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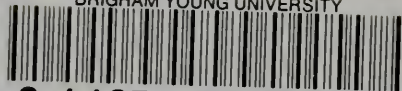
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~~September 1928.~~



*Geo. J. Graham*

# PAMPHLETS

FOR THE

## PEOPLE.

EDITED BY

J. A. ROEBUCK, M.P.

VOL. I.

LONDON:

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PRINTED BY JOHN JOHNSON



**ON THE MEANS OF  
CONVEYING INFORMATION  
TO THE PEOPLE.**

WITH

**AN APPENDIX,**

CONTAINING OBSERVATIONS RESPECTING THE CONDUCT OF CERTAIN  
MEMBERS OF THE HOUSE OF COMMONS ON MR GROTE'S MOTION, OF  
THE SECOND OF JUNE LAST, IN FAVOUR OF THE BALLOT.

**By J. A. ROEBUCK, M.P.**

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# ON THE MEANS OF CONVEYING INFORMATION TO THE PEOPLE.

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It hath pleased the paternal government of this country to lay certain restrictions upon the means of conveying information to the people: some of these restrictions are imposed under the pretence of levying a revenue; others, without disguise, have been forged for the express purpose of preventing the people knowing what is being done by their so-called representatives. It is to the last class that, for the present moment, I desire to call the attention of the reader.

Mr Cobbett, during the time of great distress that followed the peace of 1815, commenced a publication, called 'Two-penny Trash.' This publication, from its price, was within the reach even of the poor. Mr Cobbett chose to indulge in strictures upon the conduct of the then government, and he clothed his strictures in language so striking, while his price was so low, that not only did he render the people able, but what was worse in this case, he made them willing to buy and read them. The government took alarm at this proceeding. The people, in the widest signification of that term, were now about to be made actually cognizant of the conduct of their rulers. Hating the salutary control that would have resulted from this knowledge, the government set themselves diligently to work in order to put an end to the inculcation of it.

What the government feared was, that the mass of the people, that is, the labouring millions, should hear of and understand their proceedings. So long as the rich few were the only persons informed of them, they were perfectly at their ease: when the poor many were enabled to pry into and criticise their conduct, then, indeed, the ministers were naturally and dreadfully

frightened. The grand object was to shut out the gaze of the multitude—to build up a high and thick wall between themselves and the millions without. Having a shrewd sense of the evil, they formed the remedy with great care, and no small sinister sagacity. When mischief is to be done, the best instrument is an act of parliament; so they determined to pass certain acts, now consigned to deserved ignominy, under the well-known title of "the Six Acts;" the precious offspring of the brains and cankered hearts of Lord Castlereagh and company. One of these acts was distinguished from its brethren by the popular name of Cobbett's "Two-penny Trash Act." The thunders of the law were to be directed against the means of conveying knowledge to the poor, and the following were the means adopted. It was rendered a crime to convey intelligence, to relate any circumstances connected with church or state, or to publish any "comments thereon" in any publication, the price of which was under sixpence, and which issued oftener than once in twenty-six days, unless the publication paid a four-penny stamp duty. The framers of this exquisite specimen of legislation knew two things. They knew first, that the people, that is, the labouring millions, were little interested in publications that did not convey what they signified by intelligence,—meaning thereby the intelligence of the day,—did not treat of matters relating to church or state. They knew secondly, that, by imposing the stamp duty upon such publications, the price would be raised above the means of the people. They therefore believed that they should thus be able to consign the people to helpless ignorance.

The atrocity of this disgraceful enactment deserves to be duly appreciated—and that for two reasons; we shall in the first place be able fairly to estimate the character of the statesmen who enacted this stain upon our laws, and in the second, to understand the patriotism of those liberal and reforming ministers who continue it.

I assume that it is the first duty of a government to take the most effectual means of making the people obey all laws which justly protect person, property, and reputation. I also assume it to be the duty of the government to seek rather for means of prevention, than of punishment; that is, that it should not so much seek to deter the citizens generally from breaking the law through the terror created by punishing such as have broken it, as by taking precautions, that no one should have the desire to break it. Now one of the most effectual, one of the most necessary, means of creating this desire, is to teach the people what the law is. Let us understand the mode in which the government of England teaches the law to its people. In the first place, it writes its laws in a language totally unintelligible to any one who has not spent a life in trying to understand it; and this, in England, is called learning the science of the law. Secondly, having promulgated the law in this jargon, it next creates a monopoly in the printing of it. Let us see the true working of this machinery, by taking a particular case of it. The Parliament passes an Act of Parliament, say, respecting combinations of the working people: the act is totally unintelligible, and takes its place amid a heap of other acts, and lies hidden in the mass called the “statutes at large,” of which the people, that is, not one person in one hundred thousand, ever see even the outside: sometime after, the Parliament passes another act, relating to the same subject—without which, the former act now becomes unintelligible, even to lawyers themselves—and this second act is buried in the same way, and in the same voluminous publication: both the one and the other are completely hidden from the persons whose conduct they are intended to regulate. Some years after this the rich people became frightened by the temper and proceedings of the working classes. While the rich are thus frightened, a few ignorant labourers,—say the Dorchester labourers,—

combine for certain useful purposes: the rich go to a lawyer and ask him if they (the poor labourers) cannot be punished for thus combining? The lawyer hunts up the two acts that have lain hidden for so long in that grand hiding place, the “statutes at large,” and he pounces upon these unfortunate and necessarily ignorant men. Necessarily ignorant, I say, and I will prove my assertion. A benevolent and really patriotic friend of the working man—in fact, one of themselves (I see no reason why I should not name him)—Mr Place, wished to publish a small and cheap abridgment of the Combination Laws—but before doing so, he had a case laid before the present Lord Chief Justice of the Common Pleas, then Mr Tindal, to know if such a publication would be legal, and it was replied that it would be *illegal*. The Statutes the people could not buy, if they had wished; the separate Acts they knew nothing of, and they who desired to instruct them were prevented by this trash act, because it would be publishing *intelligence*.\* But to proceed in showing how the Government promulgates the law:—the lawyer, as I said before, pounces upon these necessarily ignorant men: he condemns them to transportation for life, and through this, their sentence, it is expected that the labourers will learn the law. But, behold! the newspaper which would tell the labourer the fact of the condemnation of his fellows, is taxed so highly, that he cannot buy it, so that he is compelled to rest in ignorance, and perhaps may learn the law like his unfortunate and guiltless fellows, by incurring its penalties. Such, reader, is the mode of promulgating the law, adopted by the paternal Government of England, and such is one of the blessed fruits of those atrocious restrictions on the press, which the present Ministry refuse to abolish.

The catalogue of evils, however, does not end here. It so happens, that, although the man whose mind is trained specifically to the investigation of truth, viz. the philosopher, may be content to take, as illustrations of great principles, fictitious cases, which do not interest his feelings, the generality of mankind are unable to bend their attention to such cases, and are always unwilling to

\* How this opinion was arrived at baffles my apprehension; nevertheless, the fact is as I have stated it.

entertain them. The great majority of the rich, for example, feel this repugnance, and crave after the news of the day, and the law does not prevent *their* thus acquiring information through means that interest and amuse, while they instruct. The poor, however, who are of the same frame of mind, are cruelly shut out from this source of instruction. The rich are allowed, from the passing events of the day, to reap whatever knowledge they convey: the poor, who, like the rich are interested in the occurrences of the present time, are compelled to be ignorant of them. The law steps in and says to the poor man, "You shall not hear of or learn these events unless you pay a sum above your means. It is true you ought to be instructed—it is true that you wish to be so—that you thirst after knowledge—and that could you attain it, you would be both better and happier—but all this notwithstanding, I condemn you to ignorance, because the rich, who have made me, fear the knowledge of the people. What do they care for your loss of pleasant recreation—of noble and inspiring ideas and feelings? They, the rich, tremble while you read—they dread the magnanimous spirit which knowledge creates; and they would rather see you ignorant, wretched, and *dependent*, than instructed, happy, and blessed with a generous *independence*." Such is, in fact, the language of the rich man's law—such is the language of that law which the Liberal Ministry, made by the breath of the people, have determined to retain.

It behoves good men to learn whether the mischievous influence of this law cannot be counteracted. Early in the year 1833, a body of persons united for the purpose of devising means of diffusing moral and political knowledge among the people. The chief movers in this scheme were Mr Hume, the member for Middlesex, Mr Grote, the member for London, Mr Warburton, the member for Bridport, Mr Francis Place, and myself. Several others joined us, and we hoped to be able to furnish to the great body of the people the means of acquiring a knowledge of their duty as citizens, as well as of generally instructing themselves. We contemplated the republication of standard works at a low price, and also the publication of new works of solid instruction expressly written for our asso-

ciation. And we further, as the great, indeed the only means of enabling us to do this, intended to establish a weekly periodical, which should contain moral and political discussions, resulting from the occurrences of the day. The whole of this scheme was rendered abortive by the state of the law and the conduct of the then ministry. We were given to understand that Lord Althorp contemplated the abolition of the stamp duties on newspapers, as well as the repeal of the odious "Trash Act;" and it was deemed advisable to remain quiet until he had done so, and not to attempt to brave the law, or to devise means by which its enactments might be *legally* evaded. The world knows but too well what Lord Althorp did—or rather did not do. With constant protestations respecting his desire to take off this impost, he allowed it to remain, in spite of the most cogent arguments and convincing evidence that went to prove, first, that the revenue would lose nothing by such repeal, and secondly, that the people at large would derive immense benefit from it. Our society separated, and awaited Lord Althorp's good deeds. These good deeds were never performed, and we are still labouring under the same difficulty, and shackled by the same mischievous law. Mr S. Rice has no intention of being wiser or better than his predecessors. He cannot\* be made to see that no injury would happen to the revenue by the repeal of the law, and having no popular sympathies, he is careless of the mischievous consequences resulting from restrictions on popular instruction.

What, then, is to be done? Are we to rest contented with this condition; confine ourselves to mere complaining, and leave untried what remains to us of instructing one another? I have, myself, long since answered this question, and have determined to try the value of such means as the law still allows. Being deprived of the best instrument, let us try an inferior one. Good may be effected even by failure. To this end of trying the means that remain to us,

\* I say "cannot." I suspect the more correct phrase would be "will not." Mr Rice is amazingly profuse of liberal professions. The however, who judge of the worth of professions by the character of him who makes them, will be at no loss to estimate the value of Mr Spry Rice's liberal declarations.

we have organized a society similar to the one I have described above—*A society for the diffusion of moral and political knowledge.*

By this society I have been, and am still to be, furnished with a variety of pamphlets on various political and moral subjects. These pamphlets I have undertaken to edit, and to publish at such times and in such manner as to me may seem advisable. The plan that I have determined to adopt is as follows:—

Each pamphlet will form a separate work; but, by whomsoever written, my name will appear on the title-page as editor; and by this mode they will be known to emanate from the Society. One of these, at least, will be published every week, though, if I see reason, they will be issued yet more frequently.

By this means the leading matters of present political interest will be brought before the people, without any infringement of the existing atrocious law. As we do not take advantage of the benefits of being a periodical, as each pamphlet is a separate and distinct work, we are without the reach of the trash act. I could, indeed, bring all these works out at once, but this does not suit my convenience or my wishes. They must be published by degrees, and, as I wish to distinguish them from all others, I affix my own name as a distinctive mark.

Agencies, extended over Great Britain and Ireland, will disseminate these publications over every part of the land. The price will place them within the reach of every man; and it is hoped that the subject matter will attract their attention, will conciliate their good will, while it affords them instruction.

Here it may be asked of me, to what end are these publications directed—what are the principles they will attempt to propagate—by what right do you assume the character of popular instructors? I will answer these questions as plainly as I have put them.

The object we have in view is to instruct the people in their relative *duties* as citizens; to point out to them the *rights* which they ought to seek to attain. We believe that no people can be well governed that does not govern itself; but also, that the mere possession of power by the people is not sufficient to insure a right employment of it.

To this end knowledge, and a sound morality, are necessary: the people, if they be wise and moral, can govern themselves well. Their interests are all on the side of good government; and, if good government is to be hoped for on earth, it must be the offspring of democracy. The interests of any small fraction of the people possessing the power of ruling are powerfully opposed to good government. The more highly you instruct this fraction, the more necessarily do you make them an efficient instrument of despotism. We seek to increase and consolidate the power of the people, by increasing their knowledge both of the principles of government and morality.

Take an ignorant and barbarous people and confer on them a completely democratic government—you will create nothing beyond a barbarous and ignorant government. The government, under the best system, can but be the reflexion of the people: if they be wise, by adopting a good system, you will produce a wise government; if they be ignorant, an ignorant one. A democracy, of itself, is not all-sufficient. It is necessary, indeed, to good government; but it is not good government itself. Our ultimate end, then, is to promote the attainment of good government; and we propose to do so by making the people understand what is meant by that oft-abused phrase. We desire to instruct them in their rights and their duties, well assured that, when once the mass of the people shall really understand them, no power will prevent their attaining the one and performing the other.

But the inquirer may say, can you not be somewhat more specific in your account of what you signify by good government? I hope we can; but I answer, completely to explain what we mean by this phrase is the very object of the whole of the works we intend to publish. This complete explanation will be a long business, and will, I hope, occupy us for many months to come. In the mean time, however, even in this rapid sketch, I may be somewhat more particular and explicit.

A good government, I take to be that which—1, insures to every man against oppression, whether foreign or domestic, his personal safety, his property, and his reputation; and—2, which sagaciously employs the resources and powers of the whole

people to perform such necessary labours as cannot so well be done by individual exertion.

Before these ends can be attained, many and complicated are the matters that must be settled, and, if the people are to be the government, that by them must be understood. For example, what degree of personal safety every man ought to be deemed intitled to—what ought to be considered property, what reputation: and, advancing to the second part of the duties of a government, what are those matters for the general benefit, which the government can with utility undertake for the people at large. This then is the end, mark how complicated are the means necessary to attain it, and how many things the people must really and thoroughly know before it can be attained. For example, let us glance at the varied duties that are imposed on every man, merely as one of a political society. It is clear that, although the people ought to govern, they cannot do so directly and by themselves. They must choose representatives to act for them. What an immense number of questions immediately arise, respecting this single matter of choosing representatives. The elector should have a clear conception first of the duties of a representative. He should understand what sort of qualities are necessary to constitute a good representative. Does any man in his senses believe that the electors of Great Britain generally possess this knowledge? Would they have returned such men as now constitute the greater part of the House of Commons if they had possessed only a tithe of this requisite information? Then again, the elector should know his own duties—he should understand the nature of the great duty he has to perform, and what should be the influences by which he should be guided while performing it. Let any man take part in an election, and he will quickly learn how very far the mass of the people are from knowing or obeying the right influences. Private pique, prejudice, passion, whim, conceit, vanity, and a hundred other such despicable influences now govern nine tenths of the votes that are given. The result the people know—it is the present House of Commons.—The evil composition of this House is usually attributed to corruption

and intimidation—not a little of it, however, is due to ignorance. No man is a greater friend to democracy than I am;—unless the people govern, good government is, in my opinion, unattainable. But I am not so blinded by this persuasion, as to believe that all the people do is wise—neither can I be persuaded to call the people wise, when I believe them to be ignorant. Many then, I say, whom the people (having the power to choose) have sent to that House as their friends, have proved themselves amongst the most mischievous of their enemies. They have been chosen under the influence often of passion, still more often of prejudice, and, not seldom in downright, total ignorance. We seek to obviate these evils, not as many advise, by depriving the people of power, but by conferring on them the knowledge requisite to enable them to use it to their own advantage.

Day by day we see the people gaining power—day by day therefore the necessity increases for the possession of information by the people. We do not suppose indeed, that the mass of mankind can become legislators—or ever acquire the knowledge which a legislator ought to possess. But we do hope and confidently trust, that the people generally may be so far instructed as to be able to judge accurately of the intellectual and moral worth of those whom they select as their representatives. A man may be ignorant of medicine, and of law, and yet from the general cultivation of his intellect be well capable of selecting with judgment his physician and his lawyer:—so a man may be ignorant of legislation, but yet be able to know whether a given candidate be fit for the difficult and responsible office of a legislator. This general training, and that sort of knowledge requisite to accurate judgment in such matters is becoming daily of infinite importance. The bill just proposed by Lord John Russell, by which the great body of the people in towns will be endowed with self-government in all matters relating to their town affairs, renders it absolutely necessary that the people should acquire the knowledge needed for the right exercise of this power. Is it not a lamentable thing that obstacles should be thrown in the way of those who seek to instruct the people in such matters—who

would attempt to rouse them by discussion, and attract their attention by making them feel and appreciate their interests in the great affair of corporation government? How many thousands will be called upon to act who never read even a newspaper! How many will be forced to decide upon questions respecting which they are profoundly ignorant—and which have been studiously kept out of their sight by the operation of law. If the rich shall suffer from this, they will reap their due reward. They will suffer from that ignorance, which they have engendered and maintained. The poor have long enough suffered from the vice and cupidity of the rich—if the rich receive some harm from the ignorance of the poor it will be an apt punishment—the more so, as they have been the authors of the evil, which thus falls upon themselves. We have tried long enough the blessings of an aristocracy. We have seen that good government is wholly incompatible with aristocratic rule. We are driven to democracy, as an experiment, whether we will or not—common prudence then would induce us to try democracy under its most favourable aspect. That is among an instructed in place of an ignorant people.

This however, is only one class of cases out of many, upon which knowledge is of immediate importance to the very being of the people. Great and deplorable is the misery which many of them are doomed to suffer. If their exertions to relieve this misery are directed to wrong objects, their efforts will necessarily be ineffectual—the misery will remain, and despair be added to misfortune. If it be possible to alleviate this wretchedness by knowledge, (and whether it be so has never yet been tried) how guilty is that government which condemns the people to ignorance. That instruction is the only cure for the many bitter pangs which the millions have hitherto been doomed to suffer, is my firm belief. So believing, I am impelled by a strong and paramount feeling of duty to direct my efforts, however humble, to improving the means by which instruction may reach the people, as well as to contribute, as far as in me lies, to the instruction itself. It has long appeared to me that the more instructed and intelligent of the labouring classes have, for the most part, mistaken the causes of their misery; that

their efforts to relieve themselves have been misdirected, and that many, who called themselves their friends, have wilfully deceived them. One of the chief objects that I and my friends have in view, is to discuss fairly with the people, the various circumstances upon which their happiness and misery must be dependent, and to investigate the worth and efficacy of the various remedies which have been suggested for the ills they have hitherto suffered. We do not fear that while thus employed we shall lose the people's good will. We do not claim for ourselves any infallibility. We may be wrong, and they right—continued discussion will teach us all where the error and the mischief lie; and as we shall bring to the investigation minds intensely desirous of attaining truth, we well know that, with the people, we shall gain a fair and impartial hearing.

More worthy ends than these, we believe, no men ever proposed to themselves. Still we are fully aware, that calumny, and every species of interested and vicious opposition await us while endeavouring to attain them. Contempt and scorn and indignation will pour out the vials of their wrath upon us, and every sort of interested and disgraceful motive will be found for our proceeding. To all these statements our answer must be, the works we publish. Doubtless they who are enemies of popular government, those who wish to uphold the tottering fragments of Tory domination, will not be satisfied with this reply. Believing that the spirit we desire to infuse into the people is a mischievous spirit, dreading and hating that democratic influence which it is our aim to create and to maintain, the more clearly they understand our purpose, and the more we appear likely to attain it, the more fierce will be their opposition, the more violent and loud their denunciation, and as they are not scrupulous as to the means they adopt, the more horrible and fearful will be the various objects and consequences which they will predict as the result of our endeavours. A desire to promote ruin, anarchy, and confusion—a wish to profit by the dreadful confusion consequent on popular commotion—utter recklessness respecting the welfare and quiet of the people, these, and a hundred others even yet more appalling, will be the accusations



that will unhesitatingly be brought against us, not merely without proof, but in spite of it. It will be said that we seek to destroy the influence of the richer and more respectable classes; that we are about to set up a mob dominion, and that all that is revered, all that is worthy, all that is ancient, all that is venerable, will, under our baneful touch, pass away and be heard of no more. This is the sort of language used when any real and straightforward attempt is made to teach the people. If we were to confine ourselves to giving descriptions of the habits and manners of insects—if we were to lay before our readers pictures of bears and tigers, or describe a plantain leaf on a coconut, then indeed we should, like Lord Brougham and his society, merely be laughed at. Ridicule would be thrown upon us, because we sought to give the people innocent and ennobling means of recreation. Of what use to the hard-working smith, we should contemptuously be asked, a knowledge of the history of a silk-worm—how can he be interested in the economy of the ant or the beaver? What beauty can the ruins of antiquity have in his uneducated, and unsentimental eyes? Is he not a smith, accustomed to the buzz and dust, roar and clang of a forge—is he not contented as he is, and are you not throwing away your labour, and pretending unworthily to be deemed popular instructors, by attempting to accustom his coarse and vulgar mind to delicate and refined enjoyment? Such is the language employed when the people are spoken of—such the sympathy evinced with their feelings and their pleasures. Were we about simply to provide more mental recreation for the people, triumphantly we could answer this base questioning, and laugh to scorn both the contempt and him who evinced it. But we have higher game before us. The language used to us will be of a very different character—the same spirit indeed will still incite the opponents of popular instruction, but in our case fear will be added to hate. *We seek to make the people participators in the business of government, and also to render them worthy of the office.* Hitherto the ruling cry in England has been, “that those who think must govern those who toil.” And thereupon it has been assumed, that all those who do not toil, necessarily, think. We

deny the assumption and the conclusion drawn from it. They who toil may think, and be so instructed as to be capable of taking a useful as well as active part in politics. I do not mean by this, that the mechanic is to turn legislator, though I conceive him far better fitted for the task than the idle, ignorant, extravagant, demoralized, high-born, and self-constituted legislators, that have but too often been our rulers. But I seek to make him an instructed and careful witness of the legislator’s proceedings: to give him, in the last resort, a control over the legislator’s conduct, and, by instructing, render him capable of truly appreciating it—approving where the legislator is right—blaming where he is wrong. It is because we seek this, that the cry will be raised against us. It is for this that we shall be called lovers of anarchy and confusion. We do indeed seek to destroy—but what? Not that which is good, but that which is bad. Convinced of the evils of aristocratic domination, we wish Democracy to raise her front, and to frighten down the corrupt demon of a dominant aristocracy. But how do we seek to effect this? By making the people strong in knowledge—by teaching them—where and how the evils which now beset us are generated and nourished, and by making it impossible for the aristocracy to retain their mischievous dominion, because the people as one man shall demand that they relinquish it. If confusion should follow this reasonable and just demand, on whose head ought the consequence to be? When the discovered robber fights and creates disturbance, is the fault in the thief, or him who has discovered him. If the owner of the property be silent and pursue not, there will be quiet indeed; but there will not, therefore, be safety and confidence. The honest man will tremble and be afraid, while the depredator will walk the highway in safety. Such is the quiet of despotism—any confusion that may follow the discovery made by the people, that this despotism is an evil that ought to cease, is the noise and the confusion made by the robber, who is seized while plundering, condemned to restitution, and driven with ignominy from the society, which he disgraced as well as injured.

But what is really intended by this talk about anarchy and confusion? Let us

learn the steps by which it is supposed that we produce it. Writing on the subject of government, we enable the people to acquire a definite understanding of what ought to be the nature and the form of their own government. They perceive, for example, amongst other things, that the mass of the people having neglected to interfere or meddle with the subject, a small body has usurped the functions of government, and employed the powers thereof to their own especial benefit. They perceive moreover, that so long as they (the people) are thus inert and careless respecting government, this small body will be able to continue their power, and still to turn it to their private uses. The people also learn how immensely important to themselves is the exercise of this power of government—how numerous are the ways in which it affects their well-being. Whereupon they rouse themselves from their long lethargy, and determine to take a part in the business. They see that the law allows them a means of interfering, which if properly employed will go far to attain for them a right control. I mean the power of choosing representatives. They discover also, that if the law would fairly make them the depositaries of this power, they would be possessed of all the means which the necessity of the case demanded. In those cases, where they possessed the power of choosing representatives, they would use it wisely; where they had it not, they would rouse one another, and constantly, and steadfastly demand that the law should grant it to them. They have done this already, and signal has been the result. One grand step they made by the Reform Bill—they will make another by Corporation Reform; and they will continue thus till they have completely attained this desired end. They will do so, by employing the methods which they have hitherto adopted. They have hitherto been peaceable, and why should we anticipate confusion, in consequence of that diffusion of knowledge which will produce more steadfast and combined action among them? That same knowledge which will create steadfastness of purpose, and teach them the right and powerful means of action, will teach them also to estimate all that is worthy in our institutions, to love and to maintain it. It is not by simply telling a multitude, that they

ought to be endowed with powers which the law now denies them, that we create any efficient or useful enthusiasm. The fervour if created, quickly dies away—men cannot feel what they do not comprehend—the steadfast spirit is the instructed one: he will patiently pursue his end who clearly appreciates its worth—whose enthusiasm springs from knowledge thoroughly grounded, not from a passing and fitful and evanescent idea. The one will give birth to an enthusiasm which will prove,

“like straw on flame,

A fierce but fading fire”—

while the offspring of the other will be as enduring as it is strong, as useful as it is enlightened. But the man thus impelled and thus instructed is no wanton and cruel destroyer. Where age is beautiful, he will perceive and feel and respect its beauty—where useful, he will preserve its utility. What is truly venerable need not fear him—he will duly estimate the value of *hoarded* experience; and though not blindly wedded to any institution because it is old, he will esteem what our ancestors have left us worthy of our admiration, while he will see through and neglect the many errors and prejudices which has alloyed the good they have left us.

But we are accused of wishing to destroy the influence of the rich. Now, as this influence is a thing which the rich very much delight in, they naturally endeavoured to find for it an agreeable name, so they christened it “the legitimate influence of property.” Accepting this fine name, and placing it in the accusation against us, we find ourselves accused of desiring to destroy the legitimate influence of property. This charge we strenuously deny—and we demand of our accusers an explanation of the thing to which they have given this fine-sounding name. What, we ask, is, in their opinion, legitimate influence of property? Is it, for example, the keeping the people in ignorance by means of stamp duties and trash acts? Is it the getting them to the National Schools, and trying to frighten them into a slavish obedience to their pastors and masters, and all that are set in authority over them? Is it driving them like sheep to the poll, and compelling the poor to vote against their wishes and their consciences? Is it the filling the gaols with offenders against

the game laws, and thus demoralizing the whole agricultural population? Is it the having one law for the rich and another for the poor, and the rendering it possible for any rich man to ruin any poor one by operation of law? Is it any, or all, of these things?—is it anything like them?—because, if it be, we willingly plead guilty to the charge. We do seek to destroy this influence; but we, at the same time, declare that such is not legitimate. If, however, they should mean the influence that a rich and really instructed and benevolent man would attain by the beneficial employment of his wealth; if it should mean the love and esteem voluntarily offered to the powerful when good and wise; we then say that our efforts will in no way tend to diminish it. An instructed people would bring to the good man an obedience of the heart and the head. His influence would be that of his understanding over theirs, not of his imperious will over their slavish ones. By means of his wealth he would have means of acquiring knowledge which the busy man, labouring for his daily bread, does not possess—if the rich man employ these means well, his mind and his information will be superior to those of his poorer neighbours, and his intelligence would find willing followers—willing and independent followers—men who follow because they believe that a wise man leads—who love him because he is good—and follow him because he is instructed. This is legitimate influence—the influence that wealth might have, but which it has seldom attained. Our institutions have opened for it another, and broader, and smoother road—it is easier to compel than persuade. Having wealth, the vulgar and the profligate can employ compulsion, while utterly incapable of winning confidence by their intellect or their worth. The rich, therefore, now use compulsion. We seek to destroy their power of doing so, and they, seeing our intention, are profligate enough to say that it is legitimate influence of property against which our efforts are directed. If they really believe such compulsion legitimate, then, indeed, their morality and their intelligence are beneath our contempt;—if, indeed, they use the term, well knowing the fallacy, then, though we perhaps can say nothing against their intelligence, yet more vehement and bitter would be our attack

upon their notions of morality. They seek to sustain an accusation by the foulest falsehood, and would woo the people to destruction by a lying pretence of consideration for their welfare.

It is a favourite notion with the English, that the rich are the most intelligent and most respectable of the community, and that therefore means should be devised by law of throwing the ruling power into their hands. This conclusion, supposing we allow only for a moment the assertion that the rich are the most respectable and intelligent, we utterly deny. If the rich be wise and good, they will, without any special aid from the law, be placed by the people willingly in places of power and trust. But if they be not wise and honest, it is absolutely necessary that they should be excluded from office. If the law place them there, however, without such previous ascertaining of their individual worth, what inducement is there for the rich to attain the qualities which are thus supposed to inhere in their very nature? If they are to have power and dignity without labour, they will be content to have them without desert. If, on the other hand, the law left them to what I call legitimate influence, they would labour to earn the confidence and favour of their fellow citizens, by attaining superior intelligence, and evincing superior worth. At present, from the frame of all our institutions, the rich have no motive to labour, and they, consequently are really far inferior to the classes poorer than themselves. The two extremes of society bear a strong resemblance to each other. The very rich and the utterly destitute are both beyond the reach of the public opinion—the effect is the same on the morality of both. All the great specimens of vice amongst us, are to be found in these two classes—the highest and the lowest. They are both of them idle, profligate, rapacious of other men's goods, and profuse of their own. There is, in reality, very little difference, except in the outward manner, garb, and language, between a gambling, horse-racing, profligate rich man, and a thieving, drinking, gambling beggar. Both the one class and the other are a curse to the society in which they live. We must look to the gentry of moderate means, who are industrious, intelligent, and honest—to the tradesmen living by their

own daily exertions—to the intelligent and laborious mechanic, for virtue, knowledge, real respectability and worth. To bring the rich within the sphere of those motives which render these classes thus deserving, is not to destroy their right and legitimate influence—not to produce anarchy and confusion—not improperly to exalt the poor at the expense of the wealthy. But such we allow to be part of the ends we have in view. Let any one prove them mischievous, and the object shall be immediately relinquished.

We have still to dispose of the charge of arrogance, in thus taking upon ourselves the character of popular instructors.

It may be demanded of us, by whom we have been constituted teachers of the people; and what guarantee there is that we are competent to the task? These questions we well know will be put; we therefore anticipate and answer them. No one who really knew what ought to be intended by the term popular instructors would have put these questions. Unfortunately they who now seek to teach their fellow citizens, assume the character of masters and superiors. They give their lessons as if they were commands, and look upon the great body of the people as so many children. The view we take of the office of a popular teacher differs widely from this. Such a one, in our opinion, is not a master, but a friend—not a superior, but an equal, who, believing that he has something to impart

which his friend might profit by hearing, states it in a manly and straightforward manner. He seeks not to impose on his friend by his authority; but attempts to convince his judgment. He addresses his reason, and asks him to employ his understanding. Suppose a man to have made a discovery in physical science, say for example some circumstance respecting the construction of a steam-engine: suppose him to publish his discovery. This man is a popular instructor; but he has assumed no superiority; he has not taken upon himself unduly and arrogantly an office to which he is not intitled. Every man is intitled to this office, and may assume it in the spirit and after the manner here described. He lays his intellectual store before the public; they may select, and take what they like. They may reject if it so please them, and pass him by without regard. This is just our case. We fancy that we are able to lay before the people matters which it is important they should know. We assume no authority—we desire no control; and only seek assent to our observations through the reader's understanding. As citizens wishing well to our fellow citizens, we have brought our store into the common stock. We hope by this means to be of service to the commonwealth: if we be deceived, and the world neglect us, no one has been injured; and the only result will be that we have lost our labour.

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## APPENDIX.

CONTAINING OBSERVATIONS RESPECTING THE CONDUCT OF CERTAIN MEMBERS OF THE HOUSE OF COMMONS ON MR GROTE'S MOTION, OF THE SECOND OF JUNE LAST, IN FAVOUR OF THE BALLOT.

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In illustration of some of the foregoing remarks, I shall here bring before the reader's view certain contrasts pregnant with instruction. It may be said that the facts of which I am about to speak are known to the public, and therefore any statement of them is unnecessary. It is perfectly true that the facts are now matter of history, and that I shall really tell nothing new:

still the contrast may be important, and the conclusion or induction I shall draw from them may be so also. Many of the most important inductions in physical science have resulted from facts long known to every man: but the consequence was hidden till the facts were brought together. I use this illustration to excuse my stating *old news*—not in order to induce the reader

to believe that I am about to make any wonderful induction from it. The facts, and even the conclusion I shall draw from them are old ; but I wish the world to apply an old rule in a given new case. The facts relate to the conduct of certain members in the House of Commons. They are a fair illustration of the morality of that house, and of the urgent necessity of bringing the whole of its proceedings closely before the eyes of the public. We must not be content with the cursory glance which the public usually bestows upon these all-important proceedings. A man gets his newspaper at his breakfast : he reads with much *sang froid*, its various contents, lays it down, and usually forgets what it contains. This is not the publicity that is needed to improve the morality of the House of Commons. The public must be forced to know what is done there—and also compelled to scan, and judge of it according to that strict and severe code of morals by which the conduct of private life is regulated. The following remarks of Mr Livingstone, a celebrated American jurist, on the Code of the penal laws of Louisiana, are apt for the matter in hand, and deserve attentive consideration.

“ Among the general provisions is also found one, asserting the right to publish, without restraint, the account of all proceedings in criminal courts, and freely to discuss the conduct of judges and other officers employed in administering justice. That this may be done more effectually, it is provided that the judge shall, at the request either of the accused or the prosecutor, state and record his decisions with the reasons on which they are founded. In a subsequent part of the work it will be made the duty of a particular officer to publish accurate accounts of all trials remarkable for the atrocity of the offence, or the importance of the principles decided in the course of the proceeding. Publicity is an object of such importance in free governments that it must not only be permitted, but must be secured by a species of compulsion. The people must be forced to know what their servants are doing, or they will, like other masters, submit to imposition, rather than take the trouble of inquiring into the state of their affairs. No nation ever yet found inconvenience from too close an inspection into the conduct of its officers ; but many have been brought to ruin and reduced to slavery by suffering gradual imposition and abuses, which were imperceptible only because the means of publicity had not been secured. In modern times the Press

is so powerful an engine to effect this, that the nation which neglects to employ it in promulgating the operations of every department of government, can neither know nor deserve the blessings of freedom. The important task of spreading this kind of information, ought not, therefore, to be left to the chance of private exertion ; it must be made a public duty ; every one employed in the administration of justice will then act under the conviction that his official conduct and opinion will be discussed before a tribunal in which he neither presides nor officiates. The effect of such a conviction may be easily imagined, and we may fairly conclude that in proportion to its strength will be the fidelity and diligence of those upon whom it operates.”

On the second of June, Mr Grote brought forward a motion in favour of the vote by Ballot. He had, in the year 1833, made the same motion in the first reformed parliament, and, as in the present case, was defeated. The friends of the Ballot, however, need not be down-hearted. We have gained nearly thirty votes even in a house far less liberal than the last ; that is to say, the half-and-half reformers, the sham liberals, have, in many cases, made way for staunch friends of the liberal cause. Our numbers, however, were lessened by certain desertions, and it is to the morality of these desertions that I am desirous of directing the attention of every poor voter in the kingdom, and of every man that desires to maintain inviolate the consciences of the humble and weak. I do not intend to name all the deserters, but there are some cases so flagrant, that silence is impossible. The parties of whom I shall speak are Sir John Cam Hobhouse, Sir Henry Parnell, and Mr William Henry Ord, member for Newport. I shall speak of them in the order in which I have here mentioned their names.

Sir John Hobhouse may be said to have commenced his political life by contesting Westminster in the year 1818 and 1819, with Mr Lamb, the Whig candidate. This contest, as regards Sir John Hobhouse, was an important event, not because success attended him, for he was unsuccessful, but because his committee published a history of the proceedings of that election, and thus rendered it impossible for us to be in the dark as to Sir John Hobhouse's political creed. This history was addressed to the friends of radical reform by the com-

mittee, and was said to have been written by them; but I know, and Sir John Hobhouse will not deny my assertion, that he himself was the author of it, and actually corrected every sheet as it went through the press. The book is, on this account, doubly valuable. There can be no talk in this case of Sir John Hobhouse not being answerable for the doings of his committee. It is his book—the speeches reported are his speeches, corrected by himself. It may be said that Sir John Hobhouse was then a young man; he avowed, however, that he had made up his political opinions upon matured consideration. He was perfectly well capable then, if ever, to form an opinion; and it must never be forgotten that he has never read his recantation, and that his reputation is based on the opinions he held while member for Westminster.

During the whole of the election of 1818-19, Ballot was one of the watchwords of his party. During a portion of the proceedings, Sir F. Burdett and himself were accused of having taken up a *new* creed, and Mr Place was said to have framed it for them. They repelled this accusation, and, in a note appended to page 313, Sir John Hobhouse strenuously endeavours to prove that this creed was the old creed of the *radicals* of Westminster, to which party Mr Hobhouse was allied, and whose representative he then sought to be. The creed was stated in a few words: it was asserted that they, the radicals of Westminster, had *newly* adopted the creed of Universal Suffrage, Annual Parliaments, and *Vote by Ballot*. The purpose of Sir John Hobhouse in the note is not to deny that such is the creed of his party, but to show that it had long been theirs. A Mr Sturch had written a letter to the *Morning Chronicle*, in which the following passage occurred:—

“These principles of Mr Fox *always* have been, and, I trust, always will be mine, and upon these principles, if I mistake not, we elected the worthy Baronet (Sir F. Burdett) in the year 1807. The new creed of Mr Place—*Universal Suffrage, Annual Parliaments, and the Ballot, as indispensable qualifications for a seat for Westminster, was not then known, and therefore I cannot have abandoned it.*”—See page 313, of the ‘*Authentic Narrative of the Events of the Westminster Election,*’ &c.

The note to this passage runs thus:—

“Whether Universal Suffrage, &c., is the

*new* creed of Mr Place has nothing to do with the matter. Mr Place’s name is wantonly introduced, is invidiously introduced; the question is whether it is the old creed of Mr STURCH. Let us enquire. What says Mr Sturch’s ‘*Society for Constitutional Information;*’ that society whose fraternization the Whigs rejected in their famous letter to Major Cartwright?

“In their first declaration, page 2, they say: ‘The bulk of the nation, destined to labour not to study, &c., should enjoy, *undiminished*, the constant exercise, unabridged of its legislative or elective rights.’

“In page 7 of the above-mentioned tract, with the name, William Sturch, amongst those who distributed them gratis, is a ‘*declaration of rights,*’ in which it is maintained that Annual Parliaments, and Universal Suffrage, are rights.’ In page 16 the same declaration is repeated, but digested into four articles, and note 2 says:—‘*Any man who has no vote is a slave.*’

“The declaration is followed by an address to the people, also distributed gratis to the people, by, amongst others, William Sturch. The address says:—‘That Englishmen could—can have been so infuriated as to suffer Annual Parliaments or Universal Suffrage to be wrested from them—excites our astonishment.’ Then follows an epitome of the ‘*peoples’ barrier,*’ again repeating the same sentiments; and in this paper, page 3, are the words—‘Elections are to be by ballot. Then follows the Report of the Westminster Sub-committee, declaring for ‘*Universal Suffrage, Annual Parliaments, and the Ballot,*’ with a plan for taking the suffrages of the people.

“If any further proof be wanting that this *new* creed of Mr Place’s is the *old* creed of Mr Sturch, and of many of the Westminster reformers, it may be found in the transactions of those reformers. They have no secrets, and, to show how unsafe it was for Mr Sturch to talk of this new creed—of this creed not known in 1807—though Mr Sturch had distributed it gratis in 1783—they now remind Mr Sturch that in 1812 he was a supporter of Major Cartwright, the apostle of this *new* old creed; they remind him that, in 1818, he made one at a meeting, of which the following is a minute:—

“‘Meeting held at Mr Brookes’s, June 1st, 1818, on the expected dissolution of parliament—present: Mr Sturch in the Chair, and nineteen other Electors.

“‘Resolved—That a public meeting be held on Thursday, the 4th inst., to consider of two fit and proper persons to represent Westminster.

“ Resolved unanimously—That Sir Francis Burdett be proposed.

“ ‘ Mr Peter Walker proposed Major Cartwright.

“ ‘ Mr Place proposed Mr Douglas Kinnaird, on the ground that he would support Annual Parliaments, Universal Suffrage, and the Election by Ballot.

“ Some doubts were entertained whether Mr Kinnaird could support the three propositions. The choice then was deferred till tomorrow.—Adjourned at 6 P. M.

“ ‘ June 2nd, 1818, 6 P. M.

“ ‘ Mr Sturch in the Chair.

“ ‘ Received a letter from the Hon. Douglas Kinnaird, in which he declared himself friendly to the three propositions.

“ ‘ Resolved unanimously—That the Hon. D. Kinnaird be proposed at the meeting on Thursday next, as a fit and proper person to represent the City and Liberty of Westminster in Parliament.

“ ‘ That Mr Mill, Mr Sturch, Mr Place, and Mr Adams, be requested to draw up resolutions for the general meeting, to be held on Thursday.—Adjourned to the Crown and Anchor Tavern, at 10 A. M. Thursday, 4th June.

“ ‘ Meeting at the Crown and Anchor, at the above hour, 4th June, 1818, Mr S. Brooks in the Chair.

“ ‘ Present, among others, Mr Sturch—Reported that the gentlemen appointed to prepare the business for the meeting, had prepared the said business.

“ ‘ It was then proposed that Mr Sturch should be called to the Chair of the public meeting, and that, *under his presidency*, the Hon. D. Kinnaird should be proposed as a supporter of *Annual Parliaments, Universal Suffrage, and Election by Ballot*; and that Mr Sturch accordingly went into the meeting and took the Chair, with the *business sheet* drawn up for that purpose, and to that effect, in his hand.’

“ Mr Hunt’s partisans broke up the meeting, and Mr Sturch withdrew, with great difficulty, under Mr Hobhouse’s arm, into a private room, where the former meeting of the electors was resumed; and Mr Kinnaird not having yet been proposed, some discussion again took place as to Major Cartwright. It was then that Mr Sturch, who had made one of the meeting unanimous for bringing forward Mr Kinnaird, seemed not so decided about his choice; but did he object to the *new-old creed*? Oh no—he said ‘that, for his part, he had all along been unable to understand why Major Cartwright should not be the man. Need Mr Sturch be told that Major Cartwright is the

very Richmond of the day—the uncompromising assertor of the *new-old creed*—the ancient associate of Mr Sturch’s *Universal Suffrage and Annual Parliamentary Society* for Constitutional information? Mr Sturch may have purged his memory of all that ‘perilous stuff; but we have not drunk of the waters of oblivion with him.’

Here, then, we have Sir John Hobhouse striving to prove, not that the creed was not his creed, but that the creed was the old creed of his party—that it had long been held by Sir F. Burdett and his friends—that it was also held by one of his own friends, the Hon. Douglas Kinnaird. He well knows that he was afterwards chosen for Westminster, on the ground that he was favourable not merely to the Ballot, but that he went the length of Universal Suffrage and Annual Parliaments. It should, however, be observed, in justice to Sir John Hobhouse, that in another part of the same book he makes the following remarkable observations:—

“ Let me put this question of Reform to the Whigs distinctly.

“ They say—I would limit your rights of suffrage.

“ I say—I would extend it.

“ They say—I would not have all housekeepers vote.

“ I say—I would not stop at housekeepers.—“ Will they go as far as that? Ask them, gentlemen.

“ They say—I am not for Annual Parliaments.

“ I say—I am. Will they go as far as that? Ask them, gentlemen.

“ Will they give you any reform that will destroy corruption? Will they? Ask them, gentlemen.

“ Will they consent to cut up the borough system altogether? Will they destroy the preponderating influence of aristocratic families in the elections of the people? But these are questions of *too delicate* a nature to be put to a man who has lived all these years and yet remains ignorant of the borough system. A learned lawyer, too! one might have thought his very briefs would have taught him better.

“ The delusion of reform being to be had from Whigs or Whiggism is about to be dissipated. It is for you to show that you will not be robbed of your rights by the united factions.”

Will Sir John Hobhouse say that he has been agreeably disappointed by the Whigs, and tell us that they have done all that they

said they would not do? If he should say this, I say to the people of England, Sir John Hobhouse went further than Household Suffrage. Have not the Whigs refused to go beyond Ten-pound Householders? Ask HIM, gentlemen.

Sir John Hobhouse was in favour of Annual Parliaments—have not the Whigs refused even Triennial Parliaments. Ask him, gentlemen.

Sir John Hobhouse was in favour of the Ballot. Have not the Whigs stoutly resisted the demand twice in the Reformed Parliament? Did not Lord John Russell, the Whig leader, at the suggestion of Lord Stanley, negative the motion in a direct manner, in order, as that petulant Lord observed, to settle the question. Ask him, gentlemen.

That a belief that Ballot was indispensably necessary to good government, formed a part of Sir John Hobhouse's political creed, during the whole time he was member for Westminster, is well known to every one who knows any thing of the parliamentary proceedings of the last fifteen years. Now the contrast that I desire to bring before the public view is, the conduct maintained by Sir John Hobhouse for so many years while out of office, and his proceeding on June 2d, when he formed portion of a Whig Cabinet. While a popular representative—while out of office, he believed that a good representative government could not be obtained without secret suffrage; he acted on that opinion, and supported by openly avowing it. He becomes connected with the Whigs; and, in the first opportunity offered him, he belies the professions of a life, and openly votes against a measure which he had so often and so strenuously asserted was needed for the very existence of good government. Unlike some others, he had not even the modesty to retire—he remained in the house, and, at the command of his new friends, the Whigs, deserted not merely his old friends, the Radicals, but the very opinions by the declaration of which, at other times, he had attained the powerful assistance of the Westminster electors, who made for him a political reputation, through which—and through which alone—he has been able to gratify his desire of becoming a Minister. What, we ask, is the palliation of this bold and barefaced apostacy? In what manner does Sir John Hobhouse excuse a conduct which

lays him fairly open to many painful imputations, to which, at this time, I need not further allude? I understand that he considers himself not without an excuse. That which I have heard offered for him is two-fold. When asked, on June 2d, he stated, I am informed, that he was not *pledged* to the Ballot, and should, therefore, exercise his discretion, and vote with the Ministers. The next excuse was, that the large measure of Parliamentary Reform lately attained, absolved him from his former opinions and declarations. He had declared for the Ballot under the old system, but now wished to give the Reform Bill a fair trial. Let us observe on these excuses separately.

Sir John Hobhouse says that he is not pledged, and that therefore he followed his discretion. I own myself completely unable to understand this doctrine. There has been much idle talk of pledges, and every barefaced betrayer of his constituents boasts that he is not pledged—that he abhors pledges—that he deems them beneath the dignity of a representative legislator. All this is but a wordy warfare. An honest man will deem himself bound by his declared opinions, as closely as if he had given a direct promise. When a man goes before a constituency with an established reputation—and says nothing to show that his opinions have been lately changed, he must be supposed to abide by his reputation. For example, Sir John Hobhouse goes to Nottingham with the reputation of being a friend of the Ballot. The Ballot also is one of the grand leading political questions of the day; he says nothing to make the people of Nottingham believe, that he no longer favours the Ballot—and he is returned. Can he say he is not pledged because he gave no promise? I should really very much like to know what is meant by a promise in this case. If a man is not to be bound by solemn declarations of opinion, his direct promise would appear to me but a slight guarantee. If I write books, if I make speeches containing solemn and deliberate expositions, in order to shew the world that I am a Radical Reformer, would it not be thought dishonest if I were suddenly to turn round, and become a Tory? Would not the dishonesty be yet greater if I, having been trusted because I had so earned my reputation of being a Radical reformer,



violently departed from my former professions? Of what use are such statements of opinion if they bind not? Are they to be deemed only so much idle talk—and are we to suppose, that all the many declarations of Sir John Hobhouse concerning radical reform were mere words and nothing more, because not enunciated in the form of direct promises? Let us put a homely illustration. Supposing a schoolmaster to tell me that he was an inveterate enemy of all system of corporal punishment—and I believing him, send him my children to be instructed—whereupon he on the first opportunity severely flogs them—I now complain of his having deceived me—what would the world think if he were to say—“deceived you indeed—not I. I never made you a promise not to flog your children. I was not pledged to abstain from flogging them, and I used my discretion.” Would not the world say that this was adding another species of dishonesty to deceit? Would not this shallow roguery enhance the criminality of his deceit? Would not all men thereafter deem him utterly untrustworthy? I should like to know in what the case of Sir John Hobhouse differs from that of the schoolmaster.

It may, however, be said that the electors of Nottingham will re-elect Sir John Hobhouse, and thus prove that they have not been deceived. We all know, that in the present state of political parties and of the knowledge of electors, that such a re-election will prove no such thing. It is the fashion of the Whigs to raise a cry of terror about the Tories; and the great object is said to be, to keep the Tories out. We are told not to risk the return of the liberal candidate—not to oppose the one liberal candidate by bringing in another—lest the Tory should come in, on the division of the liberal interest. It is thus that Sir Francis Burdett retained his seat for Westminster, after having departed from important principles advocated in his youth and manhood. But suppose we allow that the electors of Nottingham are really not displeased—is it nothing, I ask, to have rendered uncertain the worth of public professions by political men? Is it no offence to have lowered the standard of political morality?—and has not the world a right to complain, even though the constituents of Sir John Hob-

house be satisfied? Such conduct in private life would be considered immoral; I am at a loss to understand why public morals should be so lax as to permit it; and I cannot but deem him a great offender who thus endeavours to set up a standard of morality in public affairs so degrading and so mischievous that, in private matters, every man, having the slightest pretence to be called honest, would scout and reject it with scorn and indignation.

But the large measure of reform obtained by the Whigs may have absolved Sir John Hobhouse. His opinions respecting the Ballot may have had regard to the then state of affairs, and were not intended to apply to a condition so improved as our present. This can hardly be asserted seriously. Sir John Hobhouse's creed respecting parliamentary reform required a far wider and more searching change than any yet made. Parliaments have not been shortened—household suffrage, even, has not yet been attained; and yet we have seen that, in his opinion, a *radical* reform—the reform that he desired, and bound himself to strive after—required even annual parliaments, and something very like universal suffrage. But if, under this radical reform, this reform requiring a suffrage more extensive than household suffrage and that parliaments should be annual, he still desired the ballot, how does it happen that this measure of the Whigs, falling so short of his proposed and desired change, should make him deem the ballot unnecessary? Radical reform always regarded three things:—first, the time for which the parliament existed; the second, the extent of the constituency; *and*, lastly, the mode of taking the votes. Sir John Hobhouse desired a radical reform; he gloried in the name of a Radical Reformer; he scorned the name and the company of the Whigs. Nevertheless the Whig reform has so satisfied him, that he is content to forego the most important portion even of his own long cherished and much vaunted radical reform. Is not this sudden satisfaction somewhat suspicious? It comes when he reaches office, and he foregoes his sympathy for the public just when his private interests render such sympathy inconvenient.

There is, however, another excuse for the conduct of Sir John Hobhouse, which, perhaps, his own native modesty would

prevent his using, but which his friends perhaps will employ. It may be said that in the present state of political parties, to support the Whigs is absolutely necessary. Look at Corporation Reform, some will say,—would you lose that measure? Is it not necessary then to support the Whigs at a crisis so momentous? In answer to these questions, I would ask Sir John Hobhouse if he considered his support absolutely necessary to sustain the Whigs? Whether, in fact, they would have been any weaker if they had not made the resistance to the ballot a cabinet question? Was there any reason why those of the Administration who had long favoured the ballot should now risk their reputation by suddenly opposing it? Does he think that the moral influence of the whole Administration is strengthened by damaging the character of those who form part of it? Farther, what need was there in this case for the headstrong obstinacy of the Whigs? Suppose Sir John Hobhouse to have had the courage to say before he joined the Ministry, the ballot must be left an open question. Suppose the Whigs to have refused his request, and then suppose him to have declined accepting office, would the Whigs thereby have been weakened? If they had feared such a result they would have yielded to his demand; if they had not, there was no reason for joining them. Oh, but it was necessary to have a liberal infusion in the cabinet. Yes, and you begin by destroying the effect of the said liberal infusion by destroying the characters of the liberal members of the administration. I do not, I confess, put much faith in the expectation, of any advantage to be derived from a compromise of opinion. This sort of compromise always damages the character of the yielding party, and the great interests of morality immediately suffer. We all know the contempt with which the Whigs speak of the Radical party among themselves. There are no terms in the English language expressive of contempt and disgust they do not use respecting us. They speak of having us in their power, and they affect when together, and the Radicals are absent, to laugh at their own influence and condemn our endeavours. It is useless to attempt to keep this a secret. They desire to make tools of us, and they have succeeded in certain cases. We all know the cajolery that was

played off upon Mr Grote, in order to make him put off his motion, the object of which cajolery was, to retain, if possible, the reputation for liberality on the part of the Whigs by abstaining from bringing it to the test. Mr Grote steadily refused to be thus played with. It is true, the Whigs may hate him for this, but in spite of themselves they must respect his firmness and penetration, while they despise the yielding temper of those who forgot old professions, and supported the opposition to the ballot. I would here recal to the memory of Sir John Hobhouse then his own prophetic words, which seem to have been uttered in anticipation of his own present conduct.

