I cannot therefore admit that the Imperial Government can justify this proceeding by the failure of efforts which have been never made.

The courteous language in which Prince Gortschakoff's despatch is written, his assurance of the manner in which he would have preferred to open this question, and his declaration of the strong desire for a confirmation of good relations between the two nations, particularly important at this time, encourage Her Majesty's Government in the belief that the obstacles to such relations will be removed.

They observe that His Excellency

describes the declaration which has been made by Russia as an abrogation of a theoretical principle without immediate application. If these words are to be construed into an announcement that Russia has formed and stated her own opinion of her rights, but has no intention of acting in conformity with it without due concert with the other Powers, they go far to close the controversy in which the two Governments have been engaged.

Her Majesty's Government have no objection to accept the invitation which has been made by Prussia to a Conference, upon the understanding that it is assembled without any foregone conclusions as to its results. In such case Her Majesty's Government will be glad to consider with perfect fairness, and the respect due to a great and friendly Power, any proposals which Russia may have to make.

You will read and give a copy of this despatch to Prince Gortschakoff.

I am, &c.,  
(Signed) GRANVILLE.

## V.

### THIRD REPORT OF THE RITUAL COMMISSION.

#### TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1. In this third Report, which we have now the honour of presenting to your Majesty, we desire humbly to offer our recommendations on a separate but highly important portion of the work which your Majesty has been pleased to assign to us.

2. In your Majesty's Commission we were commanded to inquire into the subject of the "Proper Lessons appointed to be read in Morning and Evening Prayer on the Sundays and Holy days throughout the year" and "the calendar, with the Table of First and Second Lessons contained in the Book of Common Prayer," with the view of suggesting and reporting "whether any and what alterations and amendments may be advantageously made in the selection of Lessons to be read at the time of Divine service." We now desire to lay before your Majesty the result of inquiries and deliberations which have been specially directed to this subject for upwards of two years.

3. We felt it incumbent upon us carefully to consider the many schemes which

have been published or have been privately submitted to us upon this subject. After much deliberation, we have come to the conclusion that it is expedient to read, as now, at each service on ordinary days, one Lesson from the Old Testament and another from the New Testament, generally according to the order of the Books.

4. On a careful revision, however, of the present Table of Lessons, we have thought it desirable to vary and shorten many of them. We have disregarded to some extent the present division of chapters when the continuity of the subject seemed to render such a course desirable. And while we have not felt ourselves justified in recommending any omission in the passages selected, we have endeavoured so to arrange the Lessons as to include whatever might be most conducive to edification when read in the general congregation.

5. In the Schedule to this Report will be found the Revised Table of Lessons Proper for Sundays, the Revised Table of Lessons Proper for Holy Days, and the Revised Table of Daily First and Second Lessons.

6. It will be seen from this Schedule

that, on the one hand, we have introduced many passages of Scripture (*s. g.* from the Books of Chronicles and from the Book of the Prophet Ezekiel) which are not now read in public worship; on the other hand, we have largely reduced the number of Lessons taken from the Apocrypha, so that, instead of 26 Lessons taken from it for holy days, there will now be only four, and, instead of 106 for ordinary days, there will now be only 40. The New Testament Lessons are so arranged that the whole of that which is now read three times will be read twice in the course of the year—once in the morning and once in the evening. The yearly calendar will be closed with 22 Lessons from the Book of the Revelation of St. John the Divine.

7. For the Proper Lessons on holy days many passages have been chosen which we think will be found more appropriate than those in the existing table. Lessons for Ash Wednesday are provided, and the series of Lessons for the Holy Week is now made complete.

8. A second series of Lessons for evening on Sundays has been also provided, to be used either as alternative Lessons at the second service, or at a third service if such service be thought desirable. Where there is a third service, we propose to leave to the minister discretion to read for the Second Lesson any chapter or appointed Lesson out of the four Gospels which he may think it expedient to select. We further propose that upon occasions to be approved by the Ordinary other Lessons may, with his consent, be substituted for those which are appointed in the calendar.

9. We feel it our duty to state to your Majesty that we deemed it expedient to submit privately the Tables of Lessons thus revised by us to the Archbishops and Bishops of England and Ireland, to the Deans of Cathedral Churches, and to the Theological Professors of the Universities of Oxford, Cambridge, Dublin, and Durham. To the suggestions which we received we have given full consideration, and we have adopted those which seemed to us to be improvements on our original proposals.

10. We cannot conclude this Report, which we now submit to your Majesty's consideration, without expressing our humble but earnest hope that it may please Almighty God to bless our labours to the advancement of His glory, and to the fuller knowledge of His most Holy Word and Will.

A. C. CANTUAR.  
M. G. ARMAGH.  
STANHOPE.  
CARNARVON.  
HARROWBY.  
BEAUCHAMP.  
S. WINTON.  
C. ST. DAVID'S.  
C. J. GLOUCESTER AND BRISTOL.  
WILLIAM CHESTER.  
HARVEY CARLISLE.  
PORTMAN.  
EBURY.  
SPENCER H. WALPOLE.  
JOSEPH NAPIER.\*  
ROBERT PHILLIMORE.  
TRAVERS TWISS.  
JOHN ABEL SMITH.  
A. J. B. BRERESFORD HOPE.  
J. G. HUBBARD.  
CHARLES BUXTON.  
ARTHUR P. STANLEY.  
J. A. JEREMIE.  
R. PAYNE SMITH.  
HENRY VENN.  
W. G. HUMPHRY.  
ROBERT GREGORY.  
THOMAS WALTER PERRY.

\* As I understand the terms of Her Majesty's Commission, I consider that this Report should not have been presented until after our inquiries on all the other matters referred to in the Commission had been completed. Subject to this observation, and in deference to the view taken by my colleagues, I have added my signature to this report.

JOSEPH NAPIER.  
W. F. Kemp, Secretary, Jerusalem  
Chamber, Westminster Abbey,  
Jan. 12, 1870.

The Schedule contains a Revised Table of Lessons Proper for Sundays, occupying 14 pages.

## VI.

## FOURTH REPORT OF THE RITUAL COMMISSION.

TO THE QUEEN'S MOST EXCELLENT  
MAJESTY.

1. We your Majesty's Commissioners for inquiring into the "differences of practice" which "have arisen from varying interpretations put upon the rubrics, orders, and directions for regulating the course and conduct of public worship, the administration of the Sacraments, and the other services contained in the Book of Common Prayer, according to the use of the United Church of England and Ireland, and more especially with reference to the ornaments used in the churches and chapels of the said United Church, and the vestments worn by the ministers thereof at the time of their ministration, with the view of explaining or amending the said rubrics, orders, and directions, so as to secure general uniformity of practice in such matters as may be deemed essential," humbly beg leave to lay before your Majesty this our Fourth and final Report.

2. In obedience to this Commission we have thought it right to examine and consider all the directions contained in the Book of Common Prayer.

3. In the greater number of the rubrics we have proposed no alterations.

4. In the alterations which we have proposed, we have endeavoured, according to your Majesty's commands, to explain and amend rubrics so as to secure general uniformity of practice in those matters which may be deemed essential: on other matters we have recommended alterations which may give facilities for adapting the services of the Church to the wants and circumstances of different congregations.

5. Our recommendations on these matters are contained in the annexed Schedule.

6. We submit this Report to your Majesty's favourable consideration with the earnest prayer that our labours may be blessed to the maintenance of decent order in public worship, to the promotion of the peace of the Church, and to the glory of Almighty God.

A. C. CANTUAR. (L.S.)  
M. G. ARMAGH. (L.S.)  
STANHOPE. (L.S.)  
HARROWBY. (L.S.)  
BEAUCHAMP. (L.S.)  
JOHN LONDON. (L.S.)  
S. WINTON. (L.S.)

C. ST. DAVID'S. (L.S.)  
C. J. GLOUCESTER AND BRISTOL. (L.S.)  
WILLIAM CHESTER. (L.S.)  
HARVEY CARLISLE. (L.S.)  
PORTMAN. (L.S.)  
EBURY. (L.S.)  
SPENCER H. WALPOLE. (L.S.)  
JOSEPH NAPIER. (L.S.)  
TRAVERS TWISS. (L.S.)  
JOHN ABEL SMITH. (L.S.)  
A. J. B. BERESFORD HOPE. (L.S.)  
J. G. HUBBARD. (L.S.)  
CHARLES BUXTON. (L.S.)  
A. P. STANLEY. (L.S.)  
J. A. JEREMIE. (L.S.)  
R. PAYNE SMITH. (L.S.)  
HENRY VENN. (L.S.)  
W. G. HUMPHRY. (L.S.)  
ROBERT GREGORY. (L.S.)  
THOMAS WALTER PERRY. (L.S.)

We, the undersigned members of your Majesty's Commission, are unable to concur in the course which has been taken by the Commission with respect to the Athanasian Creed. The objections felt by several of us will be found stated, with the signatures, in the accompanying papers.

A. C. CANTUAR.  
STANHOPE.  
C. ST. DAVID'S  
HARVEY CARLISLE.  
PORTMAN.  
EBURY.  
SPENCER H. WALPOLE.  
JOSEPH NAPIER.  
TRAVERS TWISS.  
JOHN ABEL SMITH.  
CHAS. BUXTON.  
A. P. STANLEY.  
J. A. JEREMIE.  
R. PAYNE SMITH.  
HENRY VENN.  
W. G. HUMPHRY.  
THOS. W. PERRY.

Respecting the Athanasian Creed, while I rejoice that the Commissioners have thought it right to append a rubric explanatory of the sense in which "the condemnations in this confession of faith" are to be understood, I cannot feel entirely satisfied with this course<sup>1</sup>.

<sup>1</sup> The rubric referred to is contained in the Schedule, and is as follows: "Note, that the condemnations in this confession of faith are to be no otherwise understood than as a solemn warning of the

The adoption by the Commissioners of this explanation seems to me to admit of two things,—

1st. That it was within the power of the Commission to deal with the use of the Athanasian Creed.

2nd. That the use of the creed in public worship was liable, from the wording of these clauses, to objection.

I should, therefore, have deemed it a wiser course, had the Commission decided that the creed in question, valuable and most important as are its direct doctrinal statements, should not retain its place in the public service of the Church.

A. C. CANTUAR.

I desire to state to your Majesty my dissent on one important subject from the result at which the Commission has arrived.

In the course of our deliberations the propriety of retaining the Athanasian Creed in the public services was frequently discussed, the objection being felt more especially as regards its so-called damnatory clauses. It seemed to very many among us that those clauses are both a blemish on our beautiful Liturgy and a danger to our national Church. However they may be explained to the satisfaction of learned men conversant with the terms of scholastic divinity in the Greek and Latin languages, it is certain they are a stumbling-block to common congregations; forming a service which is wholly misunderstood by some persons, and in which it is observed that others decline to join.

Various proposals were made in our body to meet the general and growing objections which these clauses in the Athanasian Creed, and consequently on them the entire creed, have raised. It was moved that in the preceding rubric the word "shall" should be changed to "may." It was moved to omit the preceding rubric by which the use of that creed is prescribed. It was moved to limit the use of that creed, and that permissive only, to our public services in collegiate and cathedral churches. It was moved to enjoin it for only one Sunday in the year. To several of us it would have appeared a still preferable plan, which, however, was not formally brought forward, to declare in a new rubric that although the Church retained this creed as a confession of our Christian

peril of those who wilfully reject the Catholic Faith."

faith, the Church did not enjoin its use in any of its public services.

It was found, however, upon divisions, several of which took place at divers times in the course of our proceedings, that no one specific proposal could commend itself to the approval of a majority among us. We have, therefore, left untouched and without any suggestion for discontinuance in the appointed services, a creed which, nevertheless, so far as regards its popular effect upon others, I imagine that scarce any churchman contemplates with entire satisfaction. Nor am I at all satisfied with the note which our Report proposes to subjoin. Under these circumstances, which I most deeply regret, I altogether dissent from the very anomalous state in which, to my judgment, this question has been left.

STANHOPE.

I, the undersigned member of your Majesty's Commission, concur in the opinions above expressed.

PORTMAN.

We humbly express to your Majesty our regret that we feel ourselves precluded from signing the Report, because, whilst far from disapproving of all the recommendations in the Schedule upon which it is founded, we entertain doubts as to some, and dissent from others.

CARNARVON.

ROBERT PHILLIMORE.

I assent to the statement of facts in regard to the Athanasian Creed put forward by Lord Stanhope, and agree generally with the opinions he has expressed.

I only disagree so far, as that I do not dissent from the conclusions come to by the Commission.

In spite of the objections which I entertain to the language of certain clauses of the so-called Athanasian Creed and to its use in public congregations, I have felt it my duty to concur with the majority of the Commission in retaining it as it now stands in the Prayer Book, on the ground that it seemed to me to be beyond the purpose of our Commission to remove a confession of faith from the position of authority in which our Church has hitherto placed it.

I further take leave to record, that I acquiesce with difficulty in the proposed alterations in the new directions for the Burial Service. They seem to me to be of very doubtful expediency in themselves, as applied to the three classes specified in the rubric,—those who have

died unbaptized, those who have been excommunicated, and those who have laid violent hands upon themselves,—and in no way to touch the difficulty arising from compelling the officiating clergyman to use expressions of joyful hope, not suited to other cases than those referred to in the rubric. But, as in the case of the Athanasian Creed, I have felt myself obliged to respect what appeared to me to be the limits of the Commission. But for this, I should have desired to see adopted an alteration in the service itself, such as is found in the Prayer Book of the American Episcopal Church, and which offends no feeling, while it in no degree diminishes the comfort or edification afforded by the service of our own prayer book.

HARROWBY.

In signing this Report we feel bound to qualify our signatures in some particulars.

We regret the adoption of the preface note:—

“The directions concerning the daily use of the Church services are retained, not as a compulsory rule, but as a witness to the value put by the Church on daily prayers and intercessions, and on the daily reading of the Holy Scriptures.” We are of opinion that the Church of England, in adopting at the Reformation a short vernacular form of morning and evening prayer to be used daily, if possible publicly in church, or otherwise privately, by its ministers, in lieu of the long Latin services of the breviary, desired to make (and has to a considerable extent succeeded in making) daily common worship a congregational privilege, and not merely a clerical obligation. At the same time, while retaining for the clergy the general obligation of using the daily services, the Church of England lightened the burden both by reducing these services in number and in length, and by the adoption of the wise and liberal indulgence given in the expressions, “not being let by sickness or some other urgent cause,” and “not being otherwise reasonably hindered.” We willingly accept the fullest and freest sense of these words, but we cannot accept the lax interpretation placed by the new note upon the ancient rule of daily service, which is a practice in our opinion both pious in itself, and edifying alike to minister and to congregation.

We also humbly desire to express to your Majesty our dissent from the new rubric in the order of the administration of the sacrament of the Lord's Supper,

which permits the Holy Sacrament to be given to a number of communicants without addressing to each the words appointed to be said to each. The Christian religion teaches that the blood of our Lord and Saviour Jesus Christ was shed for the everlasting life of each individual body and soul, and the Church of England has chosen the moment when the heart is most susceptible of such high doctrine to set it forth to every individual worshipper. We cannot but fear that the teaching of the Church as to this great truth will be less distinctly apprehended, if the practice is sanctioned of sharing the words of delivery among a group of persons instead of bringing home to each the solemn comfort of the address. The delay occasioned by a large number of communicants it is alleged renders necessary the practice referred to, which is of no ancient date; but, on the other hand, the new rubric would grievously wound the consciences of many excellent persons, without conferring proportionate benefit upon any one, for the inconvenience complained of does not appear to be very widely felt. Many clergymen with a large number of communicants experience no difficulty in observing the present law; and it cannot be doubted but that the proper method of meeting the inconvenience is to be found in the more frequent celebration of the Holy Communion, the one form of common worship instituted by our Lord Himself. Thus, not only would the crowding be avoided which may occur if in large parishes the opportunities of receiving Holy Communion are comparatively rare, and this would be no small gain, but the sacrifice of the death of Christ would be more continually remembered.

We therefore dissent from a recommendation to give legal sanction to a practice which is a legacy of the indifference of the last generation.

BEAUCHAMP.

A. J. B. BERESFORD HOPE.

ROBERT GREGORY.

In reference to the words added to the rubric concerning the bread and wine, “*But wafers shall not be used,*” I must observe that although all use of unleavened bread, to which western Christendom has attached importance as more immediately corresponding with the example of our Lord when the Jewish Passover gave place to the rites of the new law, is not hereby prohibited, there can be no doubt but that the addition now made is at variance with the purpose with which the rubric was originally

drawn up. It is historically certain that those who framed this rubric intended that the use of wafers should be retained in the Church of England, and we know that in Bishop Andrewes' chapel, to say nothing of other places, they were habitually in use. Under these circumstances, and as no evil has been shown to have arisen from the latitude permitted by the old rubric, I regret that my brother Commissioners should recommend a prohibition of the use of wafers, which cannot but tend to interpose another barrier to the intercommunion of members of the Church of England with those millions of Christians who keep the Christian Passover in the unleavened bread which is typical of sincerity and truth.

BEAUCHAMP.

In signing this Report, I must record my disappointment at its omitting to recommend such a definition of the power of the ordinary as would enable him, on appeal, to decide such questions as have arisen on the construction of the ornaments rubric.