“I conceive that your representative,” said Sir John Hobhouse to the electors of Westminster, “should be a steady opponent of every iniquitous measure of government, but that he should not look to see who is doing duty with him; he should be content that he is performing his own task—performing the task which you sent him to perform. If a man should adopt a different way of thinking, if he should never act in Parliament but when defended by a number, he would do nothing,—he would do worse than nothing,—he would acquiesce in the present system of misrepresentation,—he would not stir a finger in the great object of *Radical Reform*. In attaining this object I see no sort of prospect of any of this famous *co-operation* which is to do such wonders, in parliament. On the contrary, I see that those gentlemen who call themselves moderate reformers have declared by manifesto that they will do nothing while our wild, visionary notions are afloat. These are their words, as I find them in their accredited journal, the *Edinburgh Review* :—‘We must reserve for a future occasion such thoughts as have occurred to us on those plans of constitutional reform which might gradually unite the most reasonable friends of freedom, and of which we should not be without hope, that some part might one day be adopted under the conduct of a firm as well as liberal government, and when almost all reformers shall have openly renounced those extravagant opinions which supply the champions of abuse with the most effective weapons.’ (*Edinburgh Review*, Art: ‘Universal Suffrage,’ for December, 1818.) Gentlemen, if this is not deferring the intended benefit indefinitely, if it is not adjourning reform *sine die*, I know not what language is good for. First is to come the union, but only the ‘*gradual*’ union of the friends of freedom; but those friends are to be the ‘most reasonable’ friends. That

being accomplished, there is *hope*, but only a *little* hope, that a *part*, but only *some* part of a plan of constitutional reform, may *one day* be adopted; but that one day is to come only under a government of a certain description, and when almost all *extravagant* opinions on a speculative point shall be renounced—ay, and openly renounced. If I am sent to parliament, it will be as one of those extravagant reformers; and as for myself, gentlemen, believe me I shall never feel inclined to do penance in a white sheet for my extravagant opinions on this subject: which opinions, give me leave to observe, were pretty much the fashion about twenty years ago with this very party which now recommends their renunciation; for it was with them, and with their leader particularly, if I mistake not, that originated the word *RADICAL Reform*. The resolution of the meeting of November, which first connected me with you, is to this effect, and pledges me to the support of the now extravagant opinion, that the people have just claims to parliaments of a short duration, and to a full, free, and equal share in the choice of their representatives. To these opinions, you may depend upon it, I shall for ever adhere. If you, gentlemen, think me the best man, under all present circumstances, choose me—if not, choose another.”

• Here Sir John Hobhouse seems to have foreseen that the time might come when some radical reformer would desert his cause and his opinions. He promised solemnly, never to be that man. Let the world put the promise and the performance side by side, and judge Sir John Hobhouse by the result.

The case of Sir Henry Parnell is somewhat different, and may admit of an explanation. He did not vote against Mr Grote's motion, but he did not pair off in its favour. Some reason must be given to explain and excuse this absence. He supported Mr Grote in the year 1832—during the last election, he mentioned that vote to the electors of Dundee, and considered it one strong proof that he had correctly represented them. He was in the year 1833 out of office, so also was he when he talked to the people of Dundee, and boasted of his vote in favour of the Ballot. In office, and he is absent when the question was brought forward. This looks suspicious, as the resistance to the Ballot was plainly made a ministerial question—not one of the ministry voted for it. Under these circumstances

the absence of Sir Henry Parnell would seem a forced absence, and his neglect a dereliction from his duty. We sincerely hope that these suspicions may prove unfounded, and that the name of Sir Henry Parnell may not be added to the long list of political apostates. Again and again it should be insisted on, and ever remembered, that this is no light matter. It is not merely that a great political question—one of infinite importance to the people, is involved; but that the political morality of our country is endangered, and that a pernicious and degrading laxity is likely to pervade every portion of the public conduct of public men.

Mr William Henry Ord is the next person on the list of deserters. He is also attached to the administration, holding some inferior office in their ranks. What he is, I know not—care not—neither do I allude to his case because I consider his authority of any worth: or because I believe that any man in his senses would think of quoting his conduct as a countenance for his own dereliction. I mention the case, simply because it is a flagrant one: a very bare-faced departure from promises solemnly made—indeed, voluntarily offered. Mr W. H. Ord began his political career in a small way. He issued a small pamphlet—a dialogue, gentle reader, between two persons with fine Greek names, something after the fashion of the pastorals of the ancients; two shepherds, in a warm day, at noon, meet in a cool cave, and immediately commence a learned discourse on secret suffrage. The thing was something of this sort, but whether the Greeks were shepherds or not, I will not take upon myself to say. The subject matter, however, of this classic effusion was the Ballot, and the author, in a tiny way, and after the measure of his powers, supported the Ballot. Anti-Ballot, with the fine Greek name, got the worst of the argument—in fact, had not a leg to stand on. This was Mr Ord's first step. His second was a more serious affair. He wrote an address to the electors of Newport, and he promised to support the Ballot. On the first motion of Mr Grote, he, Mr Ord, being not in office, paired off in favour of the motion. But, on the second of June, Mr W. H. Ord, being an inferior hanger-on of the ministry, broke his promise. Now I, of my own knowledge, know, that no ex-

excuse can be made for this absence, as I saw him a very short time before the division in the house. He must have gone away expressly to avoid voting.

Now I ask if, when such proceedings as these are of daily occurrence, we should shut out the public gaze from the House of Commons? Every action of that house and its members ought to be thrust upon the public; their attention to it should be

sought in every legitimate way. The public should be made as large, and their information as complete, as possible. In order to make the wholesome rules of private life the guide of public conduct, we must make the people at large intimately familiar with the transactions of public life. When that is effected, conduct such as I have just described will receive that appreciation which is so justly its due.

NOTICE.—The subject has unavoidably extended beyond a Single Sheet. In future, each subject will be comprised within the Sheet.

**A LETTER TO THE ELECTORS OF BATH,**  
ON THE  
**MUNICIPAL CORPORATION**  
**REFORM BILL;**

WITH A POSTSCRIPT ON THE CONDUCT OF SIR ROBERT PEEL AND  
OTHERS, ON THE DISCUSSION OF THE QUESTION.

BY

**J. A. ROEBUCK, M.P.**

*Second Edition.*

[PRICE THREE HALFPENCE.]

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**TO THE ELECTORS OF BATH.**

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GENTLEMEN,—In the year 1832, when I first addressed you as a candidate for the representation of the city of Bath, among other reforms which I stated that a Reformed Parliament would of necessity grant to the people, was that of the Municipal Corporations. You well remember the outcry with which this observation was received by the friends of your corporation, and by the corporation itself. I was called an anarchist—one who desired to destroy all that was ancient and venerable in the land; and you, Gentlemen, were supposed to be little better than madmen for listening to me. They who in your venerable city rejoiced in the names of Tories and of Whigs (both classes among you being many years behind the rest of their countrymen) joined in this denunciation of us; and the doings of the various administrations, from that time to the 5th of this present June, seemed in some measure to countenance their assertion that my prophecy was a false one, and that the view I had formed respecting the necessities of the country was, in the opinion of our rulers, altogether erroneous. Lord Grey, instead of proceeding stea-

dily in the great business of improving our institutions, of purging the corruption that infected them, commenced a wild warfare against Ireland. He and his Administration lost their hold upon the affections of the people. As soon as that was perceived by the Court, the Liberal Administration, as it was called, was turned out of office with contempt and scorn. The people, however, though their affections had somewhat cooled towards the reforming ministry, had not yet wholly lost confidence in them; nor were they willing to believe that their old enemies and persecutors, the Tories, had gotten rid of any portion of their mischievous propensities. The people, therefore, forced the ministry of Lord Melbourne upon the Court; and that ministry, profiting by the mistakes of the last three years, now seeks to acquire the goodwill and confidence of the people, by pressing forward measures of useful and necessary reform; in fact, is endeavouring to acquire the love of the people by deserving it. For mine own part, I should have been better pleased if I could persuade myself that their projected measures resulted from generous sympathies and really

liberal feelings. I cannot, however, help perceiving, that reform is used as a means of retaining power—that ameliorations are proposed by the ministry rather because it suits their own purposes as regards office, than because they are inspired by a desire to attain a popular and efficient government. Let us, however, not scan too closely when good is offered. By whatever motive impelled, the Ministry have proposed a measure which, if it retain its present excellence, and become a law, will equal, if not surpass the Reform Bill, in its consequences upon the well-being of the country. That which we have so long desired and looked for—that CORPORATION REFORM which we have so often talked about, has at length been proposed to Parliament, and the demon of corporation corruption is about to be exorcised for ever. The event has proved that our opinions were not wholly unfounded; and that we were not far from the truth when we declared that the Corporations of this country constituted the great mischief which yet infested our institutions, and which most loudly demanded an immediate and searching remedy.

My present object is, to invite your attention to the measure of Corporation Reform proposed by the Government, in order that I may, according to my ability, point out to you some of its more important excellencies, and also some of its great leading defects.

Before I can do this, however, it is necessary that I should describe my conception of the object which we seek to attain by means of a corporation.

Every particular district of every country has a set of interests which are peculiar to itself; that is, there are certain matters which interest particularly that district, and do not interest, to any thing like the same extent, the districts around it. Take, for instance, the city of Bath. The lighting, the paving, the

watching, and the police of the city of Bath, are matters of great and peculiar interest to the inhabitants of Bath, but are matters not nearly so important to the people of Bristol; and so, in the same way, the lighting, paving, watching, and police of Bristol, are of peculiar interest to the inhabitants of Bristol. Now there are many circumstances of this kind. Take, as an additional example, the administration of justice. These are all matters of far more importance to the inhabitants of the city, than to any one who dwells out of it. Throughout life we find that all men look best after their own concerns. Every man's own concerns are best managed by himself; and just in the same way that we actually do talk of a man's *own* concerns, so may we also talk of a city's own concerns; and as a man's own concerns are best managed by himself, so are a city's. That body of persons who are appointed to manage the city's own concerns, are with us called the City Corporation. The object, then, for which the city corporation is appointed, is to manage the peculiar concerns of the city; and it is so appointed on the ground that all persons' peculiar concerns are best intrusted to themselves.

But it has so happened that the persons who have for many years past managed the peculiar concerns of the cities or corporations of England, have not been, as they ought, the great body of the inhabitants of those places, but a very small portion thereof; and, although it be for the interest of the mass of the inhabitants to govern their affairs with prudence and economy, it by no means follows that it is for the interest of a very small portion of the inhabitants to do so. The consequence has been, that these small governing bodies have become amazingly corrupt. They have plundered the people in every possible way, and all for the

benefit of the members of the corporation. Going from one step of iniquity to another, after having themselves plundered, they proposed means of making the right of plundering a sort of estate. They succeeded, and, by electing themselves, they handed down their right from one generation to another. It was found also that, among the most efficient means of plunder, was having members of their own in the House of Commons: They therefore contrived to get the election of the city members into their own hands, and each corporation sold its members to every succeeding ministry for a *valuable consideration*. The reform bill struck a heavy blow at this last means of corruption. The blow was very nearly fatal in some cases, but unluckily it was only very partially successful in others. As an example of the success of the reform bill in this matter, Bath itself may be mentioned. The corporation were by it deprived of their two members for sale in the House of Commons. But, on the other hand, Bristol has that valuable commodity still amongst its many articles of merchandize; and even in the case of Bath, although we have taken from the thirty and odd old persons who meet in the Town Hall, the privilege of returning the two members for the city, you all know how great an effort was needed to put down the mischievous power of the corporation. We all know how every person within their control was compelled to support the party they, the corporation, favoured; and we know still farther the vengeance that has pursued those who have ventured to brave the indignation of the corrupt body which has so long domineered over your city.

It is plain, therefore, that the business of any useful corporation reform would be two-fold—first: to destroy

the existing means of corruption, and, second, to frame afterwards an efficient system of corporate administration.

In the business of rooting out the corrupt instruments of Government, the bill proposed by his Majesty's ministry is certainly eminently useful. For once the Whigs seem to have taken an enlarged and liberal view of the matter on which they were about to legislate, and to have set to work in earnest in the labour of pulling down established abuses. The whole of the machinery by which corruption and intimidation have been maintained, is to be swept away. You, who know what the justice of the Town Hall has been—that justice which has been administered to the people by his worship the mayor, and his brother aldermen—will know the worth of the enactment which utterly abolishes the company by which this wretched farce called administration of justice has so long been played; You, who have seen a poor man dragged before this tribunal, and bound to keep the peace, for doing little more than looking contemptuously at some bloated alderman; You, whose feelings have been daily outraged by persons sitting in secret conclave, shutting out the public, and determining to have their iniquity known to the fewest number of persons possible, deciding upon the liberty, fortunes, and the very means of subsistence, of your fellow citizens;—you, I say, will rejoice with me, in beholding this attempt to purify the fountains of justice, and to give the people some influence (too small a one, I confess,) over the choice of their magistrates. The charitable funds, too, are to be taken away from the *select* bodies, who have hitherto administered them, and persons chosen by the people are in this matter to select active and efficient trustees. This departure from the old system is an amazing improvement; one step more,

and the reform would be complete. The trustees ought not only to be compelled to lay their accounts before the municipal representatives, but these latter ought to have the power of removing them.\*

However, clearly to show what is to be effected, I will proceed somewhat more methodically in stating it. The chief matters of consideration as respects the corporation government are:—1st, the form of the government; 2nd, the manner in which it is chosen; 3rd, the powers which it possesses when chosen. In all these separate matters great are the improvements to be introduced, though I must also say, great are some of the defects in the measures proposed.

#### § I.

*First, as to the form of the government.*—The various officers who have had power, and that municipal power, in the corporation towns, have not all been included by name in the corporation. The new system seeks to bring them all into one body. Under the old system the corporation was generally composed of a mayor, or some such officer, aldermen, sometimes common councilmen, freemen, and burgesses, and names of the same import. But the business of the town was also shared in various instances by many boards of commissioners. Now in the new bill, instead of this varying form, all the corporations are to have one form

\* Of the manner in which charities have been administered under the corrupt system about to be destroyed, Bath affords a curious and instructive illustration. Bath is favoured by nature with a supply of hot water sufficient to enable every inhabitant of the town to bathe every day. The corporation has been for years composed chiefly of medical men, who knew, or ought to have known, the immense importance to the health of the population of the cleanliness derived from constant bathing. But this corporation cared nothing for the health of the people; so they made very fine baths, demanded a heavy fee for bathing therein, thus excluded necessarily nine-tenths of the population, and let the warm water nearly all run to waste!

of constitution, and the powers hitherto executed by commissioners are in most cases (they ought in all), to come under the control of the new town council.\*

In future, the municipal government is to be composed of—

1. A town council, to be elected by the people as hereafter stated.
2. Of a mayor, to be chosen by the town council.
3. In certain cases, of a recorder.
4. And rate-payers of a certain class.

#### § II.

*Now as to the manner in which these various bodies and officers are constituted.*

The members of the town council are to be elected by the privileged rate-payers, in the following manner. Towns having a population of 25,000 are to be divided into wards, and a certain number of councillors are to be chosen by the electors of each ward. In towns of a population under 25,000, there are to be no wards, and the whole council is to be chosen by the whole body of electors.

The voters are to vote by voting-papers; the paper to state the names of the candidates for whom the voter desires to vote, with their respective places of abode, and their description, *and this paper is to be signed by the voter.*

All elections are to be over in one day, and no inquiry is to be made of the voter, except whether he be the person on the register, and whether he have voted before at the same election.

The new town council is to come into office on the 25th of October next, on which day the old corporations are to cease for ever. The people of England should make that day a day of rejoicing.

Hereafter one-third of the council will be elected every year.

\* This matter will be spoken of under the head of the powers of the municipal government.



The qualification for a councillor or mayor is simply to be a rate-payer on the register.

There are two matters which require remark in these regulations. The number of the councillors is far too large, and the mode of electing them ought to be by ballot. Liverpool, for example, is to have a council composed of 90 members. Any one who has seen the House of Commons, attempt to perform any business, will greatly doubt the wisdom of creating so large a council, which will have not merely to legislate, but also to determine many questions relating to the business of administration. The machinery is too cumbrous for expedition, neither do numbers insure even deliberation. Six persons would deliberate with more real efficiency respecting any Act of Parliament than six hundred. In a town numbers are not needed to represent varieties of interests. Half-a-dozen persons would as well represent the feelings of the inhabitants of Bath, as will the 45 that are to be appointed, and this half-dozen would do twenty-times more work than will be performed by the 45. The work also would be better done, and the interests of the people far better provided for than by electing a numerous, necessarily noisy, and always cumbrous and inefficient town council of 45. I say this out of no disrespect to popular government. But they mistake what is intended by popular government who imagine that it means a multitude chosen to act. A multitude to choose, but a very small number to be chosen—that is the perfection of a popular government. You thereby have an efficient control—you have a concentrated responsibility—you have unencumbered officers. As for deliberation amidst a multitude, that is impossible. Make an assembly large, and you take

the most certain way to insure want of deliberation; you give wide play to passion and to prejudice, and you drown the calm suggestions of reason by the turbulent ravings of the noisy, empty, but often dexterous debater. Every town-council will become a debating-club; we shall have talking in place of acting; delay for the greater part of the year, and hurry, confusion, and bustle at the end of it. Such is the House of Commons—such will be the miniature legislatures to be called town councils.

To enlarge upon the utility of the Ballot to you is unnecessary—you have already learned what open voting is, and the many hundred tradesmen who have nominally had a franchise, but have either been compelled to vote against their wishes, or not to vote at all, will dread, rather than hail with pleasure, the coming privilege of choosing a town councillor. The crescents and the circus will turn out their army of old women, headed by colonels and admirals, and a general forage for votes will precede every annual election. Every old woman with half an idea, and every bustling, busy, do-nothing, empty-headed old coxcomb with none, and whose time hangs heavy on his hands, will go ferreting about the town, persecuting, threatening, carrying scandal, and making it, until the town will become one wide scene of confusion, quarrels, backbiting, and all uncharitableness. The ballot would prevent all this. The idle people might rave, but their ravings would be harmless; they might be fussy and busy, but no result would follow. Their power would be struck down, and they would not see the hand, though they would feel the blow. A slight, very slight alteration in the enactment would effect all we desire. Do not compel the voter to sign the voting paper, and you have the ballot in all its efficiency.

It may be remarked, that the annual election of one-third of the council is a mischievous mode of proceeding. There is always a talk about the excitement of the people, and a great dread is pretended of this popular commotion. Read the history of mankind, however, and ascertain how often has evil fallen upon states, in consequence of popular apathy as compared with popular commotion. The truth is, that men are not easily to be stirred up by those evils which result from misgovernment, unless the evil takes some horrible and horror-striking form. The silent sapping of popular controul, by the quiet machinations of interested officers, seldom alarms the people in time. Men see the evil, but the amount of it to themselves, at any given moment, is small. They look not forward to ascertain the evils that will accumulate in time, rest contented with their condition, and

“ Rather bear those ills they have,  
Than fly to others which they know not of.”

Therefore, to me, it appears unwise to dread the excitement of the people, or to take means to suppress and keep it down. Public spirit is a plant that requires fostering. The legislature should endeavour to force, not check its growth. I therefore desire to see the *whole* of the town council annually elected.

I will speak of the recorder and the administration of justice when I come to discuss the powers to be exercised by the municipal government.

The next great matter is the nature of the elective, or, as it is sometimes called, the constituent body. The bill provides that the old corporations shall cease on the 25th day of October next, meaning, by that, not only that the old mayor and aldermen should for ever go out of office, but that the body, which, in these strongholds of corruption, were called by the various names of *freemen*, *burgesses*, *commonalty*, &c., should also

cease to have any peculiar municipal privilege, excepting certain rights of property; and the bill establishes, in their place, a constituent body, composed of *rate-payers who have paid rates within the prescribed limits of the corporation for three years*.

There are two great and crying evils attending this regulation. First, the time is too long; and secondly, the requiring that the rates shall all be paid up will disfranchise many hundreds of honest and respectable voters. The Whigs, against the most earnest entreaty of their friends during the passing of the Reform Bill, adhered to this mischievous regulation in that enactment. The consequence we all have seen. The power of the Tories was only for the moment suppressed. They have arisen with new strength, and corruption has stalked abroad, and has again terrified the land. This provision not only goes to disfranchise many an honest man, but it enables a dishonest one to get a price for his vote. There are now, in most places, Tory clubs. These clubs have money at command: a man, not having paid his rates, goes to this club, and says, “ If you will pay up my rates I will vote for you. If you do not, I shall either not pay my rates, or, if I pay, shall vote for the opposite party.” The man’s rates are paid for him, and his vote is sold for ever. A traffic in votes will soon follow, and there will be a strong tendency in the new corporations to become as corrupt as the old ones. One year’s rating also would be quite enough. It will be found that even, with this exception, the constituency will be fatally small; and, did I not believe that the spirit and intelligence of the people were daily advancing, I should fear that this reform was only a temporary release from evil. Having faith, however, in the growing information of the mass of the people, believing that we are steadily moving onward, I

hail the breaking up of the old strongholds of mischief with delight. Before any fresh evil can be permanently re-established, the people will have learned its extent and the remedy, and, as their power is daily increasing, if they demand the remedy, it must be granted.

### § III.

*I now proceed to discuss the extent of the powers of this Municipal Government, and the mode in which they are to be distributed.*

The powers of every such government are of necessity—*legislative, administrative and judicial*; and I should have been glad if the ministry had determined to keep all these separate, and to have passed a general law, by which they should be rendered alike in all the corporations of the country. This, I allow, would have been a difficult task, and I sometime since anticipated that the ministry and their legal advisers would be unequal to it.

“ Thus, again, powers for the due lighting of towns, and supplying the inhabitants with water, should be entrusted to the corporations. At present, an act of the imperial parliament is required before a gas or water pipe can be laid down for the use of the inhabitants. Immense expense is thus incurred, and enormous injury often inflicted on the poor. In this case it is evident no interest can be affected but those of the inhabitants themselves; and here, therefore, if in no other instance, the power we contend for ought to be entrusted to them. What is now done as a job by parties interested only for themselves, or a small body of employers, would, under the system proposed, be made the business of the corporation governments; which, as we shall immediately show, can be, and ought to be made responsible to the great body of the inhabitants, over whose interests they are set to watch. In the same way all the public charities—and, advancing one step further—all institutions of education supported by the people, should be in a great degree, under their immediate and direct control. All public markets also, all matters of police, come necessarily under the same management. In short, everything affecting the well being of the neighbourhood, considered merely as a neighbourhood, and unconnected either with the nation generally, or the districts or neighbourhoods immediately surrounding, ought to be considered as the business, and coming within the field, of corporate administration. From the incomplete list of these matters here given, it must be evident, that much care and knowledge would be required to make an accurate and scientific classi-

fication of the rights to be conferred, and the obligations to be imposed on the Municipal Governments; so that a general rule might be framed and put into the form of a law. To draw correctly and distinctly the line between these various small jurisdictions, and the general government, would demand no ordinary proficiency in the science of legislation; that is so to draw it, that a complete conception of the whole field of their jurisdiction could be attained by an instructed man, on a perusal of the laws. It would be easy to perform the task in the ordinary clumsy mode of English legislation, in which difficulties are avoided only by putting them off to be settled by expensive and doubtful judicial decisions. Any English Act of Parliament which shall regulate the extent of Corporation jurisdictions will, doubtless, contain a confused, illogical, and incomplete list of the powers conferred; an attempt at an enumeration will be made, and appended to it will be a drag-net to catch any forgotten or stray rights which may have escaped the detail, in a shape, perhaps, like the following: ‘And all other rights, powers, privileges, or immunities, necessary to the due and proper discharge of the several functions above enumerated.’ What ‘rights, powers, privileges, &c.’ may be so necessary, will lie hidden in the womb of time, till a judgment of a court of law shall give them birth; so that we shall now come to the end of the list. The decision of the courts will never do more than settle the matter immediately in dispute; and on every fresh emergency, a new suit and new decision will be requisite. To avoid these mischiefs by a previous, complete and exhaustive classification of the rights and obligations necessary to the end in view, will, we fear, never suggest itself to those whose business it will be to prepare a bill for the consideration of the legislature. To do so would appear too much like the conduct of a philosopher; and a philosopher, as every blockhead is supposed to know, and always asserts, is not a practical man. The practical men are the drag-net framers—men to whom nothing suggests itself but what a narrow experience teaches—men who never use thoughts to learn what *may* happen, but who are content to task their own memory to remember what *has* happened. They put down a confused list of particulars, in the order in which their memory supplies them; and then complacently crown their work by the capital contrivance of a wide generality, which, as it distinctly specifies nothing, may, upon occasion, be made to specify anything. After this manner have all our laws hitherto been fashioned. Would that we could reasonably hope that, in the case of Corporation Reform, science was about to assume its proper function, and order and logic to occupy the place of a confused and disorderly enumeration!”—*London Review: Article on Municipal Corporation Reform.*

If, as I here suggested, one general law had been passed giving the same powers to all the corporations of the kingdom, much confusion would have been avoided. Now, according to the provisions of this new bill, all the diffi-

culty of arranging and enumerating these towns has been avoided, by leaving things as they were. Take as examples, Bath and Bristol. The powers given to each corporation, together with the towns, granted by local acts, will constitute the powers of the future corporations. But these are different in these two cities; so that we shall have two corporations twelve miles apart differing in many important particulars. This is an evil that might have been avoided, had the persons who drew the bill been possessed of the knowledge which every legislator ought to possess. Our legislators and our lawyers must indeed undergo a great, an extraordinary change, before this necessary knowledge is acquired by them.

In the note below,\* I have extracted

#### \*FUNCTIONS OF THE DELIBERATIVE ASSEMBLY.

Town councils to appoint charitable trustees to administer all charity funds vested in municipal corporations; such trustees to appoint secretary and treasurer.

Town councils to be trustees of all acts of which corporators are *ex officio* sole trustees.

Where the members of the governing body or some part of them have heretofore been trustees jointly with others for the execution of any local Act of Parliament, the new town council shall appoint a number of themselves to fill such part of the trust.

Powers vested in trustees by local Acts of Parliament, for lighting, cleansing, supply of water, &c. may at the option of such trustees, be transferred, together with their possessions and responsibilities, to the new town councils.

A police or watch committee to consist of mayor and councilmen; such committee to appoint constables for the borough; constables to be for the county as well as borough; watch committee to make regulations for the management of the constable.

All licenses of publicans and victuallers to be granted by town council.

Council empowered to order parts of boroughs not under the operation of a local act as to lighting, to be included under such act.

Council may assume the powers of inspectors under 3 and 4 Will. IV, c. 90, for lighting any part of the borough not within a local act for lighting the same.

Council to have power to make bye-laws, and inflict summary punishments for their breach.

All corporate revenue and all fines to be received on account of borough fund; salaries and election expenses defrayed therefrom; deficiencies to be made up by a rate.

Council to provide a police-office.

from the *Municipal Reformer*, an excellent paper lately established, an outline

Boroughs having their own courts of session exempt from county rates, but to pay expenses incurred by county on account of capital offenders sent therefrom to assizes.

#### MODE OF CONDUCTING BUSINESS.

Council to appoint committees of their number for any purposes which would by such be "better regulated and managed;" all questions debated in council to be decided by a majority; one third of the whole number a quorum; and the mayor, or in his absence, the one elected by the rest to be the chairman, to have a casting vote.

#### OFFICERS, THEIR APPOINTMENTS, DUTIES, AND EMOLUMENTS.

Power to the town council to appoint town clerk, treasurer, and such other officers as they shall think necessary; to take security for due discharge of their official duties, and to determine salaries.

Treasurers to pay no money but by order in writing of a quorum of the town council, countersigned by town clerk, with summary powers against officers for not accounting.

New council to have power to remove all present officers.

Town clerks and officers removed under the provisions of the Act, to receive compensation, if they can agree the same with the town councils; in case of non-agreement, the lords of the treasury to determine amount.

Burgesses annually to choose two auditors (not to be members of council, nor to be town clerk, treasurer, or charitable trustee), and mayor to choose a third; the three, half-yearly, to examine and audit borough accounts; all accounts to be annually published.

#### ORGANIZATION FOR THE ADMINISTRATION OF JUSTICE.

##### I.—MAGISTRACY.

The mayor, *elected by the council*, is to be, as above stated, invariably a magistrate, and consequently, the *chief magistrate* of the borough. A succeeding clause provides that there shall be no other justices, except under special license from the crown to the council to nominate persons to the king, to be put into commission by him if he choose.

Borough justices to need no qualification by estate, not to sit in courts of gaol delivery, or quarter sessions, nor to levy rates, or grant ale-house licenses.

To appoint a clerk, who shall not be the town clerk, or of the council.

County justices of the peace to have jurisdiction in all boroughs which have not a separate court of sessions of the peace under the Act, with provisions as to county rates, and apportionment of the expenses of prosecutions at the assizes and county quarter-sessions.

##### II.—POLICE.

Besides the constables appointed by the common council in watch committee, to be remunerated as such body shall deem advisable, the magistrates are to appoint annually a certain number of special constables to act in case of need, to receive pay when on duty.

of the various powers possessed by the Municipal government. From thence it will be seen, that the town council are a legislative body, for they have the power to make *bye-laws*. They are an administrative body, for they not only appoint officers; but in committees, the councillors themselves transact much of the town business. The mayor is a legislator, as councillor; he is an administrative and judicial officer, as justice of the peace, and head of the police. All this mixing of duties is mischievous. The town council ought to have had the power of making bye-laws, and of appointing all the officers of the town. These officers would have had separate and distinct duties, *and all of them ought to have been paid*, and justice should have been administered by one efficient and instructed judge, who, if chosen by the crown, ought to have been removable at the express desire of the town council. Why the mayor should, *ex-officio*, be a justice and a judge I cannot divine. He is to be chosen annually. Suppose we

Existing provisions for watching to cease, and accoutrements, &c. to be relinquished to the new establishment.

Town councils in certain boroughs to appoint a coroner; county coroners to act in other boroughs.

#### JUDICIAL INSTITUTIONS AND OFFICERS.

Recorders (barristers-at-law of five years' standing) to be appointed by the crown in certain boroughs, if town councils petition for quarter sessions; with powers to such recorders to act for more than one borough. Recorder to be justice of the peace for the borough and its vicinity; not to be councillor or police magistrate; to be sole judge at quarter sessions.

Criminal jurisdiction; power to try capital offences wholly abolished; limited to quarter-sessions; capital offenders sent to county assizes.

No new civil courts created; those existing to retain their old constitutions, except that recorder or mayor be sole judge; jurisdiction extended to personal actions to sum of 20*l.*; when below that amount, judge to make rules; council to appoint registrar, and "other necessary officers" of the court.

Burgesses to be jurors and summoned by clerk of peace and registrar of civil court, under fine; exemptions from serving on county juries; regulations in regard to fees; regulations of summary jurisdiction under the Act.

have a fresh mayor every year, and thus behold we have the past renewed in the future. The mayor will not be the judge—it is the mayor's clerk that will really exercise the high functions of that office, under-hand and without responsibility. A mayor coming to the performance of new duties of which he is ignorant, is necessarily driven for instruction and advice to the town clerk, and when at the end of his mayoralty he has acquired sufficient knowledge to encrease his usefulness, a new mayor is appointed, whose instruction also depends upon the same person, namely the town clerk. An instructed tradesman would make a very good mayor, but what does he know of law, and of the weighing of evidence? His life has been passed in acquiring other knowledge, and a life is required to make a good judge. A peculiar training of the mind is needed for it, peculiar studies and long custom and exercise. You know what fine judges your apothecary-aldermen make—putting aside their injustice, look at their perfect inaptitude. They may be able to bleed and purge; (though there are very few of them that I would trust to perform either office for me) but what, I ask, in the name of common sense can they know of law? Mr George, the town-clerk, is really the mayor and aldermen of Bath, as far as regards administering justice. Indeed, there be many heads in the corporation, but, spite of the proverb respecting many heads, I in this case should be much better content with one instructed one. The corporation in this multitudinous capacity go in procession to church, they also in the same multitudinous capacity feast at your expense. Their numbers, too, I allow make them a multiplied nuisance, but spite of all this, one person, and one person alone judges, and that person is the irresponsible town-clerk, Mr George.

There can be no objection to the

Crown choosing a recorder for the borough, provided that he should be removeable at the desire of the town council. This last, however, is not to be allowed; and you will have little security beyond publicity for the due administration of justice, even if you should determine to have a recorder. If you do not so determine, the administration of justice is almost intirely in the control of that immaculate body, the Justices of the county,\* from whose

\* As an illustration of the oppressive character of the administration of justice in our corporate towns, take the following recent decisions of the Bath Courts of Requests, as reported in the *Guardian*:—

“To return again to the Bath Court of Requests in this city. Two other cases have come under our observation in this court, both showing, if correctly stated, how oppressive this court still is to the really poor and destitute. The maximum of imprisonment is yet in all cases given. A very decent looking widow woman has been imprisoned for twenty days, under the name of Elizabeth Maggs, which she has not borne since 1826, her real name being Lane, of Twerton. She had incurred a debt of 11s. 5., according to the prosecutor, which she denies, and says she has no doubt the things, if had at all, were had by some one else who used the name: she would swear she never had them. If we understood her rightly, the debt was incurred during the lifetime of her husband; several years ago, at all events, which frees her from liability. She was from home when the summons of the court was served at her house; and on her return she thought it was something relative to others, not herself. She never was in court to be heard at all, but was taken from her family of seven children, and incarcerated for twenty days, her family of young children being left to run wild, or starve, having no longer parental care. She has fourteen days to remain. Debt, 11s. 5d.; costs, 12s. 6d.”

“Another case, which says little for human nature, is that of a poor old man named Porter, aged 84, and completely helpless, the whole of one side being paralyzed, and he having been long incapable of dressing or undressing himself. He has been torn from his aged wife, who waited upon him, and flung into prison at the suit of R. King, for 4l. 4s. 2½d., and costs 1l. 1s. 6d., and he is to pay this by 100 days' incarceration! A miserable wreck of humanity, on the brink of the grave, is thus to satisfy his creditor's demand, if death does not sooner sign his quittance of life and debt together. This is not all, the creditor agreed to take the amount of the debt of a third party, who owed the old man wages, and thus Porter considered the matter balanced, for the account was of old standing; but the creditor neglected to receive the money, and the party from whom he was to get it in the end going away, he comes back upon the aged and helpless old

justice I pray sincerely to be for ever carefully defended. Until a system of local courts be introduced, we cannot hope for any thing like a cheap and efficient administration of the law. This system must soon come, spite of interested opposition. When the people have learned duly to appreciate its value, they will demand it in a way that cannot be resisted.

All the various commissioners, also, who have powers within the city, are to be superseded by the town council, *if they (the commissioners) should so choose*. I had hoped that they would have been compelled to have resigned their powers to the town council. The council ought to have the power of choosing certain persons to perform the duties of the several commissioners, and of removing such persons, should it be deemed expedient. This ought to have been extended to all the commissioners in the town.

Such, Gentlemen, are some of the creature, puts him into the immaculate Court of Requests, and they give him the maximum of the law. There had been no fraud, the creditor had neglected the means of payment—but no matter! It appears that the wife had the care of an idiot, and received twenty-five pounds a year for the office, on which they lived, idiot and all, with a small parish allowance besides. How was this poor creature to answer a debt of four pounds out of a sum so received, and, most likely, in driblets too? Could Porter have lived with his wife and the idiot upon the money thus allowed, the parish would not have added a trifle weekly. Eight or nine pounds per head per annum for the support of aged helplessness can, no doubt, afford four or five pounds to meet such a demand! Now is such a court not a grinder of the poor, a great addition to the calamities incident to humanity, and a perversion of the intention of a court of equity, which is bound to arrange, as much as possible, for the common good by the law of conscience? Of itself it takes good care, for, debtor or creditor suffer, the court clutches its fees, and is equally unrelenting and excessive in its punishments. The truth is, the Court must be put down by Parliament. If no sense of common feeling actuate it, if it will not fulfil the ends for which it exists in a proper manner, it must be knocked on the head, carrying with it alike the well-earned anathema of the poor and needy, and of the humane and charitable. Why has it not acted like other courts of a similar name—given time, or softened the severity of creditors, and settled debts by instalment?”

more material points in this important measure. It behoves us all to watch it narrowly—to suggest improvements, if we be able—and also to prevent mischievous alterations and additions. There is a duty also imposed on you. You are chiefly interested in this matter; it behoves you, then, also, to scan it closely—to weigh its several provisions—and, if you think any of them inadequate or mischievous, to point out to the Legislature, by petition, the parts which you desire to see altered. If you steadily and warmly lend your aid to the Reformers in the House of Commons, we perhaps may be able to preserve all the good which this measure contains, and add much that it wants. If you be lukewarm, and desert us, mischief will follow. The fault and the punishment will be yours.

I am, Gentlemen,  
Sincerely yours,  
J. A. ROEBUCK.

#### POSTSCRIPT.

I cannot close this Letter without alluding to some events connected with the matter to which it relates, in order to put you on your guard against the machinations of that Tory party, who dread that their political ruin will result from the enacting of this reform, even in its present state.

It was expected by most persons, that on the introduction of this bill for Corporation Reform, the Tories would have made a stand in the House of Commons. Many of the party evidently intended to contest the matter with us, and to make an attempt to throw it out at once. This intention was frustrated by Sir Robert Peel, who, in his speech on the occasion, made some admissions that startled both his friends and his opponents. He had suddenly discovered two very important circumstances—one, that Corporation Reform was

absolutely necessary; and the other was, that the only means of effecting this reform was, to make the corporations subject to popular control. These two popular opinions completely silenced his friends, and destroyed, just at their very birth, many furious declarations of Tory adhesion to the wisdom and institutions of our ancestors. The bench on which the ex-premier sat was filled with his *thick-and-thin* Tory supporters—those who obtained seats in the House of Commons by the most odious and barefaced corporation corruption. Great was their dismay at the conduct of their chief. Their faces were pale and haggard—evincing, in a mode not to be misunderstood, the bitterness of their disappointment. Norwich and Liverpool, those pure seats of corporation virtue, sighed by means of their noble representatives; Leicester, too, was aghast; and trouble and dire dismay were in the Tory ranks.

The ingenuous reader, unused to the wily machinations of parliamentary tactics, may wonder at the doings of Sir Robert; and, in the guileless spirit of a straightforward, honest heart, may ask, was he in earnest? Aye was he, indeed—just so in earnest as was the devil when he tempted Eve.

“Him there they found  
Squat like a toad, close at the ear of Eve,  
Assaying by his devilish art to reach  
The organs of her fancy, and with them forge  
Illusions, as he list, phantasms and dreams;  
Or if, inspiring venom, he might taint  
The animal spirits, that from pure blood arise  
Like gentle breaths from rivers pure, thence  
raise  
At least distempered, discontented thoughts,  
Vain hopes, vain aims, inordinate desires,  
Blown up with high conceits, engendering  
pride.”

Such are the schemes and endeavours of Sir Robert Peel. He is the evil spirit of the House of Commons. Malignant and envious because thrust from power, his whole life is now passed in thwarting every good attempt, and in trying to damage every beneficial act attempted by his opponents. The

character of this man's mind, his wily machinations, his twists and turns, his utter carelessness of truth, his daily, nay, his hourly inconsistencies, his barefaced and brazen neglect of former professions, form a wholesome though painful study for those who seek to know man's nature, to learn his evil as well as his ennobling qualities. He is distinguished from his fellows in the political world by the practised cunning which a life spent in office has produced and perfected. His intellect is narrow, his views are short—he cannot grasp a wide yet accurate generality;—though he can handle details with great skill and dexterity for the immediate purposes of debate. As an orator he is without imagination; void of generous sympathies also, he excites no generous emotions; and although he has passed his life in the House of Commons, he has never uttered a sentence which is remembered, or given expression to an idea that was not trite and common place. His dexterity in debate is much the same as that of a Yorkshire horse-jockey—a man who winks at you when he means to cheat you, and in order to make you think him a clever fellow, shows plainly that he is a rōgue. The trick and finesse are always apparent, the dishonest intent is always manifest; and men exclaim in praise of his shifting and tortuous wiles, because they have been able to see through them. How comes it then, that a man thus poor in intellect, without real vigour or excellence, has acquired so great an ascendancy in the House of Commons? The solution of this difficulty must be sought in the composition of that House, and in the peculiar position of Sir Robert Peel. Sir Robert Peel began life in an inferior official station, and bearing the stigma of a man of low birth. His soul craved after aristocratic connexions and distinction. He would

have given his fortune to have wiped out the stain of his parentage. He had no self respect, no dignity of mind and character, which, in a country like England, are alone able to neglect and to brave the contempt and scorn of aristocratic insolence. He therefore crouched, in place of resisting; and instead of trusting to his own native dignity of character, he sought support in the most powerful political party of the aristocracy. He declared himself the advocate of their most exclusive opinions. He was not merely High Tory, but High Church also. He kneeled at the feet of Lord Eldon, and worshipped with edifying fervour the Tory star then high in the ascendant. With this spirit he came into the House of Commons. For years he never uttered a word in that House that did not find the ready echo of an overwhelming majority. By time, he acquired fluency, and the habit of marshalling his ideas to suit the audience which the House of Commons offered. He was a favourite with the House, because he always spoke their opinions; and, though he did not shine and sparkle like Canning, still the sentiments he uttered were always agreeable to his hearers.

At the command of the Duke of Wellington, he changed his most cherished opinions;—supported by the warlike dictator, he ventured to brave his party, and bitter was the potion which they made him swallow. His long, and useful, and obsequious servitude was forgotten, they twitted him with his birth, Oxford expelled him from her halls, and George the Fourth called him a vulgar fellow. From that moment to the present, a struggle has been going on in his breast. He hates the party which he leads, but he has not courage to leave them. Having gained a position by dint of practice and industry in the House of Commons, he is endeavouring to make himself a power sepa-



rate from his Tory supporters. During his late premiership, this Tory party insulted him: The talk about the cotton-spinner's son, so freely indulged in by his friends, sunk deep into his soul; and he will not forgive, even though he never desert them. Pulled thus different ways, and letting, "I dare not wait upon I would," the latter part of his career has been a series of gross political blunders. In his heart he cared nothing about Catholic Emancipation; a bigotted party made him support bigotted opinions—he did so until forced to give them up, and he yielded just when to yield gained him no friends among the liberal portion of the public, though it made him bitter enemies among his former friends. In order to win back those friends, he made a fierce stand against the Reform Bill. These friends forgot his apostasy in his usefulness, and being themselves utterly incapable, were glad to have so unscrupulous and able a leader. When the proper time arrived, he was rewarded with the nominal premiership, but was evidently bound not to yield on certain points—one of these was Corporation Reform. While minister, he would express no opinion concerning it, and his silence lost him his office. Out of office, and no longer shackled by his friends, he speaks out in favour of Corporation Reform. This speech, made three months ago, would have preserved his ministry; now, it angers his friends, while it does not conciliate his enemies. The one set frown, the other laugh. He is doubted by both sides, and loses power with all.

Seeking a separate political power, Sir R. Peel has ventured on popular declarations; so made, however, that they may easily be explained away. He flatters by this means that he can acquire popularity, and yet not injure the cause of his friends. This is just that sort of dexterity which he delights to

exhibit; and he would not be well pleased if the people of the House of Commons did not say of him, "What a clever, cunning fellow, Peel is!" But what can we think of that cunning which every blockhead can see through? The ostrich hides its head, and believes that its huge body is also shrouded from view; we laugh at the bird's stupidity, and yet is it much upon a par with that curious cunning which, by being overdone, is perceived by all.

The tactics of Sir Robert Peel are, we are happy to say, quite plain and manifest. He makes large professions of liberality, in vague and general expressions. He allows the corporation reform bill to pass a first time without resistance, because he believes that resistance at that time is useless. There is not now, as heretofore, furious outspoken opposition. "Let it even pass a second time," he will say to his friends, "it is in committee that we must endeavour to ruin it." Thus he soothes the indignation of his disappointed friends, and hopes to throw his enemies off their guard. When the committee comes, no manœuvre will be left untried to effect the following ends:—To narrow the constituency, and to throw the power into the hands of the rich. This they will seek to effect by introducing into the bill the principles of votes according to property—giving the poor man one vote, and the rich man six. Another object will be to destroy the efficiency of the popular control over the magistrates, and to deprive the town council of many of the powers proposed to be given to it; for example, the government of the charities; the patronage of the church; the licensing of ale-houses, &c.; all these things are to be attempted in committee, and Sir Robert hoped to lull us to sleep by his hollow professions of popularity.

J. A. R.

June 15.

The debate on the second reading verified my prediction,—no opposition was attempted; but we were given plainly to understand that mischief is intended in Committee. The chief actor is to be Lord Stanley, a very worthy coadjutor of Sir R. Peel. This imperious personage has told us, with great appearance of doing the people of England a favour, that he intends to support the bill—but he also informs us, that it does not altogether meet his wishes, and therefore he suggests, what he is pleased to call improvements.

Lord Stanley, like Sir R. Peel, has suddenly received a new light; there is a novelty, however, about his new light, that Sir Robert's could not boast of. Lord Stanley—and the Tories vehemently cheered him while he made the statement—has suddenly become possessed of fear lest corporations under the new law should become political bodies. The Tories, virtuous souls! have a similar terror. Is not this, however, both in one and the other, a simulated virtue? Up to the 5th of June, they were utterly unpossessed by such alarms—and why? because the corporations were the strong friends of the Tory party. Now, when they are likely to forward the wishes of the people, on a sudden there is horror evinced at the idea of corporations being at all political; and Norwich, Leicester, Bristol, Liverpool, echo the cry of terror. Sir Robert Peel, too, is frightened by the same evil. Did Sir Robert heretofore feel this alarm? Did he, in the palmy days of his party, object to the interference in elections, of Tory mayors, Tory aldermen, Tory town-clerks, Tory corporations, in short? This is poor hypocrisy, and would be hooted at in any other assembly.

There is also another cause of panic—the funds of the corporations will be dissipated! Again I ask, how does it happen that this cause of terror has not

before been noticed? We never heard of it while close corporations were feasting at the people's expense. Is such feasting not deemed a waste of the people's money? When self-elected and irresponsible corporators throw away the funds in corruption and wastefulness, there is no fear, no remark;—the moment that the people are to take care of their own, then the funds become objects of great solicitude. Take Bath or Liverpool as an example. So long as the corporation spent money in beautifying their dining-rooms—in disguising and disfiguring the abbey—in paying their mayor 1000*l.* per annum—in giving splendid feasts,—where, I ask, were Sir Robert's terrors? We never heard of them. So long as Lord John Thynne represented the corporation of Bath, so long as the corporation represented themselves, they might do what they liked with the people's money; but now, when the corporation is about to represent the people, the money is to be looked after. Wise Sir Robert! excellent Lord Stanley! you are each of you marvels in your generation. Look after the people's money—watch lest it go to useful and really popular purposes—keep a jealous eye on the corporation, lest it make the grammar-school of use to the inhabitants of Bath—lest it make the baths a means of comfort and cleanliness to the poor—lest it make the town-hall the people's hall—lest it administer justice—lest, in short, it be the people's servant, a useful and jealous guardian of the people's interests.

Sir Robert Peel talked also of surplus revenues. He said that Liverpool had a surplus revenue, and was in agony lest Parliament should not direct how it was to be employed. I can suggest one means of employment to the right hon. baronet. Liverpool has a debt of 800,000*l.*: when that is paid off by the surplus, we will talk of

applying what remains. Bath, too, has large funds; but Bath, also, has a large debt. She does not, certainly, equal Liverpool in this respect, yet if I be not much mistaken, 70,000*l.* will have to be paid—a burthen created by one of those immaculate bodies, who were allowed to do as they liked with the people's money, because composed of *respectable* persons.

Lord Stanley, in order to avert the mischiefs which have thus perplexed and terrified him, suggests certain improvements. He besought the ministers not to yield one tittle in the shape of greater liberality, but he almost demanded of them to make changes such as he desired. The supercilious insolence of this person is a curious specimen of impertinence. He assumes by his whole bearing and manner a wonderful importance, and he talks about his support, as if the fate of every measure depended on it. When we remember his egregious blunders as a minister; his rashness, petulance, and daring ignorance, his present self-satisfaction is almost miraculous. The proverb that tells us that fools never learn wisdom by experience is not altogether false. Experience makes wise men wiser, but it leaves fools just where it found them.

“Your dull ass won't mend his pace by beating.”

All that experience does in such cases, is to add annoyance to folly, and thus forms a compound far more offensive than unsophisticated ignorance.

Lord Stanley's plan is to ensure that the voting shall be completely open; also to render a qualification necessary in the case of a town councillor, to increase the duration of the town council to six years instead of three, and to have half of them elected every three years.

Lord Stanley professes to fear frequent elections, as likely to keep the town in a state of ferment. One would

have fancied, that if he did fear this ferment, he would strike at the cause of it, viz. open voting;—but no, he has two ends to obtain; first, to maintain the influence of the rich over the poor voter; and, secondly, to have no political excitement. The way to effect this is to preserve open voting, and to have long periods between the elections. There is more hidden under this plan than meets the eye. When the elections are annual, there is a constant and pressing interest in the case of every voter to pay his rates regularly. If you put off the election for a long period, his interest is much smaller, and his enthusiasm cools. Thus, from carelessness, merely, a large number of persons will be disfranchised, and many of the corporations will become close and corrupt. It is of the highest importance to have a motive that is constantly acting upon men, inducing them to take part in public affairs. They who seek to destroy such a motive, seek to create that apathy which has always been the chief enemy of good government.

The ministry, I sincerely hope, will not yield to the suggestions of Sir R. Peel, or his amiable helpmate, Lord Stanley. The only hope of the ministry is now in the people; if they give the people cause to doubt their sincerity, the public interest respecting their continuance in office will cool down, and the Court will quickly take advantage of this state of the public mind. Again, the Melbourne Ministry will be ignominiously dismissed, and the Whig party broken up for ever. Any tampering with the popular provisions of this Bill will produce this dangerous coolness in the popular mind. Then will the Ministry again find Lord Stanley their evil genius, destroying, as heretofore, that popularity by which alone they now retain office, and by which alone they will be able to retain it.

J. A. R.

June 17, 1835.

[ADVERTISEMENT.]

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# THE STAMPED PRESS OF LONDON, AND ITS MORALITY.

THE SINCERITY OF TORY PROFESSIONS  
IN FAVOUR OF  
CORPORATION REFORM.

BY

**J. A. ROEBUCK, M.P.**

[PRICE THREE HALFPENCE.]

## THE STAMPED PRESS OF LONDON, AND ITS MORALITY.

“ Before the gates there sat  
On either side a formidable shape;  
The one seemed woman to the waist, and  
fair;  
But ended foul in many a scaly fold  
Voluminous and vast; a serpent armed  
With mortal sting; about her middle round  
A cry of hell-hounds never ceasing barked  
With wide, Cerberian mouths full loud, and  
rung  
A hideous peal; yet when they list would  
creep,  
If aught disturbed their noise, into her womb  
And kennel there; yet there still barked and  
howled  
Within unseen.” —

THE Periodical Press has done good service to the cause of the people; it also has been the cause of no slight evil; and in the present posture of political affairs, its evil tendencies are likely daily to increase.

The good done by the Press has arisen from the rapid manner in which it communicates intelligence; from the mode in which it has made all the acts of those who have authority over us subject to public opinion, by bringing them constantly and immediately before the public. Those, too, who conduct the Press have the opportunity, if they be honest and intelligent, of constantly illustrating sound and important principles by the occurrences which they daily relate. There can hardly be imagined a more

important, a more truly dignified office, than that of a teacher of the people through the means of the Periodical Press. His powers and opportunities are greater than those of any other class of teachers. He has an immense audience, and by constant repetition he is able to produce a certain and lasting effect. New ideas cannot be introduced by any sudden or singular effort, however powerful or well directed—it is the dropping of the water on the stone, the line upon line, the precept upon precept, that brings about important changes. The people can be effectually moved only by being constantly addressed.

It is clear, however, that this powerful instrument may be used for evil as well as beneficial purposes. The constant repetition even of a falsehood will produce its effect. “Tell a man, every day for a whole year, that black is white, and he will end in believing you.” This was said as an epigram, but an important truth is suggested by the exaggeration. The newspaper that comes to our table every morning, whether we commence by agreeing with it, or not, will eventually materially influence our opinions. The truth or the error that is constantly repeated to us will both

have a great chance, in time, of gaining our assent.

When we consider the importance of this power, we cannot fail to inquire under what responsibilities it ought to be exercised. It is evident that no man who understands his own nature, and at the same time desires what is honest, would willingly assume this power with all its many temptations, without surrounding it, even for his own sake, with all the checks and guards which the nature of the power permitted. We are accustomed to check and subject to serious and efficient responsibility the public officers who have trust and authority over us. We do this, not because we peculiarly distrust those who are thus intrusted with authority, not because we desire to cast a slur upon them, but because we know that all irresponsible power will, in the end, be abused; and because no reasonable man expects to find in public functionaries a miraculous virtue, which, unaided, can resist a constant and powerful temptation. But what trust is there more important than the one confided to him who is to have a daily influence upon the opinion of the people—what trust more surrounded by temptation—what trust so likely to be, and in reality, so easily abused? Reputation, private and public—the happiness of individuals and classes—is at the mercy of the Periodical Press. Here and there you may find a man who laughs at the paper pellets which the Press can shoot, but this is a rare fortitude, and let a man be ever so careless respecting it, his anxious and timid friends (and what man has not timid friends) will annoy him by constant declarations of their fears.

What, then, are the guards which a wise people would put around the Press?

The guards which it is possible to set around the Press are *legal* and *moral* guards.

The law may render it penal to tell

falsehoods respecting individuals or classes, or to be abusive.

And the moral code of the people may regard it as a great and heinous offence in any one to hazard unjust or untrue assertions respecting individuals or classes.

The legal restraints, however, must of necessity be insufficient, or too stringent.

If the law attempt to restrain abuse, by punishment, it necessarily will bring within its grasp the honest and necessary expression of opinion. If it simply confine itself to punishing falsehood, it will not reach the whole evil. Much mischief may be effected, and no such falsehood be uttered as the law can properly lay hold of. Legal restraints, therefore, must prove either directly mischievous, or wholly insufficient.

The chief, the only really efficient and proper guard, is public opinion. In private life, persons who indulge in calumny are shunned—they who utter falsehoods are banished from society—and thus a very efficient check is maintained upon private slander and malice. Every man that repeats a story is answerable for it; he is bound either to find an author for it, or to be responsible for repeating it. Thus for every story, if it be properly dealt with, a responsible owner can be found, and this responsibility is amply sufficient to restrain lying and slandering within such limits as to be comparatively harmless.

In private life, also, there is the additional safeguard arising from every man being able to tell his own story. If A says anything against B, B has the power of replying to A: one man is exactly upon the footing of another, and this equality defends all.

The English people call themselves a wise people. They are very much in the habit of praising their laws, institutions, and manners, and they delight in the name of a civilized nation; and yet, in this most important case, their laws,

their institutions, and their manners seem to have been specially framed so as to render the Periodical Press an instrument of mischief.

The law, for example, has spread so wide a net for those who may choose to criticise any matter, or thing, or person, that no one could hazard rebuke if the law were put in force. You may not say anything that has a tendency to induce a man to commit a breach of the peace; neither may you say anything that has a tendency to bring the authorities, the law, or our religion into contempt. If the judge and jury please, this may be made to include anything and everything. The law being thus oppressive, no man who has a regard for his character likes to employ it, for who shall touch pitch and not be defiled?

In the hopes of restraining what legislators have been pleased to term the licentiousness of the Press, they have made a monopoly for it—that is, have given to certain persons only, the right of saying pretty much what they like, and have thus increased the evil. For if the reply could circulate side by side with the falsehood, the mischievousness of the falsehood would, in great measure, be destroyed. If abuse could be answered as easily as it is uttered, the evil of it would be small.

Thus far the *law* does mischief; our *manners* lend an additional and fearfully mischievous efficiency to the evil tendencies of the Press. We are accustomed to sanction *anonymous* newspapers:—wholly beyond the reach of law, the papers thus are placed beyond the reach of opinion also; and the irresponsible and hidden editor—irresponsible because hidden—says things in his character of editor, which he would be utterly ashamed to utter as a private gentleman.

Besides, from the very mystery attached to the anonymous character, the assertions made in a newspaper assume

a potency wholly unjustified by their intrinsic merit. Said under the guise of the “we” of the editorial writer, assertions are respected and listened to, which if they were known merely to be the sayings of Mr A. or B. would be wholly disregarded.

The consequence of this combination of circumstances is, that half a dozen nameless, obscure, and often very unworthy persons, assume the direction of public affairs, and deal as they list with private and public reputations. Another necessary consequence is, that the temptations to which these persons are subjected become too great for their unaided, irresponsible, virtue. They allow themselves, from mere private pique, to assert the gravest and most unjust charges against individuals; for party purposes they hazard the most outrageous falsehoods; and for money they sell themselves—consciences, abilities, and industry. There are one or two exceptions to this statement; some few of the editors do really consider their duty a great and responsible one, and are scrupulous as to their assertions; but the great mass are such as I have here described them.

There is another circumstance connected with our manners which also contributes greatly to degrade the morality of the writers for the periodical Press. In our aristocratic country a newspaper editor is not deemed a gentleman; and, if any person be generally and avowedly known to be the editor of a paper, he would lose *caste* if he were previously considered of the class gentleman. This renders it incumbent on gentlemen, who become editors of newspapers, carefully to keep from the circle in which they move all knowledge of the fact, and though it may sometimes be whispered that Mr A. is the editor of such a paper—men avoid alluding to it, as they would avoid alluding, in the presence of his brother, to a man who had been hanged.

Having carefully watched for some years, the effect of a Press thus situated upon the morals, and on the political as well as social well-being of my country, I determined to the utmost of my ability and in my vocation to attempt a reformation of this great and growing evil. It appeared to me, as well as to many others, that if we could destroy the monopoly of the Press, we should go far to effect the reform desired: that is, we should make one step towards it. Besides breaking down the monopoly, I desired also to create that responsibility which arises from publicity. The Press renders every thing public, but itself. The men, whose means of doing good, is the making things known to the public, hide themselves. They are like physicians who avoid their own remedies. I desire, however, to make the public, if possible, suspicious of all anonymous political writers. What is it keeps the judges in Westminster Hall at all honest? It is the fact that their doings are made known to the public. Shut up the hall of justice, exclude the public from all knowledge of what is done there, and injustice would soon be rife over the land. But the judges, called newspaper editors are thus hidden from the public gaze. They work in secret, and their deeds, as far as their morality is concerned, are little better than those of the Venetian Council of Ten.

With the intention of breaking up the monopoly of the Newspaper Press, I have done my utmost to forward the repeal of the stamp duties on newspapers. . . Of late, many persons, of whom I was one, have been particularly active in this matter, and it is pretty clear, that the newspaper monopoly totters to its fall. To lose power and money is not agreeable to these people, though the power be mischievous, and the money dishonestly obtained.

The Press, therefore, determined to make an effort; and one set of them

presented a petition to parliament in which they explained, among other things, that, if the stamps were taken off, not only would the diffusion of knowledge be seriously obstructed, but that the periodical press would be degraded in its character, and descend from the high and honorable position it now held.

On the reading of this petition, I took occasion to remark in substance, that I thought it impossible to degrade the character of the periodical Press—as now it appeared to me, that it was corrupt, base, and cowardly. I said this, I observed, without reference to party, for all parties were alike, as far as regarded the Press. From the highest to the lowest there was corruption. That a despotism more dangerous could not be imagined. The press struck at reputations, and no one knew from whom the blow came. To me it appeared, that now, under the monopoly, they were corrupt and base, and as cowardly as they were corrupt.\*

\* The following report from the *Spectator* is the most correct version of what I said. It is evident, that the *Spectator* writer did not read this report, but was guided by the morning papers. I should remark, also, that the reporters put in exclamations of objection, as if made by members—none such were made. I was warmly cheered, indeed by the Tories, when I included all parties alike. My intention was to do so. Calumny is not confined to Tory, Whig, or Radical. They all indulge in it, though, as I have explained in the text, my charge was not made against every individual of the press, but against the Press as a whole. It is impossible, that such clear-sighted persons, as enlightened editors, do not comprehend this distinction.

“Mr Roebuck said—

“This petition contained extraordinary and self-contradictory statements. The petitioners talked of the high character of the newspaper press of this country. Now, there never was a press so degraded, so thoroughly immoral, as the newspaper press of this country. A despotism of the basest and most cowardly description was exercised by persons connected with newspapers, who were ready on every occasion to ruin the public reputation of individuals, in articles to which they did not dare to put their names. Anything so perfectly cowardly in feeling, and so despotic in execution, could not be instanced as the conduct of the newspaper press of this country; and they were told, forsooth, of the high character of that press! If the Stamp-duties were taken



off, it would not then have the power with impunity to ruin the reputation of individuals; for its attacks would be answered, and its slanders exposed—that alone would be a great benefit. He would assert with confidence, that from the highest to the lowest, the most paltry corruption, the basest cowardice, and the blackest immorality, were the governing principles of the newspaper press of this country."

This was not intended, though so interpreted, to extend to every individual of the Press. I know many belonging to it, honourable men; and men for whom I have a personal regard; but I do mean to say that, without excepting any party, the charge is true of the Press, taken as a whole. In the House of Commons I am accustomed to hear lawyers and churchmen accused of rapacity, but no one supposes that every lawyer and every churchman is included in the charge.

"I hate all lawyers," said Swift, "but I like counsellor so and so," and every one knew what was intended. But it seems that the gentlemen of the press, as they delight to style themselves, are not to be spoken of with impunity. Say what you please of other classes, but beware how you say aught of the Press. Now I am not one of those to be frightened by these gentry; I mean to try conclusions with them, and I will now proceed, after my fashion, to give certain cases of corruption, of base and cowardly conduct. I select first—

#### THE "TIMES"

—but I beg to observe that I am not content with speaking of the mysterious *Times*, I wish to be more particular, I shall speak of Mr BARNES and Mr STIRLING, editors of that journal.

I have often read the pages of the *Times*, and great has been the abuse and foul language therein employed; and yet I have never found attached to any articles the name of either of these worthy personages. How comes this to have happened? These persons insinuate that I am afraid to speak my sentiments, because I do not say in the House of Commons what I write out of

it. What I write I put my name to; every one knows who and where I am, but vain would be any attempt to find that mysterious and important character the editor of the *Times*. Let any one make the experiment. I recollect full well that in the *Times*, during their crusade against Lord Brougham, there was, in the true christian spirit which distinguishes the writers of that paper, a statement that that noble Lord was insane. This statement was not made in the way of invective, but seriously, as a matter of fact: and then followed a pretended condolence, and advice to his friends to see that proper medical aid should be obtained, to relieve the noble Lord, if possible, from his dreadful malady. Now I say, supposing Lord Brougham, or any friend of his, had desired to know the name of the charitable being who had written this paragraph, and that he had sent to the office of the *Times*, in order to learn the name of the real author of it, would the name have been given up? Would Mr Barnes, or Mr Stirling, have stepped forward to own it? Would they not have shrunk into their den, and cowered, and hidden their wretched persons, in order to escape the punishment which such a proceeding deserved? Have they not done this? Even their effrontery will not permit them to deny it.

Now let me ask—first, as to that portion of the press called the *Times*; was this not base; was it not cowardly? And second—as to Messrs Barnes and Stirling; was it the part of honest men to belong to a paper which could contain such attacks? It is needless to push this inquiry further; any man of common feeling will know what epithets are best fitted to designate it.

I have not yet done with the *Times* however, nor with Messrs Barnes and Stirling. The *Morning Chronicle* has been labouring, for some time past, to show the inconsistencies of the *Times*.

For the purpose of so doing, it has put, in opposite columns, its opinion of men and things from 1832 to 1835. Now, there is hardly one of its idols of the first year that it has not thrown down and trampled on in the last. There is hardly a man whom it abused in 1832, that it does not laud, even to the skies, in 1835. How do men account for this? All allow that the proceeding is dishonest; there are few epithets, indeed, expressive of dishonesty, which have not been publicly applied to it.\* And a solution of the problem has been found by one of its brethren of the press. It has been asserted that the *Times* was sold to the Tory party, and not only the *Times*, but its editors. In good old feudal times, estates and they who tilled them, were sold together. The poor feudal slaves, the *adscripti glebæ*, used to do the same work under different masters; so these two editors of the *Times* have been sold with this estate, and do the same work under different masters; their business being evil-speaking, lying, and slandering. They laboured in this vocation for the Whigs in 1832; for the Tories in 1835. In short, Messrs. Barnes and Stirling may, in law language, be called *villeins regardant*.

The friends of Mr Stirling are in the habit of saying that the "blackguard" parts of the *Times* (such is the phrase they use) are not his. To me, this a matter of indifference: by the very defence he is allowed to belong to a disgraced and disgraceful company; and, by the rule laid down by the *Times* itself, every writer belonging to it, is answerable for every portion of it. On Saturday, the *Times* told Mr Grote, that if he allowed me to edit any work of his, and publish it as a pamphlet, he, Mr Grote, would be answerable for every pamphlet published by me. In this case I dispute

\* I shall favour the reader, in another portion of this paper, with some select specimens of newspaper rhetoric on this head.

the justice of the rule. Here is no joint writing—the writer of each work is known, and is answerable for that to which he puts his name. But the rule does apply to the *Times*. They are a joint-stock company of writers, known by the style and title of the *Times*; which portion belongs to Mr Barnes, which to Mr Stirling, no one knows; and they are not to evade the just indignation of the public by the anonymous screen they have erected.

Another excuse that is made for these two persons, the *Lockit* and *Peachum* of this goodly company, is, that they live by the trade. "We must live, my lord," said a roguish attorney to a judge not long since.—"Honestly, sir," was the answer. If writing for the *Times* be not a honest trade, let Mr Barnes and Mr Stirling leave it, and find one which, though less lucrative, may yet not be disgraceful.

Some time since, I was in the habit of meeting Mr Stirling in society, and was not a little amused by the Charlatan game he played to hide his editorship of the *Times*. If any one had assumed the fact, he would have taken it as an affront. Often has it been whispered in my hearing, "That is the Editor of the *Times*, but hush!—he will hear us." "Well, and what then?" "What then—he will abuse us, to be sure." And the man of the types was allowed to pass unnoticed, as of the types—because people feared him. We live in a time in which violent atrocities are not committed. But, assuredly, there was a painful resemblance between this man's position, and that of a bravo-spy at Venice. They both used a secret and irresponsible power; the one slew you—the other merely ruined your reputation. The one would make a rush at you and deprive you of life, while the other, by a series of covert attacks, sought to make your life a burthen. The bravo, to me, appears the least mischievous animal of the two.

I now come to  
 "THE MORNING CHRONICLE,"  
 and Mr BLACK its editor; and I mention Mr Black's name here with great reluctance. I have had for him much respect, and felt sincere pity for his unfortunate position. When Mr Perry died, Mr Black was left as a sort of charge upon the paper. He was editor by the will of Mr Perry, and in that character he did immense service to the good cause; and in no case more, than in daily exposing the mischievous conduct of the unpaid and irresponsible magistrates of this country. But Mr Black never had control over the whole paper, so that many parts of it contained remarks and assertions of which he was very sincerely ashamed. Some time since Mr Easthope bought the paper, and Mr Black went with it. It is now the organ of the Whigs. What the Ministry wishes, Mr Easthope orders to be done; and the *Morning Chronicle* is now a regular thick-and-thin ministerial journal.

Of its various shifts and windings, it is not now my intention to speak, but I am going to make an appeal to Mr Black respecting the article which appeared last Saturday in his paper. I do not make this appeal on my own behalf, but on that of others; and I should like to know whether, in his inmost heart, Mr Black be not ashamed of that article.

The article, after some preliminary remarks, proceeds to extract certain portions from the *Times* of the day preceding. These contained the names of persons now under persecution on account of the stamp duties. Their names are mentioned in the *Times* in the most contemptuous manner, and on purpose, as the *Times* thought, of annoying me. I am compared to these persons, and said to be inferior to them all. But the pith of the sarcasm consisted in first degrading the persons themselves. Mr

Black's paper, by quoting these passages, gives them further currency, and sanctions the attack on the suffering and persecuted men therein spoken of. The appeal I wish to make to Mr Black is, whether it was just towards these persons, for a person holding his opinions, to have lent strength to any shaft by which they might be wounded? Had Mr Black been a mere blundering newspaper hack, I should not have remarked on such a proceeding. But if I mistake not, Mr Black was a friend of Mr Bentham—a participator in many of his political opinions; and I would ask him, if he thinks that Mr Bentham would have been guilty of such a proceeding? Mr Black does not believe these persons dishonest; neither does he consider the act for which they have been punished a crime, and yet he allows his paper to abuse them. When he comes to look back upon this article, when he looks also into his own mind and heart, and brings to recollection what he considers just and honourable, sure I am that he will blush for the deed, and feel disgust for the actual perpetrators of it. To a man whose code of morality was less exalted I should never have dreamed of making this appeal. I know Mr Black too well not to know that he will repent of it.

The article pretends to feel pity for me. I care not who was the author of the effusion; I return him my best thanks for his charitable feeling, and would, in return, suggest to Mr Black, that I have often felt that emotion when considering his condition. The paper of which he is nominally the editor is, in reality, the organ of the Whig party. What the heads of that party desire to be inserted is immediately published. The Treasury sends its missives, and they must be obeyed—no matter what be the principle advocated—no matter whether opposed or not to all the principles which the Editor has advocated through life—they must be published, and are

sanctioned by the old authority—of Mr Black. The answer made when objection is taken to this, is, “he must live.” All I reply now, is, that I sincerely regret that he should be obliged to earn his bread by such a calling.

Time was, when there was vigour and pith in the articles of the *Chronicle*; but they have chained their once free man to the oar, and, like a slave, he now labours heavily and uselessly. Even malice cannot now supply the writers of the paper with energy, wit, or pungency.

The best articles which have appeared in its columns of late have been extracts made to prove the *Times* a renegade. And at the present moment, when the heavy writers of the *Chronicle* wish to enliven their readers, they copy the calumny and revilings of their opponent.

Now proceed to address myself to Mr ALBANY FONBLANQUE, the editor of

### “THE EXAMINER.”

In this case I have a gentleman to deal with—I had almost said a friend, but that he, forgetting friendly offices, has chosen rather to assume the badge and garb of my opponents, and to rank himself with a brotherhood of which I am bound to admit he is a distinguished member.

I had hoped that there was that feeling of self-respect within him that he would have known that the shaft was not aimed at him. He might have supposed that the charge I made was intended for the Press as a body, and that all the members thereof were not sought to be included. He has not done this. He has taken up arms in favour of the Press, and in the use of his weapons has been guided rather by the spirit of the tribe than his own.

Others have indulged in abuse—he has misrepresented me. The foolish ravings of his worthy brethren are

harmless—his unfair reasonings, if not repelled, might be mischievous.

It has suited Mr Fonblanque’s purpose to compare me with Lord Winchelsea, and thereby to insinuate that I desired to put down the Press. He knows that this is a false insinuation. I seek, and he knows it, to throw the Press open to the widest competition; to destroy an unjust monopoly, and to curb it, not by force of law, but by force of opinion; to make all who conduct it responsible to opinion, and to cleanse it from its present filthy corruptions by destroying its anonymous character. He knew that this was my object, yet acting rather in the spirit of his calling than of an honourable opponent, he insinuates a charge that he knew was false, even while he made it.

But in good sooth I spoke harshly of the Press, and this to the mild, gentle editor of the *Examiner*, Mr Albany Fonblanque, is an offence wholly unpardonable. But did Mr Fonblanque never speak ill of classes? Has he never made sweeping accusations against the Clergy, for example; against the House of Lords—the House of Commons—the Bishops—the Magistracy? And yet no one supposed that he thereby attacked every clergyman, every member of the House of Lords, of the House of Commons, or of the magistracy. But if the Press are to make these sweeping assertions, are none to be made in return? Are they alone to be gently handled? and are all men to be on their guard, lest by one word they let loose the whole pack to bark and yell at them? They, because they fancy they have the means of annoyance, lay down rules for others which they do not observe themselves. None more ready than Mr Albany Fonblanque to indulge in wide and sweeping condemnation. Now I hope that he will repent him of his many evil deeds—read his recantation to the abused Clergy, the House of Commons, and

the Magistracy, and be careful, when he wishes again to characterise these bodies, to guard his general assertions by exceptions, lest some watchful but ungenerous reader should quarrel with the wideness of his generality, and abuse him for his carelessness.

But now a word as to the morality of Mr Fonblanque's thus joining in the yell of the pack to which he has allied himself. None more than himself is aware of the difficult task of any man who stands up in the House of Commons steadfastly to advocate the cause of the people. None is more aware than he of the fewness of those who dare do so: none more ready than he to blame the backward and the lukewarm in this difficult cause. He knew, from the very fact of my being one of the few who did not fear, in season and out of season, to speak for the people, that I have had an uphill game to play; that the sinister interests of all parties would be but too glad to cow me into silence, and to destroy any influence that my steadfastness in the cause of the people might have gained for me. Suppose that, under these circumstances, I had spoken unguardedly of the Press; that is, though I had correctly described the body, that there were persons who, though belonging to it, did not possess its vices, and that I had not by name excluded these persons; \* and then suppose that this body being the Press sets upon me, without regard to decency or to truth, trying by every calumny to blacken my character, to ruin me if possible. Was this the time, I ask, for an honest friend of the people to forget all former efforts, to disregard the steadfast advocacy of that cause in painful circumstances, to overlook the difficulties which necessarily surround one who does his duty, and to join the cry of the base and the profligate?

\* It should be remarked, that on a former occasion, when I made a charge somewhat like the present, I did by name except the *Examiner*. But this, I suppose, was conveniently forgotten.

Mr Fonblanque may deem this honest, manly, and like a gentleman. But I pray that fortune may keep me far from those who acknowledge such a code of morals, and that the people may find more upright and high-minded advocates. I remark upon the ravings of the *Times*, because I wish to put down a nuisance. The yelping of others, like the *Spectator* or the *Age*; *et id genus omne*, I let pass unnoticed, but the talent of Mr Fonblanque had gained my respect. I regretted for his own sake that he was found in such company, and have therefore noticed his attack. As a gentleman he ought to have known that this was not the fit mode or manner of attack, even if he desired to make one; as a man of intelligence he should have perceived the absolute nothingness of the charge; as a man of common candour and honesty he should have been **ASHAMED** to have made it.

I cannot close these remarks without bringing before the reader specimens of the language used by the Press towards one another. When I see what is their ordinary talk, I cannot be surprised at the outrageous language used towards myself. I should really be glad to know if the beautiful pieces of rhetoric that I insert are considered as evincing that high and dignified character claimed by the Press. We have here the best of them. The *Standard*, the *Chronicle*, the *Times*, the *Globe*. I allow that the *Morning Herald* is below the average in intellect; but so also does it fall below its contemporaries in the use of the vulgar tongue. I am indebted for the greater part of the selection to the *Twopenny Despatch*, the editor of which very significantly asks if this be evidence of respectability. Let the advocates of the stamped Press answer.

I commence my extracts by the following exquisite chorus of reciprocal abuse:—

“That heap of dung, the *Morning Herald*.”  
— *Cobbett*.

"That squirt of filthy water, the Morning Chronicle."—*Times*.

"That slop-pail of corruption, the Post."—*Morning Chronicle*.

"Our blubber-headed contemporary, the Globe."—*Standard*.

"That bully of Berkshire, and braggadocio of Printing-house square, the Times."—*Morning Advertiser*.

"That spavined old hack, the Courier."—*Morning Herald*.

This should be set to music; and if sung by the editors in person at Covent Garden, might prove instructive, if not amusing; and perhaps no bad speculation.

The next is a *solo* by the *Times*, the theme being the *Morning Chronicle*.

*Character of the Chronicle by the Times.*

"THE 'LIBERAL' LIARS.—In a disgraceful morning print, which, made up of such contributions as the licentiousness and leisure of stock-jobbers may furnish, actually feeds on falsehood and lies so largely, day by day, that one might think that in its case 'increase of appetite had grown by what it fed on,' has in its impression of yesterday the following, &c. &c. &c."

Again,—

"The smaller rascal, Mr Gingell, jun., copies the paragraph of the greater blackguard. Surely the people who have been picked up to do this sort of dirty work, which no newspapers, not even the most infamous, ever did before, will see upon reflection that even sweeping crossings is a cleaner, and likely to be a more lasting occupation, than the filthy trade they have embarked in. There is no calumny, however gross, that they have hesitated to invent and publish against this journal, from their falsehood that it has been sold to the Tories up to the lie we now notice. For the future, we shall not condescend to notice these persons; because we cannot help feeling that the respectable part of the community must be shocked to know that there are such beings as these scribblers out of the tread-mill, and because every exposure of the ragamuffins gives to foreigners an additional proof that there have crept into the press of this country a number of scoundrels, who not only are unfit for the society of gentlemen, but who would be a disgrace to the vilest coterie in Europe."—*Times* of Saturday, June 13th, 1835.

The *Times*, still performing, thus sings of the *Standard* :—

"A stupid and priggish print, which never by any chance deviates into sense or candour, states, that we approved of Lord Northampton's bill when it was first announced. On the contrary, we immediately denounced it as unnecessary, as the grounds on which it rested appeared to us visionary. By the way, why does not this Journal coalesce with a congenial brother of the press? They are worthy of each other. The flippant dulness of the one, and the noisy blockheadism of the other, would form a very pretty harmony. They are as pretty a pair of dunces as ever dived into Fleet-ditch."—*Times*, June 16th, 1832.

The *Morning Chronicle* and *Standard* are not to be outdone. Thus saith the *Chronicle* :—

*Character of the Times by the Chronicle.*

"The poor old *Times*, in its imbecile ravings, resembles those unfortunate wretches whose degraded prostitution is fast producing neglect and disgust. The gloss of extrinsic ornament loses its attraction—all the exhibitions of profusion which it can muster for display are insufficient to conceal its vice and wretchedness. Its rage and envy know no bounds in the case of a rival. Its spite shows only the filthy source whence it springs, and it deals out blows which injure only itself. This self-styled 'Leading Journal of Europe,' that only twelve months ago stupidly vaunted of being the 'guide of three-fourths of the people of England,' has, within the last twelve months, lost nearly one-half its circulation, and is now much below this journal, which, during the same period, has more than quadrupled its numbers. This is, indeed, a sore subject to the *Times*, and if it does not, to its remaining readers, serve as an excuse for its Billingsgate, it will at least account for it. Think only of the poor *Times* lamenting over the degradation of the English press! This surely must have provoked a smile from even the lowest menial in Printing-house-square, if his fears of approaching destitution could leave him a smile for such a subject."—*Morning Chronicle* of Monday last, June 15, 1835.

Neither is the voice of the *Standard* mute.

*Character of the Times by the Standard.*

"It is, therefore, either fraud or folly to defend the sedition, the excitement to secret assassination or mob massacre—the filthy falsehood or base insinuation put forward by the *Times*, for example—by arguments about men's reading and writing. How many were taught by the journal in question the use of the brickbat and bludgeon, and paving-stone?"—*Standard*, August 22, 1832.

"It can scarcely be doubted that the habits of writing down to the ignorance, and writing below the brutality of the rabble, which that journal has acquired by long experience (acting of course upon original ignorance and intuitive brutality) has rendered the *Times* a more powerful organ of excitement than a whole workshop of tailors."—*Standard*, August, 22, 1832.

The *Standard* confines not its abuse to the *Times*, but goes higher and wider. The following extracts will teach the public how to estimate praise or blame awarded by the brethren of the Press :—

"Nothing can prevent the birth of such persons as *Edinburgh Reviewers* and *Scotsman writers*; and in a country enjoying the benefits, and, of course, subject to the inconveniences of a free press, nothing can prevent the dissemination of their pestilent writings."—*Standard*, September 19, 1832.

"Even those who are not corrupt or ambitious, if they happen to be simply and sillily aristocratical in their notions, can bear with much more equanimity, the pointless, stupid

stander of convicted blackguards, such as the *Times* and *Courier*, than the equally unjust accusations of the *Morning Chronicle* or *Examiner*."—*Standard*, October 29, 1832.

"Journals, such as the *Times* and *Courier*, of such notoriously blasted reputation, can do little harm to any party."—*Standard*, Oct. 1832.

The *Times*, however, is not to be outdone in the use of vulgar language. It thus answers its foul-mouthed opponent. The *Times* again speaketh of the *Standard* :—

"The public have seen with pain and indignation certain Tory Journals which, though boasting of support of what is miscalled the *Conservative* part of the aristocracy, were chiefly remarkable for pandering to the diseased and depraved appetites of a despicable class of readers, by loading their columns with *filth* and *obscenity*; but it has been reserved for the parson-patronized print in question (*The Standard*) to set the infamous example of outraging feelings, which in England at least, have ever been held sacred."—*Times*, August 9, 1832.

I will close these choice specimens of periodical writing by an extract from the *Standard*, which may suggest to the reader an explanation of the attack made upon myself. The writer who thus plainly conceived the evil, should surely have abstained from abuse of him who has stood forward to remove it.

"We challenge Sir James Scarlett to produce from this so ably conducted journal ten consecutive sentences of ordinary good grammar, or one fair logical deduction, written during the period of his (Sir James's) connection with it, now a period of about twelve years. This is our apology for the frequency and earnestness of our allusions to the *Times*. It is a nuisance at which *too many connive*, with which too few have at once courage and honesty to contend, to allow that one conscious of the evil it inflicts, and neither too timid nor too corrupt to engage with it, should withhold exertions demanded for the public good."—*Standard*, Oct. 31, 1832.

When the reader has recovered from the astonishment which this collection has created in his mind, let me entreat his consideration of the following observations.

In the warmth of action, on the spur of the moment, I made a charge against the Press, in a speech which occupied about two minutes in the delivery. Allow for the moment, which I by no means do allow, that my expressions were too wide, and somewhat too harsh: for this offence the Press, from the begin-

ning to the end, ay without any exception, have endeavoured by the most unworthy means to injure my character, and to annoy and wound me. In truth some have gone so far as to attempt to ruin me, by insinuations which they knew to be false, but which they believed would be mischievous. Now if I deserved this treatment, and that I did so in the opinion of the Press is proved by their conduct, what I ask is deserved by those who deliberately, in the quiet retirement of their study, have thus attacked and abused each other? I am blamed for making no exceptions. I go to the Press and ask what exceptions I ought to have made? I ask the *Chronicle* if I should except the *Times*. The answer I have given above. I ask the *Times* if I ought to except the *Chronicle*. The *Times* has replied. Shall I except the *Standard*? The *Times* again replies. Shall I except the *Courier*, the *Chronicle*, the *Examiner*? Let the words of the *Standard* say. Now all these charges are made at long intervals, under no excitement derived from speaking, or from action; they are the results of calm deliberation. If I be guilty towards the Press, how far more guilty is the Press towards itself! Why does not the Editor of the *Standard* attack the Editor of the *Times* by name?—Because he fears that the Editor of the *Times* will also name him. These fights between the Press are like the battles of the Condottieri of Italy; they fight a whole day and never slay a combatant. The Italians complained that the French actually killed their opponents. The Press, in like manner, cry out because I have touched them in their vulnerable side. Mine was no sham fighting; they felt its force and trembled at it. They themselves allow that they deserve the character I have given them, but are enraged because it will stick to them. The world will believe my statement—I have backed it by the best authority. Self-

condemned, if a spark of decency remains among the tribe, they will henceforth be silent, when dishonesty is imputed to them. Was I not justified; even on their own showing, when I said they were dishonest, cowardly, and corrupt?

It may be as well to close these remarks by an explanation of the real cause of the violent abuse lavished on me by the Press. They see that a steadfast and efficient effort is being made to do away with the stamps; that means are being taken to make the country aware of the evil, and to induce the people to petition the legislature on the subject. I happen to be the first per-

son so employed, on whom they could vent their rage; they have, therefore, attacked me. Every man of common sense sees, however, that the wrath is money wrath, and that, like other monopolists, the newspaper writers are making a fight for their monopoly. These persons have the means of making an outrageous outcry; and they have not let slip the occasion of doing so. My cause, however, is a winning, theirs a losing one. I can, therefore, easily laugh at their rage, and set them and their enmity at defiance. I am sorry for their loss of bread, but am not to be frightened into letting them earn it dishonestly.

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### PROOF OF THE SINCERITY OF TORY PROFESSIONS, IN FAVOUR OF CORPORATION REFORM.

SIR ROBERT PEEL, ever since the Corporation Reform Bill was presented to the House of Commons, has been profuse in his professions in favour of that reform. I must own that I was somewhat startled by his declarations, and also much inclined to doubt them. My doubts have not been removed by the frequency with which these said professions of love and admiration have been repeated.

The current jargon now is, "We all agree in the principle of the bill, but we have objections to some of its details." Now as the pith and substance of the bill consists in its details, as by very small alterations in point of form and expression, the attempt at reform may be rendered utterly nugatory, this support seems by no means of a satisfactory character. The assertion really intended under this form of approbation is—"We are unable to resist the bill directly and openly: we are also unable to deny that reform is really needed, the evidence of its necessity being abundant and cogent; yet, inas-

much as we have not lost any one of our old propensities,—inasmuch as we love corrupt power just as well as ever, we shall do all that we are able to ruin the efficiency of the bill, by cavilling at and altering the important details of which it consists."

That this is the true interpretation of the Tory language in support of Corporation Reform, the debates of Monday and Tuesday most satisfactorily prove. The conduct of Sir Robert Peel on Monday, that of Sir James Graham, and of the Members for the most notoriously corrupt corporations, on Tuesday, affords us an instructive illustration of the character of the individuals, and of the party to which they belong.

Sir Robert Peel has said that he approves of Corporation Reform; that this reform was deservedly popular with the people, and that a strong necessity rendered it inevitable. Sir Robert, nevertheless, in his heart abhors this reform, and is trying his utmost, by various misrepresentations, to make it



unpopular with the mass of the population.

On Monday night he attempted, by his ordinary sort of management, to confuse the question really before the Committee, hoping, thereby, to be able to cajole them.—The sixth clause of the Bill points out the circumstances that are needed to constitute a man a burgess—that is, one of the constituent or elective body of the Corporation. The Bill requires the payment of the poor's rate for three years—Sir Robert Peel, wished to add to this the payment of all rates which might be imposed for borough purposes.

The effect of this is obvious—it would diminish the number of the electors. It would throw the power into the hands of a still smaller number of persons, and would exclude from all control over the borough or corporation government, a very large number of persons who really contribute to the payment of such government.

The question before the Committee was a very plain one—should they require the payment of both rates; viz. of the poor's rates *and* the borough rates—or should they make the payment of one rate only, viz. the poor's rate, sufficient. The ministry and the majority of the House were for the last plan. They wanted only the payment of the poor's rates. Sir Robert Peel wanted both rates to be paid; but he, not wishing that the question should be thus plainly put and conceived, began his very dexterous manœuvres.

He began his operations at half-past twelve. Most members wished to adjourn, and gave very unequivocal demonstrations of their impatience. Whereupon, Sir Robert read them a lecture, and spoke of the necessity of steady industry in carrying through a Bill of this importance and intricacy. Hereupon, the House became attentive; and we all believed that he was really about to

move his resolution to the effect, that before a man could be a burgess, he should have paid *both* the poor's rates *and* the borough rates for three years.

Sir Robert, however, did not put his resolution at once, but reserved it, and commenced asking a series of questions. In the midst of these questions he was again asked if he intended to discuss the question then; or only half discuss it; the House giving him very plainly to understand, that the half discussion would not be permitted, as we should, thereby, be kept till three o'clock of the morning, merely for the sake of talking. Sir Robert proceeded, and it was believed and understood that he was about to put his resolution. He still continued his questions and observations about anything but the matter in hand. At last, he hit upon a matter which raised the point he desired, and got a member to fall into the trap he was placing for unwary feet.

He insisted upon the necessity of being extremely careful as to the election of burgesses, as the powers of the Corporation would be great. He then began to speak of these powers, and picked out one case which he evidently selected to throw odium on the Reform. It seems that by local acts, in some places, houses of a low rent are not rated for the *watching* and *lighting* of the town. Now Sir Robert was careful to point out that under the new reform, these local acts would cease, and that the town council would be obliged to rate all houses equally; and he put in this sly remark: "Thus under the new plan a large body of poor persons, who are now not taxed, will be compelled to contribute to the expenses of the corporation." Seeing the intent of this speech, I took occasion to remark, that this consequence was by no means a necessary one; that now, we, the House of Commons, exercised the right of taxing the people for borough purposes, by local acts; but by the new

bill we proposed to delegate these powers to the town council, and the town council, having the same discretion as that which we had exercised, might, if they pleased, follow our example; so that, under the new bill, the poorer houses would not necessarily be rated, and there was no reason for entertaining the alarm which the right hon. gentleman was attempting to create. A few minutes afterwards, Mr Baines, the member for Leeds, fell plump into the snare, and began to descant upon the loss of popularity the bill would sustain if the right hon. baronet's view of the case was a correct one. Whereupon Sir Robert Peel, glorying in the momentary success of his manœuvre, began to cheer and laugh. That cheer and that laugh plainly discovered the real feelings of the man. It said as plainly as if the words had been spoken, "I have given one blow to this measure which I cordially hate, and am rejoiced at the success of my attempt." These little signs and tokens tell more of the truth than formal protestations, and so convinced do I now feel of his real intentions, that no affirmations on his part, however solemnly or frequently repeated, would suffice to convince me that he desires, what he is so constantly asserting that he does desire, viz. a thorough and efficient reform in the corporation governments of this country.

The proceeding, however, did not stop here. The discussion went on, and the impression intended to be created by Sir R. Peel was worn off, by explanation. At two o'clock he saw clearly that his proposition would be negatived, whereupon he refuses to put it, though he had kept us nearly two hours discussing it, and although he had entered into the discussion upon the formal understanding that the discussion was to be complete and the question put. So soon as his determination not to put the question was ascertained,

very unequivocal expressions of dissatisfaction were manifested by the House, and members pretty openly expressed their disapprobation of such conduct: whereupon the Right Hon. Gentleman became angry, and attempted to bully Mr Shiel, and got in return a rebuff, that silenced him.

Such a proceeding as this is, by Sir R. Peel's friends, called dexterity: and thought to evince great talent and aptitude for business. Out of doors, however, I should hope that it would produce a somewhat different effect, and that men will see through, and rightly estimate, both the conduct and the intention which led to it. Sir Robert Peel is labouring hard to acquire popularity—he is looking forward to office, and hopes that his profuse professions will be remembered, and these shifts and wiles either not known or utterly forgotten. But again and again it should be repeated there is no trust in such a man. I use no roundabout or allusive phrase, I seek no cover, no mask while I make the declaration, but I say it plainly, boldly, that the protestations of Sir Robert Peel in favour of reforms are hollow protestations; that his whole conduct shows him to be a friend of the corrupt influences, and that his liberal talk is but an instrument used to further his own purposes, and that as a public man he is utterly untrustworthy.

During the discussion respecting the powers of taxation to be entrusted to the town council, Lord Sandon took occasion to remark, that he could not consent to give these councils any power of apportioning the rate, or of excluding any persons or classes from its operation: "For," said he, "if these town councils are to be constituted after this popular fashion, what shall prevent them from taxing the rich and passing over the poor; thus making the burthens to fall only on one part of the community."

He could easily have been answered

by the conduct of the House of Commons. That house represents the rich. Has it made unequal taxation? If Lord Sandon answer no, I ask why should he then fear the town councils. If he answer yes, then I say the house reaps its reward; it is punished by the example which it has itself afforded.

But I have mentioned this remark of Lord Sandon's, to put it side by side with his statements respecting the poor freemen on Tuesday evening.

By the present bill it is proposed to do away with freemen entirely after the death of those who are at present possessed of the rights of freemen, and entirely to take away, even from existing freemen, all corporate rights. And this for a very plain reason. The power of corporate government is by the present bill given to certain parties immediately interested in the good government of the town, viz., certain of the inhabitants thereof. Now if the freeman be an inhabitant, and fulfil the conditions of the law, he takes part in the government of the borough; but if he do not fulfil those conditions, he is excluded. I desire, indeed, that these conditions should be less strict, but I do not desire to admit a man to power because he is a freeman, but because he has an interest in the good government of the town; and this he has not if he be not an inhabitant. It is as an inhabitant that I would admit him, not as a freeman.

It appears, that at Liverpool and at Norwich there is a large body of freemen; and that, by the operation of the present Bill, their descendants will be deprived of their rights—that is, a freeman's children will not have the privileges of freemen. Among these privileges is that of voting for Members of Parliament, and these children will not have the right as freemen, though, as inhabitants, they may have it.

If, in Liverpool, you sought to give every householder the right of voting

for a Member of Parliament, I should be the first to vote for such a measure. But if you were to pick out from the poorest of the householders, a very few, and place them in a situation in which they were liable to be intimidated and bribed by any one who had power in the town, I should say these persons were not in a condition to vote properly. Surround these persons with the requisite safeguards, and I should desire to see them invested with the right in question. Give them the Ballot—and give the right to all, and thus, by their numbers, guard them against intimidation and corruption, then I am for giving them the power of voting. But the freemen of Liverpool, for example, are not in this position. Being a small number as compared with the whole body, they have an interest in selling their votes; *and they do sell them*. They consider their vote as part of their property, worth so much directly in money. In Bristol, I remember, that during the last election, a body of 400 freemen refused, on the first day of the election, 1*l.* a-head—thinking, that on the next day, their votes would be in demand, and that a greater price would be given for them. As it happened, the contest was really settled on the first day, and their votes were not needed—their demands, therefore, immediately fell, and they asked eighteen shillings and sixpence—which they did not obtain. A body of men of this description, ready always to sell their votes, are a perfect godsend to a rich candidate. He who bids highest is sure to have them; and as the Tories have generally most money, they specially desire to retain these freemen.

What was Lord Sandon's argument in favour of this virtuous body? Why, on a sudden Lord Sandon had an immense regard for the people. On a sudden, spite of his alarm of the preceding evening at popular control, he became possessed of an acute sense of

the injustice of depriving the poor of the power of voting. He desired, he said, to have the poor take part in the business of elections. It was the great glory of our institutions that they were permitted to do so, and he should resist this encroachment on popular rights. He was pithily answered by a question put by Mr Charles Buller, who asked, if such was his feeling respecting poor voters, would he consent to lower the franchise—to extend the number of electors, by lessening the number of years required before they could become burgesses—would he consent to require no payment of rates? It is well known that he would not consent to either of these proposals. It is clear that his desire is not to enlarge the number of voters, but to have a set of voters who can be influenced by fear and by money. Place the poor man under the influence of a general law, admit all of a class, and thus have a wide constituency coming in steadily, regularly; and you put the voter beyond the reach of the corrupter; then the anxiety of the Tory respecting poor men's rights ceases. They are no longer of service to him, the Tory, and his sympathy ceases with his interest.

Throughout England the freemen have been used as instruments in this degrading and demoralizing manner. In every place where the power of voting for a member of Parliament has been extended to the freemen, there, the most barefaced and foulest bribery and corruption have existed. At Liverpool; at Norwich, at Bristol, at Leices-

ter, we learn to what purposes they have been turned, and we thus become possessed of the secret of this strange anxiety on the part of the Tories respecting popular privileges. Do away with the freemen in these towns, and you will cut up corruption by the roots.

I am not very often in the habit of praising his Majesty's Ministers. Their steadiness in this Bill, however, against the cajolery of Sir Robert Peel, and his worthy assistants, Lord Stanley and Sir James Graham, deserves the warmest approbation. I had hoped, indeed, that they would have given us a more popular elective body, and that they would not have tied us down by the rate-paying clause. But, seeing their steadfastness to what they have proposed, I am bound to believe, that they supposed a more liberal measure would have been wrecked in the House of Commons. I am not myself assured that their fears are not justified. The division, last night, on this question of the freemen, shewed evidently the true spirit of that House, and told us, that the Reform which Lord Grey would have us take as final, requires many and serious alterations. That House does not yet represent the people of this country, and I fear that long and arduous will be the struggle before we shall succeed in giving to it the character of a truly popular assembly. Let us hope that this Corporation Reform is one step towards that end, and that our progress though slow, is, nevertheless, steady and certain.

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THE  
**DORCHESTER LABOURERS.**

**BY J. A. ROEBUCK, M.P.**

ON THE QUALIFICATION CLAUSE OF THE  
**CORPORATION BILL.**

EDITED BY

**J. A. ROEBUCK, M.P.**

[PRICE THREE HALFPENCE.]

**THE DORCHESTER LABOURERS.**

IT happened that a poor labouring man, named Loveless, living in a small village in Dorsetshire, was, in the year 1834, in great distress. He had a family, and had hitherto supported them by his small earnings of seven shillings a-week. This sum was about to be reduced to six shillings, and the poor man saw that the little comforts he had been able to gain for his wife and children out of this seven shillings (and God knows that these comforts must have been small) were about to be taken from him by such a diminution of his wages.

In his distress, he writes to his brother, living in London, and tells him his situation and his fears. His brother writes in answer, that in London the labouring men had devised a means to prevent the lowering of their wages.

The poor labourer of Dorsetshire (Loveless) was well known to his brother to be an honest, upright, and peaceable man,—one who willingly would not break the law—and his brother, therefore, was careful while explaining the means used by the labouring men of London to avert the lowering of their wages, to point out that their scheme was a perfectly legal one. He told him that their mode was to form

an association, called a Trades' Union; to make certain rules for their guidance; and, at the same time, he explained the use of the Union to the labouring men. He then said that these Unions had been in existence nearly four months: that their existence was well known to the authorities in London; and that no opposition had been made to them by the legal officers of the crown. They had processions, he said; they were in the habit, daily, of acting together, as unionists; and they (the men) expected much good from the association.

The poor country labourers determined to adopt the plan of their brethren in London.

There was, however, one circumstance in the situation of the country labourer that surrounded him with difficulties unknown to the working-man of London. The poor men of a village are few; they are scattered; and every action they perform is known to their masters. In London great numbers may unite, and, by their very numbers, place themselves in a position to be respected by their masters. In London they did not so much dread the masters, and therefore did not seek or need concealment. In the country they had no numbers to defend one another, and

the poor men, therefore, sought to shelter themselves by concealment. In an evil hour for themselves *they formed a secret association.*

Thus far, however, they proceeded with perfect legality.

*They had a right to associate for the purpose of maintaining or raising the rate of their wages.*

*They had a right, if it so pleased them, to form a secret association.*

But, unfortunately, they determined TO SWEAR ONE ANOTHER TO SECRECY.

Six of these men were informed by the constable of the village, that there was a charge against them at Dorchester, and requested them to go there with him and answer it. The poor fellows, believing themselves perfectly innocent, told the constable they would go with him; and informed their wives and families that they would be back in the evening. *The poor men never returned!*

Arrived at Dorchester, they found a body of magistrates, who took depositions against them, and sent them to gaol, remanding them to the next Saturday, the day on which they were first examined being Tuesday. The magistrates, when the Saturday came, finished the examination in the gaol and in secret, and they were finally committed for trial.

When the trial came on it was found that they were indicted under an almost forgotten statute made against seditious meetings, the 32 Geo. III. c. 104. In the body of the Act was a provision making it an offence subject to transportation, to administer an oath at any meeting held for an unlawful purpose; and the men (Act) indicted (under this portion of the were for having administered oaths at an unlawful meeting.

For an unauthorized person to administer an oath is, by the common law, an offence, a misdemeanour—but this offence can be visited only by a common-law punishment; transportation is not

a common-law punishment—therefore some statute is required to allow the infliction of the punishment of transportation.

To bring the administering of the oath by these labourers to one another, within the grasp of those who desired to transport them, it was therefore requisite to prove, not merely that they had committed an offence against the common law, but also against some express statute. The statute selected for this purpose was the one I have above-mentioned.\*

\* There were no less than five Acts of Parliament dug up for the purpose of finding something on which to found the condemnation of these men. The following Petition, written by one who knows the people well, points out the Acts.

*The following PETITION to the KING, for a Remission of the Sentence of SEVEN YEARS' TRANSPORTATION, passed at the late Assizes at Dorchester, upon SIX POOR LABOURERS, belonging to the Agricultural Friendly Society, now lies for Signature at the house of Mr S. A. Way, Surgeon, Druggist, Dentist and Herbalist, No. 4 Park street, Borough Market.*

TO THE  
KING'S MOST EXCELLENT MAJESTY,

The Petition of the undersigned Inhabitants  
of the Metropolis,

HUMBLY SHEWETH,

That six men, named James Loveless, George Loveless, Thomas Stanfield, John Stanfield, James Hammett, and James Brine, all common agricultural labourers, or farm servants, have been convicted at Dorchester of administering an illegal oath.

That the said six men, with others, were members of a trade club, or society, called the Friendly Society of Agricultural Labourers.

That the object of the society was to maintain the wages of farm servants.

That the rules of the society are similar to other trade societies, and do not violate any law.

That many societies, composed of highly respectable, honourable, and dignified persons, have similar rules.

That your petitioners do not, however, approve of any society, whether it be called Agricultural or Freemason, or by any name whatever, which has any secret proceedings.

That your Majesty's petitioners are of opinion that clubs or societies of farm servants, free from

Before the men, however, could be brought within this statute it was neces-

sary to show that the *intent* of the meeting was an *unlawful* intent.

all secret proceedings, would be the means of diffusing improvement among a class of your Majesty's subjects who are greatly in need of information, and would tend to put an end to incendiary fires.

That the large number of such fires, and the immense destruction of property during the last four years, would not have taken place had farm servants been congregated in clubs, as tradesmen and mechanics have been.

That it seems to be a condition of our nature that good can only be obtained through a series of errors, the rectification of which leads to knowledge, and that clubs of working men, as well as clubs or associations of other men, in various ways, from the Parliament downwards, are means to this end.

That the words of the oath administered by the six poor uninstructed men, if made one of the articles of the club, would not, however improper, be a violation of any law.

That these poor, uninstructed, unfortunate men, have been convicted under the provisions of no less than five separate Acts of Parliament, namely,—37 Geo. III, cap. 123—32 Geo. III, cap. 104—57 Geo. III, cap. 19—39 Geo. III, cap. 79—50 Geo. III, cap. 104\*—some or all of which acts did not, at the time they were enacted, relate to trade societies.

That the poor, ignorant, unfortunate men who have been convicted, declared upon their trial, in writing, *that if they had done* anything in violation of the act of Parliament, it was quite unintentional.

That it may be fairly concluded these uninformed, poor men were unacquainted with the law; and notwithstanding the maxim that ignorance of the law is no excuse for a breach of the law, still ignorance of the law contained in no less than five separate acts of Parliament, passed for different purposes, may, it is submitted to your Majesty, be pleaded, and your petitioners hope may be admitted, as an available plea in the case of these poor unfortunate men.

That there is a wide difference between the conduct of these poor, ignorant men, who did not intentionally break any law, and those hardened miscreants whose practice it is knowingly to break the law continually.

That the sentence of seven years' transportation is the same as is frequently passed on atrocious criminals for the commission of crimes of great enormity.

\* It was said, at the time the petition was written, that the men were indicted on all these acts.

That, under the late regulations, transportation has been made a very severe punishment in our penal colonies, to which none ought to be subjected but those whose habits are inimical to civilized society; and your Majesty's petitioners believe, that the recently ordered severity is intended for such persons, and not for men who may have committed an offence in ignorance.

That the punishment of transportation is not advisable, but is greatly too severe, for farm servants, who have not become demoralized, reckless criminals, is shown by a despatch from Lieutenant-Governor Arthur to Viscount Goderich, dated Van Dieman's Land, February 6th, 1833, who, speaking of the farm servants sent to that colony for rioting, says, "Several of them died almost immediately from disease, induced, apparently, by despair; a great many of them went about dejected and stupefied with care and grief, and their situation was not, for a long time, less unhappy."

That the horrible sufferings of the farm servants, criminals as they were, were not intended to be inflicted; and it is to save these men, whose conduct is much less criminal, and scarcely more than venial, from such horrible sufferings, that your Majesty's petitioners now pray for mercy.

Your Majesty's petitioners are satisfied, that if the severe sentence passed on these poor men be carried into effect, the same misery will be inflicted on them as was inflicted on the men as described by the governor of Van Dieman's Land, and will defeat the ends of justice, by increasing the unhappy difference at present existing, and greatly extending the practice of incendiarism all over the country.

Your Majesty's petitioners are satisfied that a remission of further punishment, with suitable admonition and caution, will greatly tend to put an end to all illegal proceedings, secrecy, and oaths in trade societies, to produce a better understanding between labourers and their employers, and to put an end to all attempts to fire stacks and barns, the prevalence of which your Majesty's petitioners do most deeply deplore.

Your Majesty's petitioners, therefore, most humbly pray, that, for these reasons, and because the conviction of the six unfortunate men is the first which has recently taken place, that your Majesty will be pleased to remit the sentence passed on these men, causing such admonition to be given as may be honourable to your Majesty's government, merciful to the poor men, and tend to the well-being of the whole of your Majesty's subjects.

And your petitioners will ever pray.

But the intent was a perfectly lawful one. A few years since, indeed, it was an offence in labourers to combine together for the purpose of raising or maintaining the rate of wages. But this law, atrocious in every sense of the term, was repealed, and it is now perfectly lawful for labourers to combine to maintain their wages, and to protect themselves: *provided that they do not violently coerce or intimidate any one.*

The Grand Jury, however, found a true bill against the men. The Petty Jury convicted them, and the Judge sentenced them to seven years' transportation.