The written rubric should define as distinctly as possible the common rule, but no written rubric on such a subject can be made so explicit and so comprehensive as to meet the needs of every case unless some discretion be lodged in a living authority.

I must further add that I am not satisfied with the explanatory note appended to the Athanasian Creed.

S. WINTON.

I protest against the compulsory use of the Athanasian Creed, as not only an evil, on account of the effect it produces on many of the most intelligent and attached members of our Church, but a wrong in itself. It may be impossible to ascertain the extent of the evil, or the proportion of those who are offended by the creed, to those who acquiesce in it, or even find themselves edified by it. But this appears to me a point of comparatively little moment. The important question is, whether those who are offended by the creed have just and reasonable ground of objection to it. I think they have. It appears to me that, in adopting such a document, the Church both overstepped the bounds of its rightful authority, and exercised the usurped authority in an uncharitable and mischievous way. Nothing, as it seems to me, could have warranted such a step, but a special revolution, placing the creed on a level with Holy Writ. It may be possible for theologians to show,

by technical arguments, that it is a legitimate development of doctrine implicitly contained in Scripture. But this, however fully admitted, would not justify the Church in exacting assent to their conclusions under the penalty of eternal perdition. This was in fact creating a new offence against the Divine law, and introducing a new term of salvation, on merely human authority. Looking to the period when this innovation was first imposed on Christians, we may find much excuse for its authors. But viewed in the light of the fundamental principles of a Reformed Church, it appears to me, as forming part of our public services, utterly indefensible.

I strongly disapprove of the Explanatory Note which has been appended to the Athanasian Creed. I believe not only that it must fail to serve the purpose for which it was adopted, but that it will aggravate the evil it was designed to remedy. If the "condemnations" have hitherto been generally misunderstood,—which I do not believe to be the case,—it is too late for any Commission, even if it could speak with authority, to correct the error of public opinion on this head; and if this was possible, it could not be effected by an explanation which is vitiated by the ambiguity of the term "wilfully," on which the whole meaning depends. The unsuccessful attempt will I believe be generally regarded as the admission of an evil, which ought to have been treated in a different manner, or left untouched.

I also wish to record my deep concern that the Ornaments Rubric, the abuse of which, more I believe than other single cause, gave occasion to the appointment of the Commission, should have been retained without either alteration or explanation.

C. ST. DAVID'S.

We desire to concur in the above protest.

EBURY.

JOHN ABEL SMITH.

Though heartily concurring in the great majority of the recommendations contained in the Schedule to this Report, I am unable to sign, without reservation, a Report, in the Schedule to which the obscure and debatable rubric entitled the ornaments rubric is left in its original form, without even proviso, note, or explanation. I feel it the more my duty to make this statement, as the aforesaid is that particular rubric in connexion with which the most startling departures from uniformity in public worship have taken place, and the ultimate retention of which, in its

present form, appears to be inconsistent both with the instructions given to the Commission, and with the recommendations in the first and second reports.

C. J. GLOUCESTER AND BRISTOL.

We, the undersigned members of your Majesty's Commission, concur in the above statement.

M. G. ARMAGH.  
J. LONDON.  
WILLIAM CHESTER.  
PORTMAN.  
EBURY.  
S. H. WALPOLE.  
W. G. HUMPHREY.

In signing this Report, I humbly desire to express to your Majesty the regret which I cannot help feeling that the additional paragraph of the rubric at the end of the Order of the Holy Communion was not so worded as to make it quite clear that the administration to several communicants at once was to be restricted to extreme cases. If local circumstances ever any where combine to render the individual administration a physical possibility, there must be an end of the question. But, before acquiescing in that conclusion, it appears to me that a minister of the Church of England is bound to try every thing that can be done, by having other clergy to assist, by multiplying opportunities for communicating, and by varying the hours at which such opportunities are afforded.

For it seems to me to have been made as clear as any thing of the kind can be, that the mind of our Church has all along been to do all that could be done to secure the administration to individuals.

In the Order of the Communion issued in the year previous to the appearance of the first book of Edward VI., as well as in that book itself, the direction of the rubric was, *He shall say to every one the words following.* And though that direction did not appear in the second book of Edward, in that of Queen Elizabeth, or in the Hampton Court Conference Book, the practice was enjoined by the twenty-first Canon of 1603: *Likewise, the Minister shall deliver both the Bread and the Wine to every communicant severally.* In the Latin, *Porro etiam ordinamus, ut ministrans Panem et Vinum singulis communicantibus, separatim et per vices distribuat.* And it was frequently made a subject of episcopal and archidiaconal inquiry, whether the minister repeated to every one all the words appointed to be said at the distribution of the holy body and blood of our Lord Jesus, and upon no

pretence omitted any part of the words, or said them all but now and then to many at once.

The Presbyterian Commissioners at the Savoy Conference must have felt that individual administration was obligatory; for they prayed that the minister might not "be required to deliver the bread and wine into every communicant's hand, and to repeat the words to each one in the singular number; but that it might suffice to speak them to divers jointly, according to our Saviour's example."

To which the Episcopalian divines replied, "It is most requisite that the minister deliver the bread and wine into every particular communicant's hand, and repeat the words in the singular number, forasmuch as it is the propriety of sacraments to make particular oblation to each believer; and it is our visible profession that, by the grace of God, Christ tasted death for every man." In this, they were following closely the language held by Archbishop Whitgift, in his answer to the admonition to the Parliament, in 1572: "Forasmuch as any one that receiveth the sacrament hath to apply unto himself the benefits of Christ's death and passion, therefore it is convenient to be said to every man, *Take thou: Eat thou.*"

Some help toward the saving of time was offered by the inserting of a clause for the convenient placing of the communicants, at the same time that the rule for individual administration was made more express and stringent than it had been previously,—a change which was unquestionably adopted for the purpose of asserting more distinctly the universality of redemption, as well as the nature and personal applicability of the sacrament.

For the plea of necessity to have any validity against all this, the clearest proof of the existence and absoluteness of the necessity is surely required.

WILLIAM CHESTER.

We, the undersigned members of your Majesty's Commission, concur in the above statement, especially in the second paragraph.

S. WINTON.

C. J. GLOUCESTER AND BRISTOL.

In signing this Report, I desire to express my dissent from two of the results at which the Commissioners have arrived.

1. With regard to the direction, commonly known as the "Ornaments Rubric."—This direction has been, and may be in future, a fruitful source of



trouble and contention, and I think that it ought to have been amended.

2. With regard to the Athanasian Creed.—It may be doubted whether the consideration of this subject was within the limits of your Majesty's Commission; but the Commissioners having determined so to regard it, I regret that it was not found possible to arrive at a more satisfactory solution of the difficulty which many persons feel, than the addition of a note, which, I venture to think, is incomplete as an explanation, and insufficient to meet the scruples of those who object to the public recitation of this confession of our Christian faith.

HARVEY CARLISLE.

I have signed the Report as a statement of facts only. I desire to state to your Majesty my dissent from the result at which the Commission has arrived in the Order of the Burial of the Dead, which appears to me remove no difficulty, and is not explicit enough to be free from ambiguity. I wish also to express my dissent to the retaining rubrics which are confessedly obsolete, unsuited to the existing state of the Church, and which cannot be enforced, although they may be used in a manner to cause grievous scandal. And I am of opinion that the note proposed to be added to the three first rubrics in the Order for the Administration of the Lord's Supper adds a new difficulty, and removes none of those that exist.

PORTMAN.

Agreeing generally in the proposed changes to be made in the rubrics, I have signed this Report; but there are two or three points connected with them which I think require still further consideration.

1. *Athanasian Creed*.—The note appended to this creed or confession of faith furnishes to my mind the strongest proof that, however valuable such a document may be as an historical exposition of the Church's views, the enforced use of it as a symbol of faith in public worship is most unadvisable. It seems to me to be very objectionable that a congregation should be required to affirm and profess the articles of their creed in language which obviously and in its natural sense means one thing, when the interpretation put upon it says that it means another.

2. *The Order for the Burial of the Dead*.—With most of the alterations made in this office I am inclined to concur. But I doubt in the first place whether the difficulties connected with

its indiscriminate use can be overcome without some change in the service itself; and in the second place I much regret, that in noting the cases in which this office is not to be used, the present rubric has been left as it was; so that those who die unbaptised are classified with those who die excommunicate, or who have laid violent hands on themselves.

3. *The Ornaments Rubric*.—Although it may be wise to leave this order to judicial interpretation, instead of introducing into it new terms, which may lead to fresh misconceptions, yet if any legislation should be had recourse to, for carrying into effect the Reports of the Commissioners, I think it would be right, for avoiding offence and preventing divisions, that the vestures of the minister in his public ministrations should be specifically defined.

SPENCER H. WALPOLE.

I have humbly to submit to your Majesty that in making some of the recommendations contained in the schedule to this Report, the authority conferred by your Majesty's Commission has been exceeded, whilst in other instances the duty enjoined by your Majesty has not been fulfilled.

The leading object to which our attention was directed, was the explanation or amendment of the rubrics, orders, and directions for regulating the course and conduct of public worship, the administration of the sacraments, and the other services contained in the Book of Common Prayer (from varying interpretations put upon which, differences of practice had arisen), "so as to secure general uniformity of practice in such matters as may be deemed essential."

The "Ornaments Rubric," from the varying interpretations of which, recent innovations on long established usage of the Church have arisen, has been left without amendment or explanation. In our first and second reports we set up the standard of established usage in the Church, and suggested a remedy to restrain certain deviations therefrom; but whether this rubric is consistent with such usage, is not within our province to determine.

From the evidence set forth in the Appendix to our first Report, and the recital in your Majesty's Commission, it appears that the differences of practice that have arisen out of the varying interpretations of this rubric relate to matters that are deemed essential.

With reference to the annotation proposed to be made in explanation of the

penal clauses of the creed commonly known as the Athanasian Creed, I humbly submit that we were not authorized by your Majesty to suggest any alteration in this or any other part of the services set forth in the Book of Common Prayer, and least of all by the imposition of a meaning of which the words are not susceptible.

As to the burial service, the recommendations made are also in excess of our authority under your Majesty's Commission.

JOSEPH NAPIER.

I concur in the above statement.

PORTMAN.

In signing this fourth Report addressed to your Majesty, I feel bound to express my dissent from certain of the resolutions recorded in the schedule.

#### THE ATHANASIAN CREED.

I humbly submit to your Majesty, that evidence has been given before your Majesty's Commissioners, that this confession of faith is in practice disused by many of the clergy, partly from personal repugnance to its language, partly from deference to the repugnance of their congregations. Petitions have also been addressed to the President of your Majesty's Commission from clergy praying for relief, as regards the use of this confession of faith. Under these circumstances, if the occasional use of this confession of faith is still to be sanctioned, it seems to me that it would be in accordance with the spirit of your Majesty's instructions, that the rubric, by which its use is made imperative on certain festivals, should be modified. I consider it to be beyond the province of your Majesty's Commissioners to interpret the language of this confession of faith, and to put a construction, as proposed, by authority upon the so-called damnable clauses, which is at variance with their plain and grammatical sense.

#### THE ORNAMENTS OF THE MINISTER.

I humbly submit to your Majesty, that the retention of the note on the ornaments of the Church, and of the ministers thereof, which is appended to the black letter order for morning and evening prayer at the end of the Calendar is not advisable, as the interpretation put upon it in recent times by several of your Majesty's subjects raises a conflict between it and the fifty-eighth of the Canons of 1604, and causes great uncertainty in the minds of the clergy and their parishioners as to the proper vesture of the officiating minister. Evi-

dence has also been given before your Majesty's Commissioners, that notable varieties of practice have grown up of late in regard to the ornaments of the minister, and that serious differences between the clergy and their parishioners have arisen therefrom. Your Majesty's Commissioners have been unable to agree upon any amendment to this note. On the other hand, it has been brought to the attention of your Majesty's Commissioners, that this note does not appear in the MS. Book of Common Prayer, which is annexed to the Irish Statute of Uniformity, and that no practical inconvenience therefrom has resulted to the Church in Ireland. Under these circumstances, unless it should be resolved by the Legislature to amend this note, it seems to me that it would be advisable to omit it, and to allow the vesture of the parochial clergy to be regulated by the Canon.

#### THE CALENDAR.

I humbly submit to your Majesty, that no sufficient grounds exist for discarding, as proposed, all the tables for finding Easter, as well as the general tables, which are annexed to the calendar as authorized by 24 Geo. 2, c. 23, and directed by Parliament to be prefixed to the Common Prayer Book. The proposal itself hardly seems to be within the scope of your Majesty's Commission. No evidence has been taken by your Majesty's Commissioners to show that these tables will be without future value to your Majesty's subjects, as regards the calculation of true time, more especially as the precept for finding Easter, namely, that it "is always the first Sunday after the full moon which happens upon or next after the twenty-first day of March, and if the full moon happens on a Sunday, Easter Day is the Sunday after," contains a material error, which has been of practical inconvenience on two occasions in the course of the present century. I think it would be advisable that this error should be properly corrected, although it has not been submitted to your Majesty's attention in the schedule attached to the Report, whilst the tables for finding Easter may, in my opinion, be usefully retained as well as the general tables, as they supply excellent technical rules for constructing at any time a correct calendar, and they serve to illustrate the astronomical principles upon which the reformation of the Julian calendar was based.

TRAVERS TWISS.

I sign this fourth Report as concurring generally in the rubrical changes which it recommends, but I feel it to be my duty to record my dissent from two of the proposed rubrics.

1. "The directions concerning the daily use of the Church services are retained, not as a compulsory rule, but as a witness to the value put by the Church on daily prayers and intercessions, and on the daily reading of the Holy Scriptures."

It is superfluous to declare that the present directions are not "a compulsory rule" of daily service, since they specify "sickness," "absence," or "reasonable hindrance," as causes for its omission. The proposed rubric, by rendering the rule uncertain, would be a cause of embarrassment to the clergy, and by inducing a neglect of the daily morning and evening prayer, would deprive the people of many opportunities of united worship.

2. I dissent also from the proposed rubric, which in the administration of the Holy Communion would permit the bread and the cup to be delivered to several persons without addressing to each the appointed words.

The Church has always taught that Christ died for every individual believer, and in our Liturgy she brings this consolatory truth to the heart of each communicant by saying to him in the words which accompany their delivery, "the body of our Lord Jesus Christ which was given for thee,"—"the blood of our Lord Jesus Christ which was shed for thee."

The inconvenient length of the service when the communicants are numerous (alleged as a reason for the innovation) might be remedied by increasing the number of the officiating clergy, or by multiplying the celebrations; but the consideration of mere convenience ought not to weigh against the evil of a change which would seriously impair the sense of personal interest in the sacrifice of Christ, and would shock and distress many devout communicants.

3. I regret that the rule affecting vestments, one of the most important subjects committed to our consideration, should be left wholly unsettled.

In our First Report we expressed an opinion "that it was expedient to restrain all variations in respect of vesture from that which has long been the established usage," but we neither described what was "the established usage" to which we referred, nor did we indicate in what respects the restraint we recommended was to be exercised.

The offensive feature in the revived vestments was their colour, and restraint in respect of colour might have been exercised by the following addition to the ornaments rubric:—

"Nevertheless, it is expedient that for the greater uniformity in ecclesiastical vestments, the ministers shall be restrained to the use of a white vesture, provided that upon such vesture they may wear a scarf or stole, and if graduates an academic hood."

I desire my signature to the Report to be qualified by these considerations, which I humbly submit to your Majesty.  
J. G. HUBBARD.

In signing this Report, I desire humbly to express to your Majesty my deep regret that the Royal Commission has not recommended such changes in the rubric before the so-called Athanasian Creed as could have put an end to its use as part of the services of the Church of England; because,—

- (1.) It seems to me that there is great presumption in the attempt made by that creed to give a precise definition of the nature of the Supreme Being;
- (2.) The assertions it makes as to the nature of the Supreme Being are nowhere to be found stated in such terms in Holy Writ; but they are the deductions drawn from Scripture by the theologians of the period in which it was written. Now I cannot think that a Christian Creed ought to consist of inferences (however logical) drawn from Scripture, but only (like the Apostles Creed) of the very statement of Scripture itself, given in its own words.
- (3.) Its declaration, that those who do not accept its statement of the Christian faith without doubt will perish everlastingly, is generally acknowledged to be false, and nothing can be less fitting than to invite the people to make a solemn assent of that which it is not even wished that they should believe.
- (4.) It commits the Church of England to the doctrine, long since exploded, that error is a crime, punishable with horrible tortments.

I object to the note that it is proposed to append to the Athanasian Creed, because, in my opinion it affirms that

which is clearly contrary to the fact. The Athanasian Creed was written at a time when all men firmly believed that erroneous doctrine would be punished with everlasting perdition; and it was undoubtedly intended as a denunciation of such perdition against all those who did not hold that statement of doctrine which it sets forth. Accordingly, it precedes the statement by the words, "which faith except every one do keep whole and undefiled, without doubt he shall perish everlastingly; and the Catholic faith is this,"—it concludes the statement by saying, "This is the Catholic faith, which except a man believe faithfully he cannot be saved." The meaning of this declaration at the beginning and ending of its statement of the Catholic faith does not surely admit of any doubt whatever. Were there any such doubt, it would be altogether extinguished by the additional words thrown into the middle of the creed. "He therefore that will be saved must thus think of the Trinity. Furthermore it is necessary to everlasting salvation that he also believe rightly. . . . ." I consider, therefore, that it is only by perverting the obvious meaning of the above words, that we can aver, in the language of the note, that they "are to be no otherwise understood than as a solemn warning of the peril of those who wilfully reject the Catholic faith."