An objection was taken at the trial as to the propriety of the verdict. Petitions were immediately presented to the Home Office,\* stating that serious doubts were entertained as to the legality of the sentence, and praying for a remission of it. Their case was also mentioned in Parliament as one of peculiar hardship, and time was asked to learn whether they were legally convicted. Everything was refused. The men were hurried out of the country, and the unsuspecting, and as far as intention was concerned, innocent men, who had left their native village in the perfect confidence that they should rest that same night under their own roof-tree, in a few weeks found themselves floating upon the waters, transported convicts.

Petition upon petition was presented to Parliament. The labouring population from one end of the kingdom to the other was roused and irritated. A sense of insecurity pervaded the people. Injustice had been done, and no one knew, but that he might undergo the same fate. All this, in the opinion of Parliament, signified nothing; it was

necessary to terrify the labouring classes; this blow was given to that end; so they were determined to let the innocent suffer.

Things were mentioned in Parliament as aggravating this offence, which deserve to be recorded in the hearts and memories of the English people. They should be known to all of them, and handed down as a legacy to the children who shall succeed them. The time may come when, by some, it may be wished that they were buried in oblivion.

I pursue the narrative of this case however, rapidly and briefly, in order that I may come to the late discussion respecting it. The objections made against mercy were then again repeated, and may as well be answered once for all.

A year has passed away, and the people have not forgotten their suffering brethren. The feeling of commiseration for their lot is as warm now as when they were first convicted. Though far off, and many, many thousand miles of waste waters roll between us and them, the chain of sympathy is still unbroken. The thorough good feeling of the English people, their steady and untiring patience, were never evinced in a mode more honourable to themselves than in the present case. Read any of the historians of our wars, and they will speak of the patience, the fortitude, the perseverance of the English soldiery; they will describe him as sweeping the hill of Albuera, and showing "with what majesty a British soldier fights;" they will bring him before your eyes climbing the embattled walls of Badajoz, in the face of difficulties that would have appalled all other men; they point to the field of Waterloo, and tell you again of his unrivalled deeds. Our bosoms swell, our breath comes thick, as we read these tales of horror; and, in spite of our sickening disgust for war, we cannot

\* The petition above quoted was signed in a few hours by many thousand persons, and sent to the Home Office before the men left the country. I have an important letter in my possession, written by Mr Place on this matter, which I shall publish in a future pamphlet.



but glory in that strange combination of qualities which has thus greatly distinguished us from the many millions who inhabit this earth. But I, my Countrymen, point not to these fields: it is not to these that I should go to find your worthy qualities. There are fields of peaceful glory where those qualities which have borne you victorious through the brunt of many hundred battles, have found a nobler theatre—and I would rather that my countrymen should have steadily pursued their course, in righting what they consider an injustice to six poor labourers—should for twelve long months have thought of them, and cherished the hope of relieving their distress and redressing their wrongs—I would rather that you had done these things, I say, than have seen you the victors in a hundred fights. If we want examples of exalted virtue, it is among the humbler classes that we must seek it; if we want to learn to love mankind, let us mingle with the poor.

From one end of Britain to the other petitions have come up, and crowded the table of the House of Commons; the people have again forced the case before their so-called representatives, and again they have been taught by their conduct *that the House of Commons does not represent the feelings of the people.*

Mr Wakley, on Thursday, after many petitions from all parts of England had been presented, was about to bring forward a motion for the remission of the sentence of these men, when Lord John Russell addressed the house and the Honourable Member, in order to put a stop to the proceeding. He wished, he said, to proceed to the discussion of the Municipal Corporations Reform Bill, and stated what the Government had determined to do respecting the case in question. He told us that four of the men were to be pardoned at the expiration of two years from the time of their

arrival at Van Dieman's Land, and that they might return at the end of that time; but that the other two, although to be pardoned also, were not to return. This distinction was made because the two last, viz. the brothers Loveless, were really well instructed persons: their intelligence being supposed to have heightened the criminality of their conduct.

Mr Wakley, not considering that this was just, determined to persevere in his motion, spite of the entreaties of the friends of the Ministry. It was indeed whispered round the House, that Lord John Russell had actually threatened us with his resignation if we should dare to put him into a minority on the occasion. This threat, however appalling, did not altogether frighten us out of our senses, so the thing went on.

Mr Wakley then stated the case of these poor men, in substance such as I have described it. The touching and earnest simplicity of his manner, however, distinguished his address from almost everything I ever heard in the House of Commons. The most profound silence and marked attention told plainly how powerful was the simple narrative of these men's sufferings. No art or trick of the rhetorician was employed. The story was told as one of the men might himself have told it, and the slight provincial accent of the speaker lent force to the illusion. The touching letters of Loveless to his wife were introduced without parade. You saw that the speaker was in earnest, that he felt all that he said, and that his appeal to this evidence was not the appeal of an advocate, but that of a man full of honest anxiety lest injustice should be done. I have, indeed, heard more magnificent displays of oratoric power, more passionate bursts of splendid eloquence, but a more touching, simple, and beautiful appeal to our sympathy and our justice it was never my lot to hear. I saw stout men, their eyes

glistening with tears : I saw them pale with deep sympathy in the sad tale that was being told. They thought of their own wives, their own children, and their own homes. They fancied them bereft of support and aid, helpless and forlorn amid the wide world, with no one to comfort, to protect, to instruct, to guide, or to cherish them. They saw the worthy, kind, and intelligent father rudely torn from his home, and his little family left with seven long years of dreary helplessness before them :—No wonder that the appeal of Mr Wakley was effective, even if it had been less powerful in its unadorned simplicity.\*

Mr Hume seconded the motion ; and Lord John Russell, Lord Howick, Sir R. Peel, the Attorney-General, the Solicitor-General, and others opposed, and Mr Aglionby, Mr Harvey, myself, and others supported it. I will state the arguments briefly on one side and on the other.

Lord John Russell endeavoured to persuade the House, that the association of the labourers was illegal, and to this end he read some of the rules of the Union ; one of which enjoined every member to abstain from working for any master who employed labourers working for less than a certain sum per week. The House was horrified at this enormity. Lord John Russell produced the effect intended, but he did not prove the rule illegal, nor did he show that the

labourers alone had been guilty of this very heinous offence.

In the first place, the rule was perfectly legal so long as the men did not use violence or intimidation towards master or workman, and they did neither of these things.

In the next place, the master tailors of London last year resolved to employ no men who would not sign a paper by which they covenanted not to belong to the Trades Unions. This is a case exactly similar to that of the labourers in question, only the masters do with impunity what the labourers were punished for doing. So much then for that argument.

But it was said that the labourers in administering the oath used certain mummeries.

We allow that they did—we allow that it was foolish to use them. To frighten men with death's heads is a folly, nothing more. But men are not to be transported for a folly.

But are not the gentry the cause of this folly? Have they not, by playing at Freemasons, set the people the example of this foolish mummery, and this improper oath-taking? The legislature, in its kindness and wisdom, has thought fit to allow by name this oath-taking on the part of the Freemasons. Now, we are constantly told that the great use of gentlemen is to set a bright and shining example to the poor ; and in the country particularly, we know that the gentlemen's habits have an extraordinary influence over those of the poor of their neighbourhoods. Is it wonderful, then, that the men in question should have recourse to mummery and oath-taking, when they were and are in the habit of seeing the gentlemen do the same thing?

But, says Lord Howick, if the labourers are allowed thus to combine, and coerce their masters, capital will leave the country, and irreparable evil

\* There is a curious circumstance attending this speech of Mr Wakley's. I never heard any that produced a greater impression on the House ; but the reporters *left it out*. The *Chronicle* next day discovered the omission, and, with the usual veracity of newspapers, declared it was accidental ! And so the reporters (those gentlemen !) are come to this, are they? Mr Hume spoke for half an hour, and his speech was dismissed with " Mr Hume supported the motion." I also spoke for the same time, and was even worse treated than Mr Hume. Two arguments were put into my mouth that I never used. Mr Aglionby and Mr Harvey suffered in the same way. In short, those who spoke in favour of the poor men, were what the reporters call *burked*.

will be done. This cry and lamentation comes too late. You must not stretch the law. The law formally allows the combination, and it is an injustice to punish men for combining under the pretence of punishing them for oath-taking.

I had said, before the noble Lord spoke, that these men were arraigned for one offence and punished for another — they were tried for taking and administering oaths—they were punished for combining. The noble Lord acknowledged the truth of my statement by the very use of the argument here answered.

But what is this fear of combinations among labouring men? Lord Howick calls himself a political economist; and is just one of those who bring political economy into hatred and contempt. I should exceedingly like to know, by what principle of that science the noble Lord learned that such a combination was an ill thing to the community at large. It will lower profits, says the noble Lord. I deny it. Does the noble Lord mean to say that if the labourers were all of them in such a position as to be able to demand higher wages, that the country would suffer? Does he not know—he ought, if he knows anything of this political science—that if they could do so, they would really be in that condition in which all good men and all wise politicians wish to see them. He should have known also, that all these combinations, so long as they abstain from violence and intimidation, must have the effect of leading the people beneficially to this desired position. I am perfectly confident that there is no man who knows the circumstances on which the rate of wages must on the long run depend, but must see the truth of what I here state.

But I would ask, is there nothing behind? Is there no secret terror lurking in the noble Lord's mind? Was there

no terror in the Magistrates and Grand Jury, with Mr Ponsonby at their head? Was this not another example of the many shapes which the strife now going on between *Democracy* and *Aristocracy* is hourly assuming? Was it not terror of the people—of their growing intelligence—of their daily increasing power—that induced the gentry to deal but this injustice? There are too many signs and tokens of this, to make us doubt it. But wo, I say, unto those men who have set this evil example! The time will assuredly come when they will reap their reward, and weep the bitter tears of an useless repentance.

The two brothers Loveless are excepted from the pardon, and condemned to linger out their long term of seven years in banishment. Why are they excepted? Because they are intelligent persons, and ought to have known that their acts were culpable. But is this a correct deduction? First, was there culpability in their acts?—and, second, ought they to have known that there was?

Now as to the culpability. There was none, legal or moral, in *combining*; none in *secretly* combining. They were wrong, in the eye of the law, for administering oaths; but was the legal or moral culpability of this act so great as to warrant so harsh a punishment? and was the intelligence of these men of that sort which would lead them to understand legal enactments which no one had ever laid before them? Lord John Russell himself acknowledged that, morally, they were not guilty. What did he mean by this? He meant that, by the ordinary rules of moral conduct; in the common acceptance of ordinary men, the act which they performed would be deemed a guiltless one. They were, however, he says, legally guilty. But no degree of intelligence will tell us what the law may have determined in certain cases against the ordinary feel-

ings of mankind. The legislature, for example, to use an illustration of Blackstone, lays an impost on the importation of wool, thereby the importing of wool without payment becomes an offence. But unless the law be expressly told to a man, no degree of intelligence will lead him to discover that the act is illegal. So then, in this case, when we say the men were morally innocent, we mean that they did not know the law, neither could they learn it by any means within their reach.

It is said that the country magistrates had part of the statutes printed and circulated, and that one of the printed papers was found on the person of one of the Lovelesses, and that they therefore did know the law. In answer, it has been proved that this paper came into the possession of Loveless on Sunday night; he was taken up on Tuesday morning, and the act for which he was tried and convicted was performed many days before the Sunday. So that this plea for cruelty is also insufficient.

One word, however, as to this instruction, which has been turned against Loveless. It has been used as an argument to prove him a dangerous person: it has been used to show that his character was an evil one. Let us learn how this instruction was acquired, and see if it be not strong presumption in favour of upright, rather than of evil intentions.

Loveless, as I have said, was a day-labourer, earning seven shillings a-week. Living on this small sum, he had contrived, by diligence, not merely to acquire a very respectable knowledge of the means or instruments of instruction, viz. reading and writing, but also had attained a very uncommon knowledge of the doctrines and precepts of his religion. His mind had been turned towards serious things, and theology, or religion rather, had occupied the chief part of his thoughts. So great, indeed, had been his progress in this science,

that he had been admitted, though a poor day-labourer, a preacher in the Wesleyan connection. This was strong proof of good conduct, of good intentions. That steadiness and industry which, under circumstances so unfavourable, had enabled him to cultivate his understanding to this point, to acquire the confidence of those around him, were strong presumptions in his favour, and yet, under a narrow and vulgar view of this unhappy case, they have been turned to his lasting disadvantage. Will not the poor say to the rich, after this, "Yes, indeed, you pretend to care for our welfare, you make great show of meddling with our instruction, but you have no real wish to see us instructed? You turn our best endeavours against us; and that which ought to serve as our safeguard you make the chief instrument of our ruin."

"You have two weights, and two measures; and, for the same fact, one man is acquitted, another condemned." This charge may the poor bring against the administration of justice among us. The night after the condemnation of Loveless and his brother by the House of Commons, we were assailed by piteous applications on the part of certain *Gentlemen* convicted of bribery. Much stress was laid on the fact of these persons being gentlemen; of their being *educated* men, and on the hardship of subjecting such men to the degradation of a gaol, and the society of felons. The whole Tory bench was quite excited by sympathy; so much so, indeed, that they seemed wholly to have forgotten the proceedings of the night before.

The case of these Ipswich bribers affords an instructive contrast to that of the Dorset labourers. In the case of the former, their education did enhance their guilt, and afford strong presumption against their character; while, in that of the latter, the education of the persons implicated did not increase

their guilt, if guilt there were, but afforded very powerful presumptions in their favour.

Mr O'Malley and his brother bribers were educated as their class is educated—they have acquired no extraordinary knowledge, and are, in point of instruction, in no way distinguished from their fellows. Their education, then, is no proof of superior diligence, perseverance, or abstinence. They have been educated in the ordinary routine of their class, and can lay no claim to peculiar consideration. But, by their education, they had learned that the acts of which they were guilty were heinous offences in the eye of the law: heinous, also, according to the morality of the day, and of their class. Recollect well what bribery is. You, for a sum of money, induce a man always to lie, and often to perjure himself. You also put a temptation in his way, in order to lead him from the path of his duty, and make him sacrifice the public to his immediate private well-being. Remember, also, that this was done by men who thoroughly understood the nature of the offence—who were themselves men not pressed by want, but in easy circumstances, coming with money in their hands to tempt the poor and the ignorant! Who will say, that in this case, the education of the offenders did not increase their guilt?

In the case of Loveless, the matter was wholly different. I have shown that his instruction could not lead him to know that there was any guilt in the act he was performing. At this moment, I myself am strongly inclined to believe that his offence was only a common-law offence. So are many others, far more instructed in these matters than I can pretend to be. How then can we say that Loveless should have known that it was unlawful? But, while his instruction did not give him the means of knowing that his act was an offence

in the eye of the law, it did give his judges and the Government a strong proof of his excellent character and previous good conduct. They ought to have said, "From this man's previous life, from his extraordinary attainments, extraordinary in a working man earning seven shillings a-week, we have strong evidence that he is a well-intentioned man. We know that he is a good husband, a good son, a good father—we know that he is an upright man in all his dealings, that he is sober, industrious, patient, and persevering, also strictly and sincerely religious. We have, therefore, good reason to believe that his object was a worthy one, and that his ignorance alone has led him to do that which the law has considered an offence." This, I say, is what the Judges and the Government ought to have said. They did not say this—it appears they did not feel it. The ignorance they evinced of their duties is to me far more extraordinary than the ignorance of poor Loveless. They were ignorant of the very chief of their duties—he was ignorant of a difficult and doubtful point of law. They are educated Judges, and Ministers of State—he was a farming man, earning seven shillings a-week. Let the people of England look upon the contrast!

"But," said Lord John Russell, "if we allow these men to come back, we shall be supposed to acknowledge that we did wrong;" and, thus, because they shall not be said to have done wrong, they continue to do it. I am heartily sorry that the noble Lord used this argument. It was unworthy his position and himself.

It is just, or unjust, to let these men return; the punishment of seven years' transportation was too severe, or it was not. If the punishment be too severe, if it be just to let them return, as a ruler of the people, he ought not to ask what men will say of the punishing the men

in the first instance. That punishment will not be more justifiable, because men say certain things of it now, and no subsequent severity can justify the first severity, if that first severity were originally wrong; and, if it were originally right, it cannot be made wrong, by subsequent leniency. This argument, then, used by the noble Lord, evinces want of firmness, and also want of confidence in the first proceeding. It is just the mode that a weak man would pursue to gloss over a former weakness.

But Sir Robert Peel has an argument in favour of rigour towards these unfortunate men. The Tories are never backward in supporting the Whigs when doing wrong. Sir Robert Peel's argument was of the true *plausible* stamp; it was a pretence. He would vote against Mr Wakley's motion, because that motion was an invasion of the King's prerogative.

Let us understand what is meant by this fine phrase. When a man is found guilty by a jury, and sentenced by a judge, he undergoes a second trial, which is carried on in secret. This trial is conducted in the chamber of the Home Secretary. He investigates the case, and determines whether the sentence shall be carried into execution or not—and as he determines, the King acts. It is the MINISTER'S act, and not the KING'S. It is, for form's sake, spoken of as the *King's* prerogative; but we all know that the Minister is the person who has really determined. *It is the Minister's act.*

Now, then, what is the meaning of Sir Robert Peel's argument? Simply this:—I will vote against interfering with the trial of the prisoner, carried on in secret by the Home Secretary. Whatever he chooses to do, I will not even ask him to reconsider his decision, because it is called the prerogative of the King. I am so overpowered by that

word *prerogative*, that I will not interfere with it, though I know full well that it means merely the discretion of the Minister. This argument was worthy of the armoury from whence it was drawn.

It does so happen however, that, in the House of Commons' jargon, we can *constitutionally* interfere in this way. The King is not responsible—but the Ministers are. The Minister advises, and, for that advice, is responsible. If the House of Commons thought fit, it could punish the Ministers for the act in question. Sir Robert will not deny this. But if they could punish the Ministers, surely they may humbly request his Majesty to change the course he has hitherto pursued. There would not, in this, be any imputation on the Ministers. There is no blame of the former proceeding implied, but the representatives of the people, speaking in the name and behalf of the people, entreat the Sovereign to remit a sentence, against which the feelings of the people revolt. To whom shall the Sovereign turn for information respecting the feelings of the people, if not to the people's representatives? And shall it be called an improper trenching upon the peculiar privileges of the Sovereign, if the House of Commons presume humbly to state to his Majesty what the people think and feel?

There is another class of arguments relating to this case that ought to have weight with legislators, but which, unfortunately, are not fitted for the atmosphere of the House of Commons. That House does not love to hear of its duties. Flatter its vanity, talk about its honour, speak of its dignity, and all will listen and will cheer you. Presume, however, to whisper that the House has a duty towards the people, that the people have a right to complain when those duties are not performed, and

then a deaf ear is turned to your observations. It was suggested to the House of Commons, however, though coldly listened to, that when penalties so severe were affixed to offences, it was the duty of the legislature to take care that the law should be promulgated, that the people should be able to learn their duty, and that the legislature should throw no impediment in the way of their acquiring such knowledge. They were also told that the Parliament of England had not done its duty in this matter; that it had not promulgated the law, but that it had done much to hinder the people learning it. The following words of Bentham were quoted to them, but they heeded not the bitter reproof which was conveyed by the illustration:—

## ASHHURST.

IV.—*Happily for us, we are not bound by any laws but such as every man has the means of knowing.*

In other words:—

*Every man has the means of knowing all the laws he is bound by.*

## TRUTH.

SCARCE any man has the means of knowing a twentieth part of the laws he is bound by. Both sorts of law are kept most happily and carefully from the knowledge of the people: statute law by its shape and bulk; common law by its very essence. It is the Judges (as we have seen) that make the common law:—Do you know how they make it? Just as a man makes laws for his dog. When your dog does anything you want to break him of, you wait till he does it, and then beat him for it. This is the way you make laws for your dog: and this is the way the Judges make laws for you and me. They won't tell a man before hand what it is he *should not do*, they won't so much as allow of his being told: they lie by till he has done something which they say he should not *have done*, and then they hang him for it. What way then has any man of coming at this dog-law? Only by watching their proceedings: by observing in what *cases* they have hanged a man, in what *cases* they have sent him to jail, in what *cases* they have seized his goods, and so forth. These proceedings they won't publish themselves, and if anybody else publishes them, it is what they call a contempt

of court, and a man may be sent to jail for it.

If then you can be in the four Westminster Hall courts, and the twelve circuit courts, and a hundred other such places at once, if you can hear everything and forget nothing, if the whole kingdom can squeeze itself into a place contrived on purpose that it may hold none but lawyers, if it can live in those places for ever, and has always lived in them, the '*whole kingdom*' may have that knowledge which Mr Justice says it has of the law, and then it will have no further difficulty than to guess what inference the Judge or Judges will make from all this knowledge in each case.

Counsellors, who have nothing better to do, watch these cases as well as they can, and set them down in their *note-books* to make a trade of them; and so if you want to know whether a bargain you want to make, for example, will stand good, you must go with a handful of guineas in your hand, and give half of them to an attorney for him to give t'other half to a counsellor; and when he has told you all is right, out comes a counsellor of the other side with a *case* of his own taking, which his brother knew nothing of, which shows you were in the wrong box, and so you lose your money. Some of them to drive a penny, run the risk of being sent to jail, and publish their *note-book*, which they call reports. But this is as it happens, and a Judge hears a case out of one of these report books, or says it is good for nothing, and forbids it to be spoken of, as he pleases.

"How should plain men know what is law when Judges cannot tell what it is themselves? More than a hundred years ago, Lord Chief Justice Hale had the honesty to confess he could not so much as tell what *theft* was; which, however, did not prevent his hanging men for † theft. There was then no *statute law* to tell us what is, or what is not, *theft*; no more is there to this day: and so it is with *murder*, and *libel*, and a thousand other things; particularly the things that are of the most importance.

"*Miserable*," says that great Lord Coke, "*miserable is the slavery of that people among whom the law is either unsettled or unknown.*" Which then do you think is the sort of law which the whole host of lawyers, from Coke himself down to Blackstone, have been trumpeting in preference? That very sort of bastard law I have been describing to you, which they, themselves, call the *unwritten law*; which is no more *made*

\* Burrow's Reports, Preface.

† Hale's Pleas of the Crown; title, Larceny.

than it is written; which has not so much as a shape to appear in, not so much as a word which any body can say belongs to it; which is every where and no where; which comes from nobody, and is addressed to nobody; and which, so long as it is what it is, can never, by any possibility, be either *known* or *settled*.

How should lawyers be otherwise than fond of this brat of their own begetting, or how should they bear to part with it? It carries in its hand a rule of wax, which they twist about as they please; a hook to lead the people by the nose; and a pair of shears to fleece them with.

The French have had enough of this *dog-law*; they are turning it as fast as they can, into *statute law*, that every body may have a rule to go by; nor do they ever make a law without doing all they can think of to let every creature among them know of it. The French have done many abominable things, but is this one of them?

Have you a mind, my countrymen, to see two faces under one hood? Here two Juries charged, a *Grand Jury*, and a *Petty*. *Gentlemen of the GRAND JURY!* You and every body may know what the law is if you please; you are bound by none that you have not the means of knowing.—*Gentlemen of the PETTY JURY!* The fact is all you ever have to do with; it is our business to say what the law is; for say what you will, it is impossible that you should know anything about the matter. This was the language of Mr Justice and his brethren, till Parliament, to other day, in spite of their teeth, taught them a better lesson.—God bless the Parliament!—No dog-law!—Parliament for ever!

Mind this teacher of “*peace*” and subordination. According to him, if there are any laws which are made otherwise than “*with the consent of the whole kingdom*,” or, that “*every man has not the means of knowing, we are not bound*”

by them.—And this he calls a happiness for us! —God ever keep us from such happiness! Bad as the law is, and badly as it is made, it is the tie that holds society together. Were it ten times as bad as possible, it would still be better than none; obey it we must, or everything we hold dear would be at an end.

Obey it we must; but to obey it we must know it! And shall they whose business it is to make and obey it, be suffered to keep it from us any longer?

Now I will tell you, my dear countrymen, what Mr Justice knows better things than to tell you, how it is that what he would make you believe about *every man being his own lawyer*, might be made true: If what there is good of *common law* were turned into statute; if what is common in both to every class of persons were put into one great book (it need not be a very great one), and what is particular to this and that class of persons were made into so many little books, so that every man should have what belongs to him apart, without being loaded with what does not belong to him; if the general law book were read through in churches, and put into boys' hands, and made into exercises when they are at school; and if every boy, when he came of age, were to produce a copy of it, written with his own hand, before he were allowed a vote or any other privilege; and if this general law book contained a complete list of the *particular ones*, and measures were taken for putting them, and each of them, into each man's hand, as soon as the occasion happened which gave him a concern in it.

Such, then, is the case of the six poor labourers of Dorsetshire. Let the people of England determine whether to them JUSTICE has been administered.

J. A. ROEBUCK.

\* “Happily for us, we are not bound by any laws but such as are ordained by the virtual consent of the whole kingdom, and which every man has the means of knowing.”—*Ashhurst*.

## ON THE QUALIFICATION CLAUSE OF THE MUNICIPAL CORPORATION BILL.

THE chief object of the proposed system of local governments is to create in favour of all civic and local officers such feelings of respect and good-will as may secure to them the support of the majority of those over whom they shall exercise any power. If it fails to effect this object, or if any condition shall be connected with it, that shall

prevent its effecting this object, the system itself, or the conditions connected with it, will be mischievous. As at present framed, the Municipal Corporation Reform Bill gives to the whole body of householders in towns an immediate interest in the character of those who shall administer local affairs, and it proposes that the new Corpora-



tions shall afford all the advantages derived from the old ones, while, at the same time the Members of such bodies shall always receive the greatest degree of respect and authority, without the necessity of any degrading exhibitions of force or of military aid. To disturb the beneficial effects which will arise from the existence of good feelings between the members of local governments and the inhabitants of towns, Sir R. Peel and others, who lately affected so much interest in favor of popular rights in the case of freemen, have insisted, though happily without success, upon a property qualification of the members of Town Councils. If injustice and vice prevailed among the poorer classes in the degree of intensity which should render such a qualification necessary, the state of society in which we live would be intolerable, and the evils of poverty would be of a most afflicting character. The fears, however, that are entertained are unjustifiable, and the pretence for a qualification must depend upon these reasons:

1. That the majority of householders will make an improper choice of members of Town Councils, and therefore should be restricted in their choice.

2. That they have not an interest in the good government of the town in which they live; and desire to be badly governed, and for that purpose will choose bad governors.

3. That if they have an interest in the good government of their town, that they will not be able to select those who can accomplish their wishes.

Now all these reasons constitute objections to the franchise itself; and a qualification can only be suggested as a side-blow to destroy the franchise. All parties admit the franchise to be proper, and they agree in selecting a class of persons competent to discharge a very important duty,—that of choosing local governors. When, however, this

class is to perform that duty, their incompetence to choose is insisted on, and another class is named to which their choice is to be restricted. If the new class was perfectly virtuous and free from persons of depraved and vicious habits, the choice would necessarily be among those whose virtues would, without exception, entitle them to respect. To find such a class is impossible, and the power of making a bad choice, from the class proposed, is as great as it would be if the choice was not limited. Those disposed to act ill will have equal power and equal opportunity to do so, if a qualification is required, as they would have, if no qualification was necessary. For good purposes a qualification cannot be of any avail, and would be productive of the most mischievous consequences.

Suppose such a qualification insisted on, and that the majority of electors are excluded from the Town Council; those excluded will constitute a degraded class. Whatever intelligence it may possess; however creditably they may have acted in parish or district offices, no industry, no ability, nothing save money, can qualify them to receive any authority or power from those by whom they may be most justly esteemed.

Every person who has dwelt in a town must have observed the petty title to superiority which those living in the best situations of the town claim over those who are not so fortunately circumstanced. They generally form a distinct society from that of the great body of householders; their affluence and their position leads them often to adopt airs and follies, which are sufficiently offensive in those whom they imitate. If these persons were to form a local money aristocracy, entitled to peculiar political privileges, all the now trifling jealousies of trade will be converted into feelings of great animosity. On

one side will be an insulting superiority added to rival feelings of commercial competition, and on the other a bitter and painful sense of degradation. While, upon the contrary, so long as all the electors are upon the same footing, the richer classes will have an interest in suppressing any trading jealousy, and will have the greatest inducements to cultivate the goodwill of their poorer neighbours. The political position of both parties being one of equality, there will be no excuse for and no cause of hostility. Both will have the same interests, and if they differ, will differ with no malignant feelings. Their general objects will be the same, and the suggestions for public purposes that either may make, will be considerably regarded.

One pretence for a qualification is the necessity of creating respect for property. Now every town is divided into classes, or little knots of persons, in which it will be found that a few intelligent and active men take the lead, that their opinion is listened to with respect, and that their character and conduct is very praiseworthy. If any duty requiring superior knowledge is to be performed, these persons are always selected to perform it. Their character is the source of their influence, and will be found to be well deserved. If these persons should not possess a pecuniary qualification, and should be exposed to the offensive remarks of richer persons, who may dislike their influence, will

the law which confers the privilege to choose local magistrates mocks them in their inability to perform an important duty. Whatever attacks are to be feared, a property qualification will be the cause the greatest inducement to such attacks.

As respects the effect of a qualification upon the electors. It would exclude the electors from being elected into it. For to be elected into it, the electors must include the majority of those who are entertained of those who are the majority, it would be to exclude a minority from being elected; and if the electors were composed of depraved persons, or of their poverty—an objection of a way unfounded—the electors would be depraved to elect from among themselves a qualification could effect the exclusion of the proposers, it could be disqualifying the majority from being concerned in the elections. The majority thus separated from the electors would yield no will to execute the orders, and would be void of its proceedings. The new corporations which present ones do, in the present and look for their assistance of bayonets, and the assistance of the infantry. The same want of



"Probably, Sir, I make no mistake in identifying that name with yours.

"The pamphlet sets out by an announcement that the author means to 'try conclusions' with certain 'gentry' whom he charges with endeavouring to 'frighten' him, and then, as if he had the slightest reason for insinuating that I was one of 'these gentry,' he applies to me a long series and extensive variety of the foulest epithets in the English language—such as 'cowardice,' 'baseness,' 'skulking,' in order to escape the punishment due to my acts; 'dishonesty,' 'selling myself to the Tory party;' 'charlatanism in society,' to hide my editorship of *The Times*, and a degree of depravity worse than that of an 'assassin.'

"Now, Sir, if the folly of such expressions were not exceeded by their iniquity as directed against myself, I should not have deemed them worthy of the slightest notice.

"There is only one word in the English dictionary by which they can be fitly characterized. Wishing, however, to write like a gentleman, I shall just say that, from whatever quarter they proceed, they are gross and shameful misrepresentations of every part of my principles and conduct.

"I cannot violate confidences reposed in me by going into specific refutations of charges which no man living has the shadow of right, in truth or justice, to affix to my name or history.

"I never have been technically or morally connected in any manner with the editorship of *The Times*, not possessing over the course or choice of its politics any power or influence whatsoever, nor, by consequence, being responsible for its acts.

"This, however, I beg you to understand is beside the subject of my application to you as the avowed author of the pamphlet in question.

"My first purpose is to contradict in distinct and unequivocal terms, generally and individually, one and all of the assertions which the author of that pamphlet has made with reference to myself.

"Your absolute ignorance of every fact which concerns me does not seem to have prevented you from assuming such as are absolutely false of themselves, and of the most discreditable nature, if capable of being supported; nor has it restrained you from coupling them with language the most personally offensive and wantonly insulting.

"I state this one unvarying absence of truth in each and every one of the accusations in the

pamphlet, rather as a warning to your conscience, against the injustice of persisting in them, than as any indulgence of temper or resentment on my part. My friend, Colonel Campbell, who delivers you this letter, will apprise you of my claim to a retraction of those outrageous and scurrilous phrases which the author of the pamphlet has thought proper to apply to me.

"I cannot permit myself to doubt that you will see the moral propriety of relieving your own mind from the consciousness of having given them circulation.

"I have the honour to be,  
"Sir, your obedient servant,  
"EDWARD STIRLING.  
"J. A. Roebuck, Esq., M.P., Gray's inn."

"72 Pallmall, June 27.

"Sir William Molesworth, on the part of his friend, Mr Roebuck, remits to Colonel Campbell a letter from Mr Roebuck, addressed to Mr Stirling, the contents of which Sir William considers as perfectly satisfactory to the honour and gratifying to the good feelings of both parties.

"Lieutenant-Colonel Campbell."  
"June 27.

"SIR,—Your letter has been delivered to me by Colonel Campbell. In that letter you express yourself in the following manner:—

"I have never been technically or morally connected in any manner with the editorship of *The Times*, not possessing over the course or choice of its politics any power or influence whatsoever, nor, by consequence, being responsible for its acts.

"My first purpose is to contradict, in distinct and unequivocal terms, generally and individually, one and all of the assertions which the author of the pamphlet has made with reference to myself."

"In reply thereto I am ready to state my belief that I have written the passages bearing upon you personally under erroneous impressions of your character and conduct. I therefore request you to consider the language which you complain of as disavowed by me and withdrawn, and I regret the misapprehension, and the words which I used in consequence thereof, and that I should have thus hurt your feelings.

"I remain, Sir, your obedient servant,  
"J. A. ROEBUCK."

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ON THE  
AMUSEMENTS OF THE ARISTOCRACY  
AND OF THE PEOPLE.

BY J. A. ROEBUCK, M.P.

THE AMERICAN BALLOT-BOX.

BY H. S. CHAPMAN.

MR HALSE'S OPINION OF THE INDUSTRIOUS  
CLASSES OF ENGLAND ;

WITH A NOTE.

EDITED BY

**J. A. ROEBUCK, M.P.**

[PRICE THREE HALFPENCE.]

ON THE AMUSEMENTS OF THE ARISTOCRACY  
AND OF THE PEOPLE.

MR HUME has brought in a bill to allow the working people to enjoy Music and Dancing.

"Allow people to enjoy Music and Dancing!" exclaimed a foreigner, who having heard Englishmen boast of their liberal institutions, expected to find matters better here than on the Continent,—“allow people to enjoy dancing and music; were they ever prohibited by law from so doing in England?”

I answered the question by opening ‘Burn’s Justice,’ at the article “Ale-house,” and read to my friend the following words:—

“Any house, room, or garden, or other place kept for public dancing, music, or other public entertainment of the like kind, in London and Westminster, or within twenty miles thereof, without licence from the last preceding Michaelmas Quarter Sessions, under the

hands and seals of four or more justices there assembled (except the theatres of Drury lane, Covent garden, and Haymarket, and other entertainments exercised by letters patent, or licence of the crown or of the Lord Chamberlain) shall be deemed a disorderly house or place, and the keeper thereof shall forfeit 100*l.*, with full costs to him who shall sue (in six months) in any of the Courts of Westminster, and be otherwise punishable as in case of disorderly houses: and the person who shall appear to act as master, or having the management of such gaming house, or other disorderly house, shall be deemed a keeper thereof, and liable as such; and it shall be lawful for any constable or other person, being authorised by warrant under the hand and seal of one justice, to enter such house or place, and to seize every person found therein, that

they may be dealt with according to law."

"But," said my friend, "these justices do allow such licences, do they not, and only use their power to limit the number of such houses, and to curb any impropriety of conduct therein?"

"You are mistaken," I answered. "Our justices of the peace are exceedingly moral justices, and dislike Music and Dancing when the poor enjoy them."

"But they enjoy Music and Dancing, and even gambling, themselves. They go to the opera—they have balls at home—they have race balls, and county balls, and assemblies—they indulge in horse-racing; and Crockford's is one of the finest places in London. Surely, when they have all these things for themselves, they do not begrudge the poor a cracked fiddle, and a hearty dance."

"You little know the character of our rulers. They have no objection to Music or to Dancing, or to gaming in the abstract.—This is proved by their own indulgence in Dancing, Music, and even Gaming. But they dislike seeing a man dancing in a rough coat: music is an abomination to them when the poor listen, and beggar-my-neighbour even becomes a heinous offence, when two working men hold the cards. The vice is not in the thing itself; it lies in the fact that a poor man enjoys it."

"I am puzzled," said the foreigner; "I cannot understand why this should be. On the Continent we do not dread Music or Dancing—on the contrary, they form part of the national education both of Germany and France, because we believe that both the one and the other have a beneficial effect on the manners and the feelings of the people. We believe that indulgence in this social amusement tends to make all more gentle, kind, and good-natured,—that it softens asperities of language and behaviour, and tends very materially to

lessen the vice of intoxication. You English are doubtless a very wise nation, but nevertheless you commit some extraordinary follies."

The surprise of my friend was natural, and would have been still greater had he known more accurately the conduct of our Aristocracy, as respects their own pleasures, and those of the Poor generally. The contrast between the two cases would have created in his mind astonishment, and perhaps indignation; for he would then have known, that while they have been rigid, over-righteous, and harsh in their restrictions of the people's pleasures, they have pursued their own unchecked by any regard to the mischief done thereby to the public weal. As respects the Amusements of the People, they have pretended to a super-excellent righteousness; as respects their own, they have been criminally lax and licentious.

Some may say that this statement is an exaggeration. Let us see if I cannot bear it out to the letter.

#### And first, as to THE RESTRICTIONS ON THE AMUSEMENTS OF THE POOR.

The Act which I have above quoted cuts off the people of London and its vicinity from all enjoyment of music or dancing. Our climate prevents, for the most part, any indulgence of this kind out of doors; and if the people in and about London were willing to dance out of doors, where would they find a place in which they would be allowed to do so? But a poor man's house is usually far too small to permit dancing within it, so that he is obliged to have resort to some public place if he desires to dance. That public place is by this Act denied him.

"But conceive, if possible," says some sour fanatic, "the horrible immorality that would spring from such indulgence!" I desire to know how—in what manner? You allow the public-house to be open;

you allow men to drink, after a sad un-social fashion, as much as they please; drunkenness seems in no way to affright you. You open the gin-shop, and shut up the dancing-green.

“Yes, but,” says the same sour objector, “you bring men and women together.” Well, and what harm in that? The more the sexes are brought together in public the better. Evil does not arise from associating together before a large number of friends. Decorum will be observed by all, when all are looking on. It is the hidden and secret meeting that does mischief—not the open and known one.

“But Vauxhall is not shut up.” “Oh no; but none but respectable people go there.” “How do you know that?” “Because they pay before they are admitted.” Money again, the test of all virtue in this country; and so every poor man who cannot afford to pay for himself and his wife, and say his daughter or son, is not respectable, and may not be admitted to the pleasures even of such a place as Vauxhall! But I go further, and ask the Licensing Magistrates of Surrey, who took great pains to light up the dark walks of Vauxhall, whether they do not know that Vauxhall is anything but respectable. It is a scene of disgraceful licentiousness; it is, for the most part, a meeting of drunkards, pickpockets, and prostitutes; and the virtue of the Magistrates and the Gentry can permit this place, and yet be violently shocked at the very idea of some poor men dancing to the sound of a fiddle at the adjoining public-house. You allow the profligate and the idle to be as joyous as they please, to assemble together, if they can spare some shillings, but you deny to the industrious mechanic, whose object would be innocent recreation, the power of meeting his associates in such a party of pleasure.

But this is far from being all that you

have done. Day after day, upon the same plea of immorality, we have the Fairs of the people put down. We do not like congregations of the people, therefore we put down Fairs. We are a decorous generation, and the boisterous mirth of the populace offends us. It was all very well in olden times to have Fairs. When the great man of the place and his family went out and mingled with their *retainers*, when there was a bow and a scrape for the *Squire*, and God bless your honour, and long live the “Blunderheads,” were the dulcet sounds which saluted his ears, then was he pleased, and his brother squires were pleased with Fairs. But when the people went there without thinking of any great man; when it became “hail fellow well met;” then the whole matter became democratical, and, being democratical, was therefore immoral, and was to be put an end to. So Fairs became of bad odour, and the Legislature set its face against them.

But this was not all. It happened that throughout England most parishes had some *common*, green, or piece of land, on which the people met and enjoyed themselves. These Commons also afforded to the poor certain advantages respecting their few geese, or pigs, and perhaps an ass. These, in my eyes, were *vested* rights—very sacred rights, too. But, in the eyes of English legislators, rights are not always sacred, though, in cant phrase, they be *vested*. They are sacred when they belong to the rich.

For generations the people of a village have had the right of playing cricket, or bowls, or of dancing on a certain green. For centuries, also, they have had the right of turning out their geese, their pigs, poultry, &c., upon the same piece of land. It was *common* land—emphatically *common* land, belonging, as the very name imports, to *all*. Is this not a right that deserves

attention? Who has a greater right to compensation than the poor man, driven from his healthy common to the dusty road? But has this right been held sacred by English legislators? Look at the doings of every session of Parliament—read the inclosure bills—and see if the poor have not reason to complain.

In aid of this work of the Legislature, come pretended sanctity and fanaticism; and consequently all those athletic games, which our forefathers were wont to patronize and enjoy, are now decried. A poor man must work during the week; his only day of rest and recreation is the feast day of the olden church. His body and his mind both want rest and recreation—not mere idleness, and perfect inactivity, but such easy and pleasant exercise, as sets the spirits in motion, and excites the mind to pleasurable feelings. This recreates and refreshes body and mind—but the parson, the magistrate, the gentleman, all set their faces against any enjoyment by the poor in numbers. The gay, happy, and innocent scenes of the village green are fast fading away; the care-worn peasant, after six days of steady, day and wearing toil, does not now forget his cares at least for one day in the week, and learn to love the world by tasting some of its sweets. His cup is one of unmingled bitterness,—he toils and toils and toils—and where is his reward? where his ease and recreation?—We hear much praise of our old institutions—our glorious constitution is amazingly well-spoken of, because it is, or rather was, old. Now there is one class of old customs that we do not often hear of—we do not hear of that fashion of our very revered ancestors, which countenanced the Recreation and Amusement of the People, on holidays and feast days. I remember, some years since, that I was at Petworth in Sussex, Pet-

worth, for the most part, belongs to Lord Egremont; and his house and park adjoin the town. I saw there a rare scene for England. The townspeople, all alike, had the privilege of walking and playing at cricket in the park. I saw them there after their work, assembled in groups on a fine evening in summer; they were all neatly and comfortably dressed; young and old, girls, boys, men and women, scattered over the large and beautiful park, shouting, laughing, happy, and contented. Was this a sight for the good and the virtuous to turn away from with reproach or disgust? There was much happiness—much innocent pleasure, and no vice in that scene. Cold must be that heart that would not warm under its influence; sad, indeed, that spirit, which could see aught in it to condemn or to regret. But these scenes have almost passed away; and pretended sanctity, an hypocritical regard to morality, proscribes these assemblies of the people. We inclose the commons; we thunder damnation against profanation; we preserve a rigid and sanctimonious exterior; we compel the people to herd together and hide themselves in the public house; we talk about our own morality and decorum; subscribe to the opera; bet on the St. Leger; throw a main at Crockford's; preserve our game in the country; convict poachers; commit the drunken fool whom we have driven to the ale-house; we bandy about compliments to each other respecting our virtues:—we are a decorous, sedate, sanctified, but nevertheless an immoral people.

Having driven the people from the commons, our legislators went another step in advance, and shut them out of the fields also. The country parts of England are intersected by bye-paths, through fields—short cuts for contiguous neighbourhoods. Now the grand



delight of an English landowner is to have his pleasures to himself. He hates his park if the people walk through it; his fields lose their beauty if a path runs across them; so he goes to the Legislature, and there he passes an act by which any two justices can shut up a pathway, leave being given to appeal to the next Quarter Sessions.

Let us make the reader understand this process of shutting up a pathway. Mr Broadfield is a magistrate, and has a field disfigured by a pathway; but Mr Broadfield has also a friend and brother magistrate in Mr Shortlease; he invites Mr Shortlease to dinner, and when the women are gone, they prose over their landed affairs, complain of hard times, talk of low prices, lament the fine times of the war, and wax extremely friendly in consequence of similarity of feeling. Mr Broadfield mentions his nuisance, pathetically talks of the mischief done to his property by this abominable pathway, and laments the invasion of his privacy; Mr Shortlease sympathises, and the two justices shut up the pathway. Some meddling fellow, who knows no better, objects to this proceeding; he determines to appeal; and to whom does he appeal? Why, in good sooth, Mr Broadfield and Mr Shortlease seem to have resolved themselves into a committee of some 20 or 30 magistrates at the Sessions, so much do they all resemble each other. What are the magistrates but so many Broadfields and Shortleases? and what do they do but do as Broadfields and Shortleases always do? They scout the appeal, and confirm the order of the two justices. Whether the foot passengers of the neighbourhoods joined by the footpath have two miles to go about in consequence, is nothing to them. The landed interest is the great subject

I have mentioned the honorable exception of Lord Egremont, and regret that it is an exception.

of their consideration, and the dusty road is good enough for those who do not belong to it.

By this process the great body of the population are being gradually driven to the highway. Around London this system of shutting up the footpaths has been carried to a disgraceful extent, and by none has been enforced with more efficiency than by that direct descendant of the apostles, the Archbishop of Canterbury. The high and formidable fence, with the board threatening prosecution according to law, meet you as a barrier round his princely domain, and mark at once the charity and the humbleness of this lowly successor of St Peter.

Another device of modern times has been to disarm the population. Our old fathers used to make it incumbent on every man to have his bow and so many cloth-yard arrows for service. The bow was supplanted by the gun, and still it was thought a good thing that a people should be able to defend itself, and not to be dependent wholly on a standing army. Not so think the politicians of modern days. Now, although in many things we find a strange coincidence between actual conduct and selfish interests, I am not inclined to believe that in all cases the one was the direct cause of the other. In the present instance, it may be supposed that a bad Government does not like an armed population, and that, therefore, the disarming of our population was the result of a deep scheme of policy. I do not believe this to have been the case. A man with a gun can, if he please, shoot a hare or pheasant in his path; it is plain, then, that one good way of preventing him shooting this hare or pheasant, is to take away his gun. Poaching was the grand mischief, and the dread of poaching, I suspect, led to the taking away of people's guns. I am further strengthened in this opinion

by the conduct of our Legislature respecting dogs.

Dogs cannot very well affect a ministry, or put down an aristocracy; but some dogs can catch hares, and point at pheasants and partridges. Those dogs that have this peculiar faculty were therefore separated from the other dogs, and any one having a dog of this peculiar class must pay a tax for him; and should he do so, being a poor man, would be looked upon with no small suspicion, and very likely be brought to incur the penalties of another law, which renders it an offence in an unqualified person to keep such a dog, in order to kill and destroy game.

Now look back upon this list of restrictions (and I have not attempted to make it complete), and then let me hear our rulers talk of their wonderful sympathy with the poor man. You will not let him dance or hear music; you do all you can to put an end to his cricket and his bowls; you shut him out of the green fields; you drive him from the common; you take away his gun, and compel him to be content with a cur for his dog. This is not all—in his hours of recreation, you not only shut him out from healthy, but rational, amusement; you close the Picture Gallery and the Museum on holidays and feast-days, but you leave wide open the gin and the beer-shop; hating convivial meetings, you make the people unsocial drunkards. This gin-shop that you love, because it increases your revenue, look at it, go into it, and behold its horrible appearance. A flaring gas-light is over the door, which door never shuts; push it aside, go in, look around—splendid windows, brass rods and ornaments, a fine and showy counter, immense tubs of spirits, and gay damsels ready to serve it. *But no chair.* No one sits in a gin shop. The customer comes in, pays for his glass of poison, drinks it off at one gulp, and

goes away to make room for a succeeding customer. Here you have the vice of drunkenness, with all its deformity, without one shadow of a redeeming circumstance. Sulky, sullen, and alone, the poor wretch drinks off his glass, feels and shares no sympathy, awakes no kindly feeling; no gay conversation kindles mirth; here is no laugh, no buoyancy of the spirit; here is nought but a selfish enjoyment, or the sullen determination to drown in brutal intoxication the intolerable burthen of present wretchedness. Wise legislators! you foster these horrid dens of evil, and yet dread and suppress gay and mirthful meetings of the people.

So much for the restrictions put by our legislators on the Amusements of the Poor, now let us hazard a few words on the

#### LICENSE GIVEN TO THE AMUSEMENTS OF THE RICH.

In my observations on this head, I shall try the conduct of the Rich by their own standard. I wish not to subject them to any rule which they do not themselves acknowledge, and it is by this rule, that I shall convict them of hypocrisy, immorality, and gross inconsistency.

The subjects to which I shall allude, are the *Opera, Horse-racing, Sporting, and Gaming.* I do not confine myself to these subjects because there are no others, but because they are enough for my purpose. In truth, there is nothing in the way of pleasure which the Rich desire that they may not do. They may, and do break, most of the Commandments, as a body, every day in the year, and yet there is no scandal, no horror created by this exhibition of depravity.

A polished wit once observed, that vice lost half its deformity by losing all its grossness. Our great people, like the players of Sheridan, thinking they could not have too much of a good thing, improved upon this pithy saying.

They now act as if they had determined that vice lost *all* its deformity by losing all its grossness. We are eminently a people of *forms*. "There is a form in these things, said Miss Carolina Wilhelmina Amelia Skeggs"—and so say and think the Aristocracy of this country. So long as vice takes no form disgusting *to them*, they are not scandalized by the commission of it. The evil in their eyes lies in *the mode* in which vice is committed, not in the commission of it. Decorum is the great virtue; and the end of every endeavour is to preserve appearances.

When it is sought to give a reason for the prohibitions of music and dancing contained in the law, it is stated that immorality would be promoted if such prohibition did not exist. And it is further said that the system of licensing also has in view the prevention of immorality. Now, for myself, I deny that immorality is at all likely to be promoted by unlimited power to dance and sing as much as people may desire; but, on the contrary, I believe that such complete liberty would have the effect of checking immoral conduct. But suppose that we allow that it is intended to put down immorality by the peculiar power of granting licenses given to the magistrates, and by the monopoly of the theatres in consequence of the power given to the Lord Chamberlain, I ask, how it happens that they nightly see before their eyes the greatest immorality, and yet license it? I make no objection to the Rich, if they please, frequenting the opera or the theatre—but I do object to their making their supposed desire to check immorality a pretence for putting down the really innocent amusements of the Poor, and, at the same time, showing the utmost indifference to immorality practised nightly by themselves. I choose the opera as a specimen of their conduct on this head, because the opera is al-

most exclusively frequented by the aristocratic classes, and those whom aristocratic vices bring there. Here it is that young and noble legislators, who vote in favour of Sabbath Bills, and for giving power of licensing to the Lord Chamberlain and magistrates, exhibit their devotion to dancing girls. The same man who is in a pious horror at the improper proceedings that *may* take place on the part of the poor at a fair or a dance, will drive down in his cabriolet or carriage the *figurante* of the night, will attend her behind the scenes, will wait on her as her servant, covering her with shawls when she comes off the stage, and taking them off when it is her turn to exhibit. He will do this, not in secret, or with any attempt at concealment, but openly, before admiring and wondering crowds. And yet pious divines will solicit the young legislator's vote, and perhaps supply him with statements to prove the immorality of the poor, and arguments to show the evils arising from the increasing depravity of the multitude. And these wise and good sayings will be uttered with much force, will be received with many "*hear, hears!*" and it will be seen in the papers the next morning that the noble lord, or honourable gentleman, as the case may be, sat down amidst loud cheering from all parts of the House.

Is this a fictitious case? Do we not know that it is daily enacted before our eyes? And no one complains. But is it not gross hypocrisy in our rulers, while thus acting themselves, to make *morality*, forsooth, their excuse for checking and coercing the poor? Let the bishops look to this, if they wish to be employed in arresting licentiousness, and not count the boats which shoot Fulham bridge on a Sunday—or endeavour to learn at what hour the mechanic's wife may buy her Sunday dinner.

Let no one fancy that I desire the legislature to interfere with the amusements of the rich. The vice connected with them is beyond the reach of legislation. It results from the manners of the people; and so long as these manners remain what they are, the vice will still exist. The mischief is not created by the amusement—it forms no necessary part of it; and if the legislature were to-morrow mad enough to shut up the Opera-house, the same amount of vice would exist; the only difference being that the place of its exhibition would be changed. But what I do wish to insist on is, that by the same rule which induces us to leave this amusement of the rich untouched by restrictive laws, so ought we to abstain from meddling with the dancing and the music of the poor. A vicious people will exhibit their vice in their amusements, but they will not be more vicious simply because they amuse themselves. Some amusements have a directly beneficial tendency, and among the most salutary are dancing and singing; for they raise joyous and mirthful spirits; they occupy the mind, and excite no dangerous passions, but serve rather to soften and render gentle the manners of those who enjoy them. On the other hand, though some amusements have a mischievous tendency, that tendency cannot be safely counteracted by any proceedings of the legislature. The evils which result from these mischievous amusements are wholly within the province of *morals*, and a wise legislature would leave to public morality the office of putting them down.\*

\* An instance of the effect of public opinion, and the utter inefficiency of law, may be seen in the pugilistic contests of our own country. While the people delighted in them it was impossible to put them down. The law failed; but we are growing wiser and better, and no greater sign of this can be adduced than the thorough disgust now entertained by all classes for public prize-fights. When the public opinion became correct on this subject, prize-fights at once disappeared altogether. And I feel con-

The evil that attends the Opera does not spring from the music there. If they who set the fashion at that assemblage of the rich and the powerful, would not openly tolerate, or rather countenance, the outrages nightly practised there against the received morality of the country, the mischief would not exist. But so long as these leading people act as they do, no interference of a legislature would be effective; and if they were to change their conduct, no interference would be needed.

But let us turn to another class of amusements far more mischievous; I mean that of

#### HORSE-RACING.

If we look at the amusement itself, if we look at the circumstances by which it is now attended, the vice and profligacy that start up disgust and confound us.

In the first place regard the amusement. It consists of two very distinct parts; the first and least important is, the exciting a certain number of animals to run far beyond their strength; when their strength fails, the animals are lashed with a brutality that shocks every humane man. There is a generous emulation in the horse that excites him to the most powerful efforts of which his frame is properly capable; he tries his utmost—that is, the utmost that nature intended; but this is not enough for the horse-jockey\* of England; he wishes his horse to labour far beyond what nature intended; and when his frame fails, he excites him to unnatural exertion by the agony of the lash. The second part of the amusement consists

vinced that no class looks upon such fighting with more reprobation than the honest and industrious mechanics of this country.

\* *Jockey*, in my phraseology, is not applied here to the rider alone, but the master who hires him. The riding-jockey flogs because he is told to do so. It is the *jockey-master* of whom I am speaking.

of betting. We are exceedingly fond of talking of the vices of the poor; it is a pity that we do not sometimes hear remarks upon those of the rich. Now, betting is a low vice—it is a degrading vice; it produces a mischievous moral state in the mind of him who indulges in it, far beyond what a superficial observer would expect. It destroys industrious habits, and leads men to expect from blind chance, what generally can only be the result of steady and continuous labour. It has precisely the same effect as a lottery, which is, in fact, a species of bet; and all moralists are now agreed in considering a lottery an exceedingly pernicious institution.

So much, then, for the mere amusement itself, which is seen to be almost wholly made up of mischief. Now let us turn to its attendant circumstances.

I shall say nothing of the large class of idle, and far from honest, persons created by breeding these race-horses. Men now express themselves by way of proverbs respecting the whole tribe, and if you want to embody roguery, you talk about a horse-jockey. But what shall we say to our moral rulers who delight in racing, for gathering together multitudes of pickpockets, swindlers, thimble-rig gentry? Talk to these same rulers about a fair, and great and pathetic will be their lamentation over the depravity of the *lower orders*, as they are contemptuously termed. But how does it happen that the roulette tables, the thimble-rigs, the gambling, and debauchery practised at Epsom, excite no corresponding distress in the bosoms of aristocratic legislators? I suppose the answer is, that they, the aristocracy, like horse-racing, but are not fond of the round-about. The gay assemblage of brilliant equipages at Ascot or Epsom is pleasant in their eyes, while the throng of peasants or mechanics at a fair offers no attraction to their fastidious tastes. But all this notwithstanding, anything

of vice that may be seen in a fair is seen in an exaggerated form at the race-course, while the gaiety of the people is, for the most part, wanting. For my own part, my taste I acknowledge to be of a different description from the reigning one. I would rather see a parcel of urchins or peasants staring in great wonderment, and also great enjoyment, at the wonders of a fair, than behold the listless gaze of a party of fashionable frequenters of Ascot; and, if I were to choose, I would prefer the sight of a menagerie to those of a race-course.

In the present state of commerce in England, fairs, for their old use, are necessarily no longer serviceable, except in some peculiar cases. The evils, however, which they are supposed to produce, are not the effect of an assemblage of the people for purposes of pleasure, but the result of habits in the mass of the people which time and increased intelligence alone can change. On the other hand, the race-course is necessarily productive of mischief. In the first place, the sight to be seen is a gambling affair;—this leads to betting; and betting naturally leads to other sorts of gambling. Thus *rouge et noir* appears not out of place on the gambling ground of a race-course; and the swindler is not badly associated with the man who picks your pocket by dexterous betting. This case is connected with public morality, and yet no one raises his voice against it. No indignant and over-virtuous legislator—such as legislate for Sabbath days, and music and dancing—gets up and denounces horse-racing. We hear none of the over-righteous talking with their favourite unction on this head. They are as mute as if they never heard of Plenipo; or as if the great doings of Ibrahim never reached their ears. The House of Commons is certainly a curious place. Would it be believed, that in that very sanctified

assembly by which these biting laws against lewd places, and immoral games, and poor man's music and dancing, have been passed with such edifying ease and rapidity, I have seen a raffle openly made on the result of an election Committee, and bets openly offered and taken on the result of a division. Abercrombie and Sutton were betted on as if they had been Plenipo or Ibrahim, and as if the Speaker's office had been a sweepstakes or the Derby! These are edifying contrasts, which will teach us the worth of overstrained professions of excellence.

Horse-racing, if mischievous, is still an amusement which the rich share, in some measure, with the poor.

#### SPORTING

Is, without the shadow of a doubt, fraught with evil to the country, while all its pleasures are confined entirely to the rich.

To the selfish purpose of having partridges and pheasants and hares to shoot at, our squire legislators have filled the statute-book with stringent laws, which have filled the gaols with prisoners. These hares and pheasants and partridges are fed at the public expense, but the public may not kill them. I find half a dozen hares eating my young wheat: if I be not a qualified person, I may not shoot them. The partridges eat my grain, they trample down my corn and destroy it,—they are not to be touched by my profane hands. The taking away the lives of these favourites is a pleasure allowed only to the rich. A poor man crossing a field sees a hare squatting in his path. A hare is a wild animal; the morality of the people does not consider it property; to kill it is not by them deemed a crime. He knows that it would make a good dinner for his family; they have had no meal for a week; he yields to the temptation, kills

the hare, is detected, and sent to prison. Two-thirds of the prisoners in our gaols are committed for offences of this description. The magistrate before whom the poor fellow is brought, is usually a perfect Nimrod—a game preserver—“a mighty hunter before the Lord.” The culprit is condemned before the accusation is heard; he is consigned to prison at once; and his character and his morals are destroyed together. After some months' imprisonment he returns home, an accomplished vagabond, with revenge gnawing at his heart, and perfect unscrupulousness as to the means of gratifying it. Having incurred the disgrace of a criminal for what his conscience did not deem an criminal act, he has become careless even about perpetrating that which he knows to be an offence. He next steals a sheep, and ends his career by the gallows, or transportation. The above is the brief history of many thousands annually of our poorer countrymen; and yet those conservators of public morals, who weep over the crimes of the half-choked artizan of London, when he wanders over the green fields on a holiday, will enlarge upon the great benefits of the game laws, and almost say, and quite believe, that the safety of the state is dependent on a brood of partridges! We are gravely favoured with the following propositions in support of these demoralizing laws:—It is necessary for the well-being of the state that the gentry should be constantly in the country; if there were no game, there could be no sporting; if there were no sporting, the gentry would not stay in the country; if there were no game laws, there would be no game. So that the game laws are necessary for the safety and welfare of the state!

It is never imagined, by those who reason thus, that the annual evil produced by the game laws ought to make the country gentlemen contented to

forego the pleasure of shooting at partridges that are as tame as barn-door fowls. It is further never shown how these Nimrods benefit the state by annually visiting the country, and tiring themselves by walking over the fields after birds and hares. No one even attempts to show where the people who now live in the country would go to, if a sudden change were made in the law, and a general emigration of the gentry determined on. It is not remembered that families do not change their abodes with the same ease and pleasure that the swallows flit away from us. All this is forgotten, and the immediate flight of the gentry is at once assumed, as a necessary consequence of a diminution of the number of partridges. This monstrous absurdity is uttered and listened to, in the House of Commons, so often as the game laws are mentioned; and the argument I have stated above is deemed irrefragable. The bloody encounters between poachers and gamekeepers, the daily filling of the gaols, and the consequent demoralizing of the people, are considered as nought. The pleasure of the Rich is concerned, and all other interests must yield. Who will say that this is not cruelty and hypocrisy? If this be not vice, I know not where to seek it.

A few words more, and I have done. Did the Bishop of London ever see the

outside of Crockford's? Has he ever heard how it is maintained, and for what purpose? Has he ever privately or publicly rebuked his friends for frequenting it? I should be exceedingly glad to know how many of the Bishops have lifted their pious voices against this abomination,—how many have taken pains to root it out. Some of them made a great stand the other day to prevent Sunday travelling on a rail-road. I wish some few of them would attempt to put down the gambling that goes on every day in the week in St James's street: not by bringing in bills, however; legislation is not the business of Bishops. Let them exhort and pray, and go humbly but earnestly to work. One of them ran about the streets to count the cabbages that were sold on a Sunday morning. Let him, by way of variety, try his hand on the Rich. I would dare to say that, in some shape, he would receive ample reward for his pains.

Look, then, on these two pictures, and then let any one tell me whether, by example and by precept, our rulers have not worked mischief to the people! Both in their sports, and in their grave legislation, have they done evil. It is difficult to say in which character they have been most noxious to their countrymen.

J. A. ROEBUCK.

## THE AMERICAN BALLOT-BOX.

IN the United States of America\* the Ballot-Box is deemed the safeguard of the Constitution; and so, in fact, it is. It is the sole protector of the people against the influence of the rich class,

who are just as grasping—just as greedy of undue influence, as the rich of other countries.

The people of this country know really very little of the people of the United States. Of matters connected with the government of that country they know still less. The reason of this

\* The Ballot does not prevail in all the States; it is scarcely required in those States where the labouring population are slaves.

is plain. The persons who pretend to teach us are rather more ignorant than we are. In fact, their ignorance is greater than if they knew nothing. This may seem strange; but it is, nevertheless, strictly true. They have imbibed false impressions of America and of the Americans—the necessary result of viewing a part for the whole—and these false impressions they impart to us by means of “Voyages,” “Tours,” and “Six Months’ Residences.” Hence, having read their fictions, we set about the acquisition of real knowledge of America in a worse position than the child when he begins his A. B. C. The child, at all events, hath imbibed no errors; whereas the English reader who pins his faith to the Halls and the Trollopes, and other writers of travels in America, has much to unlearn.

People talk about an aristocracy in America; but they talk nonsense. An aristocracy, as we understand it, is a wealthy class, enjoying certain privileges “constitutionally”—that’s the favourite word—belonging to the possession of property. Now, there is no such a thing as an aristocracy of this kind—no aristocracy, properly so called, in America. There is a rich class, very desirous of becoming an aristocracy, and actually calling themselves an “aristocracy of wealth,” a “natural aristocracy,” and so forth; but, I repeat it, there is no aristocracy in America. The desire of the rich to become such can never be gratified. Timothy Touch-and-go,\* the English banker who ran away from England with his customers’ money, and set up a bank of his own in a new town in a new state, thought it hard that he could not purchase a seat in Congress with his own paper-money, as he used to do in England. And why could he not? Englishmen! mark well the reason—the Ballot-Box prevented it.

The ordinary talk of the wealthy

\* See Crotchet Castle.

class in America is precisely what we are perpetually sickened with in this country. They prate about “the legitimate influence of property,” meaning all the time *undue* or *sinister* influence. They are not content with the great advantages necessarily inseparable from wealth; they thirst for privileges. They are jealous of the political equality of the people. They speak of the honest mass in terms of contempt, borrowed from the aristocratic vocabulary of feudal Europe. They call the people the *mob*, the *herd*, and so forth; and they think the hard hands of the honest yeoman much better adapted to tax-paying than to vote-giving.\*

The rich class in America are professed admirers of everything English. They are perpetually praising the “glorious constitution” and its “beautiful harmony,” and its “admirable working.” They talk this sort of cant with as much volubility as a member of the Pitt Club after his first bottle. Twice since the establishment of the government have they gotten political power for a short time, during a period of alarm—when they did something more than talk. They introduced a sedition bill and a standing army bill, which brought the people at large to their senses. “Short Parliaments” saved the constitution; an election came round, and the admirers of the English system—the Federalists, as they are called—with their standing army and sedition bills, fell before the mighty influence of the *Ballot-Box*.

The fine folks of America, who sigh for distinctions which their own merits will never give them, are known for their absurd and ape-ish imitation of all the vulgarisms of English fashionable society. They stick a little bit of red cloth or gold lace on the corner of a

\* The reader must not forget that I am speaking of the States where the *hand*, not the *mouth*, gives the vote.



little black boy's collar, and fancy he is liveried like an English lord's lacquey. They put off their dinner hour till four o'clock—the common hour being two—and fancy that by thus punishing their stomachs they become quite “English.” In short, the most servile imitation of everything that is bad and ridiculous—and the neglect of everything that is really estimable in England—seems to be the prevailing characteristic of the rich class in America; and yet it is this very rich class which is daily pictured to us Englishmen as an average specimen of the character of the American people. The Halls, and the Hamiltons, and the whole of the travelling tribe, have really seen nothing of the American people. They have seen only the “genteel society of the cities,” and they have committed the egregious blunder of recording the opinions and feelings of that society as a fair sample of the state of opinion of the whole American community.

I have frequently heard the rich condemn everything which I knew the mass of the people cherished; and it has often been my fate to defend, in conversation, against native Americans, the most valuable institutions of the United States. This used to puzzle me not a little at first, till after a time I became acquainted with this gnawing desire of the rich people to obtain a “legitimate influence” for their “property.” A key to the difficulty was furnished me by one of the hard-working and intelligent people whom I found sipping his cider at a road-side public-house. I shall never forget his look of manly satisfaction, when he boasted that no possible harm could come to the people at large while they had the Ballot-Box to protect them, “and that,” said he, “we cannot lose without our own consent.” The people's veneration for the Ballot-Box is generated by a strong conviction of the protection it affords.

My honest friend could not give me as many reasons in its favour as Mr Grote could; but then he would have laughed at me for requiring them. The people of England are convinced of the utility of the Ballot by the sufferings they are subjected to by the want of it. The people of America are convinced of its excellence, by the impotence of the threats with which they are assailed at every election.

The result of the last elections in the United States was an immense triumph to the people. For a long series of years the pretensions of the monied class had been kept alive by the spirit of monopoly and restriction which pervaded all classes of the American community. Up to a very recent period, public opinion was decidedly in favour of commercial “protection,” as it is called by those who love it. If a dozen people desired to enter into a speculation, they had no difficulty in obtaining an act of their Legislature to protect them from all the consequences of mismanagement. The effect of this was an extension of chartered companies far beyond anything in this country. This was a very great evil, but it was one of the people's own choosing, and therefore not a grievance. Of late years,\* more correct views have been steadily making their way, and President Jackson boldly brought the matter to the vote of the people, by declaring against the “monster monopoly”—the Bank of the United States, a few months previous to his own election. His noble conduct was appreciated by the people. He was returned by large majorities in almost every State of the Union.

The re-election of General Jackson to

\* Many persons in America doubt the propriety of granting charters. They contend that passing of particular laws is inconsistent with the principles of a representative government, and that general laws only should be enacted.

the Presidency was a fearful struggle. It was Monopoly and the Bank against the People and Jackson. The whole influence of the wealthy was exerted against the favourite of the People. The monied—the mercantile class have a large portion of the press at their command. The newspapers of the cities depend on advertisements for their very existence; the merchants, ship-owners, brokers, auctioneers, and shop-keepers, are the principal advertisers; so that the papers express—not the opinions of the people, but the opinions of the class by whom they are supported. It was said that the money of the Bank was freely used to bribe the newspapers of New York. It may be so; but the supposition of direct bribery is not necessary to account for the animosity of the newspapers towards the principle of democracy. If bribery were resorted to, it was money ill laid out, as such influence of these papers had was previously secured to the monied class by the circumstance I have described. There are thirteen daily papers in the city of New York, out of which only two are democratic papers; and of these two one has difficulty in maintaining its existence, though talent is certainly on the democratic side.

The industry of the Press during the late elections was untiring. They propagated all sorts of stories against both the public and private character of the individuals who composed the Jackson or democratic party. They appealed to all the real and supposed prejudices of the people. They contrived to fasten opprobrious names on their adversaries, and the democrats of America were called by all the Bank prints "Tories," and so forth. At last the noise they raised deceived not only their patrons, but even themselves. They positively thought their own opinions were the opinions of the people. Their papers were bought, and they did not stop to notice who

bought them. This made them more and more confident; and as the election drew near, they proclaimed an approaching triumph. This was not a mere election trick, it was their real opinion; and as the Americans are a betting people, the monied class did not fail to back the opinion of the all-knowing Press, by offering extensive wagers. These wagers were taken by some of the popular party. Their confidence had never been shaken; but as they had not eleven-thirteenths of the Press to make a noise about it, their confidence was of a quieter kind. The people knew their own opinions, and as a means of giving those opinions effect, they relied firmly on the Ballot-Box.

I shall now take leave to examine some of the fallacies put forward in the House of Commons respecting the Ballot in America. In the course of the debate on the 2nd of June, on Mr Grote's motion respecting the Ballot, there was a very fair quantity of nonsense talked on this subject. First of all came Mr James Barlow Hoy, a gentleman whose chief merit lies in not often troubling the House with his speeches. He sits for Southampton, and writes himself a moderate Reformer; in plain English, he votes against *moderate* abuses, and supports those which are *immoderate*. Let us listen to the sapience of Mr Barlow Hoy:—

"And then, as to America—the greatest instances of bribery and corruption are on record as having existed there."—*Mirror of Parliament*, June 2.

Well might Mr O'Connell exclaim "Oh! oh! oh!" Mr James Barlow Hoy, however, was quite indignant at the interruption:—

"The honourable and learned member says 'Oh,' but I allude to the distribution of 28 millions of dollars, by the Bank of the United States, for the purpose of influencing the elections against General Jackson."

The whole capital of the United States Bank is 35 millions of dollars, so that I

do really think somebody has been humbugging Mr Barlow Hoy about the said 28 millions. Now, that the Bank did try bribery and intimidation I do believe; but, that it did not succeed even where the Bank supposed it had enormous power and influence, is most certain; the reason why it did not succeed is, that the *Ballot-Box* prevented it.

But Mr James Barlow Hoy must needs again advert to America:—

“By an extract which I have made from the American papers relative to the representation in America, it appears that the people there are as discontented with representation under the Ballot as any person in this House can possibly be. It says that the Congress had ‘then met four months, and yet no measure of national utility had been contemplated.’”

Suppose a Member of Congress were gravely to quote the *Albion*, or the *Times*, and infer, as Mr James Barlow Hoy has inferred, that it represented the people’s opinions, would not even Mr James Barlow Hoy himself laugh at the Yankee’s logic? There is one circumstance especially that Mr James Barlow Hoy does not seem to be aware of, and it is this:—the people of America have the most perfect power of altering whatever they are discontented with. The suffrage is practically universal, the duration of Congress is short (two years)—that of their state assemblies generally one year\* — and the voter, in all the states which are

thought to require it, is protected by the Ballot. Of these advantages the Americans do actually avail themselves freely. They are taught to do so. Hence, the bare fact of a practice existing is certain proof that it is popular. In the United States, if an honourable gentleman misbehave himself, the people very unceremoniously turn him out.

Then about the American papers. Our principal connexion with America is of a commercial nature, carried on, of course, with the commercial metropolis—New York. Now, I have already shown how the New York papers are kept alive, and whose opinions they represent. Mr James Barlow Hoy might have learned, from the very paper from which he quoted, that the elections would certainly go against Jackson. But they did not go against Jackson; so I humbly submit to Mr James Barlow Hoy, that the paper which told him a fib on one point, should not easily obtain his belief on another. If the paper had said, “the people who advertise in, and buy our paper, do not like the ballot,” I should not have disputed the statement; but when I read from a paper that which I know to be incorrect, for my own satisfaction I endeavour to trace out and mark down the influence that generated the lie.

The above are scarcely a tithe of the fallacies uttered in the House of Commons, on the 2nd of June, on the subject of the Ballot in America; but, at present, I have not room for their exposure.

H. S. CHAPMAN.

\* The only exceptions out of the twenty-four states are Delaware, South Carolina, Louisiana, Tennessee, Illinois, and Missouri, where the assemblies are for two years; and the state of Rhode Island, where the assembly is only for half-a-year.

## MR HALSE'S OPINION OF THE INDUSTRIOUS CLASSES OF ENGLAND.

FOR the information of the public I publish the following motion, now standing on the vote-paper of the House of Commons, in the name of Mr Halse, Member for St Ives:—

“ Mr Halse, upon bringing up the Report (of the Corporation Reform Bill), to move that all prisoners in Newgate, and the other gaols in England and Wales, although possessing no other qualification, be, upon the principle of the Bill, entitled indiscriminately to an equal participation in all the franchises, as well magisterial as elective, thereby created; and that, to obviate all uncertainty or doubt of the benevolent intention of the Bill and the happy tendency thereof, being, in effect, to render all the higher ranks of his Majesty's loyal and respectable subjects, subordinate to the lowest, without regard to property or character, a clause be introduced in accordance with the same principle, expressly enacting to that effect; and that it may for ever thereafter be well understood that the whole population of the Corporate Jurisdictions are, in all other relations of life, placed upon a footing of perfect equality, agreeably to the equal rights of man; and also a clause to provide a suitable retreat for the gentry residing within these jurisdictions, and who, with a mind and feelings becoming their station, may seek an escape for themselves from the scene of such a revolutionary infliction.”

The people ought to be exceedingly obliged by the frankness of this avowal. The cautious men of the Tory party would not have ventured so far, because they would have deemed such a statement unwise. Mr Halse not having their prudence, has given us a clue to the opinion of his party. Let the people understand what this opinion is. This resolution asserts, that the industrious and honest classes of the population, persons who reside constantly in one place, pay largely to the maintenance of the Government,—the body, in fact, of the tradesmen, and of the more comfortable mechanics, are, in their morality, no better than the criminals in Newgate. Mr Halse puts this large and important portion of his countrymen upon a level with thieves and robbers—aye, and murderers. He has had the insolence and audacity to make this assertion—I hope the people of England will have the wisdom to remember it.

J. A. R.

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# PERSECUTION

PREACHED BY THE PARSONS OF THE STATE  
CHURCH IN IRELAND.

BY J. A. ROEBUCK, M.P.

THE GUARDS:  
THE USELESSNESS OF THESE REGIMENTS IN LONDON.

EDITED BY

**J. A. ROEBUCK, M.P.**

[PRICE THREE HALFPENCE.]

PERSECUTION PREACHED BY THE PARSONS OF  
THE STATE CHURCH IN IRELAND.

SOME Priests of the Irish State Church have of late been wandering up and down the country, endeavouring to create discord among the people, by trumpeting forth denunciations against the Catholic religion. Their last exhibition was at Exeter Hall; and it appears that they have enlarged their theatrical company by enlisting certain foolish Members of Parliament, with some half dozen very silly noblemen. These attractions notwithstanding, the whole affair was a conspicuous failure. Many people, indeed, went to gaze at the folly, just as we find many persons gazing at Punch. But these bigotry-preaching Priests did not gain their end. They desired to make a solemn matter of their nonsense, but the people grinned broadly at them. They hoped to alarm the many, and to make them cruel by frightening them. They failed. The people now are not afraid of the Pope. They know and feel themselves secure, and being undisturbed by

alarms, they see through, and properly appreciate, the wretched attempts to cajole them.

Half a century ago, all London was filled with confusion by the efforts of a mad bigot, Lord George Gordon, who preached "No Popery." The people answered his call; they rose in multitudes to enforce his ravings, and committed many and frightful devastations.

The same cry is now again raised by these wandering (vagabond) Priests. They are supported by half a dozen Lords, and as many Members of Parliament. *But the people do NOT answer the call.* The Lords, the Members of Parliament, and the Priests, are all treated with contempt. Men laugh at their folly, and spurn at their cruel and grovelling superstition.

WHY IS THIS?

The answer is, that we are wiser and better than we were fifty years since. These Parsons are as ignorant and as vicious as their forefathers, and have

preserved their bigotry and their superstition. But while they have stood still, the people have advanced. The Priests have lost their influence, and the people judge for themselves.

In the days of Lord George Gordon the people of London not only differed from the Catholics in matters of religion, but they also hated the Catholics because they did differ from them. Now the same difference exists as respects belief in religious matters, but the people have learned a wise lesson, and do not hate those who have come to conclusions opposite to their own.

Is not this a great advance in wisdom? Is it not, also, a great advance in virtue? Let us understand the consequences of such a forbearing state of mind, and we shall then be able to appreciate its worth, and the folly and the vice of those who seek to change it.

This forbearance towards our neighbours in matters of religion is not a state of mind the consequences of which belong only to those matters. If I have taught myself to treat with respect and due consideration the opinions of my neighbour as to religion, I have also acquired a habit, the tendency of which is to lead me to view, with the same forbearance, all his other conscientious opinions—and this habit will lead me not merely to abstain from religious, but all other Persecution. I shall have learned to hear opinions opposite to my own, without offence, and in a calm and dispassionate spirit. I shall listen, and not shut my ears to conviction—I shall believe that I am not infallible—that I may, on some occasions, and important occasions too, be in error, while my neighbour may be in the right. Having acquired this modest and truly wise spirit, I shall be willing to hear the truth from whatever quarter it may come, and anxious to know what others may say, in order to judge of the correctness of my own conclusions.

When the Reformation commenced, people were told, by the Catholics of those days, that every sort of vice would be the result of any change of religious opinions. The old Reformers, notwithstanding these fearful denunciations, went on in their work, and thoroughly altered, in many countries, the religious belief and ceremonial of the inhabitants. The result belied the prophecies of those who had foretold vice and licentiousness as the necessary consequences of change. The various Reformed communities, as they were called, were found to be quite as moral, good, kind, and virtuous, as the Catholics—so the people began to doubt of the importance of those knotty points of controversial theology which had perplexed and excited their forefathers.

Time went on, and the mass of the people grew daily more instructed, both in Catholic and Protestant countries; and as religion always takes its form and character from the state of the public mind, the religion of the various Catholic and Protestant countries grew better.—We Protestants are not the Protestants of the days of Henry VIII and Elizabeth, neither are the Catholics the Catholics of those days. Just as the people of those days differed from their forefathers, who rushed in multitudes to Palestine, so we differ from them, who deliberately burned what they chose to call heretics, in Smithfield.

If you take two persons of the same country, who have been brought up in the same station of life, at the same period, but who are of different religions, one, for example, being a Catholic, the other a Protestant, they will be both of them, in their moral conduct, exceedingly similar. Take, for example, the women of England who happen [to be Catholics, and compare them with the same classes of women who are Protestants, and you will find them equally good mothers, daughters, sisters, and

wives. So with the men: the Catholics are just as good citizens, as good husbands, fathers, brothers, as their Protestant fellow-citizens. And why is this? Because the morality by which both sects regulate their conduct is similar, and because the religion of both has been changed and purified by the improving state of the times. Philosophy has softened the asperities of the old faith. Calvin burned Servetus, King James burned the Anabaptists, because it was the approved method, in those days, of demonstrating the truth of religion. Men then proved,

“By apostolic blows and knocks,  
Their own opinions orthodox.”

Calvin, in this matter, was not a whit worse for being a Protestant, neither was he better. Persecution was the vice of his age. It was then generally believed that incorrect belief was a crime; and as each man believed that he himself was in the right, it followed of course that he ought to punish all who differed from him. So the Catholic persecuted the Protestant, and the Protestant the Catholic. Both the one and the other persecuted the Jew. In short, persecution was the order of the day.

But at the present day, having got rid of our terror of the Pope, we have allowed ourselves to look more closely into the truth of the statement, *that incorrect belief is a crime*. It is now almost universally admitted that this statement is wholly false. We have learned that belief does not depend upon the will. For example, a man shows me a green parrot. I may try my utmost to make myself believe it to be a blue one, and I shall fail. Let a man put his finger into the candle, and endeavour to persuade himself that he does not feel pain; when he has succeeded in this endeavour (and I will give him permission to try as often as

he pleases), then, but not till then, he will have made some progress in proving belief to be dependent on a man's own will.

But it is of the very essence of crime to be the result of a man's intention. If, by a spasmodic action of my arm, I should inflict a grievous wound on one standing near me, I should not have committed a crime, because *my will had nothing to do with the matter*. If, then, my belief be wholly independent of my will, there can be no criminality in it, whatever it may be. I am no more answerable for my believing that two and two make four, than I am for believing that the room in which I am sitting is of an agreeable temperature.\*

Now, the mass of the people having by experience learned that their Catholic brethren were quite as good and moral as themselves, and it having become the feeling of all who really think about the matter, that our belief is not dependent on our will, and therefore not the subject of reprobation or reward, a spirit of forbearance to one another has been the general and highly beneficial consequence.

Fifty years ago, the great body of the people of London were in the most profound ignorance. A very small portion of the labouring people could read, and what they believed respecting Catholics was the result of the old women's tales with which they were constantly regaled. It was a favourite belief of that time, for example, that all the French people

\* A hasty objector might say, that *indifference* on the subject of belief would be the result of this doctrine. Such, however, would not be the case. Belief depends upon evidence. If the evidence be correct and complete, our belief will be correct also. Now, the completeness of the evidence presented to our minds depends materially upon ourselves—and no more important duty devolves upon a man than that of seeking after evidence. To be content to hold an opinion upon a really important matter without having sought after, and weighed the evidence on which it ought to rest, is a breach of a solemn obligation, and deserves severe reprobation.

wore wooden shoes, that it was the object of the French King to conquer England, and that the result of that would be, that he would make all the people wear wooden shoes. The French King and the Pope were always united in these people's minds; that is, they believed them to act together for the subjugation of our country, and the constant cry was, "*No Popery, no Wooden Shoes.*" An attempt was made to relieve our Catholic brethren from some of the grievous burthens under which they laboured. Lord George Gordon raised the cry of "*No Popery, no Wooden Shoes,*" and the people immediately fancied that they were (that is, all of them that were allowed to live) to be condemned to wear wooden shoes, while a very large portion of them were at once to be committed to the flames. Under the influence of these appalling ideas, it is not wonderful that they rose in thousands against a law which was believed to lead to such terrible consequences.

Since that time the Catholics have been emancipated; and the people have now no warmer friends in the House of Commons, than some of the Catholic Members there. Having themselves been persecuted, these Members are enemies of persecution. They sympathise with the people, and have shown that although a man be a Catholic he is not thereby excluded from being liberal and honest.

These are striking facts, and have had great weight: they have assisted the change in the public mind; and will overthrow ten thousand speeches or sermons, made and preached by ten thousand interested Priests.

The public now are fast tending, under the influence of this increased experience of the ways of men, to a state of mind that promises much happiness to those who are to succeed us. Already we have learned to judge of one another

by the conduct we pursue, and not by the opinions we hold. We are very generally beginning to understand that Religion is a subject wholly between man and his Maker, and that no one ought to seek to know the thoughts of his neighbour respecting it, and that judgment ought not to be passed by one man on another for anything that he may conscientiously believe on this important, and necessarily perplexing and difficult, subject. Time was, when men were so haughty and dogmatic, that they could not bear the slightest opposition to their own opinions on matters connected with religion. Under pretence of propagating and maintaining the true faith, but in reality to punish opposition to their own imperious will, our forefathers used to burn people for supposed differences upon points utterly unintelligible. The old disputes about the Trinity are without a meaning, and yet thousands were sacrificed in this strange contest. The cut of a cape raised furious wars between rival religious orders; and the position in which the thumb was to be placed in making the sign of the Cross, kept all Christendom in combustion. Gradually, slowly, but at last completely, we have gotten rid of this dire intolerance; we have laid aside these frivolous disputes; we pursue our duties in this life in an humble and cheerful spirit—modestly asserting our own belief, and charitably listening to and forbearing towards opposing ones. We see the Jew son following the religion of his Jew father; the Mohammedan, the faith of his Mohammedan parent; and the various Christian sects also following each the belief of their parents. The Protestant father has a Protestant son; the Catholic, a Catholic son; a Quaker, a Quaker son; a Presbyterian, a Presbyterian son; and so on. This coincidence the world over teaches us humility. We see that our faith depends more upon the cir-



circumstances by which, in infancy, we are surrounded, than upon our own investigations. We see men of all these various sects and religions, believing implicitly that they alone are right, and all the remaining portions of mankind wrong. This again teaches us humility. We ourselves believe that we are right; but we know that our neighbours, equally good and wise, believe that we are wrong. This does not make us less steadfast in our faith, though it makes us diffident in censuring others. We hold on to our own belief, but are perfectly content to let others do the same. Harmony, peace, good-will, kindness, active beneficence,—in short, VIRTUE is the great result. We are daily becoming wiser and better.

Is not this a cheering prospect? Have we not good reason to think well of the times in which we live, and ought we not to cherish and foster those feelings of charity and forbearance which hold out this prospect of happiness for us and for our children?

In the midst of this growing and increasing charity come these interested Priests, to blow the coals of slumbering discord. They seek to stir up dissension—to bring us back to the olden times of unchristian hate, of persecution, torture, ay and massacre too. And for what do they seek to bring about this hateful revolution? MONEY, MONEY, MONEY, is the answer. The Demon of cupidity is within them, and for the wretched purpose of maintaining revenues wrung from the peasantry of Ireland, at an expense often of blood, and always of treasure wholly beyond their worth, these selfish Priests, these worshippers of Baal, these idolaters of the Golden Calf, try to create dissension among brethren. With charity upon their lips, they preach the most furious intolerance; with pretended sanctity in their thoughts and demeanour, the nar-

rowest of worldly interests is really their sole incentive to action. They talk of the foul doctrines of the Catholic Church, and are exhibiting in their own conduct the most damning evidence against their own.

One of them has a *cure* in Ireland: that is, he is supposed to have the care or charge of the spiritual concerns of a parish in that country. He leaves his charge; he vagabondizes up and down the country, spouting frothy and vapouring nonsense in the hope of creating confusion. The people of England, with the House of Commons at their head, have decided that, if there be any Ecclesiastical revenues in Ireland, over and above what is necessary for the providing for the spiritual wants of the people of the Established Church, that such surplus shall not, as now, be given to a set of Parsons for doing nothing, but shall be employed in the instruction of the people generally. Hereupon the Parsons have set up a howl: “The Church is in danger. Popery is about to be dominant. We are going to rush headlong into Idolatry.”—All which, being put into English, signifies, “We are about to lose what we have hitherto most unrighteously enjoyed. The money of the people is about to be employed for the benefit of the people; and we are no longer to be paid for doing nothing.” This has stirred up these reverend trumpeters; this has provoked them into wrath; this has set them to work to find out what is evil in Den’s Theology. About that said Theology they did not care a straw; but they fancied that the people of England were to be gulled by means of their vulgar artifice, and they therefore have dug up Den’s Theology, in the hope of raising a riot. They have signally failed. The times of priestly delusion have gone by; and we may congratulate ourselves that the knavery of these runaway Parsons, with the folly and knavery combined of

their noble and honourable supporters, will prove impotent to mischief. The people treat them with contempt—a contempt richly deserved. The reverend buffoons are looked upon as actors hired

for the occasion. Their performances are deemed both dull and wicked; so that, while they excite contempt, they succeed also in creating a universal feeling of disgust.

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## USELESSNESS OF THE REGIMENTS OF GUARDS IN LONDON.\*

OF what use are the Military in London? Will it be answered, to preserve the public peace? Assuredly not: their presence does not affect public opinion respecting the Government, or induce those to be silent and inactive who are disposed to be clamorous or riotous. A great change of opinion has occurred among all classes, and they very clearly perceive the course that it is their interest on all public emergencies to pursue. The errors formerly committed in endeavours to gain any object by actual force have long been exposed, and are now carefully avoided. It is universally admitted, that any good purpose to be effected must be accompanied with union and agreement; that the use of force prevents all confidence, and disunites the largest masses; while success, if obtained by force, can only be temporary, as it must depend upon excitement which cannot possibly continue. This is understood by the people; and a mob assembled for unlawful objects, or a riot, are events unheard of in this city for many years. Agreement and organization among the people are cultivated in a more effectual manner than formerly,

and their strength has increased in the exact proportion that illegal proceedings have been avoided. By the extension of instruction; by increasing intelligence, the people have learnt that their opinions are of more influence than their hands, and that discussion has greater force than a brick-bat. No person also of any sense, however much he might be alarmed, would now suggest the employment of the Military to silence discussions which he might dislike. From the experience of many years, the Government itself has acquired some knowledge in this respect, and it has frequently shown its sense of the evils the employment of the Military necessarily produces. It is not, however, intended to argue this matter. Many reasons could be advanced to prove that in London the Military is far from being of any assistance to the Civil Power, and that the misconduct of the Government has, on every occasion, led to their interference, and always with the worst results. It could also be shown that the Civil Power alone ought to interfere, and that it would always be effective in quieting any disturbance of the public peace. But the object at present intended to be shown, is an affair of pounds, shillings, and pence. It is to exhibit the Military system of the Horse Guards, and the manner in which what are called the

\* The writer is much indebted for many of his facts to an article in the second number of the *London Review*, entitled, "Retrenchment—Military Abuses," published during the last week.

Guards, or the Household Troops, contribute to increase the public expenditure of the country.

There are in London, at all times, certain regiments called the Guards; some are foot, others are cavalry. The services they perform are of the most simple character. The war ended in the year 1815, now twenty years ago. During the whole of these twenty years the Guards have been engaged in travelling from London to Dublin and Windsor, and back again; two battalions being always at Windsor, and one in Dublin. They are also employed in London for a few hours in the day, as sentries. They are placed at different spots, where their use is difficult to explain. At the British Museum two stand at the gateway, outside of a high wall which no person would be disposed, or has any temptation, to get over. The Institution itself has more of a national character than any about London, and it is almost the only one, belonging to the people, of which they can see the interior without paying any money. It is, nevertheless, conducted after a niggardly fashion, and the desire of every person in London to protect it would be greater if it was made to administer, more than it does, to his amusement, by being open upon every holiday in the year. The desire to destroy what yields amusement does not exist among those who enjoy it, and whatever is given up to the people for their use, is rarely abused. Thus, in Paris, the walks in the gardens of the Palace of the Tuileries are always respected, and the trees which form the long alleys have survived the most violent popular revolutions unhurt. The bark of the trees is as clean as if the public was admitted among them for the first time yesterday, and no names or notches are to be seen upon them. And why? Because the public, knowing that they are theirs, protect them. So also, in Paris, the fine galleries of sculpture and

public buildings have been protected throughout the most violent popular commotions. They were national property—national, by affording amusement and enjoyment to the people without distinction—and therefore respected. Our British Museum, and all public gardens and walks, require no military protection the moment their national and public character is admitted and felt.—From the Museum we go to the Theatres, and there, also, find military. Has a riot ever occurred outside of a theatre requiring their interference? Has disturbance ever taken place in the interior requiring their presence? Such events have never been heard of. At the theatres, therefore, soldiers perform a mere theatrical part. They are ornaments which the public pay for, but which ought to be put to the account of the managers of theatres. When this change is effected, they will quickly disappear. The manager would soon substitute, for military ornaments, some less expensive ones.—From the theatres we go to the exhibitions of pictures. At the Gallery in Pallmall, and at Somerset House, we make our way to the ticket-office between a couple of sentries. What is our business? It is of the most calm character. We go not to fight, not to shoot any man, and are far from anticipating a disturbance. We seek amusement. In order to gain it, our mind is inclined to the reception of impressions of the most pleasing kind. If we are sullen or sour, we stay at home. Those whom we meet at such exhibitions are certain to be enjoying themselves, and if we are disposed to be ill-tempered, it is not in such society that we can exhibit our ill-humour. Few can be disposed to pay a shilling to show that they cannot participate in pleasures which delight those about them. If they were so inclined, or disposed to be ill-behaved, a police-officer, or some of the company,

would soon very properly show them the way out. But such is not the case with those who go to such exhibitions. The peaceable and gay character of the exhibition humanizes and softens any harsh or ill-tempered inclinations. The varied sight necessarily animates and delights. The remarks of observers are too lively and amusing to create warlike feelings. The soldier, even as a sentry, is out of place.

From Picture Galleries we go to the Palace. The gates are open. Will any person attack the Palace? Does he dislike the Government, and therefore desires to make such an attack? Would the character of the Government be changed if he succeeded in his object? Some police or even the host of household servants would be sufficient to repel him, and to protect the property of their master. If his object was political, no matter what it might be, his success could be of no avail. The policy of our Government does not depend upon the will or temper of any one individual;—it is to be traced to the character of the Representatives of the People. Whatever may be the determinations of the House of Commons, those who administer the affairs of this country must adopt them. No attacks upon persons can affect the measures of a Ministry, and no change in any system can be effected by the destruction of a given individual. It is not so in despotic countries. But in England personal violence towards a public man is as foolish and useless as it is criminal. The temptation personally to attack public men does not exist. The Military are not needed for their defence, or that of their houses. A palace is as secure as the house of the private individual, and the temptation to break into it is not greater than in any other case, though in every case criminal.

Are there any other places where sentries are needed? Are they required

at public offices? Do they facilitate business or afford protection? Persons who are engaged at such places receive from them no advantage, and the dusty and large bundles of papers which are kept in such offices, however useful, are not of value sufficiently tempting to induce any person to disturb them. A police officer would protect them more effectually than a soldier. At the Horse Guards sentries are also to be found during the day-time. In two outhouses, opposite the official buildings, for about ten hours in the day, two mounted cavalry soldiers are compelled to remain. Mere wooden figures would be cheaper and equally serviceable. At night they disappear and the gates are shut. They are mere ornaments during the day, very troublesome to preserve, and very expensive. As sentries, they might be dispensed with, and there would be no necessity to find even a substitute for them.

Of what use then are the Guards? If, for twenty years since the war, they have existed as an excuse for costly expenditure, performing only these idle services, why need they be permitted to exist any longer? Why not disband the whole body at once, and relieve the country from the enormous charge of their maintenance? The reason is, that like some other public establishments, they are not maintained for the advantages the public derive from them. They are an excuse for making provisions for the children of the Aristocracy. They exist in order that the sons of the nobility or of rich persons may be quartered upon the public purse, and find a permanent provision for life without the necessity of labouring for it.

The Army is generally conceived to be a service that often calls for many privations. Some regiments are sent for several years to the hot and sultry climate of India, others to encounter

the fevers of the West Indies; others the severe and piercing cold of Canada, and some few enjoy the pleasant climate of the Mediterranean. This last is a favourite station. The more favoured officers in the army seek it, and the young aristocracy who possess any influence in the navy, always obtain their promotion by yachting on this station at the public expence. The Guards, however, are exempt from all the inconveniences of foreign service. They alone always remain in this country. They have their private houses in London, they know to a day when they shall remove to Dublin or Windsor, they sacrifice none of the comforts of private life, and reap with ease the honours of their profession.

In addition to this the Guards, though well paid, and though not subject to the troubles of frequent removals, are allowed a sum of 4,000*l.* for their table. This sum formerly amounted to 10,000*l.*; it was then reduced to 6,000*l.*; and, by the efforts of Mr Hume, it has at last been diminished to 4,000*l.* It ought to cease altogether—there is no reasonable excuse for its payment. Those who enter the Guards ought to seek their appointments on the same terms as those who enter into other regiments. They have greater advantages, as shall be presently shown, than officers of other regiments; and their promotion is very rapid. Ought they to enjoy any peculiar privileges, exempting them from expenses to which officers of other regiments are liable? They have a superb dinner provided for them at the public expence; and, as it might be expected, may invite their friends to it. It would be thought an outrageous proposition to ask Parliament to grant a sum of money to enable the officers of a regiment at Liverpool, to provide dinners for themselves and friends, and to put their pay into their pockets without

deducting the ordinary expenses of living. Yet this occurs in the Guards, and no complaints are made.

Officers of regiments are usually supposed to be of great service in maintaining discipline, and that upon their diligence and activity the efficiency of the regiment depends. In the Guards the details of the regimental duties are performed by the Serjeants, under the control of the Adjutant and Commanding Officer. The officers actually do not interfere in the government of their regiment, as officers of the regiments of the line are compelled to do. The work is too offensive for the select of the aristocracy. When parade is formed, they fall into the ranks. They fill up the complement of those necessary to complete a morning exhibition—from the drill and more annoying business of the regiment they are considerably relieved.

Another privilege regards leave of absence. An officer of a regiment of the line has considerable difficulty to obtain permission to leave his command. An application must be made to the office of the Adjutant-General, and after due consideration, it is refused or rejected. In the Guards, leave of absence is obtained without any application to the office of the Adjutant-General. Two thirds of the Officers are often absent on leave, at the same time; so that the state of the Guards is such, that if the regiments are useful, on account of the services of the men, the officers might be disbanded without the slightest inconvenience. A few steady Serjeants would continue, as they now do, to perform all the duties of the officers at a cheap rate, and in an efficient manner.

The Officers of the Guards also possess privileges respecting promotion not possessed by the officers of other regiments. The Ensigns have the rank of Lieutenants in the Army; and the

Captains that of Lieutenant-Colonels; and a Major of the regiment has the army rank of Colonel. The evil of such an arrangement is grievously felt by the old veterans of the service, and is a mere aristocratic privilege, to enable young men of rank and fortune to rise with rapidity, and to be qualified to receive appointments, which are only given to Officers of high rank. Ordinarily, promotion is by degrees, from one step to another,—from Ensign to Lieutenant, from Lieutenant to Captain, from Captain to Major, from Major to Lieutenant-Colonel, and so on. In the Guards, the junior Ensign has the rank of Lieutenant in the Army, jumps over the heads of all the Ensigns in the Army, and as soon as he becomes Captain, jumps over the heads of all the Majors, and ranks as Lieutenant-Colonel; and, if he becomes a Major of his regiment, at once gets upon the list of Colonels. Other officers, unless from some unexpected event, rise by slow degrees. Majors pass to the list of Lieutenant-Colonels according to seniority, and their promotion is gradual. The same course occurs in order to become a Colonel. As the Majors and Lieutenant-Colonels appointed from the line are numerous, it is obvious that it takes a long time before any of them can attain a high rank, though it is among them that the veterans of the last war are to be found. By the system of promotion in the Guards, Officers who have grown grey in the public service, see lordlings and rich young gentlemen shoot past them, and receive the honors of their profession, without enduring any of its dangers or privations. The writer remarked a Lieutenant of a regiment, who was a few months since the senior of his rank, who was with his regiment at the battle of Waterloo, and had been on active service ever since—for more than nineteen years. He was not rich, he could not purchase his next

step, and his profession paid so little regard to services, that his promotion stopped. From a return of the services of Lieutenant-Colonels commanding regiments, lately laid before the House of Commons, it appears that a noble Lord, who entered the Army in 1824, commanded a regiment in 1832, having obtained an unattached Lieutenant-Colonelcy in 1830, after a service of six years and five months. He had gone through all the steps of promotion, from Ensign upwards, in that short space of time. Men, who entered the army during the war, and encountered all the chances of being shot, and laboured in the duties of the field, are allowed to get on as they can. If they are not rich, or have not friends in power, they may remain for life in inferior ranks, while those who have entered the service at a late period are advanced over their heads, their only title to promotion being aristocratic connection. And yet the service of the Army is called “the King’s service,” “the service of one’s country,” “a service of honor,” and other fine names, when it is evidently a service in which merit, during a period of peace at least, is disregarded, and in which every stripling who has a fortune, is preferred to the soldier who has been engaged in many battles, and honourably distinguished himself.

The effect of this system of promotion in the Guards, is largely to increase the number of General Officers, and to add to the public burthens. The Officers very rapidly obtain the rank of Colonels, and they increase the list of General Officers much more numerous than officers of the line, whose promotion is much slower. There are one hundred and six battalions of the line, and only seven battalions of the Guards, yet more than one-half of the General Officers are appointed from the Guards. They have, in this respect, an undue ad-

vantage, and a most undue preference, over other officers. They are not concerned in active service; they never go abroad; they are subject to no extraordinary casualties; they live quietly and agreeably in St James's street; and yet half the General Officers of the army, having acquired great military experience in walking along Pall Mall, and frequenting Club-houses, are appointed from these favoured regiments.

But what are the advantages of becoming a *General Officer*?—In the army the rank is of great importance. There are governments of castles, forts, military commands in the Colonies and in different parts of the kingdom, and one hundred and thirty-nine Colonelcies of regiments. These are the great prizes of the army. A Colonelcy, particularly, is a kind of military Bishoprick, nominally an office of trouble and responsibility, and actually little more than a sinecure, and, like all sinecures, well paid. Thus the Colonelcy of the 1st Regiment of Foot Guards is rather more than 4000*l.* a year. These are considered great military baits, and are defended as offering inducements for exertion among officers. They are, of course, objects of desire, and are much sought after. They are given only to General Officers, and it is of great moment to be qualified to receive them. If all the Officers in the Army were appointed in the same manner, and rose gradually, or if personal merit was regarded in these appointments, they would, no doubt, be very honourable, as well as valuable. But as the General Officers appointed from the Guards have the best connexions, are always near the Court, rich men, have powerful relations, and are, moreover, very numerous, the chances are enormously great in favour of their obtaining them. It is interest, not merit, which determines to whom the appointments shall be given; and no

person would pretend to lay claim to them otherwise than by solicitations, accompanied with reasons perfectly unconnected with military services. Such reasons Officers of the Guards are best able to give.

With these favourable prospects before them, it is almost inconceivable that any consideration should have induced the Government to permit their allowances on removal, by promotion, to be greater than that of officers of the line. Nevertheless, such is the case. There are twenty-three General Officers who receive *special* allowances in consequence of their being formerly of the Guards; a Major-General at 900*l.* a year; two Generals and three Major-Generals at 800*l.* a year each; one Lieutenant-General and four Major-Generals at 700*l.* a year each; two Major-Generals at 600*l.* a year each; one Lieutenant-General and one Major-General at 550*l.* a year each; and six Lieutenant-Generals and two Major-Generals at 500*l.* a year. Now, these well paid persons have probably acquired their rank without being out of the country; or, at all events, after having seen less service than any General Officers promoted from the line. Yet their pay is greater, and their future prospects are of the best kind. The defence of the system is, that the value of a commission in the Guards is very great. The partiality shown to a particular regiment, makes it desirable to attain rank in it, and the advantages it offers being very considerable, the value of a commission in it increases. The system is bad; the reasons which explain the value of the commission are discreditable; great unfairness is shown to other officers of the army; therefore, the Guards are to be better paid, their pensions are to be of greater amount, and the abuses by which they have profited when connected with their regiments, are to be followed by other

abuses when they leave them. Yet a Government exists which defends such practices, and is afraid to put an end to them. The Aristocracy is powerful in high places; the Army is favoured; the Officers of the Guards have extensive Aristocratical connexions, and no Administration dares to interfere with them.

These abuses also receive support from another cause. A very large number of the Members of the House of Commons are military men; they are influenced by the spirit of their profession; their friends are in it; their daily acquaintances derive advantages from it; there are many personal reasons which induce them to attach much importance to the discipline of the army, and its maintenance upon a large scale. These persons, whatever may be their opinions—Whig or Tory—object to measures which curtail the profits of the Army as a profession. On other questions they are ready to act reasonably—on this they have a class interest, and endeavour to protect the monopoly. Their votes are important to the Ministry of the day, and care is taken that their political principles—if principles be a proper term to use—shall not be shaken by giving offence to their prejudices.

The increase of expence arising from this system of promotion is also very great, and adds to the amount of what is called the "dead weight," which is chiefly made up of military pensions, half-pay, and retired allowances. As the number of superior offices increases, the amount of the dead weight is necessarily rendered more burthensome. An economical Administration, which might unfortunately believe that a large Army is necessary, would so order it, that it

should not improperly add to public burthens, and that no officer should be advanced a single step, unless it was unavoidable, and that promotion should be gained by such rules as should deprive the rich officer of any superiority over a poor one. At present, the amount of half-pay and retired allowances is enormously great, and the practice of promotion in the Guards tends greatly to increase it.

If there was any reason for supposing that the Military did afford aid to the Civil Power, which it never would do if a good system of local governments prevailed, there is less reason to ascribe to it this merit than in former times. The Police has been placed upon an entirely new footing, and is efficient for its purposes. Its expence having greatly increased, an act of the 3d and 4th Wm. IV. c. 85, was passed, by which part of its charge was placed upon the consolidated fund; or, in other words, was paid out of the general amount of taxes received by the Government. The amount thus paid by the Government, in 1834, was 50,593*l.*, and to the extent of this sum, at least, a reduction ought to be instantly made in the charge of the Guards. The new Police supersedes even the pretended benefit which they afforded to the Magistrate, and to the extent of the new charge, a corresponding reduction should be made in the old force.