I further earnestly protest against the course taken by the Commission with respect to the burial service. While approving the proposal of introducing alternative chapters; I deeply regret that the word "unbaptized" should not have been omitted from the first rubric. The refusal of Christian burial to the unbaptized appears to me to emanate from the superstitious belief, that grew up in the dark ages, that no one could be saved who had not received baptism.

I further differ from the conclusion arrived at by the Commission not to alter the rubrics in the marriage service, so as to enable the clergyman to omit those portions of it which often give pain and embarrassment to those engaged in the service.

I also greatly regret that liberty has not been given to the clergyman, under proper restriction, to shorten, as well as to divide, the morning service on Sundays.

CHARLES BUXTON.

We consider it to be our duty humbly to express to your Majesty our deep

regret that the majority of your Majesty's Commissioners, whilst recommending changes of which for the most part we cordially recognize the advantage, have felt themselves restrained from advising other relaxations, not less desirable and equally within the terms of your Majesty's Commission. We refer to proposals for such diminutions of the undue length and repetitions in the services, as are frequently adopted in many London churches and in some college chapels. We refer also to suggestions for giving to the minister the power, frequently taken, of omitting expressions in the marriage service which shock the more refined feelings of the present time. We refer also to resolutions for giving relief to conscientious minds disturbed by various expressions, as for example, with regard to the sponsorial system in the baptismal service, with regard to the maintenance of an obsolete discipline in the communion service, with regard to the forms of the 13th century enjoined to be employed by the priest in the visitation of the sick and by the bishop in the ordination of priests, with regard to the condemning clauses of the Athanasian Creed, on which we have delivered our opinions at greater length elsewhere. We refer also to proposals for the omission of antiquated regulations, such as those in the burial service relating to "the unbaptized, the excommunicate, and those who have laid violent hands on themselves," which are in fact all but nugatory, and which, if rigidly enforced, would be extremely mischievous. We refer lastly to directions for relaxing the provisions now laid down or implied in the preface to the ordination service, and in the Act of Uniformity, excluding from even occasional ministrations persons not episcopally ordained, such as in former times were permitted to officiate and to preach in the Church of England. We regret these several failures the more, because, at least in some instances, as will appear by the minutes, the beneficial changes which had been carried in earlier stages of our proceedings were reversed in the reduced or altered state of our Commission, owing to the enforced absence of some of our members from illness or other causes.

We venture to suggest that, if no other means occur for carrying out modifications so urgently demanded by the exigencies of the time, the Legislature should entrust some such power of relaxation to the bishops and ordinaries of the Church, in conformity with the spirit of the provision of the first Act of

Uniformity in the reign of Queen Elizabeth, under any check which the Legislature might advise. It is only by adopting these or similar changes in the machinery of the Church, that we can hope for the preservation of order in public worship amongst the clergy and laity, who are becoming increasingly impatient of the inflexible rigidity of our present system, and for the Church's adequate discharge of its functions as a great national institution in promoting Christian charity and Christian truth under the widely varying circumstances of our age and country.

A. P. STANLEY.  
EBURY.

I desire to express my conviction that it was the duty of those who served on your Majesty's Commission to recommend the relaxation of the use of the Athanasian Creed in the service of the Church of England. This might have been effected either by the substitution of "may" for "shall" in the rubric, or by the omission of the rubric altogether, according to the two proposals of Lord Stanhope; or by forbidding its use in parish churches, whilst permitting but not enforcing it in cathedral and collegiate churches, according to the proposal of the Bishop of Carlisle; or by leaving it to be used alternatively with the Apostles' Creed, according to the conditional proposal of Mr. Perry; or by "calling attention to the question of placing it with the Articles of Religion, at the end of the Book of Common Prayer," according to the proposal of the Bishop of Winchester. Any one of these recommendations would have relieved the consciences of those who are burdened by its use, without depriving those who are attached to it of the advantage which may, in their judgment, be derived from the retention of the creed in the formularies of the Church.

I deeply regret that a change, proposed with such evident endeavours to conciliate the scruples of those opposed to it, should have been rejected; and I beg to offer the following reasons for that regret:—

1. Because the creed was received and enforced in the Church of England when it was believed to be the "Creed of St. Athanasius," whereas it is now known to be the work of an unknown author, not earlier than the 5th century, perhaps as late as the 8th.

2. Because its exposition of the doctrine of the Trinity is couched in language extremely difficult to be under-

stood by a general congregation, in parts absolutely certain to be understood in a sense different from what was intended by the original words; as, for example, "person," "substance," and "incomprehensible."

3. Because it is never recited in a mixed congregation in any other church than our own.

4. Because the parts of the creed, which are at once most emphatic, most clear, and most generally intelligible are the condemning clauses, which give most offence, and which in their literal and obvious sense are rejected by the explanatory note which is now proposed to be appended to them.

5. Because the use of anathemas in the public services of all churches has been generally discontinued.

6. Because these condemning clauses assert in the strongest terms a doctrine now rejected by the whole civilized world, viz., the certain future perdition of all who deviate from the particular statements in the creed.

7. Because they directly exclude from salvation all members of the Eastern churches; to whom, nevertheless, the clergy and the bishops of the Church of England, at various times, and especially of late, have made overtures of friendly and Christian intercourse, entirely inconsistent with the declaration that they "shall without doubt perish everlastingly."

8. Because the passage commonly quoted from the authorized version of Mark xvi. 16, in their defence is irrelevant; (a) as being much more general in its terms; (b) as being of very doubtful genuineness; (c) as being in the original Greek much less severe than in the English translation.

9. Because the use of this creed, and of those clauses especially, has been condemned by some of the most illustrious divines of the Church of England, such as Chillingworth, Baxter, Bishop Jeremy Taylor, Archbishop Tillotson, Archbishop Secker, Dr. Hey, Dr. Arnold, Dr. Burton, Bishop Lonsdale.

10. Because the use of the creed arouses scruples in candidates for ordination which can only be overcome by strained explanations.

11. Because it has been rejected by the Protestant Episcopal Church of the United States of America, which is in full communion with the Church of England, and whose clergy are authorized by statute to minister in our churches, being yet under no obligation to use this creed.

12. Because it is a stumbling-block

in the way of almost all Nonconformists.

13. Because the public use of the creed as a confession of Christian faith, being, as it is, the composition of an unknown author, and not confirmed by any general authority, is a manifest violation of the well-known decrees of the Councils of Ephesus and Chalcedon.

14. Because the recitation of the creed had in many English churches become obsolete, till it was revived some thirty years ago.

15. Because many excellent laymen, including King George III., have for the last hundred years at least, declined to take part in its recitation.

16. Because so far from recommending the doctrine of the Trinity to unwilling minds, it is the chief obstacle in the way of the acceptance of that doctrine.

For these reasons I consider that the relaxation of the use of the creed, whilst giving relief to many, ought to offend none. It has, no doubt, an historical value as an exposition of the teaching and manners of the Church between the 5th and 9th centuries. It has also a theological value, as rectifying certain erroneous statements; and as excluding from the essentials of the Catholic faith the larger part of modern controversy. But these advantages are quite insufficient to outweigh the objections which are recorded above, and which, even in the minds of those disposed to retain the use of the creed, have found expression in an explanatory note, tantamount to a condemnation of it.

With regard to the explanatory note, whilst acknowledging the benefit derived from the indirect but unquestionable discouragement which it inflicts on the use of the creed, I would humbly state the reasons why it appears to me to aggravate the mischief which it is intended to relieve.

1. Because it attempts a decision on a complex dogmatical and historical question which the Commission is not called to offer, and which it has not attempted in other instances, equally demanding and more capable of such explanations, such as the baptismal service, the ordination service, and the visitation of the sick.

2. Because this dogmatical decision was carried by a small majority in a Commission of reduced numbers; whereas, in order to have any weight it ought to have received the general concurrence of those most qualified to pronounce it.

3. Because the words in the creed which it professes to explain are per-

fectly clear in themselves, whilst it leaves unexplained other words, such as "person," "substance," "incomprehensible," which are popularly understood in a sense different from their original meaning, and which as so understood mislead the mass of the congregation and even preachers into some of the very opinions so terribly denounced by the condemning clauses.

4. Because the statement which it implies is historically false, viz., that "the condemnations in this confession of faith" do not apply to the persons to whom they evidently were intended to apply.

5. Because the main statement which it contains is either extremely questionable, or a mere truism, or else so ambiguous as to be only misleading.

6. Because, after well considering a similar explanation given in 1689, Archbishop Tillotson thus expressed himself:—"The account given of Athanasius' creed appears to me nowise satisfactory. I wish we were well rid of it."

7. Because, in most instances, it will give no ease to those who are offended by the use of the creed in public services.

8. Because, whilst virtually condemning the use of the creed, it still leaves the rubric enjoining that use.

9. Because it will have the effect of increasing the existing burden by seeming to state that in the view of the Commission it is a sufficient remedy.

10. Because it is one of several proposed explanatory notes which appear in the minutes, and which are manifestly inconsistent with this and with each other.

11. Because (in the language used by our chairman, in putting it to the vote), it is "illogical and unsatisfactory."

A. P. STANLEY.

I beg leave to express my dissent from the conclusions at which the Commission has arrived on the following subjects:—

1. *Ornamental Rubrics.*—At the commencement of our proceedings in 1867 I proposed the following resolutions:

That in compiling the "Book of Common Prayer and Administration of the Sacraments," the object of our reformers was to prevent any "great diversity" in the mode of conducting the public worship of the church:

That it appears, nevertheless, that "great diversity" now exists, chiefly in consequence of the introduction of vestments and ornaments, which had been disused almost universally in our

Church since the period of the Reformation :

That the introduction of such vestments and ornaments has excited the greater alarm, as it is avowedly a close imitation of the practice, if not directly connected with the erroneous doctrines, of the Church of Rome :

That the use of such vestments and ornaments is invariably defended by a reference to the rubric before morning and evening prayer; and that the said rubric has been so differently interpreted by eminent legal advisers that the meaning seems to remain obscure and undetermined :

That under these circumstances it appears to be absolutely necessary to recommend either that the said rubric should be so altered as to be made conformable to the general and long established usage of the Church of England, or that, for the resolution of all doubts, an authoritative interpretation should be appended to it.

These resolutions were not adopted; and, after deliberations, which have extended over a period of three years, whilst the diversity in public worship has become still greater, the disputed rubric remains unaltered and unexplained, and one of the main objects for which the Commission was appointed has been defeated.

2. *Athanasian Creed*.—I am unable to recommend that the rubric which prescribes the use of this creed should be retained :—

Because an exposition of faith, containing a series of subtle definitions on the most abstruse points of doctrine, may be fitly placed among the articles of religion, but is ill adapted to be “sung or said” in the public worship of the Church.

Because the condemning clauses which precede and follow those definitions, when understood in their obvious sense, cause extreme distress of mind to many men of unquestionable piety, who unfeignedly believe all the articles of the Christian faith.

Because, however desirable it may be to present an authoritative interpretation of the creed, the Commission has no authority to interpret doctrinal statements; and the note, which it is proposed to add, seems rather to attest the fact than to diminish the force of grave and serious objections.

Because the Church has omitted the anathematizing clauses at the end of the Nicene Creed, as it stood originally; and the principle thus applied to a creed which was sanctioned by a General

Council might, with at least equal propriety, be applied to a creed which was composed at a later age, and by an unknown author.

Because the Protestant Episcopal Church of the United States of America, which has not only rejected the use of the Athanasian Creed in its public services, but even omitted all reference to the creed itself in the VIIIth of the Articles of Religion, is not the less cordially acknowledged to be in full communion with the Church of England.

3. *Order of the Burial of the Dead*.—I cannot concur in the proposed alterations of this service, because I fear that they will multiply practical difficulties, and fail to remove conscientious scruples. I also regret extremely that it should be left to the choice of the minister to read a short passage of Scripture instead of the longer lesson drawn from 1 Cor. xv.—a lesson which is admirably adapted to set forth, on a most solemn and affecting occasion, when the minds of the most thoughtless are awed into seriousness, the proofs of that great doctrine of the Resurrection of the Dead, which is “the keystone of the Christian fabric.” J. A. JEREMIE.

I, the undersigned member of your Majesty’s Commission, concur in the first and third paragraphs.

M. G. ARMAGE.

In signing the Report I venture to express my regret that your Majesty’s Commission has not been able to agree upon any method of amending the ornaments rubric. I think it would have been better, for the avoidance of doubt and litigation, if the “ornaments of the Church and of the ministers thereof” had been more exactly defined.

I object to the note appended to the creed commonly but erroneously called the Creed of St. Athanasius, for the following reasons :

I. Because the Commission possessed neither the right nor the authority to put an interpretation upon any of the formularies of the Church.

II. Because the note explains the anathemas of the creed in a manner contrary to their plain grammatical sense, and thereby introduces into the Prayer Book the principle of the non-natural interpretation of the creeds and formularies of the Church; a principle fatal to the maintenance of any standard of doctrine whatsoever.

III. Because the note gives no ease or relief to the consciences of those who are offended by the recitation of this creed at public worship.

I venture further humbly to express my opinion that this creed ought not to be publicly recited in the Church, for the following reasons:

I. Because the recitation of a creed so intolerant is contrary to the right spirit of public worship, as being destructive of that calm and reverent frame of mind in which men ought to approach God. The anathema appended to the Nicene Creed is by the general consent of the Church never recited at public worship.

II. Because the anathemas of the Athanasian Creed are not warranted by Holy Writ, exclude apparently the whole Eastern Church from the possibility of salvation, and require men to believe, under pain of perishing everlastingly, not merely the plain statements of Holy Scripture, but deductions gathered from it by human reasoning.

III. Because the recitation of this creed is a violation of Church principles, and condemned in the severest terms by the highest ecclesiastical authority. For the Church of England professes to receive the four first General Councils as next in authority to Holy Scripture, and accordingly the bishops of the whole Anglican Communion at the recent Lambeth Conference affirmed that they received the faith as defined by these Councils. But the Council of Constantinople, in its seventh canon, and that of Chalcedon in the definition of the faith appended to its Acts, expressly forbid "the composing, exhibiting, producing, or teaching of any other creed." For this they give a sufficient reason, namely, that the Nicene Creed, as finally settled at Constantinople, "teaches completely the perfect doctrine concerning the Father, the Son, and the Holy Ghost, and fully explains the Incarnation of the Lord." To guard more carefully against the imposition of new creeds they command that every bishop or clergyman so offending should be deposed, and every layman anathematized. It was only after long and patient deliberation that these Councils themselves made additions to the simpler creed of the Primitive Church; and not merely is their sentence justly deserved, but the principles which guided them violated, when we are required to recite at public worship a highly complex and elaborate creed, the statements of which have never been discussed at any Council or Synod of the Church, and which in so many particulars goes beyond the definition of the faith as settled in the four first General Councils.

As embodying, nevertheless, that par-

ticular explanation of the doctrine of the Trinity in Unity, gathered from Holy Scripture chiefly by the logical mind of St. Augustine, I think that this creed ought by all means to be retained among the authoritative documents of the Church of England, mainly because of the general assent given to it by the whole Western Church; but only until such time as both its several clauses, and also the question of its general imposition in the face of the contrary decision of the Undivided Church, shall have been considered, if not by a General Council, at all events by a Synod representing all Christians in communion with the English Church.

R. PAYNE SMITH.

I humbly express my regret that the Commission has left several rubrics ambiguous, which have been of late years perversely made use of to introduce practices repudiated at the Reformation; especially that the rubric on ornaments has not been altered so as to express distinctly the rule and principle laid down in our first two reports; also that the black letter saints' days have been retained in the calendar; also that the position of the minister while consecrating the elements in the Lord's Supper is not clearly defined; and that a rubric in the visitation for the sick is retained which is alleged as giving a general sanction for auricular confession and absolution.

HENRY VENN.

I disapprove of the note which has been appended to the Athanasian Creed in the schedule, for the following reasons:—

1. It is not within the province of the Commission to put an interpretation on one of the formularies of the Church.

2. The note appears to me to put an interpretation on the condemning clauses of the creed which is at variance with their plain and obvious meaning. For according to the note the condemnations of the creed are intended only for those persons who "*wilfully reject the Catholic faith*;" whereas the creed declares that except every one do *keep the Catholic faith whole and undefiled*, he cannot be saved; and again, "*This is the Catholic faith, which except a man believe faithfully, he cannot be saved.*" The terms of condemnation, as expressed in the creed, are manifestly far more comprehensive than the note represents them to be.

3. It appears to me that the chief effect of the note, if placed in the Prayer

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Book, will be to offend, by an unsound explanation, the consciences of many who at present acquiesce in the recitation of the creed.

With regard to the recitation of the creed in public worship, I concur generally in the opinions expressed by the Archbishop of Canterbury, the Bishop of St. David's, the Dean of Westminster, and Professor Payne Smith.

W. G. HUMPHREY.

We, the undersigned members of your Majesty's Commission, concur in the above statement.

PORTMAN.  
ESBURY.