When efforts are made to abolish the Stamp Duties, and we are gravely told that reductions have been carried so far that the state of the Revenue will not permit of such a measure. The following Table will show what we should gain by getting rid of the Guards:—



	Pay and Allowances.			Allowances to Field Officers, Captains, &c.			Agency.			Clothing.			Totals.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Regiment of Life Guards . . . . .	22,884	14	0	3028	6	2	282	12	8	3980	8	0	} 87,124	1	0
2d Regiment of Ditto . . . . .	22,884	14	9	3028	6	2	282	12	8	3949	8	0			
Royal Regt. of Horse Guards . . . . .	22,050	12	3	3028	6	2	271	3	5	2403	16	0			
Grenadier Regiment . . . . .	71,040	11	4	4220	3	10	684	4	1	10,362	0	7	} 194,075	13	10
Coldstream Regiment . . . . .	44,343	3	1	2736	0	9	425	12	7	6379	10	7			
Scots Fusileer Regiment . . . . .	44,343	3	1	2736	0	9	425	12	7	6379	10	7			

The service these troops render cannot in any way be shown. The public gain nothing by them, and they cost an immense sum annually. An economical Ministry would not, for an instant, hesitate to rid the country from the burthen of maintaining them. It is difficult to obtain a grant of 20,000*l.* for the purposes of education, and yet more than 200,000*l.* is readily voted by Parliament for these useless regiments.

But the propriety of abolishing the Guards may be defended on other grounds. It is evident that they are a mere excuse for aristocratic advancement; that they exist only to enable a few young men to acquire rank, at the expense of the people. To the officers their existence affords no military instruction; and whatever advantages may arise from keeping up military science, it is evident that the Officers of the Guards are not the persons among whom it is cultivated. There is but one reason why they exist, and it is so corrupt a one, that it ought not for a moment to be regarded. If an Army is to be maintained, those who subject themselves to the evils of the service, ought not to be set aside, in order to gratify some political partisan of the Commander-in-Chief, or of the minister of the day, or to please some nobleman of fortune, or of interest. As a public service, it should be grateful to those who engage in it, and it should be so regulated that those whose conduct deserves reward should not be disgusted. At present, young gentlemen receive his Majesty's com-

mission, and from that moment throughout the whole term of their service they are occupied in soliciting friends to attack the Horse Guards, not with arms or cannon, but with the soft allusions to family connections, or the political influence of property. The deserving officer is neglected, in order that the paltry pretensions of some aristocratic family should be gratified.

In many respects the military about London are not merely useless, but absolutely a nuisance. The complaints that are made respecting the side-arms of soldiers are very frequent, and if much caution was not used, would be much more common. A drunken soldier is daily to be met with in the streets, or tumbling home to his barracks through the Park. He has a bayonet at his side; — any accident may be treated by a drunken man as an offence: if he has only his fists to use, little fear can be entertained of his anger; if he is armed, his weapon is easily drawn, and the unintentional offender is wounded without the possibility of protecting himself. This is a nuisance of which every soldier can, when alone, be the cause. But there is sometimes a still greater nuisance, one of much greater magnitude, on which a few words more may be said.

For the gratification of great personages, it is usual for a review of the Household Troops to take place in the summer months in Hyde Park. If it was a quiet affair it would be harmless, and grown up and little children might be permitted to enjoy it without complaint. The inconvenience of it would

only be felt by the soldiers. Unfortunately it is not so harmless. It is an amusement to the great people who order it, and their wishes only are considered. When it takes place, as was the case last week, a train of artillery is brought upon the ground. By the discharge of the guns of the soldiers and of the artillery a great noise is created. It serves no good purpose, and is an idle amusement for those who order it. To others it is a painful and annoying proceeding. In this large town there are many persons always sick and always indisposed. Their maladies are various, and it matters not what they are. In sickness the strongest wish of the patient is that he should enjoy quiet, and nothing contributes more to the restoration of his health. The creaking merely of a door excites him,—his nurse therefore whispers in low voice. Every anxiety exists that no unnecessary excitement should be created, and recovery depends upon the care that is thus exhibited. A great man wishes to see a review. He alarms the neighbourhood, and the poor and sickly in vain sigh for the quiet which he dis-

turbs. In the neighbourhood also of Hyde Park, close to the entrance into it, is a large hospital, called St George's Hospital. The number of its inmates is great, and the diseases under which they suffer are mostly of a severe kind. They are chiefly poor, and enter the hospital in order to receive that constant assistance which their own homes, or their limited means, cannot give. It is the severity of their sickness which brings them to the hospital. What can be said of the humanity of those who disregard their sufferings, and for mere amusement direct artillery to be fired, and a tremendous noise to be created, which the slightest experience of sickness must have taught them to be excessively painful, and often dangerous? Let a few idle boys make a shouting in the street, and some legal authority will at once silence them. The amusements of the great may be as noisy as possible; they may create alarm, excite the fever of the sick, or distract the couch of the dying; they are upon a scale which the poor can never imitate, and, therefore, the law does not attempt to reach them.

THOMAS FALCONER.

## THE HOUSE OF COMMONS AND "THE DERBY."

[From the Second Number of the LONDON REVIEW.]

A FEW nights ago, a friend of ours dreamt that he was in the House of Commons, waiting in anxious expectation for the motion of Lord John Russell on Corporation Reform; when the Noble Lord entered, mounted upon Ibrahim, the favourite for the Derby, and informed the House that he must postpone his motion, as he was engaged to ride:—then, within the precincts of the Senate-house, the race was run; the Chair was the goal—the Speaker the judge—his hat was the flag wherewith he awarded his decision, amidst tumultuous cheering from the ministerial benches. At this moment the dreamer, in loud laughter, awoke. He felt no emotion of surprise; nor would he have felt surprised if such a train of ideas had been called up by association when awake; or if such a train of events had in reality occurred, and he had been forewarned of them, and had expected them. In either case, he would only have felt the emotion of ridicule, which he likewise experienced in his dream.

This dream may surprise our readers; yet its origin is most easily traced to the fact, that the motion to which we have referred was postponed on account of the Derby.

Indeed, to those who are unacquainted with the aristocratic senators of England—who suppose that, in the illustrious assembly of our Commons, the weal of the community is the only abiding thought of its members, the noble end pursued at the sacrifice of all personal concerns, or at the very least of all personal recreations—the fact that a motion, so important to the interests of the empire, was delayed, in order that the representatives of the people might attend the race-course at Epsom, would create an emotion of surprise almost as strong as would be excited in our minds by the appearance of the Noble Lord in the guise represented by the dreamer.—*Extract from an Article on the Philosophy of Dreaming, signed "W. M."*

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# TRADES' UNIONS:

THEIR ADVANTAGES TO THE WORKING CLASSES.

BY J. A. ROEBUCK, M.P.

## FALLACIES

OF THE HOUSE OF COMMONS ON THE  
BALLOT IN AMERICA.

BY H. S. CHAPMAN.

EDITED BY

J. A. ROEBUCK, M.P.

[PRICE THREE HALFPENCE.]

## TRADES' UNIONS : THEIR ADVANTAGES TO THE WORKING CLASSES.

THAT a remarkable change has, of late years, taken place in the feelings and habits of the Working Classes of this country, as well as of those of France and America, cannot be doubted by any one who pays attention to what is going on around him. Former disputes and contests in politics were between various sections of the Aristocracy: the contest that is now going on is between the *Aristocracy* and the *People*. By Aristocracy is not meant merely the nobles, or those who are sharers in the business of government; it is intended to include in that term now, all who, on account of their birth, position, or *their wealth*, believe that they ought to have exclusive and peculiar political privileges. The noble fancies, because he is of noble birth, that he is entitled to have power over his neighbours. The landed proprietor talks about his land and his stake in the country, and fancies the same thing. The man who has made his money by trade is also of the same

opinion. The moment a man gets money in this country, no matter by what means, that moment he becomes *exclusive*, claims peculiar powers for himself, and abuses and contemns those that are poor.

In England, besides those that are really rich, there is a still larger class who pretend to be so; and these pretenders are, if possible, more exclusive than those possessing wealth, and the power which wealth necessarily gives. These pretenders ape the rich, and a man who has not five hundred a-year will regulate the economy of his house after the model of the man who has ten thousand. He desires to have his men servants, he wishes to give dinners and parties; and, as he plays fine gentleman, so his wife plays fine lady—and between them they both play the fool. This aping of the rich necessarily destroys the independent character of this pretending class. They want to be thought of the class of the great—they

hope to be distinguished from the People, and they take up and exaggerate all the feelings of the powerful. The Tory feeling of a shopkeeper at Clapham, or of a citizen living in Gower street, is often ten times more offensive than that which reigns in Grosvenor square. It bears the same relation to the true feeling, that the acting of the Cobourg does to the acting of Talma or Siddons, and becomes ridiculous from its very exaggeration. They out-Herod Herod, and must also, as far as feeling is concerned, be ranked with the class opposed to the People.

The line then now divides these two great bodies of the whole nation, broadly and distinctly. In England, in France, and in America, the two parties are ranged in hostility against each other. On the one side, the anti-popular party are striving hard to retain or gain exclusive power, and the popular party are as strongly striving to render all equal before the law, and to make it impossible for any man to claim or attain political power by reason of any but personal qualifications.

In addition to this, there is an important distinction now made by the Working Classes themselves, between the classes that live by the wages of labour, and those who live by the return to capital. It is not yet settled by persons who make this distinction, what persons are included properly in the class which lives by the wages of labour, because there is a difficulty which they have raised by endeavouring to make a distinction between *productive* and *unproductive* labour.

Without at present endeavouring to settle the points of difficulty involved in this distinction (for it is sufficient for my present purpose to have mentioned them), I proceed to state some of the consequences that have resulted from the division I have here mentioned.

The labouring, or Working Classes, believe that they have interests which

are common to themselves as labourers, which interests are opposed to interests of the other classes of society. They say, moreover, that these their interests have not been sufficiently attended to. They allow that in society a compromise must be made between all parties; but they think and say, that the compromise in this case has not been a fair one;—that they have been made to yield too much, while other classes have not given up enough.

This being, in their opinion, the state of the case, they seek to give their peculiar interests that weight which they deem their due; and they endeavour to form a plan by which effect may be given to their opinions and their wishes.

*In order to attain this end, it has been proposed to the various bodies of labouring men to unite together; to form Associations in which their interests may be discussed, and resolutions and plans adopted which to them may appear best suited to the object in view.*

This is what I understand by the term TRADES' UNIONS.

*Are such Associations useful?*

This is an important question. It has already been often answered, by prejudiced and interested parties, and great has been the abuse directed against those who have dared to justify the People's endeavours to unite. I shall, nevertheless, again discuss the question; and shall presume to answer it in the manner in which I believe truth will support me.

The People believe that they have interests which require separately to be looked after. That they do believe this no one will deny.

Whether there be such interests or not is not a matter which need be discussed. The point to be determined is not what the state of their interests really is, but what the People believe it to be.

They believe (and, by way of paren-

thesis, I will say so do I) that they have interests which are at this moment in opposition to the interests of other classes of the community. These other classes are powerful; they protect themselves—they have possession of the Government. They are banded together, and unite against the People. Are not the People to unite against them?

But it may be said, the persons against whom the Working Men unite are not the Aristocracy; it is not the Government whom they oppose, but the Masters—the possessors and employers of capital.

There might be some shadow of reason in this objection, if the Masters were not leagued with the possessors of political power—if they were not, by their representations, able to influence the conduct of the Government. The Masters unite for their own ends; and, again I ask, are not the People to unite also?

But let us for an instant suppose that the Masters stood alone; that they were not powerful with the Government; there might still be a reason for the Unions of the Working Men.

The Working Men think and say that the interests of the Masters and the Men are not identical. No one who pretends to understand the subject of wages and profits, but must allow that the men are practically correct in their assertion. Well, then, if there be such an opposition of interests, what is the objection entertained to the Union of the working men, to watch over and protect their own peculiar interests? In this country we have instances enough of this sort of Union. We ought not to be frightened at it only when the Working Classes adopt the plan long ago used by the richer classes. What is the SHIP-OWNERS' SOCIETY but a Capitalists' Union. What are the various agricultural associations but so many Land-owners' Unions. We see the BANKERS' SOCIETY—the ATTORNEYS' SOCIETY

—and a hundred others of the same sort. All these are societies of certain classes of men, who believe that they have peculiar and special interests which require to be watched by the parties specially affected. Thus we see the Licensed Victuallers have societies, which are so many Trades' Unions, all over the country. And the Conservative Club is the Trades' Union of those who make a trade of Tory politics.

No voice is raised against these men when uniting and protecting their peculiar interests; no speeches are directed against them in Parliament; no person calls a shipowner an anarchist because he is a member of the Ship-owners' Society. Nor is any landowner considered deserving of reprobation for joining his brother landowners, and protecting his own particular concerns. The labouring man, however, does not escape so easily. The moment that he joins with his fellows there is an outcry, and special commissions are sent into the country, and transportation liberally awarded, with the express intention of suppressing any attempts on his part to watch over and protect his peculiar interests against the encroachments of those who are opposed to those interests. Odium has been cast upon endeavours that deserved none; and the Working People have been abused, and almost frightened from continuing Associations, that, if properly directed, would have been the cause of incalculable advantage.

*How, and in what way would this advantage have been attained?*

The Trades' Unions were composed of persons living by the wages of labour. The object of their union was to protect the labourer from oppression.

Before this protection could be afforded, even by the most numerous Union, it was necessary for the labourers thoroughly to understand their own condition; that is, to know what evils resulted from oppression; what evils

arose from other sources. In order to learn this, they would be obliged to learn the various circumstances on which the rate of wages depended, so that they might be able to say, "This mischief arises from the conduct of this class of men,—that mischief is the result of circumstances over which that class had no control."

If this knowledge were really acquired by the mass of the labouring population, they would direct their efforts to the right places, and they would effectually abate the mischief, and protect themselves from misery.

It is the desire of every good man to see every person in the community not merely possessed of the means of living, but of living in great comfort. What we should desire is, that with moderate labour every man might attain a comfortable subsistence, and that leisure might be afforded for instruction and recreation. But this cannot be hoped for in a country where wages are miserably low. The object then should be, to find some means of permanently raising wages.

But the means of doing this cannot be discovered in a day; many plans must be tried before the right one is hit upon, and many circumstances explored before we discover those which permanently determine the rate of wages.

The only way, however, of trying these various plans, of making, with success, the requisite investigations, is by means of the united endeavours of the People themselves. A philosopher may sit in his closet, and work out for himself the important truths connected with this subject; but this is not enough: these truths are barren until the People know and understand them. *They* also must work them out for themselves: *they must get at them by experience.* This experience they can never attain but in the way of union.

"But," says some one, "remember what mischief has been done by *strikes* :

and strikes would never have occurred but for Unions." I answer, "You say strikes have been mischievous—suppose we allow it. To whom have they been mischievous? To the people themselves; that is to say, that the People have, in their endeavours to learn on what circumstances wages depended, entertained a wrong conception, and gone the wrong way, while endeavouring to remedy the evil? Is that what you mean?"—"Yes."—Now then, I ask, how are they to become persuaded of their error? It is to be hoped, that you will allow a working man to be a free agent; and permit him to work if he likes, and abstain from work if it should so please him. The punishment for mistake falls upon himself, and, like other men, he must gain knowledge by suffering. Such is the condition of humanity. How many mistakes have been made by legislators! How many attempts have been made by the English Parliament, for example, to keep down wages by law! Was this not a fearful mistake?—The more to be deprecated, as the mischief fell, not upon those making the mistake, but upon the labouring man. The wheel has gone round. Wages are no longer so high as to frighten our rulers, but are often so low as to starve our Working Men. The Working Men, naturally enough, wish to alter this state of things, and, in the hope of raising wages, have had recourse to strikes. The strikes have failed. If such failure be a reason for putting down Unions, the acts of Parliament against high wages were a good reason for putting down Parliaments. If the rule be good in one case, it is good in the other.

It is evident, however, that the rate of wages depends upon a variety of causes. It is also evident, that, in their whole variety, they ought to be known by the whole of the Working Men. As an instrument by which such knowledge



may be acquired, the Unions are peculiarly useful. Every false move the men make, when acting in a body, is known to them all. Every experiment that is made by themselves in a body they will conceive to have been fairly made. The experiments therefore which fail, will lead to the conclusion that the plans they contemplated were wrong. Whereas, if the same attempts were made by a few only, they would be considered only partial experiments, and therefore not decisive. Take the case of *Strikes* as an example. If only a few men stood out, the result could not be fairly considered as decisive of the efficiency of a strike. But if the whole of the working men of a town or of a trade stand out, then the result will be decisive, because the experiment has been made upon an extensive scale, and by persons deeply interested in testing its correctness; so that the very example which is adduced to prove the evils of Unions, I take as a conclusive evidence of their extensive usefulness.

The interests of the working men, however, may be benefitted in other ways by such Unions. When the Legislature attempted to keep down wages by law, it is clear that the Legislature endeavoured to affect, and that materially, the well-being of the Working Classes. When the Legislature passed Combination Laws, when it passed the Factory Bill, and the Poor Law, it also affected, and that materially, the interests and happiness of the working man. Now, the Unions might, if properly directed, be rendered specially useful in watching the interests of the working men, and protecting them from injury at the hands of the Government.

“That is to say,” exclaims some shrewd objector, “you wish to give to these working men a power of controuling the Government.”

“You are in great haste to be frightened, my good friend,” I reply; “pray let me explain what I do mean.”

The working men of this country are not represented in Parliament. The Aristocracy and the Monied Interests generally are represented there—but the *Labour Interests* are not. Not being represented, it behoves them to take some means of influencing the Legislature. No plan half so efficient as uniting for that purpose.—“You surely do not mean to influence the Legislature by force?”—I again answer to this objector, that he is in a hurry to be frightened. Force is not contemplated by Unions. It is not supposed that the People are to get together in regiments, march up to Westminster, and there frighten the Parliament into doing what the People wished. This is not Union, but Revolution. Revolution, upon extraordinary occasions, may be necessary; but a Revolution is not an every day matter. Now, the Unions are for every day use, and might be turned, with infinite effect, not directly, but indirectly, upon the Legislature.

I am given to understand that above thirty thousand pounds were subscribed by the Trades' Unions of London during the year 1833. I have no means of ascertaining whether this statement be correct. It is certain, however, that a very large sum was by them subscribed for the purposes of the Union. How this money was spent I know not; but certainly it produced no beneficial effect. Suppose, however, that the Unions had established an *Election Committee*, and that they had employed this money in endeavouring to bring into Parliament men who would represent their interests. The Carlton Club employed money to this end during the last election, and with great success. Now, it is well known that the Tories are obliged to pay highly in all their election proceedings, and that to elect a Liberal is by no means so expensive a matter as to elect an enemy of the popular cause. If, then, the Unions had used judiciously the large sum I have mentioned,

they might have materially influenced the composition of the House of Commons. If, in every large manufacturing town, the Trades were to unite and choose a candidate, they might themselves conduct the whole election, and, in most instances, determine the result. This would not be by processions, or creating large assemblies of people, but by carefully dividing the town into districts; by having all the voters in that district canvassed; by appointing to every ten promised votes one man to bring them to the poll; this one man to be answerable, and to give an account of the ten. Then, again, there ought to be a leader of every hundred, whose business ought to be to look after the leaders of the tens. All expense, by such means, would be reduced to the smallest amount, and every elector who was favourable to the popular cause, would be rendered effective. This is no idle scheme. I know places in which such a system is established, and the result has been triumphant success to the popular cause.

The true and most effective mode for the Working Men to attain the due protection of their interests by the Legislature, is the one here pointed out. This contemplates no force, no confusion. It is a mode of giving to numbers a power which numbers will never acquire while their efforts are uncombined. A dozen men in the House of Commons, really and completely representing the Working Men, would be of more service to the Working Men than petitions signed by ten thousand persons. That House wants information respecting the feelings of the Working Classes, which information can be given by none but themselves.

“But,” says the opponent of Trades’ Unions, “suppose that the people were to turn these Unions to account in this manner; suppose that they succeeded, do you desire to see the House of Commons filled with the representatives of

the Working People? Do you wish the ignorant to rule the enlightened? Do you desire that the rich should succumb to the poor?”

In the first place, I answer, there is little danger of our *filling* the House of Commons with representatives of the Working Classes. Do what they like, the People can never prevent the Aristocracy putting a very large majority into that House, while the present system continues. All that we can hope for at present is, to obtain a small number of sturdy and hearty advocates of the people, who, in season and out of season, will speak the truth for the people, and state what they consider to be their feelings and their wishes. Good of an amount that cannot easily be duly estimated, would result from the existence of such a body: good, both as respects the House and the People. The House would learn distinctly the People’s wishes, and the People, by the aid of their advocates, would acquire an accurate knowledge of what the House of Commons was doing; and, by constantly having their minds directed to the effect of the Legislature upon their interests, would come to have a correct conception of the real good and evil that was, and could be, done by the Government.

Such would be the actual state of the case if the power of union was efficiently directed in this particular. I will now, however, answer the remaining portions of the question I have supposed the objector to put to me.

The Working People are supposed to have erroneous notions respecting capital, profits, and wages. For my own part, I believe that many of them do entertain erroneous opinions on these subjects. It is further supposed, that if the Working People were represented in the House of Commons, that these erroneous opinions would be acted on, and a minimum of wages be established by law.

For my own part, I am not at all inclined to believe that any such enactment would be the result of power being placed in the hands of the nation at large. That a majority of the People entertain an opinion adverse to the existence of capital, or that they desire that wages should be regulated by Act of Parliament, I do not believe; neither do I believe that the working men are persons wishing to thrust their own opinions upon those who are opposed to them. There is every reason to expect that a far greater liberality towards the feelings of the minority would be exercised by a majority having power, than is now evinced by the minority who are in possession of it. A majority has none of the fears and petty jealousies that naturally beset a minority. They would be liberal in their concessions, and treat with consideration the opinions and the interests of all.

If, however, we should assume that the majority of the People have these supposed erroneous opinions, and that they would desire to have them acted upon, I ask on what ground are their desires resisted? The answer is, that the desires are mischievous. But in whose opinion are they mischievous? In that of the minority, according to the supposition.—Is it in accordance with correct principle to make the opinions of the majority yield to those of the minority?

This question has produced a controversy among the friends of popular Government. There is one class of these friends of popular Government, who, while they seek to give the whole body of the public the power of controuling the Government, yet desire, by certain political machinery, to throw the real direction of the Government into the hands of what they are pleased to consider the *enlightened few*. The argument runs thus:—They say, that just as a man is able to choose his

physician, but yet is not able to direct the physician in the management of a disease, so the public generally are able to choose their representatives, but are not able to direct those representatives in their conduct of the Government: that therefore the People should content themselves with judging of the fitness of the representative by his previous habits and studies, and should not pretend to interfere with him in his proceedings while acting for them.

There is much truth in what is here said; but the statement must be taken with a limitation. A Government is, in fact, but the representation of the People; and no Government could exist except by means of external force, which should in fact be very far in advance of the general instruction of the People. The People may be, and, in all popular systems, are inclined to have a large confidence in their Government; but there is a point beyond which this confidence will not be conceded. We may take as an example of this our own nation during the seventeenth century. The large body of the people were at that time so hostile to the Catholic religion, that no Government, however liberal, would have been able to have allowed full and complete freedom to persons of that persuasion. It is evident to us now, that such hostility was baneful and pernicious, and yet it would have been in the highest degree improper and unwise to have run counter to the predominant feelings of the majority, and, in spite of their wishes, to have established by law perfect toleration. The enlightened of those days would have done what JOHN MILTON did,—they would have endeavoured to have persuaded the people of their error, and when they had thus instructed them, would have sought to have established toleration by law. So, if it should turn out that the large body of the People entertain false notions respecting wages, the right course to

pursue is not to deprive the people of the power to do as they like respecting wages, but earnestly and carefully to put the truth before them. Discussion will soon establish what is true, and expose what is erroneous.

There is another and very striking example of the point I am now insisting on, in the history of mankind. Many of the philosophers of old believed that the religion of the Pagan nations was a compound of folly and knavery; but, at the same time, they abstained from shocking the prejudices of their fellow-countrymen by openly declaring such an opinion. On the contrary, these philosophers paid much outward respect to the temples and statues and religious ceremonies of the People. But they nevertheless taught doctrines which led, by degrees, to the subversion of the errors of the existing religions. Since that time, however, mankind has made a great advance. All men are able to speak out much more openly than at any time in man's history,—though the following observations of Dr SOUTHWOOD SMITH, when describing the effects of the discovery of the circulation of the blood, are not without their application at the present day:—

“Before the time of HARVEY, a vague and indistinct conception that the blood was not without motion in the body, had been formed by several anatomists. It is analogous to the ordinary mode in which the human mind arrives at discovery, that many minds should have an imperfect perception of an unknown truth, before some one mind sees it in its completeness, and fully discloses it. Having, about the year 1620, succeeded in completely tracing the circle in which the blood moves, and having at that time collected all the evidence of the fact, with a rare degree of philosophical forbearance, HARVEY still spent no less than eight years in re-examining the subject, and in maturing the proof of every point, before he ventured to speak

of it in public. The brief tract which at length he published was written with extreme simplicity, clearness, and perspicuity, and has been justly characterized as one of the most admirable examples of a series of arguments, deduced from observation and experiment, that ever appeared on any subject.”

“Contemporaries are seldom grateful to discoverers. More than one instance is on record in which a man has injured his fortune, and lost his happiness, through the elucidation and establishment of a truth which has given him immortality. It may be, that there are physical truths yet to be brought to light, to say nothing of new applications of old truths, which, if they could be announced and demonstrated to-day, would be the ruin of the discoverer. *It is certain that there are moral truths to be discovered, expounded, and enforced, which, if any man had now penetration enough to see them, and courage enough to express them, would cause him to be regarded by the present generation with horror and detestation.* Perhaps, during those eight years of re-examination, the discoverer of the circulation sometimes endeavoured, in imagination, to trace the effect which the stupendous fact, at the knowledge of which he had arrived, would have on the progress of his favourite science; and it may be, the hope and the expectation occasionally arose, that the inestimable benefit he was about to confer on his fellow-men would secure to him some portion of their esteem and confidence. What must have been his disappointment when he found, after the publication of his tract, that the little practice which he had had, as a physician, by degrees fell off! He was too speculative, too theoretical, not practical. Such was the view taken even by his friends. His enemies saw in his tract nothing but indications of a malignant mind, that conceived and defended doctrines which, if not checked, would undermine the very

foundations of morality and religion. When the evidence of the truth became irresistible, then those persons suddenly turned round and said, that it was all known before, and that the sole merit of this vaunted discoverer consisted in having circulated the circulation. The pun was not fatal to the future fame of this truly great man, nor even to the gradual, though slow, return of the public confidence, even during his own time; for he lived to attain the summit of reputation."—[The "Philosophy of Health," p. 380—a work which I recommend every body to read who can obtain it by purchase or by loan.]

The conclusion that I desire to draw from these various remarks is, *that the Government must, in fact, be the representative of the national will*: That, whatever may be the wishes of any small portion of the community, the Government cannot be made better than what that national will allows: That the guide for the Government is the opinion of the majority; that its duty is to obey this opinion, and, while obeying, to lead it, as far as possible, to what is correct. In this way the most effective and most rapid advances will be made. To set up an individual will, no matter how correctly framed, and to obey it, is not the most efficient means of leading and improving a People. *Instruct and govern*. Do not compel the People first to obey, and then to learn afterwards. Instruct them so that they may desire what is wise, and it will soon be established. To establish laws opposed to the errors of the People is to take the most effectual means of strengthening those errors, by making the People hate the truth, because she comes in the shape of an oppressor.—Such is my answer to those who ask me if I would make the instructed few succumb to the ignorant majority.

There is yet another mode in which the combined efforts of the Labouring Men, by means of Unions, might be

rendered extremely beneficial. At the present time the children of the Labouring Classes are educated more by chance than by any careful and regulated plan. In my opinion, the Government ought to turn its attention to this subject, and, if we had a really popular one, not a day would pass over before some effective means would be employed to establish a beneficial system of education. Until we have such a Government, however, it behoves us to look to the matter ourselves. Now, if the money which is at present spent by Labouring Men in the education of their children, an education altogether defective, and oftentimes directly mischievous, were spent under the direction, not of scattered individuals, but of the combined workmen of a town or trade, a regular and efficient system of useful education might easily be introduced. By this means the Unions would, in fact, perform one of the most important duties of the Government, and materially mitigate one of the great evils resulting from the inefficiency and sloth of our present rulers.

These I consider to be among the most important of the legitimate objects of Unions. I have not spoken of violence or menaces, for these I do not deem necessarily belonging to combinations of the People. That ignorant men, when joined together, may act in an unwise and unjust manner, no one can deny; but this folly and this injustice is no necessary part of a system of Unions. Violence may at times have occurred where Unions have existed; so it has where Unions have been unknown. The Luddite riots were not the offspring of Trades' Unions, for they were unknown in the times of those riots. Breaking of machinery has become far more rare of late days than formerly; and attacks upon the property of others have been most frequent among the agricultural labourers, who have been least able to combine.

The mere meeting together of a number of men is of itself beneficial. It begets tolerance, it creates discussion, and thus advances knowledge. Ignorance is the parent of vice, and ignorance cannot long exist where there is a complete and open communication of all opinions.

I may be asked why I have alluded to the subject of Trades' Unions—a subject which many Persons desired and desire to bury in oblivion. My answer is—*it is my earnest desire to keep the People from despair*. I see, daily, want and misery the fate of many thousands of my fellow countrymen; and I see this to be the case in spite of many and painful exertions on their parts to avert them. Many a bright hope faded, when the Unions failed; and thousands gave up all expectation of ever improving their condition, or of rescuing themselves and their children from the situation of bondsmen. A sullen despair came over large numbers of the workmen, and they now turn away from a contemplation of their own condition, and attempt to shut out misery by vain endeavours to drive away the recollection of what surrounds them. This is not a healthy state. It generates hate; it makes the Working Classes look upon all others as their cruel and wilful oppressors, and places impenetrable barriers between men that ought to be friends. I hope to make the Working Classes see that they ought still to hope—that brighter days are in store for them—and that the very instruments which they have employed and thrown aside, may yet be the means of obtaining for them lasting and important benefits. My aim is not to stir up discord, but to allay it. To allay it, not by quenching, but by kindling hope—by endeavouring, as far as I am able, to lend a helping hand to the industrious and the honest Working Men, in permanently bettering their condition. For my own part, I believe that vital changes in Society are in

their commencement; that prejudices of caste, of birth, of sect, of condition, are doomed to disappear; that more liberal and kinder feelings are about to be prevalent in society; and that we are not to go on to the last mutually hating and persecuting each other. No man of kindly feeling and humane sympathies can look upon the condition of the labouring millions of mankind without regret. If we did not hope to see this condition greatly improved, despair would seize us, as to the improvement of mankind generally. Of what use is it that we are daily compelling the various powers of nature to serve us, and minister to our wants; of what use are the advances in art and in science, if the great end of all be not that the millions who labour, and who form the immense majority of our race, are to be raised permanently to a condition of comfort and of ease? What gratification can we derive from what is termed increasing civilization, if it turn not to the benefit of the majority? My belief is (a belief to which I cling with fervour and with hope), that we are gradually and rapidly advancing towards the permanent improvement of the condition of the majority; that every discovery hastens the great and desired end; that every step in science is a step towards universal happiness; that every advance in art pushes us to the same great result. I see the many and the enormous obstacles that have yet to be overcome, and there is none that I so much dread as the apathy and despair of the Many. Great hopes have been raised, and fatally deceived. Such, alas! is the condition of our nature. Labour is necessary, and patience, and resolution against disappointment. Experiment upon experiment must be made before we hit upon the right expedient; but let us not despair, because we have not yet succeeded. Immense steps have been made; the People, as a body, are now far advanced in comfort and intel-

ligence beyond what they were a century since. Another century will see us yet farther onward. Each day brings its advance and its increase of happiness. Let us all manfully strive towards this same great object, and we may ourselves enjoy many increasing blessings derived from increasing civilization. It is to this end that I recommend Union

to the People, and ask them to reconsider their attempts, and to endeavour to ascertain why those attempts were unsuccessful. There is much good yet in store for us, and no more efficient instrument of good will be found, than the UNIONS of the LABOURING CLASSES.

J. A. ROEBUCK.

## FALLACIES OF THE HOUSE OF COMMONS ON THE BALLOT IN AMERICA.

THE second speaker on Mr GROTE'S motion on the Ballot, who thought fit to go to American newspapers and American travellers for a lance wherewith to tilt against that formidable thing, the Ballot-Box, was Mr CHARLES RUSSELL, the Member for Reading. Mr CHARLES RUSSELL is another of the Moderate Reformers. His Reform, Reader, bears but little resemblance to what you and I mean by Reform. Some idea of the sort of Reform which Mr CHARLES RUSSELL would fain bestow upon us may be gleaned from his own declaration, that "he is not favourably inclined to Triennial Parliaments, or any extensive Municipal Reform." There is another thing of which Mr CHARLES RUSSELL is not in favour, and that is the Ballot. Let us give him a fair hearing:—

"The opinions there (in America) are so conflicting, that it is almost impossible to reconcile them."

I should like to know if there be any question in the whole field of Morals and Politics on which opinions are not "conflicting." Where there are conflicting interests there must be conflicting opinions, which no wise man will attempt to reconcile. But even were it desirable "to reconcile conflicting opinions," I am not quite sure that it would be reasonable to expect us to wait till Mr CHARLES RUSSELL shall be capable of performing the task.

I have here assumed Mr CHARLES RUSSELL'S fact of the conflict of opinions to be true. I must now state, from my own knowledge of America, that there is no political question on which there is so little conflict of opinion as the Ballot. The great majority of the people positively revere it. They attribute to it—as we are all apt to do to our favourites—many virtues which it does not possess—which were never expected of it. It is only the privilege-desiring class to whom the Ballot is obnoxious.

"For my part, I believe that where the public mind is excited, either by the agitation of any popular question, or any struggle between popular candidates, that then they do, in spite of the Ballot, experience in America all the evils of a contested election, with which we are familiar in England, *with the exception, perhaps, of extensive bribery.*"

"With the exception of bribery"—good, Mr RUSSELL! Add, also—of intimidation, which is effectually checked in America by the Ballot, and we shall have all that secret suffrage proposes to afford us. The Ballot was never intended to "remove all the evils of a contested election." You might, therefore, just as well object that it does not cure the Cholera. All that is expected of the Ballot is, a means of secrecy *to all who desire it*. The Ballot does actually diminish tumult, but that is not its especial business. The proper remedy for tumult is to limit the duration of Elections to the smallest practicable time—say to one day; and by having

many polling places, to sub-divide the crowd into a number of small and insignificant sections.

The cause of tumult in New York—whence, owing to our commercial relations with that city, we derive most of our knowledge of America—is to be sought in the conduct of the rich class, aided by the duration of elections. Elections there last three days; hence they have only one-third of the polling-houses which a single day would require. Their election crowds are consequently three times as large as they would otherwise be. Much of—I may say all—the tumult that does exist is chargeable upon the monied class. The Shopocracy of New York, I know, and of Philadelphia, I believe, shut up their houses and turned all their people into the streets during the last election. Their object was to create a fear of Democracy—a dread of popular influence. But it did not succeed. The People cannot be made to fear the People. The rich class may have succeeded in deceiving each other, and the eleven-thirteenths of the Press at their command may have deceived Mr CHARLES RUSSELL, the moderate reformer; but that the People were not alarmed at the People's influence, we may take this as proof—that the Ballot-Box remains.

Mr CHARLES RUSSELL continues:—

“And if bribery do not prevail in that country, we must seek some other cause for their exemption from it than secrecy; for, practically, no secrecy whatever prevails.”

This is a mistake. Some secrecy does prevail. It must not be forgotten, that the Ballot only proposes to afford a means of preserving secrecy to those who desire it. The desire for secrecy is a very important feature in the case. I go to the poll and drop my ticket into the box for JOSEPH HUME. I am an independent man, and I care not who knows which way I vote—I do not therefore preserve secrecy. At the next election my circumstances have changed

—I am no longer independent; secrecy has become important to me. I still vote in accordance with my principles, but this time I keep my vote to myself. Now, in America the people generally are in very independent circumstances. The industrious farm labourer is his own landlord. He has no rich man's frown to fear, no favour to ask, except of his equals, on the fair manly footing of “aid me now, and I'll aid you tomorrow.” To him therefore secrecy is not necessary. In the cities, on the other hand, there is a dependent class; not so numerous, it is true, as the independent class, but at all events considerable in point of numbers. By this class the Ballot is used, not merely by putting a ticket into a box, but—and I repeat it, reader—this is the important feature of Ballot, by keeping their own counsel. It is because the independent class in America is very, very large; that the resort to secrecy is not sufficiently notorious to reach the knowledge of Mr CHARLES RUSSELL living 3000 miles off.

In another place, Mr CHARLES RUSSELL, speaking of the English Yeomen, says:—

“That sturdy *independent* race, which I rejoice to think is not quite extinct among us, and the pride and independence of whose frank and manly character I trust we shall never expose to the silent sap of the Ballot.”

To be sure we shall not. The Ballot is, as I have before said, for the dependent, not the independent. The independent man may perform the same motions as another; but, unless he keep his own secret, *it is no Ballot*. The beauty of the Ballot is, that it need not be called into operation except where it is wanted. From its very nature, its use is purely voluntary.

The following is rather a piece of evidence of the calibre of Mr CHARLES RUSSELL's mind, than an argument against the Ballot:—

“The honourable Member for Oldham himself, with more practical experience of America than any other Member of the House, in the



very last debate which took place on this subject, told us, with a very significant nod of the head, that 'if he pleased, he could tell us some secrets about the Ballot.'

I really do hope a nod or a wink, however significant it may appear to Mr CHARLES RUSSELL, will not be permitted to pass current in the House as an argument.

The next is a specimen of what BENTHAM calls the "Hobgoblin argument." It is an attempt to frighten us out of the adoption of an acknowledged good, by a vague fear of some hidden danger lurking behind.

"If we once admit the principle of adapting their Republican forms to our Monarchical institutions, where is the imitation to end? We may as well take—and if once we enter on the course, depend upon it we shall be called on to take—the example of their Presidents, and render the Sovereignty itself periodical and elective by Ballot."

Mr CHARLES RUSSELL, however, is not half so skilful in the use of the Hobgoblin fallacy as ELLISTON, the celebrated actor and theatrical manager, as the following veritable history will testify:—

"When Elliston was manager of the Worcester Theatre, he advertised a splendid display of fireworks for his benefit. Now fireworks, like the Ballot, are very popular, and his house was crowded. At last the play and farce were over, and not a cracker—not a single squib, was prepared for the gratification of the now impatient audience. The cry for "Fireworks, fireworks, fireworks!" became terrifically loud—just as the cry for Ballot will be after the farce of the next election. The stage-manager, one John Crisp, and the affrighted company, expected what, in theatrical parlance, is termed a "demolishing row." Elliston, nothing daunted, stepped forward, and thus addressed the people:—"Ladies and gentlemen,—I have prepared for your amusement the most splendid pyrotechnic display ever beheld in this or any other town in the kingdom (deafening cheers); but it is my duty to inform you, that if the fireworks be exhibited, my engineer is of opinion they will positively blow off the roof of the theatre—such is their strength and magnitude!—but you shall have them. (Cries of 'No, no, Mr Elliston,' and a general rising.) I have never deceived you, my dear friends and patrons, and you shall have them! (Cries of 'No, no,' and a partial move.) My stage-manager, Mr Crisp—there he is, in my private box—will attest the fact. The fireworks will positively blow off the roof of the theatre—but you shall have them." The terror generated was now complete. The skilful manager kept the hobgoblin before their eyes by repeating, 'but you shall have them,' and the affrighted crowd rushed from the theatre amidst reiterated shouts of 'No, no, Mr Elliston!'"

I hope the advocates of the Ballot will not be frightened away by the stage tricks of those to whom the Ballot is naturally obnoxious. After all that has been said, I feel convinced the reader will be prepared for the winding-up of Mr CHARLES RUSSELL's discourse; for it seems to be the favourite climax of the whole tribe of Anti-ballotites:—

"Sir, I dread as a national calamity—I deprecate as a national disgrace—this underground, clandestine, and I will not be frightened from the propriety of the term—un-English practice."

Mr RUSSELL is not content with the example of America, to prove the un-English character of the Ballot; he shows—oh! shocking—that it is French also. Now, with all due submission to so great an authority as the Honourable Member for Reading, I would submit that this is no reason against Ballot. If you can prove that the introduction of the Ballot would be fraught with mischief to the community, let it be rejected, by all means; but when not a single argument can be maintained against it, let us not submit to its annual rejection, because it is "new," and was first tried in some foreign country. The same reason for rejection might have been urged against half the good things which now contribute to our physical and moral well-being. Why, reader, even mealy potatoes and souchong tea were un-English a couple of centuries ago. Nevertheless, they were adopted by the people of England, and have now become essential to our comfort, and even to our health. They became popular—for the very reason that the Ballot, is popular—because they were good; though the CHARLES RUSSELLS of that day neglected not to tell the people they were "un-English," in a very plaintive ditty, from which the following sublime extract is taken:

"When good Queen Elizabeth sat on the throne,  
Ere coffee and tea and such slip-slops were known,  
The world was in terror whene'er she did frown—  
On the roast beef of Old England."

Mr CHARLES RUSSELL's speech of the 2nd of June should certainly be versified to the same tune.

Mr JOHN RICHARDS, Member for Knaresborough, without intending to do so, said a word in favour of the Ballot. The reason why we desire to see the Ballot adopted is, that it will guarantee to the people a real influence in the choice of their representatives—in short, the elective franchise will be stripped of its mockery. Most of the objectors to the Ballot contend, with as much zeal as though they really desired the extension of popular influence, that it would not be an effectual means to that end. Mr RICHARDS seems to be of another opinion. He objects to the Ballot, "because the interference of Democracy is found to be so inconvenient and troublesome,"—thereby tacitly admitting that the Ballot promotes the said "interference of Democracy."

I will here mention, incidentally, that Lord JOHN RUSSELL showed great skill in steering clear of America. His Lordship said he "would not imitate the Honourable Member for Knaresborough, who resorted to America and France for topics of discussion." He saw how completely the example of America was against the Whig view of the case, and he very prudently avoided it as a quicksand, whereon three speakers had already wrecked their view of the question.

The only speaker remaining to be noticed is Lord STANLEY. This task I feel to be almost unnecessary, as the people have ceased to fear aught from that Noble Lord's opposition. The time was when Lord STANLEY certainly had considerable influence in the House of Commons. By the virulence of his attacks he managed to keep honourable members in dread of him; and by a certain readiness of speech—a power of uttering plausible nothings on any subject, he gained the reputation of being a ready debater. During the early part

of his career he set up as a very great Liberal, and, as it was really something to have so great an Aristocrat on that side, there seemed a general disposition to be-praise his Lordship, even to sickening. With all this, is it wonderful that Lord STANLEY became the spoiled child of the House of Commons?

In process of time the people began to find Lord STANLEY out. Those who undertook to analyse his speeches were astonished to discover that there really was nothing in them. Hence an opinion arose within the House, that in point of real knowledge his Lordship was decidedly below mediocrity, though the reputation of skill in debate was still awarded to him.

But even this reputation did not long endure. While Colonial Minister his real ignorance of everything he should have known was thoroughly exposed. The result was striking. His Lordship was cowed. The lion's skin was stripped aside, and the terror of the teeth and claws subsided with the exposure.

After this his Lordship damaged himself still further by taking up an extremely equivocal position between the two Aristocratic factions, the consequence of which naturally was that neither party trusted him. From this time never was the descent of a public man more rapid. His fate in public estimation has been rendered more conspicuous by the false eminence to which he had been raised. Two short years ago, and Lord STANLEY was a rising man; *now* we scarcely ever hear his name. His speeches are disregarded. His opinions are no longer quoted. In short, he may be said to occupy a place in the public mind no longer. I cannot help feeling that in this Lord STANLEY has received some injustice at the hands of the House of Commons. In a more humble position, in a less exalted walk of politics than that of a Parliamentary leader, Lord STANLEY might have proved a useful member. With a hum-

ble position he will not now be content—an exalted one he can never occupy; hence his political ruin is accomplished. Nevertheless, Lord STANLEY cannot avoid talking of “his support,” and “his opposition,” as though he still retained that influence which he certainly did once enjoy. The House listens to him for the present with most praiseworthy good-nature. This is quite right. The House was the cause of Lord STANLEY’s self-delusion, and it would be cruel on its part to chastise his Lordship’s arrogance too severely or too suddenly.

On the question of the Ballot, Lord STANLEY claimed to be deemed an authority because he had been in America. Lord STANLEY certainly did travel in America; but in what way? He travelled rapidly through the country, mixing, not with the mass of the people, but only with the wealthiest of the dwellers in towns, and from that class imbibing all his notions of the people of the United States, and of their opinions. But Lord STANLEY has been twenty or thirty times as long in this his native country as he has been in America. He has lived all his life here. Reader! do you think we should be justified in taking his opinion as to our feelings and desires? The bare idea is absurd. If, then, Lord STANLEY be not trustworthy as a witness as to the opinions of the people of this country, how much less worthy of reliance must he be on the feelings of the people and on the popular institutions of America.

Lord STANLEY does not pretend to state facts. He merely tells us that in his opinion the Ballot in America is no protection against bribery, and does not promote secrecy. Assertion can only be met by counter-assertion. I have seen, perhaps, ten times as much of America and the Americans as Lord STANLEY. I have mixed with the people, and I assert that Lord STANLEY’S

opinion is erroneous, and his statements incorrect. To answer every one of his Lordship’s mis-statements would be to repeat what I have said in reply to those “moderate” men, Mr JAMES BARLOW HOY and Mr CHARLES RUSSELL. Lord STANLEY asserts that there are preliminary meetings in America to ascertain how “every man” intends to vote. I affirm, in contradiction, that the vote of *every man* is never known. There is always a considerable number whose ultimate intention cannot be ascertained, and whose final vote is equally confined to their own breasts. I have been to these *Caucus* meetings, as they are called, and I have always heard much speculation as to the “doubtful men.” It is they who make use of the Ballot, because their circumstances require it.

But of all the trash uttered in the House, not only on this subject, but I will go so far as to say during the whole session, the following piece of matchless absurdity stands pre-eminent:—

“I have no doubt that if the Ballot were established in England, a landlord, disposed to exercise his power oppressively, might declare that he would not be satisfied unless he saw, with his own eyes, voters put their tickets into the Balloting-Box.”

Pray, my Lord STANLEY, can you not perceive that a law might be so framed as to prevent the said landlord, or any one else, from being within hearing or seeing distance? or do you think there is anything in a landlord, or any other sort of lord, which should give him a prescriptive right thus to nullify the Ballot? If you can show that any class of men, in spite of Ballot or any other contrivance, can influence the poor and dependant voter, then, I say, you show that the class in question must be gotten rid of.

As for quoting the letter of a young travelling dandy expressing an opinion against the Ballot, and recommending the same to the House of Commons as an argument, I must say that I deem it beneath the mental capacity even of Lord STANLEY.

H. S. CHAPMAN.

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*The following Pamphlets, Edited by J. A. Roebuck, Esq., M.P., have already appeared, and are still on Sale.*

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# THE TAXES ON KNOWLEDGE.

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## THE TAXES ON KNOWLEDGE.

"Knowledge is Power."

So said the Philosopher BACON, and he spoke the truth. That knowledge is power has been constantly proved by events, but by none more than by those of recent occurrence.

Every body sees that great changes have taken place within a very few years; every body expects that still greater changes are at hand.

They who are old enough to remember the commencement of the Pitt and Grenville war against the people of France for the purpose of preventing the increase of knowledge, know that, spite of all the efforts of all the Aristocrats and all the Despots of the continent of Europe, the stimulus then given to the desire for knowledge has been increasing continually.

It was the observation of one of the best political writers of the time, that the combination against the French would fail, since it was utterly impos-

sible to make men unlearn whatever they had learned, and that knowledge would not only increase continually, but rapidly. This prediction has been, and will continue to be, verified to the very letter.

Knowledge has progressed among every class, but among no class to the same extent as among the Working People as a class. True it is that they are still deficient in the knowledge of principles which to them are of the highest importance, but the knowledge they have actually acquired is, in proportion to their ignorance half a century ago, much greater than that of any other class of persons. The Aristocracy have improved the least of all, and they never can improve to any considerable extent so long as the knowledge they seek is confined to their own grade. Of the vast body composed by the Working People they still remain in

utter ignorance ; yet, on the knowledge or the ignorance of this class the Aristocracy may, at no very distant day, have to depend for the safety or the destruction of their lives and property.

Say what we will of the Working Classes, those among them who are the best informed do, on an average of years, guide the whole body, though, in their still comparative state of ignorance, they may and will, at times, think erroneously and act absurdly ; but even this mode of thinking and acting is not confined to them, as the conduct shows.

of the other classes but too frequently

Say what we will of the Working Classes, they among them who take any pains to think at all—and this is an immense number—are the least sophisticated, and consequently the easiest to teach of any class. Whenever their attention can be fixed on some particular truth, whenever their attention can be commanded by those whom they believe sincerely disposed to treat them honestly and candidly, they are the most teachable of any class. There is, however, considerable difficulty in inducing them to give their confidence to those who are not, like themselves, Working Men. This is a great impediment to their improvement, but is not a circumstance at which any one should feel surprise, since their own experience has taught them that they are seldom candidly treated, and almost always deceived, by those who are placed in circumstances above them, who have generally some sinister purpose to accomplish whenever they give themselves any special trouble about them.

Of their readiness to receive instruction when assembled in bodies, of the ease with which they give up prejudices when their unreasonableness in maintaining them is clearly and fairly exposed, of the frankness with which they will rectify mistakes when demonstration that they are mistakes takes place be-

fore them, I have seen many striking and some very extraordinary proofs ; and I may safely affirm, without any risk of making a mistake, that, notwithstanding the many impediments in their way to the acquisition of knowledge, some of which cannot be overcome, and others which can only be removed with great difficulty, they will continually improve, and, if aided as they ought to be, will improve rapidly. As certainly as knowledge shall increase among them, will their condition be bettered, and the tranquillity of the country be secured.

The Aristocracy are little, if at all, disposed to learn anything respecting their own real condition, or that of any other class, and least of all of the Working People, the "*Lower Orders.*" They are absurdly exclusive ; they take themselves for the world ; they are *the People* ; to them nothing is, or is likely to be, useful, in their estimation, which does not immediately promote some purpose of their own, which has not for its object some special and peculiar advantage to their class, and to many of them even this is too large a view of the subject : yet whatever can be alone specially useful to them must be injurious to the People. Never will they see this in its true light, because they will never be persuaded to care in the least for the comfort or discomfort, the plenty or want, in any way, of those whom they consider as placed in a caste beneath their own ; never, under any circumstances whatever, will they feel the least interest in what may seem calculated to benefit the "*Lower Orders.*"

But for the Aristocracy and the Parsons, good teaching would, ere this, have overspread the land, and every man and woman would have received a sound school education ; would have acquired useful knowledge of many kinds, of which but too many of them are now deprived.

When school teaching began to spread

among the People, its great enemies, the Aristocracy and the Clergy, opposed its promoters and impeded its progress; obstacles of every sort were placed in its way, and the means of effecting the purposes of the benevolent men who devoted themselves to it, were crippled. The establishment of schools was in some places prevented, in others destroyed. But for them every child would now be receiving the rudiments of a sound and highly important education, to an extent which few, as yet, appear to have contemplated as possible:

These unpalatable truths will be treated as calumnies by every enemy of the People; by every cowardly creature who meanly thinks his own advantage may be promoted, or his absurd pride be solaced, by keeping the People in ignorance; by every one who does not see, and cannot extend his view far enough to be at all likely to perceive, that good teaching, that the inculcation of sound principles, can alone avert the mischief which the changes in progress may tend to promote. Mischief will be produced, and carried to a great extent, unless provision be made to teach the mass of the People, to a much greater extent than it has ever yet been the intention of any considerable body of men they should be taught.

These truths shall some day be shown to be simple and incontrovertible facts, not in the least exaggerated, in no way coloured. Observing men will find that the practices condemned still exist to some, though a comparatively small extent; divested, to be sure, of their former vigour and the insolent pretensions of superiority of the Clergy and the Aristocracy.

Whatever the Working People have gained of Useful Knowledge is, to a very great extent, the result of the exertions of a few benevolent men in the middle ranks of life; of men who,

taking advantage of circumstances, laid the foundation of General Education; who, with the assistance of other such men as themselves, have continually, though not always in the wisest way, laboured to increase the efficiency, and to extend the practice, of school teaching. So far have their intentions been carried into effect, that they have tended to spread the desire for information to an extent unknown at any former period.

With the desire for and the actual increase of knowledge, the character of the Newspapers changed, and, from being small sheets containing little besides the mere gabble of the day, attained to a state which may now be made of the greatest importance to the whole of the People, in everything which tends to promote their well-being, both individually and collectively.