In signing this fourth and final Report of the Ritual Commission I feel it necessary to express my dissent from some of the recommendations therein made to your Majesty; and in doing so I beg leave humbly to state to your Majesty my reasons for not concurring in the following portions of the schedule which is appended to the report.

I. Page 5.—“¶ The directions concerning the daily use of the church services are retained, not as a compulsory rule, but as a witness to the value put by the Church on daily prayers and intercessions, and on the daily reading of the Holy Scriptures.”

This proposed note seems to me to be objectionable, because :—

1. It tends to supersede directions which were designed, (a) to be a rule of discipline for the clergy, and (b) to provide opportunities of devotion for the laity. Neither of these are alleged to be unimportant now.

2. It will be regarded as a doubtful mode of testifying “to the value put by the Church of England on daily prayer,” and “daily reading of the Holy Scriptures,” if the observance of the present rule is thus rather discouraged than commended.

3. It is unnecessary to relax these directions, for they themselves provide the requisite exceptions to their general rule; and moreover the new note, authorizing “selections” from the morning and evening prayer for use in church on week days, removes objections grounded upon the alleged length or repetition of these services.

II. Page 8.—“Note.—*That although some other days are marked in the calendar, yet the above-mentioned are the only feasts and fasts appointed to be observed throughout the year.*”

This note is very unsatisfactory, because :—

1. If it be understood to mean, that

the black-letter days are not intended “to be observed” in the same way as the red-letter days, the statement is useless, for no one thus confounds them.

2. If the note should convey the belief, that there is no authority for any commemoration of the black-letter days in the Church of England, it would mislead, as being historically incorrect; for the existing statute, 5 and 6 Edw. VI. c. 3., A.D. 1552, (in conformity with a decree of convocation, confirmed by the king, in 1536), sanctions some observance of them. That statute, in limiting the old days of obligation, ordered “that none other day shall be kept and commanded to be kept holy-day, or to abstain from bodily labour,” than the days which it recites, these being identical with the red-letter days of the present Prayer Book calendar, except the Feast of the *Conversion of St. Paul* and the Feast of *St. Barnabas*, which are not mentioned in the statute; but the statute, in ordering the *solemn* observance of these red-letter days, impliedly recognised the then well-known distinction between *simple* and *solemn* feast; that distinction is practically drawn in the Prayer Book, which provides a proper collect, epistle, and gospel for the red-letter days, but leaves optional any observance of the black-letter days retained in the calendar.

3. If the note should receive the sanction of Parliament, it would (according to recent interpretations of Ecclesiastical law) probably be a repeal of section vii. of the statute just cited, which makes it “lawful to the Knights of the right honourable Order of the Garter, and to every of them, to keep and celebrate *solemnly* the feast of their Order, commonly called *St. George's Feast*,” although it is a black-letter festival.

4. If the note should be taken (as no doubt it will be) for a designed discouragement of any commemoration of the black-letter days, whether in Hymns or other devotional acts which do not interfere with the prescribed services, its enactment would be a real grievance to at least, a very large and influential minority of the members of the Church of England. These minor festivals have been increased in successive revisions of the Prayer Book from 1552 to 1662; they link the Church of England with the past here and in the rest of Christendom, thus showing her own continuity and catholicity; and some of them refer to events and persons never to be forgotten, e.g., the transfiguration of our

Lord, the visitation of the B. V. Mary, the beheading of St. John Baptist, St. John the Evangelist ante port Lat., St. Mary Magdalene, St. Augustine, and St. Ambrose.

III. Page 9.—“And here is to be noted, That such ornaments of the Church, and of the ministers thereof at all times of their ministration, shall be retained, and be in use, as were in this Church of *England*, by the authority of Parliament, in the second year of the reign of King *Edward* the Sixth.”

The “differences of practice” which had “arisen from varying interpretations put upon” this rubric were the principal cause of the issuing of your Majesty’s Commission to us. Having agreed to the recommendations of our first Report, to “restrain” such differences, but having been unable (in common with other Commissioners) to concur in the *modes* of restraint recommended in the second Report (a mode which has provoked a very extensive condemnation by clergy and laity alike), I cannot but regret that this final report has not recommended some additions to the ornaments rubric, which, while not affecting its integrity, might control its application, especially as judicial interpretations have failed and probably will fail to secure uniformity of practice in the ornaments which it is held to prescribe (even if that could “be deemed essential”), and as the rubric is inapplicable to others which need also to be regulated. The difficulty might have been, perhaps not inadequately, provided for, if a supplementary rubric, such as the following, which was adopted, had been retained in our recommendations:—

“But if any question arise in a parish or congregation touching the fitness of the ornaments of this second year, or of any other ornaments used at such times of ministration, it shall be decided by the discretion of the ordinary, or of the Archbishop in case of appeal being made to him.”

The old rubric (which could not be removed without leading to great confusion, nor altered without giving serious offence) would, as thus qualified, operate fairly towards all parties in the Church, for these reasons:—

1. It would (as interpreted by the Final Court of Appeal in 1857 and 1868) furnish a *maximum* standard of ornaments; and this is the more important to secure, inasmuch as it would be very difficult (even if possible or desirable) to provide now a new list of ornaments likely to give general satisfaction.

2. It would recognize as permissive existing variations from that precise standard.

3. It would become sufficiently elastic to adapt itself to the varying tastes or needs of parishes and congregations.

4. It would restrain changes made without due consultation between minister and people, (a) by recognizing a right of complaint, and (b) by providing a mode of relief without litigation.

5. It would not introduce any new *principles* of restraint, for it would be only an application of the “discretion” given to “the Ordinary” in the 58th and 82nd canons of 1603.

6. It would afford a necessary and reasonable liberty to parishes and congregations; and would also prevent undue interference by the ordinary, the exercise of whose “discretion” would be limited to cases where dissatisfaction might arise.

7. It would secure a sufficient general uniformity in things which have always varied to some extent, by bringing in the “discretion” of the Archbishop when needed.

IV. Page 10. “¶ *The Morning Prayer, the Litany, and the Order for the Administration of the Lord’s Supper or Holy Communion may be used together or as separate Services at the discretion of the Minister. And when the Morning Prayer is said alone, a Sermon may follow the Third Collect or the end of the Service. Due notice of any proposed change in that which hath been the accustomed manner of using these Services in any Parish shall be given by the Minister to the Parishioners and to the Ordinary; and in case of doubt as to the expediency of the proposed change, the Parishioners may refer the matter to the Ordinary, whose decision shall be given in writing.*”

I dissent from the whole of this rubric after the words “discretion of the minister,” for these reasons:—

1. The occasion for this rubric was the doubt which exists whether the clergy have any authority to separate the morning prayer, the litany, and the communion service on Sundays and other days when they are commonly used together. For some years past there has been a growing complaint by the laity of the length of the morning service on Sundays, owing to this combination of the three offices. In many churches the clergy have remedied this by disconnecting them in the morning, or by using the litany in the afternoon; and they seem to be fully entitled at least to do the former, inasmuch as the three offices are only united by

custom, founded apparently upon an injunction of Archbishop Grindal, in 1571, which (probably to remedy negligence) ordered—

“That the Churchwardens shall not suffer any ringing or tolling of Belles, to be on Sundayes or Holy-dayes vsed betweene the Morning Prayer, Letanie, and Communion, . . . nor the Minister shall pause or stay betweene the Morning Prayer, Letanie, and Communion, but shall continue and saye the Morning Prayer, Letanie, and Communion, or the Seruico appoynted to be sayde, when there is no Communion, together without any intermission, to the intent the people may continue together in prayer, and hearing the Worde of God, and not depart out of the Church during all the time of the whole Divine Seruice.”—(*Appendix to Second Report*, p. 414.)

Other clergy, however, although alike desirous of dividing this customary morning service, think they cannot lawfully do so; hence it is very desirable to remove the supposed hindrance by giving, as is done in the first part of this new rubric, the authority which is presumed to be requisite.

2. But the latter part of the rubric, beginning “Due notice of any proposed change,” &c., will, if made law, introduce a new restriction upon the liberty sought to be secured. At present, if the liberty exists (as I cannot doubt it does), it is unfettered by any conditions except that “discretion” which the Prayer Book in several not unimportant matters confides to the clergyman; and in this case he may surely be trusted to exercise it with the same freedom, for it is most unlikely that the minister will give himself the additional trouble which a division of services involves unless he is satisfied that the change will be acceptable to his people.

3. The new restriction itself gives the minister a very ambiguous discretion, in requiring him to give “Due notice of any proposed change in that which hath been the accustomed manner of using these seruices in any parish,” both “to the parishioners and to the ordinary,” without defining the character of the notice; it leaves “the parishioners” (a term which need not include a congregation) to “refer” or not “to the ordinary,” as they may choose, “in case of doubt as to the expediency of the proposed change;” it gives no power to the ordinary to interfere, where no reference is made to him, when the minister and parishioners disagree; and thus what was designed to give facilities for bene-

ficial changes may only produce a dead lock, even if a long-continued dispute be happily avoided. I humbly think that every needful check upon “the discretion of the minister” might have been secured if the Commissioners had made it “subject to the control of the ordinary,” as it was at one period provisionally agreed to do.

4. The words “And when the morning prayer is said alone a sermon may follow the third Collect or the end of the service” (besides being brought under the questionable restriction just commented upon) are needless here, inasmuch as the time of the sermon in the morning service is now fully provided for by a rubric in the Communion service, the language of which moreover would, I think, conflict with the words above cited.

V. Page 10. “¶ In all Churches and Chapels such Hymns or Anthems may be used as shall not be disallowed by the Ordinary.”

This rubric is unnecessary if designed to authorize the use of hymns or anthems in churches or chapels generally; for there is no law against their use, and custom has long sanctioned them.

It is useless as a guide to the times at which hymns or anthems should be sung, even if such directions were requisite.

It would probably be regarded, on all sides, as a needless restriction of existing liberties in the absence of authorized hymns; and a hindrance to the gradual formation of a hymnal adapted to the various needs of the Church of England.

VI. Page 11. “¶ Note, That before every Lesson the Minister shall say, Here beginneth such a Chapter, or Verse of such a Chapter, of such a Book. And after every Lesson, Here endeth the First, or the Second Lesson.”

The previous rubric having been altered to allow of the lessons being read by a layman, this rubric should, I think, have been made to correspond with it, by inserting the words “or he that readeth,” after the word “minister;” for, although it might sometimes be convenient that the minister should give out the lesson, generally the advantage would probably be found in the notifications being made by the reader himself.

VII. Pages 11 and 13, “¶ Here may follow an Anthem or Hymn.”

It appears to me that the present rubric (“¶ In Quires and places where they sing here followeth the Anthem”) is preferable to this, because—

1. The present rubric is merely directory with regard to the use of a certain

musical composition called an "Anthem" in a particular class of churches, viz., cathedrals, collegiate churches, and royal chapels. It does not forbid the use of hymns in these churches, or the use of hymns or anthems in other churches.

2. The new rubric would, not improbably, be considered as very exclusive, for if interpreted, as most likely might be the case, by the dictum of the Judicial Committee of your Majesty's Privy Council in *Liddell v. Westerton*, and *Martin v. Mackonochie*, it would seem to render illegal the use of an anthem or hymn in all churches at any other period of the service except after the Third Collect; their lordships having ruled that "in the performance of the services, rites, and ceremonies ordered "by the Prayer Book, the directions contained in it must be strictly observed;" and "that no omission and no addition can be permitted."

VIII. Page 13. "¶ Note, That the condemnations in this Confession of Faith are to be no otherwise understood than as a solemn warning of the peril of those who wilfully reject the Catholic Faith."

Having regard to the various and conflicting representations which were made to the Commissioners, they could not well avoid discussing the rubric prefixed to the Athanasian Creed, although it cannot be pretended that any doubt exists as to its meaning, whatever may be thought of the fitness of the rubric itself. But it appears to me that the terms of our Commission do not authorize us to make any recommendation to alter the prescribed use of this creed, nor do I think they warrant our making a note explanatory of the meaning of any part of the creed. If there had been any thing like a general unanimity of opinion among us as to the desirableness of some change in the rubric, I think we might with some propriety have indicated that opinion, stating also that we were only precluded from making it a recommendation by the limitations which the Commission imposed upon us. It is true that in a very few instances we have altered rubrics of whose meaning there is also no doubt, and so may have somewhat exceeded the strict letter of our instructions; but these changes, while desired by some, are not likely to be objected to by others: whereas the serious opposition which would be made to any recommendation from us to put the Athanasian Creed in a position of inferiority to the other creeds, could not but be materially strengthened by the knowledge that the

Commissioners had thus transgressed their powers.

I do not consider it necessary to make any remarks upon the language of the note itself, because it seems to me that no explanatory note is likely to satisfy those who object to the use of this creed in the public service of the Church; but if it were desirable to furnish an explanation for the sake of others, I think the wording of this note would need some alteration.

IX. Page 14. "¶ Here followeth the Litany, or General Supplication, to be sung or said after Morning Prayer, upon Sundays, Wednesdays, and Fridays, and at other times when it shall be commanded by the Ordinary."

It seems to me that this rubric needs amendment, because the doubt as to its meaning is not removed by the new rubric which provides (although not satisfactorily) for the division of the morning service on Sundays and other days: that doubt is—whether the word "after" allows the Litany to be said at any time between the Morning and Evening Prayer, or whether it must be used between the Morning Prayer and the Communion service when the latter follows the Morning Prayer. The words "and at other times when it shall be commanded by the ordinary" do not touch this point. It seems to me that the doubt might have been removed by inserting words giving the minister a discretion in the matter.

X. Page 14. "¶ To be said on the Sunday before the Ember Days and on the seven days after it, for those who are to be admitted into Holy Orders."

I think the present rubric is preferable to this alteration. It cannot reasonably be doubted that Sunday is the first day of "the Ember Weeks;" and therefore when a particular prayer is ordered "to be said every day" in those weeks, its omission on that day can hardly be due to any ambiguity in the rubric. To order the prayer to be said on the Sunday after the Ember Days seems to me to be ritually incorrect, because the two prayers provided are prospective in their character.

XI. Page 15. "¶ This may be said when any desire to return praise for special mercies vouchsafed to them."

The word "special" should be omitted lest it be misunderstood as preventing the use of the words to which it refers, in the numerous cases which could not well be termed "special." It is better to have an inclusive rather than an (apparently) exclusive direction. Moreover, in clearing the rubric of the doubt

whether the Thanksgiving might be used for any who had not "been prayed for," it is important to avoid introducing into it a new doubt.

XII. Page 17. "*¶ But Note, the foregoing directions are not to be held to authorize the refusal of the Holy Communion to those who humbly and devoutly desire to partake thereof.*"

This note, although designed to remove difficulties connected with interpretations of the rubric preceding it, is, in my judgment, much to be deprecated; because:—

1. It presents an opportunity of evading a most necessary discipline which that rubric was designed to secure in reference to a Sacrament, the reception of which all non-conforming religious bodies guard with special restrictions, however inferior may be their estimate of its intrinsic character, as compared with that held by the Church. Considering how very little discipline the Church of England is able to exercise, even in cases which seriously offend her members, I cannot but regret a proposal tending, as I think, to relax it further.

2. It retains in precisely its present form (yet makes of little avail) a rubric which really needs some alteration, to adapt it in practice to the decreased strictness of our parochial system. The first clause (requiring notice from intending communicants) limits the minister's authority to "advertise" a person not to communicate; he may only deal with any one who, being among those who "signify their names," comes under the description of cases mentioned in the second clause of the rubric: but the notice having mostly fallen into disuse, no opportunity is afforded of warning those of the like character who do not send in their names to the curate.

3. Therefore, I cannot but think that the Commissioners would have done well if, instead of this qualifying note, they had adhered to a former decision, viz.—(1.) To abolish the required notice. (2.) To make more general the second clause of the rubric by a little transposition and a slight addition, such as the following:—"If the curate have knowledge that any one intends to be a partaker of the Holy Communion who is a notorious evil liver, or who has done any wrong to his neighbour by word or deed, so that the congregation is thereby offended, he shall privately advertise him," &c. (3.) To omit the concluding words of the third clause, "And the ordinary shall proceed against the offending person according to the Canon;"

thus relieving the bishop of a duty which he hardly seems expected to perform, and probably enabling him in a more effective way to move "the offending person."

XIII. Page 20. "*¶ And there shall be no celebration of the Lord's Supper, except there be three (or two at the least) of the people to communicate with the Priest.*"

The words "of the people" should be omitted, for they would prevent a celebration of Holy Communion "in cathedral and collegiate churches, and colleges, where there are many priests and deacons," if no layman communicated, although they are ordered to "receive the Communion with the Priest every Sunday at the least, except they have a reasonable cause to the contrary;" also they would be alike prohibitory on occasions of episcopal or ruri-decanal or other strictly clerical meetings; and, further, if, as is not at all unlikely in a country parish, two clergymen were officiating, but only one layman remained for communion, all three would be deprived of the sacrament.

XIV. Page 20. "*¶ And to take away all occasion of dissension, and superstition, which any person hath or might have concerning the Bread and Wine, it shall suffice that the Bread shall be such as is usual to be eaten, but the best and purest Wheat Bread that conveniently may be gotten. But Wafers shall not be used; and if any difference arise concerning the Bread and Wine to be used, the Ordinary shall on appeal take order concerning the same, and his decision shall be final.*"

I object to the words "but wafers shall not be used," because:—

1. The word "wafers" is likely to cause as much doubt and contention as did the words "it shall suffice."

2. The Dean of the Arches having recently removed the alleged doubtful meaning of "it shall suffice," by deciding that the use of wafer-bread is not contrary to the true interpretation of this rubric, I conceive that we are not at liberty to recommend an alteration of the law with a view to prohibiting a difference of practice which has been judicially declared to be sanctioned by the present rubric.

3. If it be urged that the use of wafer-bread gives offence to some, it must be remembered that the, by no means uncommon, carelessness in the use of ordinary bread offends a far greater number of devout communicants.

4. Any real offence which may be given to those entitled to complain, is

fully provided for by the addition made to the rubric giving the ordinary power to decide in any difference "concerning the bread and wine to be used," if "appeal" be made to him.

XV. Page 20. "¶ *And when by reason of numbers it is inconvenient to address to each Communicant separately the words appointed to be said on delivering the Bread and the Cup, it shall suffice that the words be said once to so many of those who shall together kneel for receiving the Communion at the Holy Table, as the Minister in his discretion shall see fit: Provided always, that in case of any doubt arising as to the necessity thereof, reference shall be made to the Bishop, whose judgment shall be final.*"

I am entirely opposed to the "discretion" which this new rubric proposes to give to the minister, for the reasons following:—

1. It would give the sanction of the Church of England to a practice which, having regard to history, there seems no reason to doubt, is contrary to the general rule and custom of the Church from the earliest times; and which there is no sufficient ground for thinking was contemplated by the rubric of any of the authorized Prayer Books from 1549 to 1662.

2. It is completely at variance with the answer given by the bishops to the Presbyterians at the Savoy Conference in 1661; for they said, "It is most requisite that the minister deliver the bread and wine into every particular communicant's hand, and repeat the words in the singular number, for so much as it is the propriety of sacraments to make particular oblation to each believer, and it is our visible profession that by the grace of God Christ tasted death for every man." In accordance with this answer, and apparently to prevent any future misunderstanding, they inserted the words "to any one," which appear in the present rubric.

3. It would encourage others to follow the example of those who do not now comply with the existing rule. To prohibit a lax practice which long custom has sanctioned in many churches, but which it may be hoped is decreasing, might be a proceeding of doubtful policy; non-interference, however, is a very different thing from directly countenancing and protecting the practice by a new rubric.

4. It only pleads *inconvenience* as the reason for the proposed permission; but none, which might not be otherwise remedied, has been shown in the evi-

dence taken by the Commission, and there seems no reason for thinking that additional evidence would be of a different character. The witnesses showed that on the one hand in two churches where there was a *single* celebration of the Holy Communion fortnightly, the number of communicants ranged from 150 to 270, and the words of administration were only said once to each group; on the other hand, in churches, where there are from one to three celebrations every Sunday, the communicants at each celebration averaged from forty to eighty, and the words were said separately to each communicant. On the Great Festivals in one case there were two celebrations and 500 communicants, the words being said collectively; in other cases, two, three, or four celebrations and from 300 to 750 communicants, the words being said individually; in one of the latter churches 200 persons, and in another 267 were thus communicated singly at one celebration. There seems no ground for supposing that the celebrants in all these instances had not alike sufficient assistance, or might not have obtained it, whether to multiply celebrations or to distribute the Sacrament; the reasonable conclusion, therefore, seems to be that by more frequent celebrations the present rubrical direction could be followed without real inconvenience to either minister or people.

5. It will be likely to increase the offence which is well known to be frequently caused by the present departure from the rubric, and of which some evidence has been given to the Commissioners.

XVI. Page 25. "*The Curate of every parish may upon Sundays, and holy-days after the second lesson at Evening Prayer, or before or after Divine Service, openly in the Church instruct and examine so many children of his parish sent unto him, as he shall think convenient, in some part of this catechism.*"

This rubric, as it now stands in the Prayer Book, no doubt needs some qualification, because, while properly requiring public Catechizing, it conveniently limits it to "Sundays and holy-days, after the second lesson at Evening Prayer;" whereas experience proves that greater latitude as to time is needed. This is, indeed, to some, yet not to a sufficient, degree provided in the altered form of the rubric. But the substitution of "may" for "shall" would enable the clergyman to omit entirely public catechizing in church; and this is a change which, I think, ought not

to be encouraged, especially at a time when alterations in the educational system of the country render it important that the church should not relax or abandon opportunities of giving distinct religious instruction to the young among her members.

XVII. Page 28. "¶ If there be no Communion the minister shall dismiss with the blessing those who are gathered together."

This proposed rubric is an addition to the office of Holy Matrimony; and seems to me as unnecessary as if it were affixed to the office of Public Baptism; but if some consider it desirable, I think the direction should not be compulsory, nor should the blessing be limited to that at the end of the Communion service; especially as changes recommended in existing rubrics have been of the opposite kind.

XVIII. Page 30. "¶ Here is to be noted that the office ensuing is not to be used for any that die unbaptized, or excommunicate, or have laid violent hands upon themselves; but it shall be lawful for the minister on sufficient cause to read one or both of the Psalms following, together with one of the lessons, and the four sentences appointed to be said while the corpse is made ready to be laid into the earth, concluding with the Lord's Prayer and the Grace at the end of the office: Provided always, that the office thus allowed be not used without the permission of the Ordinary, but that if, from want of time, this permission cannot be obtained, then the Minister shall notify in writing, within seven days to the Ordinary, the use of the shortened office, and the reasons for his having so used it."

The "Order for the Burial of the Dead" has given rise to difficulties which at least were less prominent in former times when the exercise of Ecclesiastical Discipline was more recognized. The Commissioners have, indeed, endeavoured to adjust the disputed points, but I fear that the altered rubric will not give satisfaction, either in what it has done, or in what it has left undone; for:—

1. The prohibition to use the office in the case of the "unbaptized" does undoubtedly operate beneficially upon many careless parents, and thus is a protection to the children themselves. Moreover, the office is designed for the members of the Church, i. e., for the baptized; therefore it is consistent and not uncharitable to limit it to them. If it be thought a hardship to refuse the office to those whose non-baptism is not their own fault, then the shortened office would be an injustice to them,

because it makes no distinction between their case and that of those who reject baptism.

There is, indeed, a case in which a misapplication of this prohibition gives reasonable offence, I mean the occasional refusal to use the Burial service over those who have been baptized by a person not episcopally ordained, or by a layman. But this objection might have been removed by an explanatory note to the effect that such baptisms, though irregular, are valid if administered with water "in the name of the Father, and of the Son, and of the Holy Ghost."

2. The case of the "excommunicate" can hardly be said to occur now, when it is recollected that the 68th Canon of 1603 strictly defines it to be one "denounced, excommunicated, *majori excommunicatione*, for some grievous and notorious crime, and no man able to testify of his repentance." Yet this would seem to be just a case for which, should it arise, the prohibition ought to exist.

3. The case of those who "have laid violent hands upon themselves" presents greater difficulty, owing to a change of circumstances since 1662, when the rubric was prefixed. Until the law was altered by the 4 George IV. c. 52, 1823, no question could arise as to the use of the office in the case of "violent hands" pronounced to be *felo de se*, because burial in consecrated ground was forbidden: but now that this interment is permitted (although without the office) some support may seem to be afforded to the opinion that the verdict of "temporary insanity," most usually given by the coroner's jury, qualifies the rubrical prohibition, and warrants the use of the service in this latter instance. Ancient Canons of the Church of England (based upon a decree of an early council) appear not to have allowed a *complete* religious office to be used, whatever other distinction they may have drawn in cases of suicide. The permission given by the altered rubric to use part of the present service corresponds to this, except in the proposed use of "one or both of the psalms." But it seems to me that the existing difficulty will not really be removed unless some definition be given of the sense in which for the future the term "violent hands" is to be understood. If the decision of a jury is deemed to be the only satisfactory mode of settling the question, then I think that a verdict *other than* that of *felo de se* should be held to authorize the use of the shortened office for those who "have laid violent hands upon themselves."

4. But this altered rubric wholly fails to provide for the difficulty which most of all presses, viz., the offence caused by the use of the Burial service in the case of the "open and notorious evil liver." The subject was indeed carefully considered by the Commissioners, and it will probably not cause surprise that objections which seemed insuperable to others presented serious obstacles to ourselves when discussing the various proposals which were made. Yet, after all, it appears to me that, on the whole, it would be less objectionable to allow a clergyman to use the proposed shortened office in this case, rather than leave him in the questionable position of

refusing the present service upon a kind of understanding that the bishop must disregard his doing so. I think that the altered rubric should not be adopted, at least unless it is extended to cases where the use of the whole office would cause great scandal, or where the friends of the deceased wish or consent that the entire office should not be used. The discretion thus allowed to the clergyman might be sufficiently guarded by requiring that three properly qualified persons (perhaps householders) should certify their belief that the scandal was likely to be given if the full service were used.

THOMAS WALTER PERRY.

W. F. KEMP, Secretary,  
Jerusalem Chamber, Westminster Abbey,  
*August 31st, 1870.*

The Schedule appended to the Report contains the proposed amendments to the existing rubric.



1.—AN ACCOUNT OF THE GROSS PUBLIC INCOME OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,  
 In the Year ended the 31st day of December, 1870, and of the actual Issues within the same period, exclusive of sums applied to the Redemption of Funded  
 or paying off Unfunded Debt, and of the Advances and Repayments for Local Works, &c.

INCOME.		EXPENDITURE.		CHARGES ON CONSOLIDATED FUND:—		
	£	s.	d.	£	s.	d.
Customs	20,205,000	0	0	Interest and Management of the Per- manent Debt	23,262,306	9 6
Excise	22,437,000	0	0	Terminable Annuities	3,985,221	13 9
Stamps	9,020,000	0	0	Interest of Exchequer Bonds	60,530	2 8
Taxes (Land and Assessed)	2,971,000	0	0	Interest of Exchequer Bills	1,47,062	2 6
Property Tax	7,460,000	0	0	Interest on Advances for Deficiency	3,663	0 3
Post Office	4,650,000	0	0			
Telegraph Service	500,000	0	0			
Crown Lands (Net)	379,000	0	0			26,458,788 8 8
<b>MISCELLANEOUS:—</b>						
Military and Naval extra Receipts and proceeds of Old Stores sold	1,170,572	8	3	Civil List	363,319	15 0
Amount received from the Re- venues of India on account of the Effective and Non-effective Charges of British Troops serving in that Country	886,262	0	0	Annuitants and Pensions	285,235	13 9
Allowance out of Profits of Issue re- ceived from the Bank of England, per Act 24 Vict. c. 3	138,578	0	0	Salaries and Allowances	131,890	6 1
Other Miscellaneous Receipts	1,451,523	13	4	Diplomatic Pensions	19,343	10 0
				Courts of Justice	654,165	0 8
				Miscellaneous Charges	610,464	5 8
						2,064,478 11 3
				<b>SUPPLY SERVICES:—</b>		
				Army	13,740,400	0 0
				Navy	9,776,641	0 0
				Miscellaneous Civil Services.	9,759,988	17 1
				Salaries, Superannuations, &c., of Cus- toms and Inland Revenue	2,682,354	17 11
				Ditto ditto of Post Office	2,384,000	0 0
				Telegraph Service	390,000	0 0
				Packet Service	1,172,272	9 11
						39,696,657 4 11
				Expenses of Fortifications (provided for by Money raised by Annuities created)	288,218,919	4 10
						100,000 0 0
				Total Ordinary Expenditure	288,318,919	4 10
				Excess of Income over Ordinary Expenditure in the year ended 31st December, 1870	3,060,085	16 9
				Deduct—Expenses of Fortifications, as above	100,000	0 0
						2,960,085 16 9
						<u>£71,968,965 1 7</u>
						<u>£71,968,965 1 7</u>

Total Income. £71,968,965 1 7

2.—AN ACCOUNT OF THE BALANCES OF THE PUBLIC MONEY

Remaining in the Exchequer on the 1st day of January, 1870; the amount of Money raised by additions to the Funded or Unfunded Debt, and the amount applied towards the Redemption of Funded or Paying off Unfunded Debt in the Year ended the 31st day of December, 1870; the total amount of Advances and Repayments on account of Local Works, &c., in the same period; and the Balances in the Exchequer on the 31st day of December, 1870.

	£	s.	d.	£	s.	d.	£	s.	d.
Balances in the Ex- chequer on the 1st	At the Bank of England . . .	2,259,718	5	10					
January, 1870 . . .	At the Bank of Ireland . . .	850,473	12	3					
					3,110,191	18	1		
Money raised in the Year ended 31st December, 1870 :—									

FUNDED DEBT :—

By the creation of Terminable Annuities, per Act 30 & 31 Vict. c. 145 (to provide for the Expense of constructing certain Fortifications), to expire on the 5th April, 1885, as follows :—

16th Mar. 1870	£ 8,796	Annuitiy com- mencing	10,000	0	0
		{ 6 April, 1870			

UNFUNDED DEBT :—

Exchequer Bonds, per Act 32 & 33 Vict., c. 22 :—

Series S, dated 18th March, 1870, and payable 18th March, 1871 . . .	600,000	0	0
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Repayments on account of Advances for the Purchase of Bullion, and for Local Works, &c.

Repayments on account of Advances for Greenwich Hospital	2,222,362	2	5
Excess of Income over Total Expenditure, in the year ended 31st December, 1870 . . . . .	312,764	11	3
	2,950,085	16	9

\* No balance remaining of the Money raised for Fortifications.

Treasury Chambers, Whitehall, 12th January, 1871.

Issued to the Commissioners for the Reduction of the National Debt, to be applied to the Redemption of the Public Debt . . . . .

	2,964,526	6	1
Deduct—Amount applied in Repayment of Bank Advances for Deficiency . . . . .	500,000	0	0

Exchequer Bonds paid off, viz. :—

Series O., dated 27th March, 1868 . . . . .	1,000,000	0	0
” Q. ” 18th March, 1869 . . . . .	600,000	0	0

Exchequer Bills paid off in Money Advances for Purchase of Bullion, and for Local Works, &c.

Advances for New Courts of Justice . . . . .	1,214,827	16	10
Advances for Greenwich Hospital . . . . .	7,646	8	2
	212,764	11	3

Balances in the Ex-  
chequer on the 31st

At the Bank of England . . .	2,688,255	5	7
At the Bank of Ireland . . .	1,070,734	0	7
December, 1870 . . . . .	3,758,989	6	2

† No balance remaining of the Money raised for Fortifications.

JAMES STANFIELD.

£9,295,354	8	6
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## PROMOTIONS AND APPOINTMENTS.

Jan. 1. Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, granting unto George Edward Adams, Esq., Rouge Dragon Pursuivant of Arms, the office of Lancaster Herald, vacant by the promotion of Sir Albert William Woods, Knt., to the office of Garter Principal King of Arms.

— 3. William Ramsay Scott, William Adamson, and Horoah Kay (Whampoa), Esqrs., to be Members of the Legislative Council of the Straits Settlements.

— 4. Mr. James Duncan Sim, C.S.I., to be a member of the Council of the Governor of Fort St. George.

— 12. The Right Hon. Edward Sullivan to be Keeper or Master of the Rolls and Records of the Court of Chancery in that part of the United Kingdom called Ireland, in the room of the Right Hon. John Edward Walsh, deceased.

— 15. To be an Ordinary Member of the First Class Knights Grand Cross of the Most Distinguished Order of St. Michael and St. George:—The Right Hon. Baron Lytton, formerly Secretary of State for the Colonies.

To be Ordinary Members of the Second Class, or Knights Commanders of the said Order:—John Rose, Esq., late Finance Minister for the Dominion of Canada; Thomas Wilton Clinton Murdoch, Esq., one of Her Majesty's Commissioners for Colonial Land and Emigration.

— 18. A *congé d'élire* to the Dean and Chapter of the Cathedral Church of Manchester, empowering them to elect a Bishop of that See, the same being void by the death of Dr. James Prince Lee, late Bishop thereof; the Rev. James Fraser, M.A., recommended to be by them elected Bishop of the said See of Manchester.

Jan. 23. Anne, Duchess of Sutherland (Countess of Cromartie), to be Mistress of the Robes, in the room of Elizabeth Georgiana, Duchess of Argyll, resigned.

Letters Patent under the Great Seal, nominating the Ven. Henry Mackenzie, D.D., Archdeacon of Nottingham, to be Bishop Suffragan of the See of Nottingham.

— 26. The place of one of the Lords of Session in Scotland granted to Adam Gifford, Esq., Advocate, in the room of George Dundas, Esq., deceased.

Letters Patent under the Great Seal, nominating the Ven. Edward Parry, M.A., Archdeacon of Canterbury, to be Bishop Suffragan of the See of Dover.

Feb. 1. Major-Gen. William Erskine Baker, of the Royal (Bengal) Engineers, a Member of the Council of India, to be an Ordinary Member of the Civil Division of the Second Class, or Knights Commanders of the Most Honourable Order of the Bath.

— 12. Letters Patent under the Great Seal granting unto Admiral Sir Provo William Parry Wallis, K.C.B., the office or place of Vice-Admiral of the United Kingdom of Great Britain and Ireland, and Lieutenant of the Admiralty thereof, in the room of Admiral Sir Fairfax Moresby, G.C.B., promoted to be an Admiral of the Fleet.