The French Revolution was the great stimulus: it roused the desire of multitudes of men for information, and led to many useful changes. Among others, it led, gradually, to the destruction of mere party politics; to the disuse of mere words without any useful meaning; it put an end to the cant of faction, which no longer suffices to set multitudes of men together by the ears, to the extirpation or prevention of good political inquiries. The People are no longer deluded as they used to be; they have at least acquired some knowledge respecting legislation; they begin to understand the true principles of all really useful Government, and expect to see proper measures brought under the cognizance of the House of Commons, instead of the vague generalities with which they were formerly amused and deluded.

The progress of knowledge was feared by the English Aristocracy: its consequences were dreaded. There was at this time no body of men in the land who deserved the name of *the Public*. The People generally were gulled,

either by Ministers and their supporters, or by the leaders of the Opposition. Each party was made to believe whatever their leaders wished, and they frequently became almost frantic against one another, for no end whatever, but of being laughed at for the aid they gave to one or the other faction, each being equally inimical to the People.

The Government of PITT, GRENVILLE, and DUNDAS was one of pure mischief, one of sheer vulgar expediency, founded on no one sound principle of legislation. They miserably miscalculated consequences, mistook appearances for realities; they went on in the old way under new circumstances, and the consequences are before us. The propagation of opinions, even those likely to be most useful, were feared, and the means of preventing the contamination of knowledge became the "order of the day." Nothing was omitted which could in any way tend to stultify the People on the one hand, to beat them down and keep them down by calumny and persecution on the other hand. Numerous were the measures adopted: sometimes artfully contrived and insidiously propagated; sometimes openly and insolently avowed and acted upon. The end of all was the same. The most permanently mischievous were the restrictions on the Press; these were numerous, complicated, and severe: the Stamp Duty was increased; presses were registered; not a hand-bill could be printed but at a registered, i.e. a licensed press, nor without the printer's name being affixed to it; heavy penalties were enforced on all who lent a newspaper for hire; spies and informers were encouraged; all free discussion was denominated sedition; and many were the persons who were prosecuted for writings in opposition to Ministers, which would now be thought mild, and even humble, by the ultra-Tory Standard,

and the subservient Tory *Post*. Both of these papers occasionally contain articles respecting Government which no paper in PITT's time dared to insert.

PITT died, though young, not before his time; DUNDAS fell into a miserable dotage; GRENVILLE became imbecile, and at length bed-ridden. They left the scene of their extensively mischievous exploits, but their spirit remained; the plague continued and was propagated by their successors, and in respect to the stultification of the People, was supposed to have been made perfect by CASTLEREAGH, who in 1819 put an end to his own existence, when he could no longer face the circumstances he had assisted to produce and could not controul. Before the act 60 Geo. III. c. 9 was passed, Newspapers had been but vaguely defined; a more particular definition was now given, and information was supposed to be effectually interdicted to the body of the People. The act was drawn with all the particular and minute cunning of the narrow-minded clique, and made as plausible as the smooth and deceptive CASTLEREAGH could desire. The preamble states that—"Whereas *pamphlets* and printed *papers* containing OBSERVATIONS upon public events and occurrences, tending to excite hatred and contempt of the Government and Constitution of these realms as by law established, and also vilifying our holy religion, have LATELY BEEN PUBLISHED IN GREAT NUMBERS and at VERY SMALL PRICES, and it is expedient that the same should be restrained." It is then enacted, that "all *pamphlets* and *papers* containing any public NEWS, INTELLIGENCE, or OCCURRENCE, or any REMARKS or OBSERVATIONS thereon, or upon any matter in CHURCH OR STATE, published PERIODICALLY, or in parts or numbers, at intervals not exceeding twenty-six days between the publication of any two such *pamphlets*, or *papers*, parts or numbers,



where any of the said pamphlets, papers, parts, or numbers respectively, shall not exceed two sheets, or shall be published for sale, for a less sum than sixpence, exclusive of the duty by this act imposed thereon, SHALL BE DEEMED AND TAKEN TO BE NEWSPAPERS." The borough-mongering House of Commons, and the Lords, who were the owners or influencers of two-thirds of the seats in that House, were delighted with their perfect scheme. "Observations upon public events and occurrences, public news, intelligence, and remarks thereon, and all matters relating to Church and State." were now interdicted to those who could not afford to purchase a stamped newspaper; the knowledge acquired by the People was to be obliterated, from the want of access to information to continue it; and ignorance was to overspread the land as the means of introducing the wholesome coercion so admirably carried into effect in Russia and Austria, the truly despotic and aristocratic modes of compelling submission so continually and ardently desired by the Aristocracy of England and their confederates. All would not do; the Aristocracy and their boroughmonger slaves and tools legislated in ignorance—an ignorance which, as a class, must always remain with exclusive Aristocrats, who, from their position and pursuits, must ever remain unacquainted with the condition, the wishes, the intelligence, and the actual power of the "Commonalty."

It was now no longer possible to evade the law, as had been done while a Newspaper was vaguely defined; every Periodical published within 26 days was now liable to be challenged as a Newspaper, and the Publisher be fined and imprisoned at the discretion of the Commissioners of Stamps, who had a dispensing power, and might prosecute whom they pleased, and refrain from prosecuting whom they pleased; their

power had no limit; they could call any Periodical Publication they pleased a Newspaper, seize the venders and publishers, bring them before the Magistrates, and there be certain that fine or imprisonment would be inflicted as often as they wished. The act says—News, information, &c., and these words, large as they are, were left to the interpretation of the irresponsible Commissioners of Stamps, and a wide interpretation they gave to them when they extinguished a small weekly publication called *The Harlequin*, wholly devoted to the Play-houses, because it told what pieces were performed in them, and commented upon the actors. This was *News, Information, and Comment thereon*, and consequently "contrary to the act in that case made and provided." Look at this, Englishmen, and be ashamed of yourselves for permitting the existence of such an interdict.

As the bad law could now no longer be evaded, it was openly violated. The time was come when acts so unsuitable to the state of society could not be observed by the People, could not be enforced by the Government; no possible extent of persecution could prevent the publication of Unstamped Periodical Papers, "at very low prices," and the demand for what the People rationally desired to have, and what the Borough-mongering Parliament said they should not have, increased continually. The law was openly violated, and will be openly violated, to a much greater extent, as long as this shamefully partial and unjust law shall remain unrepealed.

At first scarcely any but those whom the law had made reckless of consequences to themselves took the risk of openly violating the law, but means were soon discovered by which compensation more than equivalent to the penalties of the law could be obtained, and the law was, by many persons thus circumstanced, set at defiance. A trial

of strength then commenced between the Government and the law-breakers, in which the Government was, as it must continue to be, defeated: the violation of the bad law "has increased, is increasing, and cannot be diminished." The most virulent coercion, the most malignant persecution, cannot prevent the People having cheap Unstamped Publications; have them they will, as the law-makers themselves will have prohibited articles, as they always have had them when they desired them, even at the very moment when they were making the laws to prohibit them. It was curious enough to see a grave Legislator enforcing the prohibition of India silk handkerchiefs, while he held one in his hand, unconscious of the anomaly; and the time has come when an Unstamped Newspaper is no longer a rarity in the hands of Honourable Members within the walls of the House. If any one finds fault with the word *malignant*, as applied to persecutions of publishers and venders of Papers, let him reflect on the fact, that, after a very large number of persons had been confined in various gaols, and fines had been inflicted upon Mr Hetherington for a Paper published by him, a Jury in the Court of Exchequer found that his Paper did not come under the description of the Act, was not a Newspaper, and consequently, that all the fines imposed were robberies, under pretences of law, and all the imprisonments utterly illegal.

It required no great sagacity to foretell that laws so widely at variance with the state of society could not be executed, and this was clearly demonstrated to Mr POULETT THOMSON, (who, before his acceptance of office, had been a strenuous advocate for the Repeal of the Stamp Duty on Newspapers,) in a letter sent to him on his acceptance of office, and published in the month of January 1831, under the

title of "A LETTER TO A MINISTER OF STATE RESPECTING THE TAXES ON KNOWLEDGE." The propositions contained in this letter were afterwards made subjects of enquiry, partly at the instance of Lord ALTHORP, when Chancellor of the Exchequer, and communications have since been made to Mr THOMAS SPRING RICE, as Chancellor of the Exchequer. Both these gentlemen have been induced to confess, as others their colleagues in the Cabinet have confessed, that the tax was obnoxious to many serious objections, and defensible on no rational grounds whatever. There was, and still is, a strong desire in both these gentlemen and their colleagues to continue the Duty; they fear lest the People should obtain too much information, become too well instructed, and they revert to the obviously absurd excuse that they cannot afford to part with the revenue the Stamp Duty produces. This excuse was made by Lord ALTHORP when he had a considerable surplus of revenue above expenditure, as Mr SPRING RICE will also have. Were this not a mere excuse, were they honestly disposed to repeal the law, so inimical to the good of the community, they would not resort to the common and pitiful subterfuge of men in official situations, but at once meet the exigency of the case, and propose the Repeal of the Stamp Duty. But no, the members of the King's Cabinet partake too much of aristocratic notions, and are blinded by their own ignorance of the People. Untaught in this particular, either by the better-informed Working People in the trading and manufacturing districts, who, under circumstances of great excitement, amidst great temptations, and bad advice, have refrained from every kind of outrage—untaught by the contrast of the results of ignorance in the conduct of the Farm Labourers, whose mischievous practices

are even yet, perhaps, in their infancy, Ministers are still willing, nay desirous, to prevent the access to knowledge, which can alone permanently extinguish the evil passions generated by ignorance, and lead to events still more deplorable. Lamentable, indeed, is it to see such men refuse to do that which can be so easily done to preserve the peace of the country, and save from ultimate destruction even their own property. Lamentable is it to be compelled to observe the obstinacy with which they cling to the use of brute force to compel obedience to bad laws, when, by repealing those bad laws, the force of knowledge would alone be necessary; and brute force, which will some day assuredly fail them ought no longer be relied upon for a precarious protection.

One great, one principal means of introducing with effect the moral force of knowledge, would be the Repeal of the Stamp Duty on Newspapers. If Ministers were disposed to repeal this obnoxious impost, which some of them acknowledge cannot be justified, and which no one of them will openly defend, they would be at no loss to devise means, either to spare the half million it produces, or to find a substitute in a trifling postage, when by the increase of the consumption of paper, and the number of advertisements: there would be no want of just and conclusive arguments among them in favour of the measure.

It is a remarkable circumstance that the Tories who passed the Six Acts, and the Ministers of that day, who as cordially hated those who did not succumb to them as any Ministry which ever existed, did not prosecute the publishers and venders of Unstamped Publications to anything like the extent to which the Whigs, on their coming into office, countenanced and encouraged such prosecutions.

Is this a state of things, are such proceedings worthy of men who claim the confidence of the People? Would it not be more advisable, more becoming, more honest in them, to show that their claim to the confidence of the People was, in this truly important particular, well merited by a *total* Repeal of the Stamp Duty on Newspapers, and all its odious of prosecutions, fines, imprisonments, and all the other ill consequences which result from a bad law, conferring, as it does, an injurious monopoly on a very few persons, to the injury of the rest of the community, in several very important particulars? Every thinking man, who has no sinister interest to influence him, will answer Yes, and say the sooner the obnoxious tax is repealed the better.

It is lamentable to be compelled to observe that in this, as in some other cases, there should be no remedy but by a constant violation of the law; that reasoning, however conclusive, has no effect on those whom it ought the most to concern, and that with them the manifold advantages which would accrue to the whole People should have no weight;—that the absurd love of coercion, even when useless, or worse than useless, when mischievous, and its continuance derogatory to the understandings of Ministers, should still be clung to with a dogged determination to continue the unjust law until it can be continued no longer, and then to abandon it with an ill grace, instead of giving it up at a time when it would be received as a boon, and greeted with the applause of the People.

Soon after the commencement of the present session of Parliament, efforts were made by a very small number of persons to ascertain the disposition of the People, in various places, towards petitioning the Lords and Commons for the Repeal of the Stamp Duty on Newspapers; their efforts were success-

ful, very many petitions have been signed, and others, in large numbers, are in course of signature. These efforts led to a meeting at the Crown and Anchor Tavern on Saturday, the 18th of the present month, when Lord BROUGHAM was prevailed upon to take the chair, and the following Resolutions were unanimously agreed to:—

1. That the prosperity of every community is dependent upon the knowledge diffused amongst its members: that the Newspaper has been justly deemed the great instrument of civilization, but that the Stamp Duty tends to destroy the efficiency of that instrument, and to perpetuate the evils of moral and political ignorance.

2. That in the opinion of the present Meeting, if any portion of this tax be retained, a very numerous and important class will continue to be deprived of that knowledge of passing events, without which none can properly discharge the duties of citizens; and that a mere reduction of the Stamp Duty is to be deprecated as a half measure, which by lightening the burden, would only fix it the more firmly upon the shoulders of the People, without-realising the benefits that would necessarily arise from a total repeal.

3. That Petitions be presented to both Houses of Parliament, praying for the repeal of the whole of the Stamp Duty upon Newspapers, and for the abolition, at the earliest possible period, of every other tax affecting the Diffusion of Knowledge.

4. That a Subscription be immediately commenced to defray the expenses of this Meeting, and to promote its objects.

5. That the thanks of this Meeting be presented to LORD BROUGHAM, for his indefatigable exertions in favour of a Free Press, and for the zeal and ability with which he has discharged the duties of Chairman of this Meeting.

Only two days' notice could be given of the Meeting. The time for holding it was Saturday at two o'clock, a time of all others the least likely to induce people to attend; yet long before the time of the meeting, the great room, the largest tavern room in London, was completely filled with most respectable persons. Numbers could not procure admission; many went away continually, on account of the excessive heat, and their places were immediately filled by others. Petitions to both Houses were laid on tables outside the large room door, when that to the Lords received upwards of 1,300, and that to the Commons upwards of 1,500 signatures.

Here, then, is proof that the number of persons who attended was very large; it is indeed probable that never in any case, under similar circumstances, did so many persons sign their names to any petition. It cannot be supposed that so many as one in every four signed his name, as it is not to be expected that men will bear the inconvenience of mixing and waiting in a hot day, among a crowd of others, at the table, until they can obtain an opportunity to sign their names. It has never, perhaps, happened, that one in four of those who attended, ever signed any petition, and the numbers who on this occasion became petitioners, proves the number which attended the Meeting was very great. The Meeting was a clear and perfect demonstration of the wishes of the People, and would have been treated as such by the three principal Morning Papers, and by their coadjutors the three principal Evening Papers, had the subject been one by which they could have been benefited. It was of a different character, and each of these Papers treated it according to the notion the "*Gentlemen*" who conduct these Papers thought proper. They dared not suppress the proceedings, so they gave whatever account each of them pleased. Mr O'CONNELL, in speaking of the probable advantages of "a cheap, free, and unshackled Press," said the Stamp Duty created an injurious monopoly; he instanced the tergiversation of the *Times*, as one of the evils of the narrow monopoly. Mr O'CONNELL, in describing the conductors of the *Times*, used some very coarse expressions, for which the only apology which can be made is that it was a very coarse subject. Mr O'CONNELL said he should be abused for talking as he had done, and it must have been known to him, that however coarse his language might be, it would be outdone by the *Times*. No language

that Mr O'CONNELL or any one else could use, could surpass the "*pure blackguardism*" (these are the words of the *Times*), of the language commonly used by the "*Gentlemen*" who conduct that Paper.

Almost every man at all known to the Public, who has advocated the Repeal of the Stamp Duty, has been treated with "*pure blackguardism*" by that Paper, the purpose having always been to deter those who had taken part from proceeding, and others from commencing. This old trick has sometimes been played with advantage. People have entertained an absurd respect for leading articles, and not long since a prodigious number of persons took their opinions from the anonymous writer of the Paper they read. Thus these Papers obtained great power, which the *Times* affects to disclaim, now that it suits some purpose of the "*Gentlemen*" who conduct it to disclaim it. Happily the day when leading articles held this power is rapidly declining, thanks to the increasing Knowledge of the People, and the disputes which have existed for some months past between the *Chronicle*, the *Times*, and the *Herald*, have done much to open the eyes of those they formerly deluded. The time is at no great distance when leading articles will mislead no longer—they will perish with the Repeal of the Stamp Duty.

The Daily Papers never would have possessed the power they frequently abused for the worst of purposes, had the persons who wrote their leading articles, been well known to the public. Their power was founded on a delusion, occasioned by the mystery of concealment.

Great and highly respectable as the Meeting at the Crown and Anchor Tavern was, sensible and orderly as the spectators behaved; still the *Times* could not refrain from spitting its malice on

it. It commenced its leader on the Monday following thus;—"It will be seen that Mr DANIEL O'CONNELL, LORD BROUGHAM, and a few others, had a field day, and a sham battle against 'the villains, and liars, and miscreants of the *Times*.'" The contemptuous words are taken from the speech reported as spoken by Mr O'CONNELL, in that Paper, who, though the *Times* calls him a "Milesian savage," has a notion that he may call things by their right names. If he were to use the *Times* as a vocabulary, he never could be in want of epithets.

The *Times* will say that its sarcasm is honest, and probably it will seem to be so to the long practised "*Gentlemen*" who write for that paper, who owe no respect to the Public, none to truth, and little to decency in their expressions. It would be strange, indeed, if they did; rare are the instances of men who have long been either editors of, or writers of leading articles for the Daily Newspapers, having any claim to honesty. The *Times* may boast of its honesty, its purity, its independence; it may praise itself in any way it pleases, but the time has gone by when such pretensions, made by either of the three principal Morning or Evening Papers, will be believed. They themselves have supplied the proofs that they are utterly untrustworthy; scarcely is there anything disreputable that the three Morning Papers have not said of one another; they know each other's ways too well to be mistaken; they are the best possible evidences of each other's conduct. Scarcely is it possible for anything evil to be imputed which they have not cast upon one another; and if they are to be judged by each other's testimony, they are the "greatest of rascals" (their own words), and there are no such scoundrels (their own words again) on the face of the earth, as the "*Gentlemen*" of this por-

tion of the Daily Press—no such “villains” (their own words again) unhanged.

I have myself seen much of the “Gentlemen” of the Press, and can affirm, of my own knowledge, and on information which does not admit of doubt, of the corrupting consequences of being continually employed as editors and leading-article-writers of the Daily Papers. I have often seen and heard the chuckling satisfaction, the glee which a calumny, or a mischievous article, has produced in such “Gentlemen.” I have seen such “Gentlemen” glorifying themselves in the success of trickery, which none having any claim to respectability, who are not “Gentlemen” of the Press, would, on any account, take part in. Notwithstanding all this, and much more, which should disqualify men from ever writing anything addressed to the public, their writings were received almost with reverence, and considered in the light of oracular responses. This admiration is rapidly passing away, and will certainly die with the Stamp. We shall then, but not till then, have Newspapers conducted with more regard to decency than our Daily Papers ever have been, or are likely to be, while the Stamp Duty enables them to maintain a very narrow monopoly.

The Stamp Duty has limited the number of Newspapers sold for 7d. to comparatively small number; this needs no proof, but some very curious proofs exist. One weekly Unstamped Paper, which sells for 2d. is as well conducted as almost any one of the Weekly Papers, and disposes of more in one day every week than the *Times* publishes in the six days of the week. Another of these Unstamped Papers, equally well conducted, sells about as many every Saturday, as the *Times* publishes in four or five days of each week. Were the Stamp removed, and the price of the

Sevenpenny Papers reduced to threepence, as they would soon be, a mere doubling in number, as some suppose, would certainly not be the result—the number would be increased, at the least, tenfold, perhaps much more, and this would be a great national benefit.

Almost every body has been made to fear the power of the Daily Press. Ministers have quailed under it; they have at times been ridiculously alarmed at the annoyance of this absurdly called *Fourth Estate*. It is time that such apprehension should be dissipated.

For purposes known only to the “Gentlemen” of some of these Papers, individuals have been attacked in the most scandalous way possible, and when thus attacked, have but too generally shrunk from what they have thought must be the consequences, or by some contrivance have appeased their malignant adversary. Notorious as this is, it will probably be denied, and I shall perhaps have no small quantity of “*pure blackguardism*” showered down upon me. Be it so; the “Gentlemen” may indulge themselves to any extent they please; nothing is so easy, and few things so gratifying to them, as abuse. I have never courted them, never deprecated their malignity, never solicited the forbearance of the *Press*, never refrained from doing whatever I thought I was under circumstances called upon to do. I have been perfectly careless of their abuse, which they may again repeat, but to which they can add little. I have now before me cuttings from Newspapers, filling a goodly-sized volume, in which I am abused for doing things I never did; in which what I did, or was occupied in doing, is distorted and misrepresented; in which I am, in some instances, held up to contempt, at others scolded at, because contempt seems not to have answered the purpose; in which I am represented as a miscreant, and accused of almost every crime

a man can commit, save swindling, highway robbery, and housebreaking. Yet I am not aware that these imputations ever did me any real injury, nor any present mischief whatever, and long experience has satisfied me, that misrepresentations, and abuse, and charges, however infamous, made in Newspapers, can seldom be injurious to the character of any man whose character is of any real worth; that such a character can alone be injured by a man's own conduct, and not at all by the efforts of the "*Gentlemen*" of the Press, unless he be weak enough to notice them, and foolish enough to enter into a controversy with these "*Gentlemen*." They are, therefore, at liberty to repeat their abuse of me, the only effect of which will be, that I shall be put to the expense of purchasing a few of their Papers for the purpose of cutting out and preserving as curiosities, their admirable specimens of "*gentility*."

That they should have furnished matter enough to fill a volume of abuse and ridicule, and imputation of crimes respecting me, who never aimed at being thought a public man, in any sense of the word, may appear strange; that they should abuse for months together such men as LORD BROUGHAM is not at all surprising: he is a public man, and a public benefactor, and abuse of him is perfectly consistent with the avocation of the "*Gentlemen of the Press*," one of their means of money-making; though they may, as the *Times* is believed to have done in respect to LORD BROUGHAM, go too far, and defeat their own purpose. The conduct of the *Times* in that affair should have convinced all, as it probably did a very large portion of its readers, that nothing which Mr O'CONNELL, or any one else,

has said, can be a calumny on the "*Gentlemen*" of the *Times*. If even a very small part of their abuse of LORD BROUGHAM were true, he would be one of the greatest of miscreants. Does any honest man believe he is such a miscreant? The answer is found in the solicitations he receives to promote useful purposes, and the heartfelt greetings with which he is received. LORD BROUGHAM is somewhat eccentric, somewhat odd, and never was there a man who formed opinions for himself, and acted upon those opinions, who was not more or less eccentric and odd; his very deviation from the dull and stupid routine of men who can originate nothing good themselves, nor energetically aid those who can, constitutes in the opinion of the generality, eccentricity and oddness.

Where, however, is the man whose exertions to benefit the People so far exceed his faults, as those of LORD BROUGHAM? He has done as much, if not more, and will no doubt continue to do as much or more, for the *Common People* than any other man. His course is before him; his utility, and he knows it, lies especially in efforts which cannot be thrown away. In doing real and important services to his fellow citizens, the Working Classes, he will achieve the greatest good, and receive the praise and honour he well deserves.

The Newspaper "*Gentlemen*" may rail on; it is now of but comparatively small importance. Their power is sinking rapidly, and the Repeal of the Stamp Duty on Newspapers will bring them down to their proper level, while it will greatly assist to raise up the Working People to theirs.

FRANCIS PLACE.

Brompton, July 26, 1835.

## VICTIMS OF THE UNSTAMPED PRESS.\*

Sheffield, 25th July, 1835.

MY DEAR ROEBUCK,

It would be very difficult to give you an adequate idea of the disgust and hatred of the present Administration which has been generated in the breasts of the Working Classes of Birmingham and Sheffield, by the persecution of the venders of Unstamped Papers. If the Whigs had studiously sought for a scheme to destroy the popularity they had acquired by passing the Reform Bill, my belief is they could not have devised one better adapted to that end than that which I have named. They might have passed all sorts of bad laws, and resisted all kinds of good ones; they might have rioted in extravagance; they might have continued to deny cheap bread to the starving People, till they had goaded them on to revolution. Yet I am convinced the feeling of hatred would not have been half so strong as that which the mass of the People feel towards the Whigs in consequence of this system of *victimizing*.

This is easily understood. The victims (I mean those who were resident dealers) were men of character and respectability among their class. Many

\* Yesterday (July 28) on Mr Grote presenting the Petition of the late Meeting at the Crown and Anchor, against the Stamps on Newspapers, I took occasion to complain of the prosecution, or *persecution*, as I called it, of certain persons at Portsmouth by the Stamp Office. I also observed that the Government ought to try such experiments in London, where the People, from their increased intelligence, were better able to judge of their conduct, and by their power to influence it. Let the People judge of the fact I now am about to state—the *Chronicle* omits even the mention of my name on this occasion. They (that is, the *Gentlemen* reporters) suppressed this statement of mine, because their masters, who have hired them, bade them do so. Now persons who pretend to the name of gentlemen ought not to be authors of an account pretending to accuracy, which suppresses facts. What is the difference (will these reporting *Gentlemen* tell me) between down right lying and not telling the whole truth?—J. A. R.

of them were among the most honoured of their social leaders—managers of sick clubs and so forth; and the felon's treatment they received was shocking to their friends and companions.

Take the case of JAMES GUEST, of Birmingham. A more honest, upright, and praiseworthy citizen does not exist in that city. He took up the trade of a Newsvender about the time the *Poor Man's Guardian* was commenced, as he says, "on principle," to fight the battle of unshackled reformation against the Whigs. Suddenly he found himself convicted, and thrown into a common gaol with felons. It needs no high-wrought picture to convey a conception of the effect of this on his friends and associates, and from them down to every man of his class. He received their warmest sympathies; while upon the Whigs were poured the expression of their bitterest, their enduring hate. These honest men vied with each other in doing all in their power to alleviate his sufferings, but they could do but little; so they made up for their inability in this respect by rendering the absent "victim's" trade prosperous, and he returned to a business that has since been continually increasing. Seven thousand is now the weekly sale of the "great Unstamped" in Birmingham, of which he has the largest share.

There was something extremely vindictive in the conduct of Government towards the "victims" after sentence. In all cases, I believe, applications were made in the proper quarter, setting forth that the men convicted were of good character; that they had committed no offence against morality; that they had violated a law, it is true, but that they deemed that law so bad, that, like many other bad laws, it might reasonably be expected to be allowed to remain a dead letter in the Statute



Book, and that, therefore, they prayed not to be confounded with thieves and ruffians of the vilest character. All was of no avail. The Home Office was shut to their applications, and they were submitted to a contamination which would have utterly ruined men of less firmness.

Now, it is this part of the conduct of the Whigs which excites the deepest feelings among the Industrious Classes. It is something quite different from political animosity. It is perfect detestation and horror. The People think the Whig persecutors of the Unstamped "Victims" the most black-hearted of the human race. They draw no such nice distinctions as we sometimes see in a House of Commons explanation of the term "scoundrel," and others;

they think them individually wicked. With such opinions, it is easy to conceive the intensity of the feeling of hatred which is generated, and my firm conviction is, that no amount of good the Whigs could possibly do, could ever wipe away the mark which they have set upon themselves.

It would now be utterly impossible to make war upon the Unstamped Press. The Government would now be compelled to prosecute thousands, unless, indeed, they add to their character for impartiality and justice, by singling out a few examples. Examples! what example would be afforded, when the very name of "Victim" is deemed an honour?

HENRY S. CHAPMAN.

## THE "MORNING ADVERTISER" AND MR WAKLEY.

A LETTER TO A FRIEND IN THE COUNTRY.

MY DEAR SIR,

As you have expressed a desire to know something of the disputes that have been going on lately concerning the Public Press, I send you the following account of my inquiries respecting a dispute that has just occurred between Mr WAKLEY and the *Morning Advertiser*. An example of this sort will give you a clear insight into the nature of the accusations made against the Press, and the sort of evidence by which those accusations are supported.

Hearing that the *Morning Advertiser* had made sundry attacks upon Mr WAKLEY, I was anxious to know on what ground these attacks were made, and whether any change had lately taken place in the language of the *Morning Advertiser* towards him, and, if such a change had occurred, what had led to it.

I diligently consulted a file of that

Paper, and found that it had never spoken ill of Mr WAKLEY or his principles. I found also, that the principles of the Paper itself are those of the Radical party—I may say of the more extreme section of the Radicals. Mr WAKLEY'S are, I believe, of the same description.

Upon this I went to a friend who is a supporter of the Paper in question, in the hope of being able to gather from him the real cause of the change in the language of this teacher of public morality. After mutual salutations, and the ordinary civilities had passed between us, I asked if he had heard that his favourite Newspaper had just made an attack upon Mr WAKLEY. He replied that he was aware of the circumstance.

I then inquired if the attack originated in any thing done by Mr WAKLEY in opposition to his avowed principles

and opinions as a Member of Parliament. His answer was, that the attack did not originate in any thing of the sort. I observed that I had heard from sources very worthy of credit, that Mr WAKLEY'S conduct in the House of Commons had, in the opinion of those best able to judge, been marked by much circumspection, care, and judgment; that on his coming into Parliament it was expected by many that he would be head-strong, self-willed, and imprudent, but that he had agreeably disappointed these sinister expectations, and had done all that lay in his power to strengthen the Liberal party, and by judgment to conduce to measures beneficial to the People. My friend said that he also understood this to be the case. I then observed that it had further been stated to me, that in industry Mr WAKLEY was not surpassed by any person in the House; that he was at his post early and late; that he had been absent from no more than three divisions during the whole Session, and that on all these occasions he was accidentally shut out, being actually under the roof of the House during every division of the Session; and I believed, I said, that very few men among the most steady and industrious could say as much. My friend said that he was quite aware that all I had stated was correct.

“But if this be the case, and if, as you know, the *Advertiser* was not accustomed to condemn Mr WAKLEY as a public man, pray tell me what has occurred that should induce the writers of that Paper suddenly to turn upon and abuse him; accuse him of being a speculating senator; of being no true Radical; of being ready to be sold, and a variety of the same description of offences?”

My friend said, that the ground of the attack was an opinion that Mr WAKLEY was reported to have ex-

pressed at the CARTWRIGHT Dinner, at which he presided. And what was this opinion? Was it a mischievous political principle, leading to public injury? No; it was an opinion unfavourable to the talent of the *Morning Advertiser*; together with the belief which he was said to have expressed, that the confined space of the Paper rendered it an insignificant political instrument. Can you state to me the supposed words? I asked. He put into my hands the Paper which contained the report; it ran thus—“The *Morning Advertiser* had neither space, scope, nor talent to espouse the cause of the People, although the conductors had the will to do so.”

This the writer in the *Morning Advertiser* calls “a foul slander,” and talks to Mr WAKLEY in the following magnificent style:—“In justice to himself and us he (Mr WAKLEY) should retract the expressions, if such be not his sentiments. Under these circumstances we forbear further allusion to Mr WAKLEY for the present, giving him a day of grace to acknowledge or retract the offensive sentiment.” This is the style of a waiting-maid attempting to copy her mistress.

But, said I to my friend, if this be the ground of attack, it is a mere private quarrel. The opinion said to have been expressed by Mr WAKLEY no way affected his public or private character. Suppose him to be sincerely of the opinion that the *Advertiser* is poorly written; and also suppose him to believe that it has not scope and space sufficient to make it an efficient advocate of the popular cause; and, moreover, suppose him to have declared this opinion,—has he thereby done anything to forfeit the goodwill of his constituents? What effect has this opinion on his votes, on his principles, on his speeches? What, I ask, can his opinion respecting a paper like the *Morning*

*Advertiser* have to do with his public worth? My friend was constrained to answer that it could have no effect whatever. But if so, I observed, what is to be said of the *Morning Advertiser* itself, or rather, the writer thereof, who, from a mere private pique, "impelled by an interested and mere money motive, chooses to revile a public man as if he had committed some public offence? Put the accusation into the shape of a formal argument, and then judge of its worth.

"It is the fortune of Mr WAKLEY to have a mean opinion of the talents of the writers in the *Advertiser*—

"Therefore (now mark the therefore!) he is unworthy of the public confidence as a public man."

This said writer pretends to be a public teacher; he pretends to fine feelings of justice and honour and decency. I pray you, my friend, to tell me, whether this mode of dealing out censure to a public man, really on grounds of mere private quarrel, but under the guise of some public motive, be not a flagrant departure from truth, from justice, and from decency? The silence of my friend when I put this question to him, significantly marked the manner in which a candid and honourable mind viewed the whole transaction.

"It appears, however," I pursued, "that the friends of Mr WAKLEY have denied the accuracy of the report."—"Yes," replied my friend, "but Mr WAKLEY himself has said nothing."—"And would you, would any man of decent pride, have attempted an explanation, after the passage I read some time since (and which I have quoted above). These Newspaper writers fancy themselves a species of elevated mortals, whom no one is to speak of without reverence. This very writer himself, in the mean time, does not hesitate, in the fullest manner, to state his opinion respecting others. He, with the utmost complacency, calls me a fool, and Mr O'CONNELL something very like a rogue; and asserts that we both belong to a begging and brawling generation;—but if any one hint that this said writer is not quite a SOLOMON, then we have a talk about 'offensive sentiment,' 'a day of grace,' 'foul slander,' and other Newspaper rhetoric.

It is evident that mere wounded vanity set this scribe upon Mr WAKLEY; and because his vanity was hurt, he scruples not to act the part of an unjust judge, and, warped by passion and by interest, to give a dishonest sentence."

On looking over the papers put into my hands by my friend, I found various letters contradicting the report given of the speech in question. There were others, however, which asserted its correctness. It is evident, nevertheless, that Mr WAKLEY did speak in praise of the said *Advertiser*; but he is stated to have *qualified* this his praise,—and herein lies his great offence. He did not think, he did not say, that the Paper was perfect, and therefore he is "corrupt," "selfish," "brawling," "begging," "a speculating senator," "ready to be sold," &c. &c. Such, my friend, is Newspaper justice—such Newspaper fame!

You may now, perhaps, be inclined to ask me what effect such an attack will produce upon the public generally? My answer is, "the effect will be still further to lower the Press in the public mind." Every steady and consistent public man is beyond the reach of Newspaper calumny and abuse. The illiterate person who penned the abusive articles in question, escapes both on account of his anonymous character and his original insignificance. But the Paper suffers:—I would advise his employers to look to it.

It will perhaps be gratifying to you to learn one instance of justice done by the public to a great criminal—I mean to the *Times* Newspaper. The disgust felt by the People generally at the barefaced profligacy of this paper, has led to a serious diminution of its circulation; and this has ended in touching the paper in its vital point. It is now found that an advertisement in the "*Times*" is not half as beneficial to the advertiser as one in the "*Chronicle*;" and I am given to understand that many respectable tradesmen have therefore transferred their advertisements to the columns of the latter journal. This will touch the pockets of the proprietors, and make them feel, in the only way they can feel, the effects of the public scorn and indignation.

Believe me, yours very truly,  
J. A. ROEBUCK.

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## UNSTAMPED PRESS.

BY

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### OF WHAT USE IS THE HOUSE OF LORDS?

MR HUME is reported to have said, a few days since, "that the People, if they were denied justice, would have to enquire for what purpose either House of Parliament existed?"

As I very sincerely believe that the People *will* be denied justice, I at once proceed to enquire for what purpose the House of Lords exists?

If the denial which I anticipate be quietly acquiesced in, we may be driven to enquire also into the uses of the House of Commons. At present we are content to ask, what are the services rendered to the nation by that body of hereditary legislators, the Lords?

In order that we may be prepared properly to answer the question proposed,—viz., of what use is the House of Lords? let us go a few steps backward, and enquire what is the end proposed to be attained by *Government* as a means; and, secondly, what are the circumstances which induce us to believe that the end in view can be attained by the means proposed?

The necessity for Government arises from a peculiarity of our nature, which we should ever carefully remember when we are discussing the subject of Government. Our wants, for the most part, can be satisfied only by means of labour. Now, labour is painful, and men, if they can, avoid it. But as they desire to have their wants satisfied, and as they dislike labour, they endeavour to make others labour for them:—hence men seek to obtain power over other men. The strong would, if left to themselves, coerce the weak, and compel them, by their labour, to minister to the wants and desires of the strong. The weak, in other words, would be made the slaves of the strong.\*

In order to prevent this, men combine and determine to protect one another against oppression: that is, in

\* I may now once for all state, that the principles which I shall in this paper attempt to illustrate, have been long since established by Mr MILL, in the article GOVERNMENT, in the "Supplement to the Encyclopædia Britannica."

other words, to prevent one man taking from another the produce of his labour—to prevent A, the strong man who has wants and desires to gratify but who is too lazy to labour for himself, in order to gain the means of gratifying them—to prevent this A from going to B, a weak man, and compelling B to work for him, A, and then living upon the proceeds of B's labour.

From this desire then which all mankind feel to gratify their desires without the pains of toil and labour, arises the necessity of that combination which is termed *Government*. But although it is true that out of this necessity arises *Government*, it is not true that the *sole* end of *Government* is merely to ensure to every man the produce of his own labour. Other things besides this are, or ought to be, included in the *ends* of *Government*; though it may be safely said, that if *Government* should really ever succeed in completely protecting every man in the quiet enjoyment of the proceeds of his own industry, the remaining portions of its duties will be comparatively light and unimportant.

Men dislike labour, but they desire the produce of labour;—they, therefore, seek to make others labour for them:—the strong oppress the weak.

The whole of a Society combines for the purpose of preventing the strong from thus oppressing the weak.

The body of men whom the Society has intrusted with the powers necessary thus to protect the weak from the attacks of the strong, is called the *GOVERNMENT*.

But here a new difficulty arises. The *Government* is composed of men;—they have the desires of other men. Now, what shall prevent the *Government* oppressing the nation? Those who compose the *Government*, like other men, dislike labour; but, like other men, they have desires and wants, which the proceeds of labour alone can

satisfy. They therefore, like other men, will seek to make others work for them, and will desire to live by the produce of other men's industry. You give them the power to coerce others;—their business is to exercise power. What will hinder their using it for their own benefit? What will prevent them gratifying their wants and desires at other people's expense?

To give the *Government* sufficient power to control Society, and at the same time to prevent their using this power for their own purposes, is the great problem to be solved in the science of *Government*—the grand practical difficulty to be overcome in the actual formation of a *Government*.

Now let us enquire how this difficulty has been met, and to what degree it has been overcome.

Experience having taught men the necessity of combining to prevent oppression, the first method adopted was the most simple and apparent. Some person was selected from the community who had gained their respect and confidence; this person was endowed with power and authority, and the community submitted to his will. It was soon found, however, that the power thus conferred was misused. The People, therefore, endeavoured to make the person using power in their name, answerable to themselves for the use of it. The whole people in a body thus participated in the business of *Government*. In a very small community this was possible. Shut up in a small town, surrounded by walls, few in number, the Greek communities, for example, were democracies, or popular governments, of the sort here described. The Magistrates were elected for short periods, by the whole people (the *demos*, hence the word democracy), and in many cases the People in a body actually administered justice, and in most cases made laws. The inconveniences

of this method, however, were enormous. Nothing was certain; there was great and constant confusion, and thus, in attempting to avoid the mischief arising from oppression by the persons exercising the powers of Government, they actually, in great measure, lost the very benefits they sought to attain by means of Government.

One thing was, however, clearly perceived by the various people who attempted this scheme, and that was, that some defence was necessary against the Government itself. It was the knowledge of this fact, the acute sense they had of it, and their constant endeavours to avoid the evils resulting from irresponsible power, that so peculiarly distinguished this remarkable people (viz. the Greeks) from all the nations by whom they were surrounded. They, nevertheless, did not succeed in solving the great difficulty in the practical business of Government.

Modern times have seen other and various attempts to get over the same great difficulty, and chance at length suggested a contrivance which seemed to promise success.

To make the rulers responsible, and at the same time to avoid the necessary confusion and mischief that followed from direct interference on the part of the People in the business of Government, was the great object. It was suggested as a means to attain this desired end, that the People should at certain intervals elect persons who should *represent* them; which persons alone should directly interfere with the conduct of the Government.

This was a happy idea, but in order to make it of service, certain conditions were necessary.

Let us understand the gradations of power necessary in this new scheme.

1. First there was the *Government*, that is, the body of persons who actually put the laws into execution.

This Government was composed of two *distinct* classes of persons:—

The judges, or persons who adjudicate between disputing citizens;

The administrative officers, who watch over the external and internal interests of the Society, and carry on the ordinary business of the Government.

2. Then comes the body of persons elected by the People to watch over the various functionaries composing the Government. These *representatives* are the guards, or watch-dogs, so to call them, of the

3. Third portion of the whole set of persons employed in the business of protection; and this third portion is the **PEOPLE**. The People by the power of election, control their representatives. The representatives check and control the Executive Government, and the Executive Government checks and controls all those persons in Society, who attempt to oppress their weaker neighbours.

Now, then, what are the conditions which are requisite to make these representatives fit and effective guardians of the People.

1. *The first necessary condition is, that they be responsible to the People.* To be responsible to the People means, that the People have the power of choosing and rejecting them. Without this there is no representation. Unless there be so constant a renewal of election, as to make the elected feel that it is necessary to shape his conduct so as to make it agreeable to the electors, representation is a farce; and no man in his senses will expect to derive from it those advantages which the theory of representative Government promises. So, also, if the People only nominally elect the representative, the condition of responsibility is not fulfilled, and before they can really elect their so-called representatives, there must be secret suffrage.

*Thus then the first necessary condition, viz. responsibility, includes the necessity of frequent elections and secret suffrage.*

2. The second condition necessary to make the Representative Assembly an efficient control over the Government, *is that it truly represent the interests of the People.*

There is but one way of attaining this condition:—*the whole People must elect the body.*

If only a part elect the representatives, that part of the People, having those desires, and that aversion to labour which I have so much dwelled on already, will, like the strong in all other cases, desire to oppress the weak, “*Quis custodiet custodes?*”—“who shall watch the watchmen?” was the acute question of the ancient in a similar case. What shall prevent this part of the People thus specially favoured, from following out their own interests, and making others minister to their wants and desires. Why do men dread a single despot? Because he will thus attempt to gratify his own desires. Why do they dread an oligarchy, but for the same reason? What is the meaning, then, of making an exception for an Aristocracy? An Aristocracy means a portion of the People, generally indeed a very small portion, who have distinction and power over the remainder. The immutable principles of human nature teach us, that when they are endued with irresponsible power, they will abuse it; and it is plain that it is irresponsible, so long as they may employ it as they please.

There is a point, however, at which, by enlarging the number of electors, you approach very nearly to the object in view. You may get so large a portion of the whole body, that the interests of the selected portion shall be nearly, if not altogether, the same as that of the whole People. The meaning of this statement is, that the portion which each person of this large elective

body would get by oppressing the whole, in his character of elector, would be smaller than the portion he would lose in his character of citizen. Before this happens, however, the number of electors must bear a very large proportion to the whole number of the People. Experience has taught the people of England, for example, that an Aristocracy may be very large, and yet very mischievous. We have seen the landed gentry (which is a large class), while it possessed the actual control over the House of Commons, make laws for its own especial interests; and what is still more startling, we have seen the *Reformed* Parliament uphold those laws. The laws to which I here allude are the Corn Laws, by which it is attempted to make the whole nation submit to pay a high price for its bread, in order to put money into the pockets of the landlords of England. From this experience, and from many other facts of the same description, I come to the conclusion, that before the elective body can be said practically to have interests the same as the society at large, it must include a very large majority of the whole adult population. There are many pressing reasons (which, for my present purpose, I need not here adduce) which make me believe that no Government will fully attain the end for which all Government is, or ought to be, established, unless it include in the body of electors, *the whole of the adult population.\**

\* The reader will see that I here maintain the so much dreaded doctrine of *universal suffrage*. In this opinion I know that I differ from many, for whose judgment and character I have the highest respect. Nevertheless, after having given the subject my best consideration, I am irresistibly led to the conclusion in the text. I may here mention that one chief reason that has brought me to this conclusion, is deduced from an argument usually brought against it. Much stress is generally laid upon the *ignorance* of many of the poorer members of every society, and danger to every thing beneficial is expected from that ignorance. If while the rich and the instructed felt thus, political



When you have attained a Representative Assembly, chosen under the conditions here specified, an instrument is at length found which overcomes the great practical difficulty I have insisted on. There would be a Government sufficiently powerful to coerce the strong wrong-doer, and to protect the weak oppressed. There would also be a controuling and checking body, which would not permit this Government to turn its powers to its own purposes; and there would also, in the last resort, be a power in the hands of the People, by which this checking body itself would be kept steadfast to its duty.

In this enumeration of the parts of the machinery necessary to constitute a perfect Government, there is no description of a body like our House of Lords. But there have been principles of our nature brought before the reader's mind, which would lead us to believe that an institution of that description would be fraught with constant danger to the community at large.

It has been shown that all men will seek for power over their fellow men, in order that they may, by the labour of those others, gratify their various wants and passions. It has been shown, that out of this principle has arisen the necessity for a Government, which is only a combination to prevent the strong oppressing the weak. It has also been seen, that danger is to be apprehended from any Government possessed of power sufficient to coerce, because the members of the Government would be moved by the same desire for power which all other men feel; and it has been shown that this danger can only be avoided by making the persons who

power were conferred on the poor, we should quickly see attempts made to *instruct* these poorer classes. An interest would be created in the minds of the rich of the utmost benefit to the society at large,—an interest not to keep the People in ignorance.

controul this Government constantly subject to the controul of the People.

Now, what is the House of Lords? It is a body possessing a negative upon everything to be done for the good of the People by the Government;—that is, it is a component part of that body by which the Government is checked and controuled. But, at the same time, its composition is such as to render it utterly impossible that it should perform its functions of a check upon the Government in a mode accordant with the interests of the People at large. It exists under neither of the two conditions which I stated as necessary to the efficiency of the controuling body. *It is not responsible to the People for the exercise of its powers; neither are its interests the same as those of the People.* In other words, from its very nature it is led to oppress and fleece the People for its own purposes, and it has the power to do so unchecked by the People.

That the House of Lords is irresponsible for the exercise of its power all will allow. It cannot be deprived at the People's discretion of the functions which now belong to it; neither can it be punished for mischievously employing those functions. What guarantee then have we that it will not misuse its powers?

Such is the mode in which any man would reason, to whom, for the first time, it should be proposed to create a body in the state endowed with the privileges of the Lords. Reasoning from the immutable principles of our nature, the conclusion to which he would be forced would be, that no possible good could be derived from such an institution, while evil might be expected from it in almost every shape.

He would observe, in the first place, that the powers of the House of Lords are *hereditary*. To sit in that House and to exercise the high functions which

belong to it, needs no fitness, no knowledge, no virtue, no ability. By blind chance a man becomes a Legislator. The idle, the profligate, the vicious, and the ignorant, are alike admitted. So long as a man can make out a peculiar pedigree, he is entitled to be a member of the Legislature of a powerful and highly instructed People.

We know that, before a man can learn all that it is necessary for a Legislator to know, much labour, much patience, much study are required. But study and labour are painful. A man must be under the influence of a strong motive before he will go through the toil necessary to acquire the vast quantity of knowledge which a Legislator ought to possess. A strong motive is necessary, in order to force him to bear and overcome the pain of study. But the members of the House of Lords are under the influence of no such motive. Whether they acquire knowledge or not, whether they be fit or unfit, they will be equally entitled to a seat in that House. But if a man be allowed to attain a given end whether he undergoes pain or not, it is certain that he will not undergo it. If he is in no way to be bettered by his toil, we may be assured that he will not toil. All the motives under which he acts are, then, motives to sloth, and sloth is the parent of ignorance. *From thence, without any peculiar experience, we might safely conclude that a body of Hereditary Legislators would be ignorant.*

Being thus incapable of doing good, even should they desire it, they would also, at the same time, be utterly averse to it. That is, they would not only be without the power, but also without the wish to be useful. Their desires, their wants, and consequently their conduct, would all be mischievous to the community at large.

A Peer, like all other men, has an insatiable appetite for power. He has

an immense variety of wants, which can be satisfied only by the products of man's industry; and at the same time he has the universal aversion to labour. He is also possessed of irresponsible power. The result will be, that he will employ this power to make others labour for him. But the business of a good Government is to protect each and every man in the enjoyment of that which his own industry has produced. The whole tendency of a man's conduct who should be placed in the situation of a Peer, would necessarily be against this object of a good Government. He would steadily and strongly desire to take away from his neighbours what their industry had produced. Everything that tended to give him control over other men's property would be favoured by him; everything that conduced to make all around subservient to his will would be grateful in his eyes. *In other words, while he was grossly ignorant he would be grasping and imperious.*

The evil effects upon the Peer's character, however, would not end here; I mean, evil effects arising from his hereditary and irresponsible power.

If mankind could be ruled like a flock of sheep, the enjoyment of despotic power would not necessarily vitiate the character. But men do not obey like herds; neither do their irresponsible rulers preserve the gentleness and tenderness of a shepherd towards his flock. "I never did perceive," says Xenophon, "a herd conspiring against its keepers, either so as not to obey them, or so as not to allow them the use of the fruits arising from them." But men do conspire against their rulers, when those rulers oppress them. Suspicion, therefore, haunts the mind of every despot, and cruelty is the child of suspicion. All who exercise irresponsible power suspect and dread the People. No man takes from another his property, or anything which that other loves, without

knowing that there rankles hate and a desire of revenge in the mind of the despoiled; and it will be the constant business of the despoiler so to coerce him whom he has despoiled, as to prevent him gratifying his desire of revenge. Thus despotism, by begetting suspicion and fear, begets also cruelty. *And thus the Peer who exercises irresponsible power will hourly be under the influence of circumstances which, while they render him ignorant, imperious, and grasping, also have a strong tendency to render him CRUEL.*

Thus, reasoning from the principles of our nature, without having reference to any particular experience, a man who knew that nature well would conclude that persons placed as the House of Lords now are placed, would be IGNORANT, GRASPING, IMPERIOUS, and CRUEL.

The peculiar experience which we derive from the English House of Peers does not oppose this conclusion. The history of that body teaches us that, from the earliest times of which we have the slightest record, down to the present hour, they have been as ignorant, rapacious, imperious, and cruel, as the manners and intelligence of the People would permit them to be.

At the present moment, though legally the power of the House of Lords be wholly irresponsible, yet there is a check upon them (an insufficient one, indeed) derived from their fear of the People. In times past this dread of the People was as nothing, and then was seen the full effects of irresponsible power. England was then one wide scene of confusion, rapine, and murder. Then the full-blown Baron showed his nature unchecked;—it flourished, it rioted—and what were the results? Utter insecurity for person and property. *The Baron was a robber, and the People slaves.* Times improved; the People began to gain power, began to curb the

licence and the horrible brutality of the Nobles. As the People gained power, their manners softened, and they acquired knowledge; and with increased intelligence came improved morality. The influence of both reached the Aristocracy as well as the other classes. The member of the House of Peers could not now satisfy his desires by open and downright violence. He had no longer the power of hanging the poor peasant, or of burning him in his house. This kind of oppression ceased, and the luxuries of irresponsible power were materially curtailed.

WALTER SCOTT, while endeavouring to describe the manners of our *glorious* ancestors, by the admirable fictions of ‘Ivanhoe,’ stops suddenly short in his narrative, and thus addresses the reader:—

“And here we cannot but think it necessary to offer some better proof than the incidents of an idle tale, to vindicate the melancholy representation of manners which has just been laid before the reader. It is grievous to think that those valiant Barons, to whose stand against the Crown the liberties of England were indebted for their existence [this I utterly deny] should themselves have been such dreadful oppressors, and capable of excesses contrary not only to the laws of England, but to those of nature and humanity. But, alas! we have only to extract from the industrious HENRY one of those numerous passages which he has collected from contemporary historians, to prove that fiction itself can hardly reach the dark reality of the horrors of that period.

“The description given by the author of the ‘Saxon Chronicle,’ of the cruelties exercised in the reign of King Stephen by the great Barons and Lords of Castles, who were all Normans, affords a strong proof of the excesses

of which they were capable, when their passions were inflamed.

“They grievously oppressed the poor people by building castles; and, when they were built, they filled them with wicked men, or rather devils, who seized both men and women who they imagined had any money, and threw them into prison, and put them to more cruel tortures than the martyrs ever endured. They suffocated some in mud, and suspended others by the feet, or the head, or the thumbs, kindling fires below them. They squeezed the heads of some with knotted cords till they pierced their brains, while they threw others into dungeons swarming with serpents, snakes, and toads.”—But it would be cruel to put the reader to the pain of perusing the remainder of this description.