Letters Patent under the Great Seal granting unto Admiral Sir William James Hope Johnstone, K.C.B., the office or place of Rear Admiral of the United Kingdom of Great Britain and Ireland, and of the Admiralty thereof, in the room of the said Sir Provo William Parry Wallis.

— 14. Walter Baring, Esq., now Attaché to Her Majesty's Embassy at Vienna, to be a Third Secretary in Her Majesty's Diplomatic Service.

*Feb.* 21. William Grant, Esq., to be a member of the Legislative Council of Her Majesty's Settlement of Sierra Leone, on the Western Coast of Africa; Edward Dalton Shea, William John Sinclair Donnelly, and Robert John Pinsert, jun., Esqs., to be members of the Legislative Council of the Island of Newfoundland; Joseph Trounseil Gilbert, Esq., to be Attorney-General for the colony of British Guiana; and John Warde Straton, Esq., to be Auditor-General, and Revero Mayo, Esq., to be Treasurer, for the Island of Jamaica.

The Rev. Thomas Dale, M.A., preferred to the Deanery of the Cathedral Church of Rochester, void by the death of Dr. Robert Stevens.

— 24. James Caird, Esq., one of the Enclosure Commissioners for England and Wales, and Colonel John Graham McKerlie, Chairman of the Board of Public Works in Ireland, to be Ordinary Members of the Civil Division of the Third Class, or Companions of the Most Honourable Order of the Bath.

Colonel George A. K. D'Arcy (formerly Governor of Her Majesty's Settlement on the River Gambia, on the Western Coast of Africa), to be Governor and Commander-in-Chief of Her Majesty's Settlements in the Falkland Islands and their dependencies.

— 25. M. Werner Munzinger to be an Honorary Member of the Civil Division of the Third Class, or Companion of the Most Honourable Order of the Bath.

— 26. Letters Patent under the Great Seal granting the dignity of a Knight of the United Kingdom of Great Britain and Ireland unto John Lucie Smith, Esq., C.M.G., Chief Justice of the Island of Jamaica.

*March* 12. Letters Patent under the Great Seal granting the dignity of a Knight of the United Kingdom of Great Britain and Ireland unto Michael Roberts Westropp, Esq., Chief Justice of Her Majesty's High Court of Judicature at Bombay.

— 19. A *congé d'élire* to the Dean and Chapter of the Cathedral Church of Chichester, empowering them to elect a Bishop of that See, the same being void by the death of Dr. Ashurst Turner Gilbert, late Bishop thereof; the Rev. Richard Durnford, M.A., recommended to be by them elected Bishop of the said See of Chichester.

*April* 1. Sir Richard Couch to be Chief Justice of the High Court of Judicature at Fort William, Bengal; Sir Michael Roberts Westropp to be Chief Justice of the High Court of

Judicature at Bombay; and James Kernan, Esq., Q.C., to be a Puisne Judge of the High Court of Judicature at Madras.

*April* 6. The Rev. Henry Parry Lid- don, M.A., to the place and dignity of a Canon Residentiary of the Cathedral Church of St. Paul in London, void by the promotion of Dr. Thomas Dale to the Deanery of Rochester.

— 8. Colonel Henry Ponsonby, one of Her Majesty's Equerries in Ordinary, to be Private Secretary to Her Majesty, in the room of Lieutenant-General the Hon. Charles Grey, deceased.

— 16. His Royal Highness Prince Arthur, K.G., K.T., K.P., to be an Ordinary Member of the First Class or Knights Grand Cross, of the Most Distinguished Order of St. Michael and St. George.

— 28. Letters Patent under the Great Seal granting the dignity of a Baron of the United Kingdom of Great Britain and Ireland unto Charles William Fitzgerald, Esq. (commonly called Marquis of Kildare), and the heirs male of his body lawfully begotten, by the name, style, and title of Baron Kildare, of Kildare, in the county of Kildare.

*May* 2. Nawab Faiz Ali Khan, Minister of the Maharajah of Jeypore, G.C.S.I., to be a Companion of the Most Exalted Order of the Star of India.

— 4. The Right Hon. John Earl of Stair, K.T., to be Her Majesty's High Commissioner to the General Assembly of the Church of Scotland.

— 9. James Bryce, Esq., to the place or office of Professor of Civil Law in the University of Oxford, in the room of Sir Travers Twiss, D.C.L., resigned.

— 13. The Rev. Nathaniel Woodard, to the place and dignity of a Canon of Her Majesty's Cathedral Church of Manchester, void by the promotion of the Right Reverend Doctor Richard Durnford, late Canon thereof, to the See of Chichester.

The Rev. George Henry Greville Anson, M.A., to the Archdeaconry of Manchester, void by the promotion of the Right Reverend Doctor Richard Durnford, to the See of Chichester.

— 14. Lieutenant-General Sir William Rose Mansfield, K.C.B., G.C.S.I., late Commander-in-Chief in India, to be an Ordinary Member of the Military Division of the First Class, or Knights Grand Cross of the Most Honourable Order of the Bath.

— 16. Sir Francis Smith, Knt., to be Chief Justice, and William Lambert Dobson, Esq., to be Puisne Judge of the

Supreme Court of the colony of Tasmania; and Michael Connal, Esq., to be Surveyor-General, Colonial Engineer, and Engineer for Government Railways for the Island of Mauritius.

May 18. The Right Hon. James Anthony Lawson, by Her Majesty's command, was sworn of Her Majesty's Most Honourable Privy Council, and took his place at the Board accordingly.

— 28. To be Knights Grand Commanders of the Most Exalted Order of the Star of India:—

His Highness Mohender Sing, Maharajah of Puttiala.

The Nawab Salar Jung Bahadour, K.C.S.I., Minister of the Hyderabad State.

To be Knight Commanders:—

His Highness Prince Gholam Mahomed. William Grey, Esq., Bengal Civil Service, Lieutenant-Governor of Bengal.

To be Companions:—

Alexander John Arbutnot, Esq., Madras Civil Service, Member of the Council of the Governor of Madras.

Edward Clive Bayley, Esq., Bengal Civil Service, Secretary to Government of India, Home Department.

The Rajah Jye Kishon Doss, Deputy Magistrate at Allypore.

Colonel Michael Dawes, late Bengal Artillery.

Colonel Henry Errington Longden, C.B., late Adjutant-General of the Bengal Army.

Colonel Henry Edward Landort Thullier, Royal (late Bengal) Artillery, Surveyor-General in India.

Colonel John Cumming Anderson, Royal (late Madras) Engineers, formerly Chief Engineer at Lucknow.

Colonel Martin Dillon, C.B., Rifle Brigade, Military Secretary to the Commander-in-Chief in India.

Baboo Shiva Persad, of Benares Educational Department.

The Hon. and Very Rev. Gerald Wellesley, M.A., Dean of Windsor, to be Her Majesty's High Almoner, in the room of the Right Rev. Dr. Samuel Wilberforce, Bishop of Winchester, resigned.

June 11. Letters Patent under the Great Seal granting the dignity of a Baron of the United Kingdom of Great Britain and Ireland unto the Right Hon. Thomas O'Hagan, Chancellor of that part of the said United Kingdom called Ireland, and the heirs male of his body lawfully begotten, by the name, style, and title of Baron O'Hagan, of Tullahogue, in the county of Tyrone.

— 14. Colonel John Cameron, of the Royal Engineers, Executive Officer, Ordnance Survey of the United King-

dom, and Captain Alexander Ross Clarke, of the Royal Engineers, Superintendent of Trigonometrical Work and Initial Levelling, Ordnance Survey of the United Kingdom, to be Ordinary Members of the Civil Division of the Third Class, or Companions, of the Most Honourable Order of the Bath.

Major-General George Balfour, C.B., of the Royal (Madras) Artillery, Assistant to the Controller-in-Chief, War Department, to be an Ordinary Member of the Civil Division of the Second Class, or Knights Commanders, of the Most Honourable Order of the Bath.

July 6. Lord Justice Sir William Milbourne James and Sir Barnes Peacock were, by Her Majesty's command, sworn of Her Majesty's most Honourable Privy Council, and took their places at the Board accordingly.

Her Majesty having been pleased to deliver the custody of the Privy Seal to the Right Hon. Charles Viscount Halifax, the oath of the Keeper of the Privy Seal was this day administered to him, and his Lordship took his place at the Board accordingly.

Her Majesty having been pleased to appoint the Right Hon. John, Earl of Kimberley, to be one of Her Majesty's Principal Secretaries of State, his Lordship was this day, by Her Majesty's command, sworn one of Her Majesty's Principal Secretaries of State accordingly.

William Wellington Cairns, Esq., (now Lieutenant-Governor of the Islands of St. Christopher and Nevis), to be Lieutenant-Governor of the colony of British Honduras.

— 7. Jules Louis Colin, Esq., to be Procureur and Advocate-General for the Island of Mauritius.

Joseph Lister, Esq., to be one of the Surgeons in Ordinary to Her Majesty in Scotland, in the room of James Syme, Esq., deceased.

— 11. Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland constituting and appointing the Right Hon. Hugh Culling Eardley Childers, Admiral Sir Sydney Colpoys Dacres, K.C.B., Vice-Admiral Sir Robert Spencer Robinson, K.C.B., (being the Controller of Her Majesty's Navy), Captain John Hay (commonly called Lord John Hay), B.N., C.B., and the Rt. Hon. Robert Adam Phillips Haldane, Earl of Camperdown, to be Her Majesty's Commissioners for executing the office of Lord High Admiral of the said United Kingdom of Great Britain and Ireland, and the dominions, islands, and territories therunto belonging.

*July 12.* Sir Thomas Watson, Bart., M.D., F.R.S., to be one of the Physicians in Ordinary to Her Majesty, in the room of Sir James Clark, Bart. M.D., F.R.S., deceased.

George Burrows, M.D., F.R.S., to be one of Her Majesty's Physicians Extraordinary.

— 21. Charles, Marquis of Huntly, to be one of the Lords in Waiting in Ordinary to Her Majesty, in the room of Robert Adam Philips Haldane, Earl of Camperdown, resigned.

— 28. To be Ordinary Members of the Third Class, or Companions of the Order of St. Michael and St. George:—Lieutenant-Colonel Howard Craufurd Elphinstone, R.E., C.B., Governor to His Royal Highness Prince Arthur William Patrick Albert; Donald M'Lean, Esq., Member of the Executive Council of the Colony of New Zealand, and Minister for Native Affairs in that Colony.

*Aug. 1.* The Hon. Power Henry Le Poer Trench, Audley Charles Gosling, Esq., Henry Nevill-Dering, Esq., Edwin Henry Egerton, Esq., and the Hon. William Augustus Curzon Barrington, now Third Secretaries, to be Second Secretaries in Her Majesty's Diplomatic Service.

— 4. Letters Patent under the Great Seal of the United Kingdom, appointing George Mellish, Esq., one of Her Majesty's Counsel, to be a Judge of the Court of Appeal in Chancery, in the room of Sir George Markham Giffard, deceased.

— 9. Edward Thornton, Esq., C.B., Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America, to be an Ordinary Member of the Civil Division of the Second Class, or Knights Commanders, of the Most Honourable Order of the Bath.

— 12. Sir William Heathcote, Bart., and Lord Justice Sir George Mellish, were, by Her Majesty's command, sworn of Her Majesty's Most Honourable Privy Council, and took their places at the Board accordingly.

— 24. The Right Hon. Viscount Bury, formerly Civil Secretary and Superintendent of Indian Affairs in the Province of Canada (now forming part of the Dominion of Canada), to be an Ordinary Member of the Second Class, or Knights Commanders of the Most Distinguished Order of Saint Michael and St. George.

— 31. Colonel Edward William Carlike Wright to be an Ordinary Member of the Military Division of the Third

Class, or Companions of the Most Honourable Order of the Bath.

*Sept. 21.* To be Ordinary Members of the Third Class or Companions of the Order of St. Michael and St. George:—William Osborne Smith, Esq., Lieutenant-Colonel of the Militia in the Dominion of Canada, and Deputy Adjutant-General of Militia, Fifth District, in that Dominion; Archibald McEachern, Esq., Lieutenant-Colonel of the Militia, in the Dominion of Canada, and commanding the 50th Huntingdon Borderers in that Dominion; Brown Chamberlin, Esq., Lieutenant-Colonel of the Militia in the Dominion of Canada, and commanding the 60th Missisquoi Battalion in that Dominion; John Fletcher, Esq., Lieutenant-Colonel of the Militia in the Dominion of Canada, and Brigade-Major of St. John's Militia, Brigade District, in that Dominion.

*Oct. 12.* Sir William Tite, Knight, to be an Ordinary Member of the Civil Division of the Third Class, or Companions of the Most Honourable Order of the Bath.

— 16. Colonel George Henry, Earl of Mountcharles, to be Equerry in Ordinary to Her Majesty, vice the Marquis of Hertford, resigned.

*Nov. 5.* William Alexander Parker, Esq., to be a Member of the Executive Council of the Island of St. Helena; and James Kirk, Esq., jun., to be a member of the Privy Council of the Island of Tobago.

— 24. Lieutenant-Colonel Charles Osborne Creagh-Osborne, of the 1st Battalion, 6th Regiment, to be an Ordinary Member of the Military Division of the Third Class, or Companions, of the Most Honourable Order of the Bath.

— 26. The Right Hon. William Nathaniel Massey, the Right Hon. Charles Stewart, Viscount Hardinge, the Right Rev. the Lord Bishop of Carlisle, the Right Hon. Sir John Somerset Pakington, G.C.B., the Right Hon. Jonathan Peel, Lieutenant-General in the Army; the Right Hon. William Francis Cowper-Temple, Sir John Salusbury Trelawny, Sir Walter Charles James Richard Collinson, Esq., C.B., Vice-Admiral in the Navy; Charles Buxton, Esq., Myles William O'Reilly, Esq., Peter Rylands, Esq., Anthony John Mundella, Esq., Thomas Henry Huxley, Esq., LL.D., President of the Geological Society, Professor of Natural History in the Royal School of Mines; Robert Gregory, Clerk, M.A., Canon of the Cathedral Church of St. Paul, London; John Frederick Denison Maurice, Clerk, M.A., Professor of Moral

Philosophy in the University of Cambridge; John Hannah, Clerk, D.C.L., Samuel Wilks, Esq., M.D., John Henry Bridges, Esq., M.D., George Edward Paget, Esq., M.D., Timothy Holmes, Esq., F.R.C.S., Holmes Coote, Esq., M.R.C.S., George Campbell, Esq., George Wood-yatt Hastings, Esq., and Mr. Robert Applegarth, to be Her Majesty's Commissioners to inquire into and report upon the administration and operation of the Contagious Diseases Acts (1866 to 1869), with power to suggest whether the same should be amended, maintained, extended, or repealed.

John Gorrie, Esq., to be Puisne Judge of the Supreme Court, and Gustave Barthélemy Colin, Esq., to be Procureur and Advocate-General of the Island of Mauritius.

Nov. 29. The honour of Knighthood conferred on Llewellyn Turner, Esq., Deputy Constable of Carnarvon Castle.

— 30. The Hon. Francis John Pakenham, now Secretary to Her Majesty's Legation at Brussels, to be Secretary to Her Majesty's Legation at Washington; and Francis Clare Ford, Esq., now Secretary to Her Majesty's Legation at Washington, to be Secretary to Her Majesty's Legation at Brussels.

Dec. 6. Letters Patent under Her Majesty's Royal Sign Manual and the Great Seal of the Order, to dispense with all the statutes and regulations usually observed in regard to Installation, and to grant unto the Most Hon. Hugh Lupus, Marquis of Westminster, Knight of the said Most Noble Order of the Garter, and duly invested with the ensigns thereof, full power and authority

to exercise all rights and privileges belonging to a Knight Companion of the said Most Noble Order, in as full and ample a manner as if his Lordship had been formally installed, any decree, rule, or usage to the contrary notwithstanding.

William George Anderson, Esq., Assistant Controller and Auditor-General of the Exchequer and Audit Department, to be an Ordinary Member of the Civil Division of the Second Class, or Knights Commanders, of the Most Honourable Order of the Bath.

Dec. 22. To be Ordinary Members of the Second Class, or Knights Commanders of the Order of St. Michael and St. George:—Lieutenant-General the Hon. James Lindsay, Colonel Garnet Joseph Wolseley.

To be Ordinary Members of the Third Class, or Companions of the said Order:—Colonel Randal Joseph Feilden; Lieutenant-Colonel John Carstairs McNeil, V.C., Military Secretary to the Governor-General of Canada; Lieutenant-Colonel William John Bolton, R.A.; Mathew Bell Irvine, Esq., Assistant Controller in the Military Control Department.

And the following Officers in the Militia of the Dominion of Canada:—Lieutenant-Colonel Samuel Peters Jarvis; Lieutenant-Colonel Louis Adolphe Casault; Major James F. McLeod.

— 28. Letters Patent under the Great Seal granting the office and place of Advocate-General or Judge-Martial of Her Majesty's Forces, to John Robert Davison, Esq., one of Her Majesty's Counsel.

## HER MAJESTY'S MINISTERS AND CHIEF OFFICERS OF STATE.

*First Lord of the Treasury*, Right Hon.

William Ewart Gladstone.

*Lord High Chancellor*, Right Hon. Lord Hatherley.

*Lord President of the Council*, Right Hon. Earl de Grey and Ripon.

*Lord Privy Seal*, Right Hon. Viscount Halifax.

*Chancellor of the Exchequer*, Right Hon. Robert Lowe.

*Secretary of State, Home Department*, Right Hon. Henry Austin Bruce.

*Secretary of State, Foreign Department*, Right Hon. Earl Granville.

*Secretary of State, Colonial Department*, Right Hon. Earl of Kimberley.

*Secretary of State, War Department*, Right Hon. Edward Cardwell.

*Secretary of State, Indian Department*, His Grace the Duke of Argyll.

*First Lord of the Admiralty*, Right Hon. Hugh C. E. Childers.

*President of the Board of Trade*, Right Hon. John Bright.

*Chief Secretary for Ireland*, Right Hon. Chichester P. Fortescue.

*Postmaster-General*, Right Hon. Marquis of Hartington.

*President of Poor Law Board*, Right Hon. G. Joachim Goschen.

*Vice-President of Committee of Council on Education*, Right Hon. W. E. Forster.

<p><i>Commander-in-Chief</i>, Field-Marshal His Royal Highness the Duke of Cambridge.</p> <p><i>Chancellor of the Duchy of Lancaster</i>, Right Hon. Lord Dufferin and Clarendon.</p> <p><i>Works and Public Buildings</i>, Right Hon. Acton Smee Ayrton.</p> <p><i>Junior Lords of Her Majesty's Treasury</i>, W. Patrick Adam, Esq., Marquis of Lansdowne, William Henry Gladstone, Esq.</p> <p><i>Joint Secretaries to the Treasury</i>, George</p>	<p>Grenfell Glyn, Esq., Right Hon. James Stansfeld.</p> <p><i>Junior Lords of the Admiralty</i>, Vice-Admiral Sir S. C. Dacres, Vice-Admiral Sir R. S. Robinson, Capt. Lord John Hay, Earl of Camperdown.</p> <p><i>Secretary to the Admiralty</i>, W. E. Baxter, Esq.</p> <p><i>Attorney-General</i>, Sir Robert Porrett Collier.</p> <p><i>Solicitor-General</i>, Sir John Duke Coleridge.</p>
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## HIGH SHERIFFS FOR 1870.

## ENGLAND.

(Excepting Cornwall and Lancashire).

- BEDFORDSHIRE.—John Nathaniel Foster, of Sandy-place, Esq.
- BERKSHIRE.—John Henry Blgrave, of Calcot-park, Tilehurst, Esq.
- BUCKS.—John Pattison Ellames, of the Manor House, Little Marlow, Esq.
- CAMBRIDGESHIRE AND HUNTINGDONSHIRE.—Richard Archer Houlton, of Bartlow, Esq.
- CHESHIRE.—Sir Richard Brooke, of Norton Priory, Halton Runcorn, Bart.
- CUMBERLAND.—Timothy Fetherstonhaugh, of the College, Esq.
- DERBYSHIRE.—Eben William Robertson, of Chilcote, Burton-on-Trent, Esq.
- DEVONSHIRE.—John Curzon Moore Stevens, of Winscott, Esq.
- DORSETSHIRE.—Hector Monro, of Edmondsham, Esq.
- DURHAM.—William Briggs, of Hylton-castle, Sunderland, Esq.
- ESSEX.—John Jolliffe Tufnell, of Langleys, Great Waltham, Esq.
- GLOUCESTERSHIRE.—Robert Blagden Hale, of Alderley, near Wotton-under-Edge, Esq.
- HEREFORDSHIRE.—Edmund Smalley Hutchinson, of Longworth, near Hereford, Esq.
- HERTFORDSHIRE.—Unwin Heathcote, of Sheephall Bury, Stevenage, Esq.
- KENT.—Sir Edmund Filmer, of East Sutton-park, Bart.
- LEICESTERSHIRE.—Edward Basil Farnham, of Quorndon-house, Esq.
- LINCOLNSHIRE.—Alexander William Thorold Grant Thorold, of Weelsby, Grimsby, Esq.
- MONMOUTHSHIRE.—Edward Lister, of Cefn Ha, near Usk, Esq.
- NORFOLK.—Sir Robert Jacob Buxton, of Shadwell-court, Bart.
- NORTHAMPTONSHIRE.—George Lewis Watson, of Rockingham-castle, Esq.
- NORTHUMBERLAND.—Henry Gregson, of Low Lynn, Esq.
- NOTTINGHAMSHIRE.—James Thomas Edge, of Strelley, Esq.
- OXFORDSHIRE.—John Weyland, of Wood Eaton, Esq.
- RUTLAND.—George Dawson Rowley, of Morcott, Esq.
- SHROPSHIRE.—Salisbury Kynaston Mainwaring, of Otely-park, Esq.
- SOMERSETSHIRE.—Robert Guy Evered, of Hill-house, Otterhampton, Esq.
- COUNTY OF SOUTHAMPTON.—Thomas Fairbairn, of Brambridge-house, Otterbourne, Esq.
- STAFFORDSHIRE.—John Hartley, of Wolverhampton, Esq.
- SUFFOLK.—Frederick William Thellusson, Lord Rendlesham, of Rendlesham-hall.
- SURREY.—William Farnell Watson, of Henfold, near Dorking, Esq.
- SUSSEX.—Joseph Mayer Montefiore, of Worth-park, Esq.
- WARWICKSHIRE.—Charles Fetherstone Dilke, of Maxstoke-castle, Esq.
- WESTMORELAND.—James Atkinson, of Winderwath, Templesowerby, Penrith, Esq.
- WILTSHIRE.—John Ravenhill, of Ashton-house, Heytesbury, Bath, Esq.
- WORCESTERSHIRE.—Thomas Rowley Hill, of Catherine-hill-house, Worcester, Esq.
- YORKSHIRE.—James Puelline, of Clifton-castle, near Bedale, Esq.



## WALES (NORTH AND SOUTH).

- ANGLESEY.—Sir Richard Bulkeley Williams-Bulkeley, of Baron-hill, Bart.  
 BRECONSHIRE.—Hugh Powell Price, of Castle Madoc, Esq.  
 CARDIGANSHIRE.—Herbert Davies Evans, of Highmead, Lampeter, Esq.  
 CARMARTHENSHIRE.—William Henry Foley, of Abermarlais park, Esq.  
 CARNARVONSHIRE.—Hugh John Ellis-Nanney, of Plashen, Esq.  
 DENBIGHSHIRE.—John Richard Heaton, of Plas Heaton, Esq.  
 FLINTSHIRE.—Edmund Peel, of Bryn-y-pys, Esq.  
 GLAMORGANSHIRE.—George Williams Griffiths Thomas, of Coedriglan, Esq.  
 MERIONETHSHIRE.—Clement Arthur Thruston, of Pennal Towers, Esq.  
 MONTGOMERYSHIRE.—Captain Offley Malcolm Crewe Read, R.N., of Llandinam-hall.  
 PEMBROKESHIRE.—Morris Williams Lloyd Owen, of Cwmgloyno, Esq.  
 RADNORSHIRE.—Edward Jenkins, of the Grove, Presteign, Esq.

## UNIVERSITY HONOURS.

## OXFORD.—CLASS LISTS.

Term Trin. 1870.

*In Literis Humanioribus.*

## CLASSIS I.

Cordery, Arthur, Lincoln.  
 Cotton, James S., Trinity.  
 Ewing, Robert, Balliol.  
 Holland, Henry S., Balliol.  
 Richards, Herbert P., Balliol.  
 Robertson, Edmund, Lincoln.  
 Theobald, Henry S., Balliol.

## CLASSIS II.

Allen, Charles G. B., Merton.  
 Barnwell, Charles E. B., Ch. Ch.  
 Bennett, Stephen A., Balliol.  
 Goodlake, Thomas S., Balliol.  
 Jervis, George W., Ch. Ch.  
 Jeudwine, George W., Corpus.  
 Kenyon, Hon. Wm. T., Ch. Ch.  
 Merry, George R., Lincoln.  
 Russell, Spencer C., Corpus.  
 Smith, Richard, Balliol.  
 Thomas, Henry D., Wadham.

## CLASSIS III.

Druitt, Robert, Ch. Ch.  
 Evans, Herbert A., Balliol.  
 Greenwell, William J., New Colloge.  
 Hamilton, Alex. C., University.  
 Horne, Henry W., New Colloge.  
 Howard, Alfred W. H., Balliol.  
 Luxmoore, Edward, Lincoln.  
 Vaughan, Arthur P., Balliol.

## CLASSIS IV.

Ady, William H., Exeter.

One hundred and twenty-nine  
 others passed.

*In Scientiis Math. et Phys.*

## CLASSIS I.

Chirol, Thomas A. A., Exeter.  
 Edmundson, George, Magdalen.  
 Muir-Mackenzie, M., Brasenose.  
 Wharton, Edgar, Exeter.

## CLASSIS II.

Bromby, Edward H., Queen's.  
 Sparks, Frederick, Worcester.

## CLASSIS III.

Cox, Alfred V., Wadham.  
 Hodge, John M., Magdalen Hall.  
 Hull, Herbert E., Brasenose.  
 Morris, Samuel S. O., Jesus.  
 Mort, Henry W., Queen's.

## CLASSIS IV.

Seventy-three others passed.

*Examiners.*

G. W. Kitchin.  
G. E. Thorley.  
T. Fowler.  
T. H. Green.

*In Scientia Naturali.*

## CLASSIS I.

Fisher, Walter W., Merton.  
Lendon, Edwin H., University.  
Taylor, Charles S., Merton.

## CLASSIS II.

Hartley, John F., Brasenose.

## CLASSIS III.

Burrow, John R., Queen's.

## CLASSIS IV.

*Examiners.*

H. J. S. Smith.  
E. Chapman.  
J. F. Payne.

*Examiners.*

D. Thomas.  
W. Esson.  
H. Daman.

*In Jurisprudentia et Hist. Mod.*

## CLASSIS I.

Jemmett, John F., Ch. Ch.  
Purcell, Edward, Lincoln.  
Schuster, Edmund V., Trinity.

## CLASSIS II.

Bernard, Charles C., Merton.  
Emmett, William E., Queen's.  
Fielding, Cecil H., Lincoln.  
Fitz-Patrick, Hon. B. E. B., Brasenose.  
Gregorie, George W., Worcester.  
Gurney, Joseph J., Merton.  
Langford, William T., University.  
Larcom, Arthur, Oriel.  
Littleton, Hon. Wm. F., Ch. Ch.  
Monnington, Thomas P., Corpus.  
Parry, Charles H. H., Exeter.  
Thorold, George A., Exeter.

## CLASSIS III.

Davis, Charles H., Worcester.  
Dugdale, Sidney, Ch. Ch.  
Fanning, Edward, Trinity.  
Freeman, John T., Brasenose.  
Morris, Thomas D., Wadham.  
Shephard, Charles C., Brasenose.  
Sherlock, Thomas D., Merton.  
Torr, James F., Pembroke.

## CLASSIS IV.

Blake, William F., Lincoln.  
Reade, Fred. W., St. Alban Hall.  
Twenty-nine others passed.

*Examiners.*

C. W. Boase.  
H. B. George.  
Colchester.

*In S. Theologia.*

## CLASSIS I.

Russell, Edward J., St. Mary Hall.

## CLASSIS II.

Smith, John T., St. Mary Hall.

## CLASSIS III.

Hodgson, Evelyn, Exeter.

## CLASSIS VI.

Parker, Richard T., St. Mary Hall.

*Examiners.*

W. Chester.  
R. Payne Smith.  
W. Basil T. Jones.

Term Mich. 1870.

*In Literis Humanioribus.*

## CLASSIS I.

Bidder, Henry J., University.  
 Bosanquet, Bernard, Balliol.  
 Clarke, Robert L., Balliol.  
 Cruttwell, Charles T., St. John's.  
 Fowler, William W., Lincoln.  
 Lindsell, William H. B., Corpus.  
 Morice, Francis D., New College.  
 Rankine, Adam, Balliol.  
 Stewart, John A., Lincoln.

## CLASSIS II.

Belcher, Thomas H., Queen's.  
 Eade, Edwin A., New College.  
 Forster, Arthur S., New College.  
 Garbett, Arthur C., Magdalen Hall.  
 Grenville, Murray Douglas N. W. E. C.,  
 Ch. Ch.  
 Hardy, Reginald, Balliol.  
 Heard, William C., Trinity.  
 Matthew, Walter E., St. John's.  
 Moncrieff, Frederick C., New College.  
 Morgan, Edward S., Lincoln.  
 Muir, Robert J., Magdalen.  
 Ormorod, Joseph A., Corpus.  
 Ritchie, Francis, Lincoln.  
 Rooper, Thomas G., Balliol.  
 Shattock, George, St. John's.

## CLASSIS III.

Almack, Alfred C., Worcester.  
 Bathe, Anthony, Brasenose.  
 Bennett, Ernest L., Corpus.  
 Brock, William, Magdalen.  
 Bromley, Thomas M., Merton.  
 Chapman, George G., Ch. Ch.  
 Copleston, Edward G., Ch. Ch.  
 Crossdill, William, Pembroke.  
 Dayman, Walter W., Exeter.  
 Downer, Arthur A., Brasenose.  
 Greswell, William H., Brasenose.  
 Harrison, Denwood, Queen's.  
 Hughes, Joshua P., Balliol.  
 Lovell, William, Exeter.  
 Monro, Alexander, Oriel.  
 Sharpe, Reginald R., St. John's.  
 Smith, Stuart C. F., Magdalen Hall.  
 Thompson, James E., Wadham.  
 Thomson, Thomas K., Exeter.  
 White, Alfred C., Ch. Ch.  
 Wilson, Francis, University.

## CLASSIS IV.

Balston, William E., University.  
 Bell, Frederick, University.  
 Bone, William M., Pembroke.  
 Brackenbury, M. J. F., New Coll.  
 Cohen, Jams I., Worcester.

*In Scientia Math. et Phys.*

## CLASSIS I.

Edwards, Arthur G., University.  
 Mozley, Alfred D., Jesus.  
 Rücker, Arthur W., Brasenose.

## CLASSIS II.

Harrison, John B., Queen's.  
 Jeffreys, Arthur F., Ch. Ch.  
 Walker, John R., Exeter.

## CLASSIS III.

Berry, John H., Ch. Ch.  
 Taylor, Francis W., University.

## CLASSIS IV.

Phillimore, Arthur, Oriel.

Coleridge, Ernest H., Balliol.  
 Cross, James, Exeter.  
 Gregory, Robert S., Trinity.  
 Knipe, James D., Worcester.  
 Wimble, Henry, Queen's.  
 Wordsworth, Charles S., University.

Ninety-four others passed.

*Examiners.*

M. Pattison.  
 G. W. Kitchin.  
 T. H. Green.  
 J. R. Magrath.

*In Scientia Naturali.*

CLASSIS I.

Champneys, Francis, Brasenose.  
 Childs, Christopher, Merton.  
 Fison, Frederick G., Ch. Ch.  
 Sharkey, Seymour J., Jesus,

CLASSIS II.

Blencowe, Charles E., Wadham.  
 Bradshaw, James D., Magdalen.  
 Byrne, Charles Pitt, Ch. Ch.  
 Drewitt, Frederick G. D., Ch. Ch.  
 Thompson, William E., Ch. Ch.

CLASSIS III.

Morgan, John H., Trinity.

CLASSIS IV.

*Examiners.*

J. A. Dale.  
 E. Chapman.  
 J. F. Payne.

Seventy-six others passed.

*Examiners.*

C. J. Faulkner.  
 W. Esson.  
 H. Daman.

*In Jurisprudentia et Hist. Mod.*

CLASSIS I.

Diggle, John G., Merton.  
 Gilliat, Howard, University.  
 Henderson, Henry P., New College.

CLASSIS II.

Acland, Arthur H. D., Ch. Ch.  
 Brown, Willoughby B., Brasenose.  
 Churchill, Lord R. H. S., Merton.  
 Cossar, William W. L., Magdalen.  
 Donoughmore, Earl of, Balliol.  
 Dunn, Oliver J., St. Edmund Hall.  
 Kenyon, Robert Ll., Ch. Ch.  
 Leach, John, Ch. Ch.  
 Lucy, William C., Trinity.  
 Maxwell-Lyte, Henry C., Ch. Ch.  
 Pownall, Francis, Exeter.  
 Scott, Henry R. H., Balliol.  
 Stuart-Wortley, A. J., Merton.  
 Turner, Adolphus H., Ch. Ch.  
 Wilson, Roderic J., Magdalen.  
 Woodruff, Cumberland H., Merton.

CLASSIS III.

Beavan, Alfred E., Worcester.  
 Bickerton, Jos. J., Charaley's H  
 Browne, Elliott K., New College  
 Burgess, Henry N., Worcester.  
 Chamberlen, Laurence J., Brasenose.  
 Claughton, Thomas L., Trinity.  
 Eveleigh-Wyndham, E. J., Corpus.  
 King, Theodore, Queen's.  
 Lloyd-Jones, John, Jesus.  
 Lucas, Samuel F., Exeter.  
 Rendle, Harry R., Brasenose.  
 Taylor, Ernest G., Wadham.  
 Waite, Francis U., Balliol.

CLASSIS IV.

Bartley, Arthur H., Queen's.  
 Hopwood, Charles A., Brasenose.  
 Lewis, William H., Lincoln.

Forty others passed.

*Examiners.*

C. W. Boase.  
 H. B. George.  
 Colchester.

*In S. Theologia.*

## CLASSIS I.

Dundas, Charles L., Brasenose.

## CLASSIS II.

Turner, George K., New College.

## CLASSIS III.

Trotman, Arthur L., St. Mary Hall.

## CLASSIS IV.

Dyer, Thomas T., Pembroke.  
Elliott-Smith, Henry J., Worcester.*Examiners.*W. Chester.  
R. P. Smith.  
W. B. T. Jones.

## MODERATIONS.

Term Trin. 1870.

*In Litt. Gr. et Lat.*

## I.

Courtney, William L., University.  
Furneaux, William M., Corpus.  
Gibson, Charles H., St. John's.  
Gibson, Walter S., Balliol.  
Gilkes, Arthur H., Ch. Ch.  
Green, Martin H., Corpus.  
Hall, Francis H., Corpus.  
Masterman, John S., Corpus.  
Read, Philip, Lincoln.  
Traies, William, Worcester.  
Wilson, John C., Balliol.

## II.

Agar, Thomas, Ch. Ch.  
Allanson, Edward P., Queen's.  
Armitstead, Francis E., Exeter.  
Barnwell, Frederic L., Magdalen.  
Chettle, Henry, Exeter.  
Connell, Arthur K., New College.  
Cooper, Vincent K., Brasenose.  
Davies, John H., Jesus.  
Dawson, George H., Wadham.  
De Sausmarez, Fred. B., Pembroke.  
Durrant, Ernest, New College.  
Escott, William W. S., Trinity.  
Fawkes, Alfred, Balliol.  
Freeman, George M., Corpus.  
Garrod, Herbert B., Merton.  
Gillespie, George B., Balliol.  
Gordon, John S. M., Balliol.  
Green, Gilbert L., New College.  
Hannay, Thomas S., Trinity.  
Hutton, Edward M., Queen's.  
Jupp, Edward K., Ch. Ch.  
Lefroy, William C., Ch. Ch.  
Lloyd, Daniel, Jesus.  
Longridge, William H., Corpus.  
Manson, Edward G. D., Brasenose.  
Meredith, William M., Magd. Hall.  
Moore, David, Exeter.  
Mosley, Tonman, Corpus.  
Moullin, Charles G., Pembroke.  
Mowbray, Robert G. C., Balliol.  
Orl, Richard, Balliol.  
Piloher, Giles T., Corpus.  
Price, Henry S. B., Merton.  
Priestley, William, University.*In Disc. Math.*

## I.

Baynes, Robert E., Wadham.  
Becker, Wilfred, New College.  
Fisher, Ambrose B., Balliol.  
Handsomebody, H. E., St. John's.  
Hotham, Arthur, Brasenose.  
Micholls, Sidney P., New College.  
Tylecote, Edward F. S., St. John's.  
Young, Herbert, Queen's.

## II.

Hummel, Francis H., Worcester.  
Tylecote, Charles B. L., Queen's.

Sharp, Granville, Lincoln.  
 Simmons, Charles, Balliol.  
 Stanger, Henry, Lincoln.  
 Wannop, Arthur E., Brasenose.  
 Warner, William C., Exeter.  
 Whittuck, Charles A., Oriol.  
 Williams, Robert ap H., Ch. Ch.  
 Wilson, William J., Wadham.  
 Wood, John B., Merton.  
 Wynne-Jones, John, Ch. Ch.

## III.

Black, Charles, New College.  
 Bowcott, Richard, Jesus.  
 Brock, Henry W., Exeter.  
 Collins, John C., Balliol.  
 Cree, Charles E., University.  
 Digby, Algernon, Corpus.  
 Fawcett, Walter M., Merton.  
 Hay, John Y., Balliol.  
 Heathcote, Samuel S., Exeter.  
 Hodges, Edward N., Queen's.  
 Hopwood, Harold R., Oriol.  
 Janson, Charles A., University.  
 Mac Clymont, Colin R., Balliol.  
 Mackay, Thomas, New College.  
 Mitchell, John, University.  
 Moullin, James A., Pembroke.  
 Norbury, Willoughby, Brasenose.  
 Parsons, James, New College.  
 Poyser, Arthur H., Ch. Ch.  
 Rorison, Wm. M. M., St. John's.

## III.

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LITT. GR. ET LAT.	DISC. MATH.
W. W. Merry.	F. Harrison.
J. R. King.	G. S. Ward.
J. Wordsworth.	E. Moore.
H. C. Ogle.	

## Term Mich. 1870.

*In Litt. Gr. et. Lat.*

## I.

Bourne, Charles F., St. John's.  
 Christie, Thomas, Lincoln.  
 Cross, John, Balliol.  
 Dasant, George W. M., Ch. Ch.  
 Fowler, William W., Jesus.  
 Gibbons, Edward T., Exeter.  
 Grey, William, Exeter.  
 Perry, Walter C., Exeter.  
 Russell, John, Balliol.  
 Stock, St. George G. J., Pembroke.

## II.

Austin, Robert J., Magdalen Hall.  
 Baldwin, Montague, Pembroke.  
 Ball, Charles J., Queen's.  
 Bennett, Edmund T., Magdalen.  
 Bennett, Frank E., New College.  
 Blackwood, Arthur R., Balliol.  
 Daubeny, Walter H., Magdalen.  
 De Moleyns, Thomas E., Lincoln.  
 Drummond, James R., New College.  
 Elgin, Earl of, Balliol.  
 Gristock, Alfred G., Magdalen Hall.  
 Hansell, Edward A., Pembroke.  
 Harrison, Albert E., Worcester.  
 Hoare, Henry S., New College.  
 Hotham, Arthur, Brasenose.

*In Disc. Math.*

## I.

Buckley, James G., Balliol.  
 Eastgate, Charles E., Merton.  
 Harrison, Percy K., Pembroke.  
 Knollys, Clement C., Magdalen.  
 Milner, Richard J., Exeter.  
 Tanner, Henry G. Ll., Jesus.

## II.

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 Enfield, Ernest W., Corpus.  
 Young, John E., Balliol.

Humme, Francis, Worcester.  
 James, Arthur O., Lincoln.  
 Lloyd, Charles H., Magdalen Hall.  
 Macnoill, John G. S., Ch. Ch.  
 Monnington, Walter, Worcester.  
 Morgan, Charles L. G., Worcester.  
 Mulvany, William C., Magdalen.  
 Neale, John A., Queen's.  
 Nicholas, William Ll., Jesus.  
 Pelham, Sidney, Magdalen.  
 Pickford, William, Exeter.  
 Ploetz, Richard A., Magdalen.  
 Powell, Thomas, Jesus.  
 Prior, Charles E., Queen's.  
 Ranking, John, Magdalen Hall.  
 Russell, Louis P., Trinity.  
 Sinclair, William M., Balliol.  
 Smith, Stanley Le B., University.  
 St. Barbe, Henry L., Brasenose.  
 Strotton, John G. M., Wadham.  
 Tickell, Henry E. Du M., Wadham.  
 Tyacke, Thomas, Merton.  
 Wade, Claude F., Magdalen.  
 Walshe, William H., Worcester.  
 Wollaston, Charles H. R., Trinity.  
 Wright, Thomas H., Trinity.  
 Young, John, Balliol.

## III.

Abney, Charles E., Exeter.  
 Adamson, Arthur G., Worcester.  
 Atkinson, John T., Brasenose.  
 Ayre, Joseph H., Trinity.  
 Buckmaster, Charles J., Queen's.  
 Carrington, John W., Lincoln.  
 Cornish, Stephen, Oriol.  
 Cull John B., Balliol.  
 Elwell, Edward S., Worcester.  
 Farror, William, Balliol.  
 Flowers, Richmond, Lincoln.  
 Footo, Alexander, Trinity.  
 Fox, Stephen N., New College.  
 Furneaux, Walter C., Brasenose.  
 Garner, William, Jesus.  
 Hardy, Henry, Queen's.  
 Harper, Walter, Trinity.  
 Hervey, John J., Trinity.  
 Howell, Bulmer, Corpus.  
 Kempe, Wilfred J., Worcester.  
 Kenrick, Charles G. H., Brasenose.  
 Loch, Charles S., Balliol.  
 Longridge, James, Brasenose.  
 Luttmann-Johnson, James A., Trinity.  
 Malan, Edward C., Worcester.  
 Miles, Charles O., Trinity.  
 Mortlock, Charles F., Queen's.  
 Murray, George H., Ch. Ch.  
 Nolloth, Charles F., Oriol.  
 Raikes, Thomas D., Oriol.  
 Ramsden, Henry P., Worcester.  
 Richmond, Wilfred J., Unattached.  
 Sandford, George H. W., New College.  
 Scott, Alfred, Balliol.  
 Shiers, Joseph, Brasenose.  
 Todd, Thomas M., Queen's.  
 Towzskend, William, Brasenose.

## III.

Fitzgerald, Walter, Ch. Ch.  
 Humphrey, A. G. P., Lincoln.

*Moderators.*

LITT. GR. ET LAT.	DISC. MATH.
W. W. Merry.	F. Harrison.
W. Baker.	G. S. Ward.
J. Wordsworth.	E. Moore.
H. C. Ogle.	

## CAMBRIDGE.

## MATHEMATICAL TRIPOS.

## MODERATORS.

Frederick Charles Wace, M.A., St. John's.  
Arthur Cockshott, M.A., Trinity.

## EXAMINERS.

Joseph Wolstenholme, M.A., Christ's.  
James Clerk Maxwell, M.A., Trinity.

WRANGLERS<sup>1</sup>.

Ds. Pendlebury, John's <sup>2</sup> .		Baynes, John's.
Greenhill, John's <sup>2</sup> .		Birks $\alpha$ , Trinity.
Levett, John's.		Lingen, Pembroke.
{ Hunter, Jesus.		Smith, Christ's.
{ Stephen, Corpus.		Stanton $\beta$ , Trinity.
{ Haslam, John's.		Drury $\gamma$ , Christ's.
{ Henderson, Pembroke.		Cardwell, Caius.
{ Blaikie, Caius.		Griffith, John's.
{ Watson, Trinity.		Marshall, F. E., Trinity.
{ Richardson, Trinity.		Messiter, Caius.
{ Hilary, John's.		Barnett, John's.
{ Noon, John's.		Codd, Peter's.
{ Tennant, Trinity.		Wheatcroft, John's.
{ Gurney, Clare.		Daukes, Christ's.
{ Hewitt, Peter's.		Willock, Sidney.
{ Baggallay, Caius.		Hogg, John's.
{ Hathornthwaite $\gamma$ , John's.		Jenkins, Peter's.
{ Jeffares, Queens'.		Boutflower, Corpus.
{ Hitchins, Sidney.		Bridges, John's.
		Templeton, Trinity.

## SENIOR OPTIMES.

Ds. South $\beta$ , Trinity.		Brock, Corpus.
{ Batchelor, Emmanuel.		Pate, John's.
{ Hicks, Sidney.		Coleby, John's.
{ Blake, Jesus.		Prince, Pembroke.
{ Bowen, Corpus.		Martin, John's.
{ Kingsmill, Caius.		Thurlow, Caius.
{ Pryor, Trinity.		Allen, John's.
{ May, Jesus.		Atchison, Christ's.
{ Gosset, King's.		Dixon, John's.
{ Lumb, Down.		Smythies, Trinity.
{ Barnard, Clare.		Evans, John's.
{ Matthews, Emmanuel.		Blenkiron, Trinity.
{ Matthews, Sidney.		Hulbert, Corpus.
{ North, Clare.		Green, Corpus.
{ Reeve, Christ's.		Sarson, Catherine's.
{ Jones, W. A., John's.		Constable, Trinity.
{ Clark, Trinity.		Railston, Trinity Hall.
{ Borton, King's.		Marsh, Pembroke.
{ Leeke, Trinity.		

<sup>1</sup> In all cases of equality the names are bracketed.  $\alpha$  denotes that the person was in the first class of the Classical Tripos;  $\beta$  in the second;  $\gamma$  in the third.

<sup>2</sup> Equal as Smith's Prizemen.



## JUNIOR OPTIMES.

Ds. { Ash, Caius. { Cartwright, Sidney. { Drought, Trinity. { Tillard γ, Corpus. Darwin, Trinity. { Du Pre, Trinity. { Knowles, Trinity. Mathias, Catherine's. Spencer, John's. Bunbury, Trinity. Bidwell, Caius. White, Caius. { Davison, Magdalen. { Gibson, Trinity. { Martin, Trinity. { Mitchell, Emmanuel. Close, John's. Knox, Caius. Park, W. U., John's. Thompson, John's.	Forbes, Trinity. Hoyles, Emmanuel. Forrest, John's. { Edwards, Magdalen. Herbert, Corpus. { Watson, Emmanuel. { Bradley, Christ's. { Masters, Emmanuel. { Hayes, Trinity Hall. { Phelps, Sidney. { Falkner, Christ's. { Syckelmoore, John's. { Cooper, John's. { Travers, Trinity. Harrison, Clare. Ingham, Trinity. Young, W., Caius. Nicol, Emmanuel. Williams, Corpus.
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## CLASSICAL TRIPOS.

## EXAMINERS.

William Francis Smith, M.A., St. John's.  
 Edwin Trevor Septimus Carr, M.A., Catherine's.  
 William Edmund Currey, M.A., Trinity.  
 Henry Jackson, M.A., Trinity.  
 William Charles Green, M.A., King's.  
 Charles Edward Graves, M.A., St. John's.

## FIRST CLASS.

Ds. { Bonser, Christ's. { Whitaker, John's. Thomson, Trinity. { Kennedy, King's. { Seward, John's. { Watson, John's. Birks, Trinity. { Greenwood, Trinity. { Leech, Caius.	{ Crawley, Downing. { Peile, Trinity. Davis, Christ's. { Fyson, Christ's. { Marklove, John's. Saxton, John's. Francis, Jesus. Baker, H., John's.
--	---

## SECOND CLASS.

Ds. { Radcliffe, King's. { Reynolds, Christ's. Webb, Caius. South, Trinity. { Paterson, Christ's. { Ledsam, Queens'. { Smith, Magdalen. Seaman, Corpus. Koymer, Pembroke. Woldon, John's. { Chevallier, Jesus. { Miller, Magdalen.	{ England, Trinity. { Mills, Pembroke. Stanton, Trinity. { Bembridge, Christ's. { Frost, Corpus. Forster, Trinity. McGill, Trinity. { Blumhardt, Magdalen. { Powell, John's. Collyer, Clare. { Allen, Peter's. { Geare, Catherine's. { Paget, Trinity Hall.
---	---

## THIRD CLASS.

Ds. { Cooke, Trinity. { Stow, Trinity. Burdon, Trinity. Johnson, Emmanuel. { Jelly, Trinity. { Smith, King's. Drury, Christ's. Hayne, Trinity. Norris, John's. Thompson, Trinity. Taylor, Catherine's. Hoare, John's.	{ Tillard, Corpus. { Whistler, Peter's. Hathornthwaite, John's. Sweet, Magdalen. Keyser, Trinity. Wirgman, Magdalen. Lee, Corpus. Chaytor, John's. Wilson, J. R., Trinity. Purvis, Downing. Eloum, Sidney. Dickson, Trinity
--	--

## MORAL SCIENCES TRIPOS.

## EXAMINERS.

Joseph Bickersteth Mayor, M.A., St. John's.  
 Spencer Mansel, M.A., Trinity.  
 John Venn, M.A., Caius.  
 George G. Scott, M.A., Jesus.

## FIRST CLASS.

Foxwell, John's.  
 Burder, John's.  
 Thomas, Trinity.

## SECOND CLASS.

Noon, John's.  
 Howson, Christ's.  
 Wilkes, John's.  
 Footman, Peter's.

## THIRD CLASS.

Curtis, Christ's.  
 England, B. A., Trinity.  
 Empson, Trinity.  
 Hankey, C., Trinity.

Matthews, Trinity Hall.  
 Walker, Corpus.  
 Sarson, B. A., Catherine's.  
 Ghica, Trinity.

## LAW AND MODERN HISTORY TRIPOS.

## EXAMINERS.

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 Robert Campbell, M.A., Trinity Hall.  
 Hugh Cowie, M.A., Trinity College.  
 J. W. Willis Bund, M.A., Gonville and Caius College.

## FIRST CLASS.

Nugent, Trinity.

## SECOND CLASS.

Tobias, Sidney.  
 Francis, Trinity.  
 { Paget, Trinity Hall.  
 { Reynell, Trinity Hall.  
 Kynnersley, Trinity.  
 Gemmell, Trinity.  
 Bidwell, Caius.  
 Wilde, Trinity.

## THIRD CLASS.

Baggallay, Caius.  
 Boxall, Emmanuel.  
 Rowe, Trinity.  
 Haggin, John's.  
 Purvis, Downing.  
 Hurrell, Trinity.  
 Stirling, Trinity.  
 Nash, Trinity.  
 Staples, Trinity.  
 Naylor, Trinity.  
 Rawlinson, Trinity.  
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