“As another instance of these bitter fruits of conquest [say, rather, irresponsible power] and perhaps the strongest that can be quoted, we may mention that the Empress Matilda, though a daughter of the Kings of Scotland, and afterwards both Queen of England and Empress of Germany, the daughter, the wife, and the mother of Monarchs, was obliged during her early residence in England, to assume the veil of a nun, as the only means of escaping the licentious pursuit of the Norman Nobles. This excuse she stated before a great Council of the Clergy of England, as the sole reason for her having taken the religious habit. The assembled clergy admitted the validity of the plea, and the notoriety of the circumstances upon which it was founded; thus giving an indubitable and most remarkable testimony to the existence of that disgraceful licence by which that era was stained. It was a matter of public knowledge, they said, that after the conquest of King William, his Norman followers, elated by so great a victory, acknowledged no

law but their own wicked pleasure, and not only despoiled the conquered Saxons of their lands and goods, but invaded the honour of their wives and of their daughters with the most unbridled licence; and hence it was then common for matrons and maidens of noble families to assume the veil and take shelter in convents,—not as called thither by the vocation of God, but solely to preserve their honour from the unbridled wickedness of man.”—*Ivanhoe*, (vol. 2, p. 154, 3rd edition).\*

Increasing intelligence and increasing wealth enabled the People to make a stand against these atrocious despoilers. Then began the long battle between the Aristocratic and Democratic principles; a battle which is yet being fought throughout all Europe. The result of the strife is not doubtful, though long and arduous will be the struggle, ere the People are completely victorious. From the moment at which the combat begun, down to the present hour, the *Democratic power* has been advancing. As it has advanced, checking and dimi-

\* I quote the authority of WALTER SCOTT rather than HENRY, because WALTER SCOTT was a Tory, and a great lover of ancient times. The atrocity of those times, however, overcame his peculiar leanings; and his gentle nature could not but shudder at the horrid spectacle presented to his view, by the history of that period, when power rioted unchecked by the popular will. A history of the social state and manners of the Nobles from the Conquest to the present day would exhibit a picture frightful to behold. Their rapine and cruelty in the times previous to the TUDORS; their thoroughly savage immorality and oppression during the reigns of HENRY VIII, EDWARD, and ELIZABETH, combined with their frightful licence during the days of the STUART dynasty, would startle, and even terrify the reader, if they were all fairly and faithfully described. Since the revolution of 1688 cruelty and oppression have been *legalized*, but the interior history, the social proceedings, the every day life of our rulers since that time, would hardly appear less frightful than the horrors of ancient days. A more despicable set of wretches cannot be found than the Nobles of England under the GEORGES. Licentious, mean, in every way thoroughly corrupt and cruel, it would be difficult to find their superiors in vice in the world's history. The history that would fairly state all these things has yet to be written.

nishing the power of the Aristocracy, happiness and virtue have advanced with it; and each day which has seen the Aristocracy weakened, has seen the individuals of the body also improved. The power, however, which yet lingers with them, still produces its mischievous influence upon their morality and their intelligence. The softening of the national manners has indeed diminished the cruelty of the body, but their rapacity is as great as ever. They cannot, it is true, gratify this rapacity in the barefaced way of the good old times; but they seize with avidity, and use without scruple every shred and remnant of power which remains to them, in order to live at other people's expense. They are as cruel as they dare be, and meaner than they are they could not be. Who shall deny their cruelty while the Corn Laws and Game Laws remain? Who shall deny their meanness while the Pension List exists? Of their ignorance it is hardly necessary to speak. *That* has become a bye-word and a proverb. They lag behind the rest of the community an age at least. When an error has been exploded from every other nook in the kingdom, it still finds a sanctuary in the House of Lords; there it clings as to the horns of its own altar; and at last fades away by such imperceptible degrees, that no one can tell the precise date of its disappearance. It is true that the House of Lords does advance; but as with the hour hand of a clock, no one sees it move. Long, indeed, are the intervals of time needed to convince us that it has any onward motion.

Every amelioration in the condition of the People, every improvement in their institutions, has been made in spite of the House of Lords, and not with their assistance. Every lingering prejudice has been stoutly defended by this body of hereditary Legislators; every sinister interest finds amongst

them congenial sympathy. All that is base, all that is mean, all that is corrupt, all that is cruel in our various institutions, flies to the Lords for succour. When an abuse is driven from every defence among the remaining classes of the People; when the popular intelligence has detected it, and the popular will demanded its suppression, it fights its last battle, it throws up its last intrenchments in the House of Peers. No matter how noxious it may appear to all others, among the Lords protection will be afforded to it. The united voices of the nation may condemn it, but still the slow, dull intelligence of the Lords, will not detect its mischievousness;—their fondness for an abuse seems to increase as the condemnation of the nation increases. The louder the demand for Reform, the more tenaciously do they cling to the mischief. They relax not their hold till terror seizes them: when duly frightened, they yield,—but it is with groans, and sighs, and lamentations. The nation rejoices and is glad at each advance in improvement. But when the whole People are in jubilee, be assured the Lords are mourning. Each dying abuse contributes to the well-being of the nation; but the sinister interests of the House of Peers suffer in proportion. The fence that is put round the pockets of the People keeps out the pilfering hand of the rapacious and idle Noble.

It is not intended here, while pointing out the circumstances which determine the character of the *body*, to assert that every *member* of it has necessarily all the evil qualities which belong to the class. Every man that is placed in circumstances tending to evil, does not become evil. Some will escape contamination, and, in spite of mischievous influences, will become good and wise. Thus it is with the Lords. The tendency of the situation I have described is inevitable as respects the body, though

some individuals may not yield to it; consequently they are not all ignorant, imperious, grasping, or cruel; but that the body is so their acts have long since sufficiently proved.

If, then, such be the consequences of placing a body of men in the situation of our House of Peers, what have been the supposed benefits which, in the opinion of the admirers of that institution, counterbalance the mischiefs I have mentioned? It is not to be supposed that a body so powerful has wanted defenders. Arguments enough have been adduced in their favour; and a very acute sense of fear has been created at the bare idea of questioning the utility of this branch of Hereditary Legislators. What has been wanting in reason has been made up by threats and prophecies of evil; so that, until lately, no man would have had the hardihood to state the question in plain and formal terms. To doubt of the service of the House of Lords was worse than doubting of the truth of any of the Thirty-nine Articles. A man might be a Christian, though not squaring his belief to the precise number of thirty-nine points of faith; but it was impossible for him to be a good citizen unless he conceived an irresponsible and here-

ditary legislative body necessary to a perfect political constitution. We are fast losing this prejudice: the opposition to Catholic Emancipation began to open our eyes; the resistance to the abolition of the Test and Corporation Acts further enlightened us. The doings of Noble Legislators on the Reform Bill determined the opinions of many thousands; and now the last touch has been given to the good work by the outrageous absurdities practised respecting the Municipal Corporation Reform Bill. With these fresh experiences before us, we "may question boldly," without any fear of unnecessarily shocking popular prejudices; and the next object I have in view, therefore, is to examine the arguments of those who have endeavoured to convince the People that a body of Hereditary Legislators is necessary to the safety and welfare of the state. This purpose, however, I must defer for the present; but in a pamphlet which I shall immediately publish, I will, according to my ability, thoroughly examine some of the many pretences which have been set up in order to blind the People to their real interests on this important, and, until lately, somewhat dangerous subject.

J. A. ROEBUCK.

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## PERSECUTION OF THE UNSTAMPED PRESS.

THAT the present Whig Ministers are wholly unequal to their position, was never more completely proved than by their conduct last week towards the Unstamped Press of London. For many months they have allowed the law to slumber. As far as mere law was concerned, offence after offence has been committed daily, nay hourly, for the last six months, with perfect impunity. On a sudden, the law is

awakened, *vigour* as these statesmen (statesmen, God wot!) call it, is all at once exhibited, and an act of the grossest folly and oppression is perpetrated. What is the moment chosen for this sudden exhibition of manfulness? When have they thus unexpectedly determined to vindicate an unpopular and atrocious law? At the moment when their very existence as a Ministry is at stake; when their sole

hope of retaining office depends upon the extent of their popularity; when the slightest breath of the People could blow them at once from place and from power. This is the moment for the performance of the most unpopular act of their whole Administration—the one which the People will most deeply resent, and the most certainly visit with punishment.

In order that the reader may properly understand the utter folly, to say nothing of the immorality of this proceeding, let him distinctly place before himself the present situation of the Ministry. Then let him conceive the nature of the proceeding itself, and the present state of the popular mind on the subject of the Stamp Duties on Newspapers. When he has done this, he will join with me in saying that absolute madness could not have contrived conduct more marked by signs of the most outrageous insanity.

A very few months since, the House of Commons, in obedience to the will of the People, turned the Tories out of his MAJESTY'S Councils, and thrust the Whigs upon him, in spite of his openly expressed aversion to the whole of their tribe. It is known that the whole Court hate the Whigs. All the plotters and intriguers are daily and nightly endeavouring to cocker up his MAJESTY, so that he may again discharge them after the ignominious fashion of last autumn. Every species of influence is employed against the Ministry within the precincts of the Court. The highest persons around his MAJESTY are their most determined enemies; and there is not a single person about him, from the highest down to the meanest lacquey in his service, that does not vent his insolence upon every member of the Administration. The mind of the KING is assailed by every species of influence. They attempt to cajole, to frighten, to

mystify him; wife, brother, sisters, cousins, with a hundred others, all besiege our unfortunate SOVEREIGN; and neither night nor day brings him peace. His mind, even if of the strongest, would waver under such assaults; and it is plainly stated by all the Tory organs, that he very vehemently desires to be rid of his present advisers. No wonder. Our gracious MONARCH, like other men, loves a quiet house. Now it happens that those who are about him, whose duty it is to sooth and cherish him, forgetful of their duties, mingle in matters that do not concern them, and render the house of his MAJESTY little better than a hell upon earth, by their violence, petulance, and selfish intrigues.

Any man thus beset would gladly get rid of the cause of his annoyance; and the less powerful and steadfast his mental frame, the more irritable and impatient would he be under this hourly torture. The cause of this uneasiness to the King, is the Whig Ministry. All the interested persons about the Court hate the Whigs, because they are supported by the People—because their very existence as a Ministry manifests the power of the People—and because it is well known that this growing influence of popular feeling bodes no good to the jobbing and peculation that have so long flourished around St James's.

Such being the feeling of the Court, they wait only for an excuse to turn the Whigs out of office. The excuse at this moment is at their hand. It has long been the custom when a Ministry could not carry any measure, which, as a Government, they have originated or supported, for them to retire or be dismissed. The exceptions to this custom or rule, have arisen from the support given to a Ministry in such a position, by the People at large. Now it happens that the House of Lords have deter-

mined to have their own way respecting the Municipal Corporation Reform Bill, and have defeated the Ministry by a large majority. Such a defeat, if it be thought that popular support will not be given to the Whigs, will be fatal to them. The Court will immediately assail the King, in order to persuade him to dismiss them; and if he can once be made to believe that the People will be careless upon the matter, they will be discharged at once. The Whigs feel and know this. Their friends are striving their utmost to create manifestations of popular excitement. They are attempting to get up public meetings; they would even rejoice to see a manifesto from the now defunct Birmingham Political Union. In short, they would be delighted with any thing that would induce the King to believe that to dismiss these Whigs would be dangerous. And this is the moment which of all others they have selected, for the suppression of popular feeling, by putting down the Unstamped Press. It is idle to hope that the Middle Classes, they who read the Stamped Papers, can form large meetings. The *People* are required for that purpose; and it will be seen throughout London that apathy respecting the existing Ministry will be the result of the late extraordinary proceeding of the legal authorities, acting under the commands of the Ministry. The consequences of this apathy shall be described by the *Morning Chronicle*, the organ of the Whigs, which thus expresses its fears and its wishes on this subject:—

“The People of England,” says the *Chronicle* of Wednesday, “have the satisfaction of knowing that they have a leader who will not desert them in the hour of difficulty and danger. It now rests with themselves whether they will weakly abandon the cause which they have all but won to the enemy, or make one more exertion, by which that enemy

must be for ever crushed. But we will not so far libel the character of our countrymen, as for a moment to suppose that, when victory is about to crown their efforts, they will weakly turn their backs upon the foe, and submit to be trampled on by infuriated Oligarchs. [I must stop here for a moment to solicit the attention of the reader to this passage. Suppose that it had been found in an *Unstamped Paper*, should we not have had an outcry against *the incendiaries and anarchists who sell their ravings for a penny*. Here you have the real article for sevenpence.] Throughout city, town, and village, we expect to see the People once more at their posts, prepared to crown the work which added so much to the national glory in 1832. [Really the *Chronicle* is forgetting many of its old lessons. Why, what is the meaning of this ranting stuff? *It means that the People are to meet, and frighten the Lords*. The Whigs are inciting the People to run hazards for Whig purposes. National glory, indeed! What care we for national glory? Has national glory given us cheap knowledge? Has not national glory put three hundred persons into gaol for selling cheap publications? Has not national glory just robbed the Unstamped Press of 3,000*l.*? To talk to the People about national glory, and at the same time to shut up and beggar the most useful members of society, for doing more good for the People than could by possibility be done in any other way, is a fine means of making People hate national glory.] Repose from incessant and most harassing agitation they never can expect *till they humble the Oligarchy in the dust, for submission would only make these tyrants more insolent in their exactions*. This looks like agitation—agitation for Whig purposes. By and bye, when the object is attained, and the People begin to agitate for



their own purposes, we shall be threatened with prosecution, and the gaol will be the end of the long vista of cruelty and oppression with which Whig lawyers will favour the eyes of the *seditions* populace—*seditions then*, but, in the rumbling talk of the *Chronicle*, now it is “*a gigantic demonstration* ;” and the House of Lords is called “*a corrupt and hated faction*.” Resistance is now preached, and the People are supposed likely to be excited by the braying trumpet of the *Chronicle*. It will not succeed. The People have no faith in ye, Gentlemen. You cannot get up a demonstration. Your efforts exhibit your intentions, it is true, and your weakness at the same time. The *Chronicle* anticipates the result.] The nation wishes to enjoy the fruits of Reform in quiet and repose ; it is tired of political agitation, and its patience and forbearance *are just now large and conspicuous*.” And thereupon the *Chronicle* proceeds to blow the trumpet of sedition.\*

Such, then, is the position of the Whig Ministry ; now let us understand the act of which we are now complaining.

Some time since judgment was severally obtained against Messrs CLEAVE and HETHERINGTON, in the Exchequer, for publishing Papers without a Stamp. These judgments lay idle till last Friday, when in virtue of them, the Government seized certain papers, types, and presses, belonging, as they thought, to Messrs CLEAVE and HETHERINGTON. It ap-

\* As a matter of taste, I would really advise the various writers of the *Chronicle* to abstain from any further attempt at the sublime. So long as Mr BLACK was permitted to write in his own peculiar and admirable style, the Paper was worthy of being read, as containing excellent essays on various political questions. But of late the ruling powers have determined that the *Chronicle* should be fine, very fine and grand, and now it is an absolute penance to get through one half of the lumbering nonsense which its broad sheet contains. The figure that always suggests itself when I see these antics of the *Chronicle*, is that of a dancing bear.

peared, however, that the type and presses did not belong to either of them, but to other parties. In this emergency, the Government authorities be- thought them of an Act of Parliament long since forgotten, and seized the presses and type because not registered in the name of the parties to whom they belonged.

This Act of Parliament was the work of Mr PITT, in the year 1799, and directed against the Corresponding Society. One of its provisions requires that every printing-press shall be registered, and imposes a fine in consequence of non-registration ; and gives a power to a magistrate, upon information on oath, to enter upon any premises, and seize any printing-press not registered. This act moreover prohibits all debating societies which are not licensed ; and any house in which such club or society is held and not licensed, is declared a disorderly house.

Now it so happens, first, that nine out of ten printing-presses in London are not registered, because the act has been considered a dead letter ; and, second, that there is not a lawyer in London who has not violated this law as respects debating clubs. No debating club ever thinks of getting registered or licensed, and all the members, consequently, are liable to the penalties therein imposed.

It is under this act that Messrs LOVETT, WATSON, and SAVAGE, have been deprived of their property.

“*But*,” says the Ministry, hallooed on by the Stamped Press, “*the law must be obeyed. We acknowledge the law to be bad, but while it exists it must be obeyed.*”

Upon this I put certain questions to the Ministry,—premissing that I suppose by their rule, they mean that all laws, whether good or bad, must be obeyed ; for if they do not mean this, their argument is an idle one.

My first question is, why do they not enforce the law which prohibits the *lending* of Newspapers? By the 29 Geo. III. c. 50. s. 9. it is provided, that "If any hawker of any Newspaper, or other person, shall let out any Newspaper for hire to any person or persons, or to different persons, or from house to house, he, she, or they, so offending, shall forfeit and pay the sum of 5*l.* to be recovered and applied as any other penalty or forfeiture may be recovered and applied, by any law now in force relating to the duties on stamped vellum, parchment, and paper."

This provision was intended to increase the sum paid to the Exchequer for Newspaper Stamps. It was supposed that if Papers were lent, the sum would be less than if all lending was prohibited. I desire greatly to know why this wise law is not enforced. Perhaps I may answer my own question. It would *ruin the Stamped Press, and lead to the immediate abolition of the law enforcing stamps.* "But," to borrow the language of the Ministry, "the law, though bad, must be enforced."

My next question to the Ministry is, why, under this very act, they do not at once prosecute the Duke of CUMBERLAND and the rest of the Leaders of the Orange Lodges? If the law is to be enforced against three poor men, why is not the law to be enforced against these great and powerful offenders? You transported LOVELESS, and have kept him in banishment because he could read. If you were to transport the Duke of CUMBERLAND, you would not find his offence aggravated by any superior knowledge he possesses. He might, therefore, be quickly released, and an effective example exhibited to all powerful offenders, without any very great expence of pain. It here appears, that the part of the law which has been broken by the Duke of CUMBERLAND is a wise provision—and remember that

you say, *the law, even if bad, must be enforced.*

My third question to the Ministry is, why did you make a retrospective law this very Session, to exempt Printers from the mischievous operation of the Printers' Act, and, at the same time, punish these three men by the operation of a law equally mischievous. You did not enforce that bad law, and yet your general rule is, *that a law, though bad, must be enforced.* In the case of which I speak, a common informer having laid information against certain printers, you stepped in, and by a retrospective act, prevented] his persecution according to law. Now you take up the trade, and wield a mischievous law, in order to suit your own mischievous purposes.

But my next and last question is one that you will find it difficult to answer—*If, as you allow, the law be bad, why do you not repeal it?* You have the power so to do. What hinders you in your beneficent intentions? You pretend a desire to see knowledge spread among the People, and yet you refuse to adopt the only means by which knowledge can be made to reach them. The conclusion that I draw from all this is, that your wish to see the People improved is a pretence, sheer hypocrisy; that you dread knowledge, and therefore keep on the taxes which clog and impede its dissemination.

The present CHANCELLOR of the EXCHEQUER, when a deputation, of which I was one, stated to him the various benefits that would arise from taking off the tax, and showed him, beyond all doubt, that no loss whatever could arise from an immediate and total abolition of the tax, began, in order, I suppose, to divert us, to talk of the tax on glass; and shortly after, in the House of Commons, he distinctly stated that he had no intention to meddle with the tax on glass. Why,

then, did he talk to us about it? The reason was evident. He thought to put a strong mercantile interest in opposition to us;—and doubtless, when the Glass manufacturers went to him, he talked about the Taxes on Knowledge.

I would address myself to the People in this case; and, through the People, to the said CHANCELLOR of the EXCHEQUER. He talks of the loss to the revenue.—We proved that there would be no loss. But supposing that a loss had followed, did it never suggest itself to his mind that there was such a thing as *saving*? And further, I would ask if Mr HUME and myself did not, this very year, point out, in the Miscellaneous Estimates, means of saving the whole sum that he feared to lose? And did he not refuse to make this saving? And shall he now be permitted to talk of retaining the tax, because, though he allows it to be a bad tax, he says that he wants the money? The Government resisted us when we desired to save—

The expense of building forts and making canals in Canada, amounting, last year, to something beyond . . .	£50,000
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American Clergy . . . . .	14,290
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The Government of Nova Scotia . . . . .	6,688
	<hr/>
Making a total of . . . . .	£108,395

The Government opposed us in all these items, but they could not make the smallest defence for one of them. And yet when this extravagance is going on, the Chancellor of the Exchequer

talks to us of the loss that the Revenue will sustain if this odious tax is taken off!

The People feel that this is an odious tax. They see themselves shut out from knowledge on a paltry excuse; they see the most barefaced profligacy in expenditure, the most reckless profusion in all matters wherein the great interests of the country are not concerned, and the most paltry economy practised whenever the real interests of the community is the sole object of benefit sought from expenditure. Who would believe, if the papers before the House did not tell them the fact, that we have grumbling of all kinds, when 20,000*l.* is given towards building schools, and violent abuse showered upon those who object to throwing away that sum upon the Indians of North America? In short, who can wonder at the anger of the people, when every pretence is made use of to check improvement, and taxes, amounting to prohibition, are laid upon those means of instruction which are by far the most efficient? This anger of the public is strong and is daily increasing— and yet in the very hour of their need do the Whig Ministers determine to brave this anger and set the people at defiance. The supporters of the Ministry scoff and sneer when they are told that this will lead to the downfall of the Whigs. Three years since, backed by an overwhelming majority, Lord GREY'S Government set the Radical opposition at defiance. We persevered, however, and that Government fell to pieces. The present one is not able to stand an hour without our support: and we see in them the same recklessness, the same haughty and insolent bearing, the same contempt of the People. The same result will follow. Destruction will quickly overtake them. The People are beginning to believe that more good would be wrung from a

Tory Ministry, than from this amphibious tribe, who, while pretending to be Liberals, hate liberality; and who, while pretending opposition to the Aristocracy, do all they can to shew that they are of the Aristocratic faction. The day of reckoning is at hand, and we shall live to see Whig and Tory swept from power, and a Government with popular sympathies in their hearts, as well as popular sayings, upon their lips, ruling in their stead.

J. A. ROEBUCK.

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# ORANGE SOCIETIES.

By T. FALCONER.

EDITED BY

J. A. ROEBUCK, M.P.

[PRICE THREE HALFPENCE.]

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## ORANGE SOCIETIES.

FOR what objects were Orange Societies instituted? The answer of an Orangeman is—"To support the Constitution of the country, and to maintain allegiance to his MAJESTY, in opposition to Societies of a rebellious and treasonable nature—to join the Government in protecting the country in case of foreign invasion, and for purposes of self-defence." Such was the answer of the Deputy-Grand Master of the Orange Society of Ireland, and its value shall immediately be shown.

One of the first rules of Orange Societies is, that no Roman Catholic can be admitted as a Member. It at once exhibits their party character, and explains the purpose for which they exist. Their Constitutional objects are a mere pretence, too evident to be concealed by the generalities in which they are stated. By their exclusion, the disqualification of Roman Catholics must arise from their being considered hostile to the professed objects of such Societies; that is, that they are opposed to the Constitution of the country; that they object to the authority of the King; that they are concerned in rebellious and treasonable transactions; or that they are willing to join a foreign power. These are the reasons for association, and if a class of persons is excluded, it must be because the class will not co-operate in any of the objects of the Association.

It requires little trouble to show that the apparently laudable ends, of such Societies are not the true ones, and that it is neither the Constitution of the country, nor its Peace that they regard.

The first Orange Society was established in the year 1795. Other Societies previously existed of a similar nature, though they did not assume such perfect organization as those by which they were ultimately entirely superseded. In order to comprehend the political circumstances which led to and gave importance to them, it is necessary to refer to rather an early period of Irish history.

For various reasons, the Irish did not concur in the measures of the Reformation. They, upon the contrary, opposed, with much unanimity, the establishment of the Reformed Church of England in Ireland, to which had been assigned all the ecclesiastical fabrics, the right to tithes and other sources of income that had belonged to the Roman Catholic Establishment. In England, in Scotland, and in Germany, the great body of the People were converts to the Reformation. In Ireland they resisted the authority of the Legislature to force it upon them. The country itself had been badly governed for many years previously. Public officers had been sent out from England, who acted with great cruelty,

and brought the English Government into general odium. After the Reformation also, settlements were attempted to be made of Protestants, who should colonise various districts, in order that some portion of the population might be favourable to the Government. For it must be remembered, that when an uniformity of worship was directed by the Legislature to be observed by the People without distinction, those who dissented from it opposed the law, and were generally hostile to the Government in consequence of the penalties to which they were subject. The privileges granted to the settlers added to the suspicion with which they were regarded, and they failed to aid the conversion of the great body of the Roman Catholics to Protestantism. Attempts were also made to obtain conformity to the established worship by force, which being continually repeated, and always unsuccessfully, were the occasion of constant evils.

One portion of the population being harrassed and oppressed by the Government, and the other favoured, necessarily produced antipathies between them. The Roman Catholics were numerous, and were spread over the country; their opportunities to attack the Protestants were frequent, and more than once they inflicted a barbarous revenge upon their opponents. The Roman Catholics associated to protect themselves from the injustice of the Government—the Protestants to preserve the favour and partiality with which they were regarded by the Government, and, often under the pretence of self-defence, to attack the Roman Catholics. The one were called rebellious, the other loyal. A continued hostility between them was produced, which afforded the strongest possible evidence of the badness of the Government itself. If those ends only had been aimed at by those who governed,

which should have secured to the great body of the people, without distinction, the advantages of an equal administration of the law, and all parties had been treated with fairness and justice, there would have been no cause of irritation, and no violence would have been exhibited. The Government would have been treated with respect if no advantage had been unjustly obtained by one party over the other. But rebellion and sedition in Ireland have been the frequent consequences of the power of the Government being exercised in favour of a particular party, in direct opposition to the feelings and wishes of the great majority of the population. Those who were favoured formed associations for what they termed their protection, and the Government accepted their assistance from the sense of its own weakness. If the Government had rejected the aid of all such bodies, resting its security upon the character of its measures, many of the difficulties it experienced would have been avoided. The country would have been peaceable, from the conviction that no injustice was intended, and that no measure hostile to a portion of the population could be effected without being checked in the ordinary, and, in this case, "constitutional" manner. Party societies would have fallen to the ground,—they would have dispersed from the utter worthlessness of their proffered services, and the officers and the men would soon have learnt that their religion was the subject of individual responsibility, and not of legislative favour.

But in Ireland all the sources of party animosity have been kept alive with the bitterest feelings. The Orangeman boasts of his loyalty and attachment to the constitution. The word "constitution" he does not well understand, or he would have learnt to have acted in a somewhat different

manner than he does. His violent language is a sign that the term does not denote in his mind what it ought to do. The almost hereditary hatred which he exhibits to those of a different religious persuasion to himself, accompanied with affected reverence of the Government, is proof that loyalty means something beneficial to him, and mischievous to others, while the offers of support he constantly tenders to the Government, show the wretched and mischievous sentiments that he entertains. And why is this? Are Protestants and Catholics in Ireland to be at eternal war with each other? Do they live in hate in Germany? Do they not reside together in harmony and peace in our own possessions in Canada, where, as in Ireland, the great majority are Catholic? What has prevented their being united as peaceable citizens in Ireland? Simply because every ground of exasperation and ill-will has been favoured by the Government during a long series of years, distinguished for misrule.

After the reformation had been fully established in this country, and the art of printing had assisted the promulgation of its principles to a degree that rendered their suppression impossible, some persons of great influence, and especially Charles II and James II, were anxious for the establishment of the Roman Catholic religion in this country in connection with State Institutions. The measures that were taken for this purpose were opposed to the existing regulations of the law, and were sought to be effected in an offensive manner. The feelings of the People were outraged; and James II lost the crown of England. In Ireland, his measures, though equally illegal, were in many respects more in the nature of concessions to the public than of abuses of the prerogative. The Parliament of Ire-

land, in consequence of such measures, was composed of those in whom the People confided; restrictions on the Roman Catholics were removed, and a general toleration of religious sects was offered. The Protestants, who had been the dominant party, were discontented, the Roman Catholics were satisfied. Troops were sent from England, and, at the battle of the Boyne, the Prince of ORANGE, known as WILLIAM III, personally commanding the army, defeated the adherents of JAMES II. The anniversary of this battle has been kept by the Protestants in Ireland in commemoration of their delivery, as they term it, from Papacy, and of the establishment of Protestant institutions. Others keep it in remembrance of the principles said to be established by the Revolution of 1688. In England, there are one set of associations connected with it; in Ireland, another. In England, those changes in the Government were effected of which the People approved; in Ireland, those changes prevented which the People desired. In the one country satisfaction was felt that the wishes and feelings of the public were respected; in the other, that they were violated. England was the more powerful country, from its wealth and its resources, and was, therefore, successful in its contest with Ireland. The errors committed arose from the misunderstanding of the nature and the objects of Government itself. What public opinion effected in England, it was prevented from doing in Ireland; the People being satisfied in the one case with the measures of the Government, the usual effects were produced, and tranquillity was restored; being dissatisfied in the other, disturbances and outrages were the necessary results.

As soon as WILLIAM III was established on the throne, several laws were passed for the purpose of depressing

the Roman Catholics. Protestant Ascendancy was the general cry, and every effort was made by the Protestant party to suppress doctrines to which they objected. In Ireland this was done to a great extent, and the dominant party were aided by the composition of the House of Commons, and the extent of time for which Members were elected. Roman Catholics were excluded from Parliament, and the Members of the House of Commons were elected for the life of the reigning Sovereign. The inconvenience of responsibility was thus entirely removed, and the Members of the House of Commons acquired interests separate and exempt from the controul of their Electors, as absolutely and as mischievously as they would have done if they had been made Members of the House of Lords. Many efforts were made to abolish this state of things; and, in the year 1767, partly by clamour and partly by intimidation, the House of Commons was induced to pass a Bill shortening the duration of Parliaments. The Lords assented to it, in the hope that it would have been negatived by the Crown, and that the odium of its rejection would not be thrown upon them. To the surprise, however, and the horror of both Houses, the Royal Assent was given to it.\* In 1778, only a few years after, the Irish Catholic Relief Bill passed. It repealed many of the most offensive provisions of the statute, which the Dutchman "of glorious and immortal memory" had consented to inflict upon the country. From this time, until the present moment, the mass of the population of Ireland has, step by step, extorted from the Govern-

\* The 7 Geo. III., c. 3 (Irish act). The preamble declares that the limitation of the duration of Parliament may tend to strengthen the harmony and good agreement subsisting between his MAJESTY and the People of Ireland, and it enacts that Parliaments shall in future continue for eight years only.

ment that consideration of their interests, and that regard in the estimation of the legislature, of which it is in vain to attempt, for any length of time, to deprive a people who have opportunities of education,\* and of which they cannot even be temporarily deprived without exciting great dissatisfaction.

Every advantage gained by the mass of the population in Ireland deprived the Protestant faction of a portion of their power, and of the fruits of misgovernment. Having for a long time enjoyed all the benefits which the partial favour of the Government could confer, they were loath to permit it to diminish, and contested every encroachment made on them with ferocity and zeal. The peculiarity of their position they either did not or cared not to regard. The undue influence they had obtained was never suggested to them, and it was ascribed to treasonable intentions when any suggestion was made that the Roman Catholics were entitled to equal favour and protection with themselves. But with them the term Protestant was associated with ascendancy—with the monopoly of power—with the possession of all that it is desirable for persons to aspire to

\* The effects of education have always been feared by those who know their interests differ from that of the mass of the population. In 1714 the Schism Bill was brought into Parliament. It prohibited, in the first instance, Dissenters from having schools; but, after a warm debate in the House of Lords, schools for reading, writing, and mathematics, were excepted from its operation. The Lords thought reading, writing, and mathematics, harmless—a more extensive education might have made pupils inquisitive and intelligent. When the Clergy of the Established Church a few years since, were compelled to set up National Schools, they confined their instruction to reading, writing, and arithmetic, and reading to religious books. The reason is obvious. The ancient free schools of England, the grammar schools, were established to afford to all classes of society, enlarged, liberal, and comprehensive means of instruction—the best the age could give. Their advantages have since been confined to the children of rich parents; and many a child who is entitled to be admitted into them, is sent to a National School, where his instruction is of the most meagre character.



obtain. In the mind of the Catholic it implied political and social degradation, disqualification to appointments of offices of trust and value—the unequal administration of the law—the infliction of the grossest injustice, under pretence of carrying the law into effect, regulations which interfered with all public confidence, and destroyed the security of private happiness. Nevertheless, the Protestant now complains that the Government acts with injustice, and unduly favours the Roman Catholics. Every Act of Parliament which has deprived him of opportunities to oppress, has been treated as an interference with his privileges, and his title to ascendancy.

These complaints have been made by Orangemen whenever any concession to the Roman Catholics has been granted. Their absurdity is easily shown. The change effected in laws relating to Roman Catholics, by the mere alteration of the duration of Parliament, shows how little of voluntary sacrifice of Protestant interests there has been in any concession. Nor could it be otherwise. Every Government subject to the control of a representative body, must adopt the principles and the feelings that are current among the People. There may be measures which the Government would wish to avoid, and occasions when resistance to particular acts is desirable; but unless something like despotic power is exercised, any such wish will be unavailing, unless it is supported by public opinion. Many are the beneficial measures which it would be desirable to carry into operation, if the public mind were favourable to them. Unfortunately it is not, and they must remain unexecuted until their excellence shall be generally understood. In a representative Government changes must be made according to the wishes and feelings of the community. Good or bad will be in-

flicted by the Government according as the community is ignorant or instructed; for whatever are the prevalent opinions, with those the Government will be affected.\* Through any system of representation, every class will endeavour to obtain an influence in the Government; and in proportion to their numbers, their intelligence, and their wealth, they will succeed. If the Legislature makes a law more favourable to one class than to another, it is not to be ascribed to private partiality or individual favour exhibited by those who govern, but as a concession obtained through the political influence of those to whom it is granted. Parties objecting to any such concession will strenuously resist it; and, provided no partial aid is given to them by the Government, their resistance will be without evil. The contest, in these cases, is determined by the opinion of the community. Before the Roman Catholics could obtain any concession from the Legislature, it was necessary that the community should be able to judge of their demands. So long as ignorance prevailed respecting their wishes and desires, the atrocities of Lord GEORGE GORDON'S riots were almost unavoidable. As the People became intelligent their prejudices gave

\* "As it may always be alleged that a People's 'usages' and 'dispositions' are adverse to the reforms which any body has his reasons for disliking, this is a standing argument against all reform; though it is easily seen to be utterly worthless for that purpose, because, if any man says that such or such a measure is good for the People, but the People do not see that it is good for them, there is only one honest course open to him, and that is, immediately to set about instructing them. If anything is really good for the People, it is rarely indeed a very difficult matter to make them see that it is so. The only difficulty is with that class of persons who see that whether good or not for the People, it will not be good for them; who, therefore, do all they can to misguide the People. The mistakes of a People regarding their own interest may commonly be rectified, where much influence and artifice are not employed to delude them. What is only wanted is to unmask the influence and detect the artifice."—*Fragment on Mackintosh, by* —.

way, and they learnt that religious differences, instead of being causes of hate and ill-will, were to be respected; and that religious exercises, however opposite in their kind, may be as acceptable to man's Maker as those which the multitude may perform. When this degree of intelligence prevailed in the community, the influence of the Roman Catholics in the Legislature was established, and through the Legislature in the Government itself. The measures that have been adopted in consequence have been subject to the same control.

There are those, and every Orangeman is of this opinion, who think that the advantages the Roman Catholics have gained, will lead to the re-occurrence of the old and black days of priestly despotism, and to the degrading absurdities which once fettered the thoughts of men. Foolish and idle expectations! The very principles which led to the establishment of Protestantism, are those which should lead Protestants to respect Catholics, though they may dislike their doctrines, and induce them at all times strenuously to contend for religious equality. The great principle of the Reformation was the assertion of the individual responsibility of every person to ascertain, as far as his capabilities permit, the truth of the religious doctrines which he professes. The Bible was placed in the hands of the poor and the partially educated, on the ground that they are able to understand its contents sufficiently well to judge respecting them. Individual responsibility, the duty of ascertaining the truth, were the great principles of Protestant dissent. All persons were encouraged to deal fairly with the Bible, and to endeavour to ascertain the truth of the doctrines which priests or laymen might inculcate — principles that were too early departed from, and which are hardly now generally acknowledged, though they are the only ones

on which difference with the Church of Rome or with the Church of England can be justified. They have been frequently urged by some of the ablest divines of the Church of England, and are remarkably well stated in the following passage from the writings of the Rev. Dr Owen, a celebrated Independent minister, who lived during the period of the Commonwealth, and whose writings are still very deservedly esteemed:—

“As for religion, it is the choice of man, and he that chooseth not his religion, hath none, for although it is not of necessity that a man formally chooses a religion, or one way in religion in opposition unto and with the rejection of another, yet it is so that he chooses in opposition to no religion, and with judgment about it, and approbation of that which he doth embrace, which hath the nature of a voluntary choice.”\*

It is this doctrine of personal responsibility which should induce even Orangemen, as good Protestants, to respect Roman Catholics; and which, so long as printing as an art shall exist, and sufficient education prevail to enable more than a few to read, will never expire; it is the foundation of all genuine religion, though not of uniformity of belief; and will for ever prevent the re-establishment of

\* “Indulgence and Toleration considered.” The author, Dr Owen, received his early education at Oxford, at a time when a very able and intelligent race of divines frequented the cloisters of that ancient, but now bigoted, university. He affords a strong example of the advantages which Dissenters would derive if students of every sect were not compelled to subscribe their assent to, or according to the shallow jesuistry of Bishop Copleston, their assent to be taught, the Thirty-nine Articles of the Church of England. He was a very able and learned person, and affords a strong contrast to those who are the ministers of many sects now differing from the Church of England—a contrast which an improper exclusion from participating in the advantages of National Institutions has produced, and which before the lapse of many years will without doubt be destroyed.

the priestly domination of any sect. The Orangemen of Ireland, the asserters of Protestant Ascendancy, the admirers of the doctrines of the Reformation, do not perceive the very principles which they affect to commend. There is little difference between the blind assent they require, and the assent to the dogmas of the Catholic Church, which they are accustomed to blame. They do not know that it was not the law which created Protestantism, that it was not the superior wisdom of some given individual which induced men to become Protestants, but the willing co-operation of the People of England that enabled the law which gave ascendancy to Protestantism to be passed. The law was a bad one, and is not to be defended. It is one of many examples of a spirit of persecution which generally prevailed when it was passed, among both Catholics and Protestants. But the principles which it was to support preceded its enactment, and were those which would have had extensive influence, if the law had never existed. The merit of the changes it was intended to support did not arise from any resistance they offered to the Church of Rome, for mere opposition would have been worthless; but from their giving force and effect to an important principle of action connected with religious professions and the formation of religious belief—a principle assented to by the People, and which intelligent Protestants now extend not simply to those who are members of sects differing from the Church of Rome, but even to the members of that Church itself.

Orangemen, however, have talked—as ignorant men entertaining their opinions usually do talk—of the political evils of the Catholic religion, and of the aid it has within the last few years received from the Government. The talk is idle and foolish. They are looking at the absolute power which, as mem-

bers of a favoured sect, they formerly possessed, and of which they are now deprived. It is not their love of religious truth which excites their lamentations, or they would not have sought temporal aid to assist in the establishment of doctrines which must depend entirely upon the evidence which supports such doctrines; nor would they have employed any of the means they have adopted to induce Catholics to relinquish their religious creed, if the desire to establish the truth had been their chief wish. A very powerful and old writer has somewhere said, “That an Englishman scorns to have his religion cudgelled out of him, but show him when his feet slide, and you take his judgment and affections prisoners.” Religious truths are no more to be cudgelled into Irishmen, than they are to be cudgelled out of an Englishman. The mode in which they are to be taught is by laying bare the evidence which supports them; by dealing fairly with all doubts and difficulties, never endeavouring through fear to silence when the reason is to be convinced, or, in the words of a heathen writer, whose sentiments are worthy of universal adoption—“Knowing that enmity and danger are the attendants on force, while the path of persuasion is all security and goodwill; for they who are compelled hate whoever compels them, supposing they have been injured; whereas we conciliate the affections of those we gain by persuasion, while they consider it a kindness to be applied to in such a manner.” Whatever evils may accompany Catholicism are to be removed by argument and persuasion, and not by the law.

But the Orangemen of Ireland, utterly ignorant of the great moral principles the Reformation sanctioned, and careless of that respect for the law which they idly profess to inculcate, are associated to oppose all endeavours to re-

lieve Roman Catholics from the civil disabilities which, from the constitution of general and local institutions, grievously affect them. While the Government exhibited partiality to Protestants, the whole character of the Government was that of a party or faction. The law was administered with partiality; the Grand Jurors were Protestants; the Magistrates were Protestants; so were the Members of the Legislature, and the Officers of State; even the privilege of being a Barrister was for some time confined to that sect, and if a member of that profession married a Roman Catholic lady, he was disbarred. Every public act bore a party complexion, and was directed to party ends. And for whose benefit was this? For that of a miserable minority, who bore the same proportion to Roman Catholics that the following table of the religious division of the population of Ireland, in 1835, exhibits:—

Roman Catholics . . . . .	6,427,712
Members of the Established Church . . . . .	852,064
Presbyterians . . . . .	642,356
Other Protestant Dissenters . . . . .	21,808

So that the injustice committed by the Government, and the favour shown to a particular party, was for the benefit of far less than one-eighth of the whole population. And this partiality was exhibited in the most oppressive forms. It extended to everything which the Government could reach; it affected the imposition of taxes, and the mode in which property should be enjoyed; it held out inducements to children to give information of the religious exercises practised under their paternal roof, to betray the religion of the parents, in order to gain at once that property which might become theirs in the ordinary course of nature. Education was forbidden to the Roman Catholics by restraints of a most disgraceful character.

An horrible system of private and domestic suspicion was created; there was no confidence that was not liable to be betrayed. The most tempting rewards were held out for the sacrifice of all honourable feelings, while every encouragement was given to the exhibition of the grossest depravity. Attempts were made to destroy morality among the People, and there was hardly any act of injustice of which the law did not approve. This was Protestant Ascendancy; this was the system Orangeism was established to perpetuate. The Government aided the attempt, and having done everything to degrade and to vitiate the character of the mass of the population, astonishment is expressed that crime should be more frequent in Ireland than in England, and more frequent in some of the Catholic counties of Ireland, than in the counties in which Protestants are numerous!

This system has also produced effects which will for a long time seriously interfere with the establishment of an impartial Government in Ireland. The Roman Catholics have learnt to watch with suspicion all the acts of the Legislature, and to believe that every public measure has a party object, and they necessarily entertain the greatest jealousy lest any undue favour should be shown to those who have always acted towards them with the bitterest hostility. These feelings are so acute, and have been so well founded, that suspicion of public men will be kept alive long after the occasion of it exists. It is necessary to remove them, in order that the Government should possess that confidence, without which it can have no extensive utility. The only mode of effecting this is bad, though it cannot be avoided. It is by a strong leaning towards the majority, and by the exhibition of a degree of partiality which, under other circumstances, might show an undue disre-

gard of the minority. The evil is great, but it is a less evil than unjustly siding with a minority, as it is one which must terminate even without the assistance of the Government. The majority, that is the Roman Catholics, are now bound together by a sense of the injustice with which they have been treated. They are too numerous to be always unanimous in assenting to measures which shall depress any one party improperly, and the more liberal among them would prevent such depression. The minority will not lose its proper influence, while it will abandon the worst party features which now, from its peculiar privileges and position, distinguish it.

The excesses that were committed in the palmy days of Orangeism would hardly be believed in this country.\* They were cruel and wanton, and were, at the same time, accompanied with

\* Colonel Charles Napier, C. B., in a work on Colonization, lately published, states the following fact, (p. 135):—"A friend of mine, Capt. B—, told me, that being an ensign of militia in 1798, he was ordered by two Orange magistrates to march from one town to another town, twelve miles distant, with twenty militia men; and his orders were *to shoot every living creature within musket-shot of the road; man, woman, and child!* and that such was the excitement of the time, that *he did so*: nor did the atrocity of the transaction strike him, till I convinced him that he had done great wrong! The fact then preyed upon his spirits in the most fearful way; though he had continued for three years to believe that he had been *very loyal* in destroying the King's subjects, and *very religious* in destroying God's creatures." This fact is not a singular one of its kind. I have known a very distinguished officer for above twenty years, and have not the slightest doubt of the truth of his statement, who told me, that when in Ireland, during a time when martial law prevailed, he was ordered with his regiment to a disturbed district. They got into their hands four persons who were suspected of exciting discontent, and a priest who had great interest with the People. A court martial was held, sentence was passed on the persons seized, and the five poor beings were one after the other hanged for a few minutes, then cut down, their heads chopped off, and the bodies thrown into the river. I could give names, dates, and place, and am satisfied there was no exaggeration in his account. What scenes must Irish Catholics associate with the proposal of a Coercion Bill and the establishment of martial law!—T. F.

many absurdities. There is a statue of King WILLIAM in Dublin, which it was customary to dress up with Orange ribands on the anniversary of the battle of the Boyne. On one of these occasions, the LORD-LIEUTENANT and the two Houses of Parliament in Ireland, attended by the public functionaries, made a procession round the statue. The absurdities of children are sometimes of this character; and, apart from the motives which led to this scene, it might be paralleled by the LORD-LIEUTENANT being dressed up as Jack-in-the-Green, and dancing through the streets of Dublin with the Officers of State about him! Yet a sapient member of the Committee of the House of Commons, sitting upon an inquiry into the objects of Orange Lodges, asked Lord GOSFORD in his examination, when the fact was mentioned, "if he thought it a *judicious* thing to discountenance, in a sudden manner, such a practice (making processions round an ugly figure on horseback), seeing that the Government itself used to engage in similar celebrations?"—It was a party procession, degrading to all concerned in it, and any discountenance it receives from the Government now-a-days, constitutes an Orange grievance. It should have been discouraged at the earliest moment. It showed a spirit in the Government which deprived the mass of the population of all hope of seeing any public grievance redressed, or that any crime its supporters might be guilty of would be properly punished. The sense of security was taken away from them by these party exhibitions, which were hateful, as they confirmed the hopelessness of obtaining that justice through the Government which the legal tribunals dependent on it refused. The People were taught that they could gain no redress for their complaints through legal and constitutional channels, and they learned that a few hundred mem-

bers of the Established Church were the uncontrolled, irresponsible, despotic masters of millions. The civil disabilities of Roman Catholics were in themselves sufficiently galling and offensive; and an intelligent Government would not have rendered them more so. There was sufficient injustice in the laws themselves, without adding to it by the mode in which they were administered; and the only amends a Government could have made for the evils they occasioned, would have been to have mitigated the law in its execution, instead of insulting those against whom it was directed. But, fortunately, one Administration after another has been shipwrecked in this warfare against the People, until a Government has been formed which seems to be sensible that it is its first duty to place all classes and all religious sects upon a footing of perfect equality. It necessarily assumes a party complexion in favour of the Roman Catholics, and it does so because by no other means can tranquillity be restored to Ireland.

Had not these party societies existed, and their views being favoured by different Administrations, the Battle of the Boyne would have been as generally forgotten in Ireland, as it is in England. It would have been a mere historical incident, having about the same degree of interest as the Battle of Hastings. Intelligent persons of all classes would have laid aside their animosities, and their different modes of religious worship would have created no offence. In England no jealousy is entertained of a Roman Catholic, nor does a Roman Catholic entertain ill will towards Protestants. Both know that their opinions are conscientiously entertained; that by reason of their religion, neither are disposed to act criminally; and they feel satisfied that the law has been and is impartially administered among them. In Ireland, unfortunately, a system has

been pursued which with justice excites suspicion between the two sects. If an Orange magistrate presides at a judicial investigation, the Roman Catholic doubts the justice of his decision; if a magistrate who is an opponent of Orangemen presides, the Protestants suspect his conduct. This feeling is very general, and perhaps there is less ground for it at present, than there was formerly. Sir F. STOVIN mentions it in his evidence given to the Committee on Orange Societies, thus:—

“ You stated that the impression upon the minds of the People was, that the Roman Catholics do not obtain justice from Orange magistrates?—I have heard it stated.

“ Is not there sometimes a similar impression on the part of the Orangemen, that they do not obtain justice on the part of the Lord Lieutenants and magistrates who are opposed to Orangeism?—Yes, certainly.

“ And that is generally one of the unfortunate results of strong party feeling?—No doubt.”

It is a feeling that ought not to prevail in any society, and can never exist unless there has been reason for it. No fear is entertained in England of the magistrate being governed by his peculiar religious views, and no such fear would have prevailed among the Irish, if the influence of a particular party had not been bolstered up by the law. The magistrates were commanded to act with injustice by the law, and it can create no surprise that their injustice became habitual.

From the comparative number of Protestants compared with the number of Roman Catholics, many of the evils of their unequal position would have been checked, if the former had not been assisted, not simply by the Government, but by persons of rank and influence. The profits of the connexion explain the reasons of its ex-

istence, though still it is to be lamented. But since the advantages of the connexion have, by various acts of the Legislature, been greatly diminished, and are likely to be altogether removed, it is to be regretted that those whose rank alone gives them influence, should support opinions, the mischievous effect of which is obvious. By the sanction of such persons, the existence of Orange Societies is at the present time entirely maintained. The late Duke of YORK was the Grand Master of Orange Societies, and on his death the Duke of CUMBERLAND was appointed to the office. Other persons of rank and wealth are connected with them, and the Bishop of SALISBURY is prelate of the order. These persons interfere with the ordinary business of the Government, by pretending to give it support, which it does not need, and which, if it was of use to the Government, would show that the Government itself was bad. They excuse their association by the jargon which is very uniform, and of which the following is a specimen. It is part of a letter, dated June 21, 1832, addressed by the Duke of CUMBERLAND to the Orange Societies of Ireland:—

“We are now assuredly in an awful crisis. We know not in whom to place confidence for our security from repression, even when influenced solely by the most loyal sentiments of attachment to our gracious Sovereign, and to that sacred Protestant cause; or, to express the same thing in other words, that Orange cause, to maintain which our family of Brunswick was called to the throne, and which I, for one, will never abandon.”

It could not be expected that the Duke of CUMBERLAND could understand the principles which seated his family on the throne, but those about him might have understood them. It

seems never to have occurred to him that the conduct of JAMES was objectionable, simply because he acted in opposition to the law. His despotic proceedings were connected with religion, and therefore Protestantism was one of the great questions connected with the establishment of the Prince of ORANGE upon the throne. But the conduct of JAMES was censurable, upon account of the *illegality* with which he attempted to carry his measures. This the Duke of CUMBERLAND, as member of the House of Brunswick, standing in the order of succession to the throne, should not forget. If the people had been as intelligent and instructed as they now are, they would have understood that no political evils necessarily arise from Catholicism, and that the acts of religious persecution, by the relation of which they were constantly excited, were peculiar to a state of society far different from that which could again exist; and the religion of JAMES the Second would not have been confounded with the illegality of his proceedings. It has been the interest of those who profited by the Established Church, as a source of pecuniary gain, to misrepresent the conduct of JAMES II, and for a long time they were too successful. It was his illegal acts which justified his expulsion from the throne, and this the Duke of CUMBERLAND should clearly understand.

Respect for the law, or submission to the acts of the legislature, was the principle which placed the House of Brunswick upon the throne. Let us see how the Duke of CUMBERLAND has observed it. He is a Field Marshal and an officer of the English army—an army governed by Act of Parliament. As it is not possible to controul military bodies in the same manner as any other association of men, it is necessary they should be under very strict discipline; and that those who issue any orders

affecting them, should be authorised to issue the orders, and should be responsible for them. The reasons for this are very plain—even the Duke of CUMBERLAND should be able to comprehend them. Now, among the soldiers of the Army are many Roman Catholics, who, when brought to live on terms of intimacy with persons of other religious persuasions, would soon abandon any personal prejudice which their religious opinions might have excited. A cordial feeling among the men of this kind, ought to be encouraged, inasmuch as it contributes to their happiness, and to the maintenance of obedience and discipline. Suppose an Orange Lodge is formed in a regiment, and that many of the men are Roman Catholics. Will the members of the Lodge entertain kindly feelings towards the Roman Catholics, or will the Roman Catholics be otherwise than jealous of the conduct of the Protestants? Will not the Irish soldier who is a Catholic remember the events which have occurred in his own country, and be at once alarmed at his position? Will he not associate and band himself with those of his own creed; meet with them secretly; plan designs against his comrades, and feel himself in a state of insecurity? He will inquire what are the religious views of his officers, and, according as they oppose or coincide with his own, favourably or unfavourably interpret the commands he receives. All the motives to good behaviour will be shaken, and the proper discipline and control that officers should maintain in their regiments will soon be seriously affected. There will be an imperfect organization of the regiment—two divisions separated by religious differences, as much disposed to act against each other as against a common enemy. In such troops no Government could have any confidence. They would be subject to rules unknown to

their officers, and under the influence of solemn declarations—that is, oaths, for swearing upon the Evangelists, does not enter into the essential qualities of an oath—which are kept secret and controlled by the orders that are unknown, and that are issued by persons unknown and irresponsible for them. Would not measures which produced this state of things, which would make the army a nuisance, and deprive it of the limited degree of utility which arises from it, be measures of more than a slight degree of illegality, as well as criminality—sufficient, from the danger they threaten, to startle the noisiest declaimer on the principles which seated the House of Brunswick on the Throne? \* Yet Orange Lodges do exist in regiments—Orange Lodges of which the Duke of CUMBERLAND is Grand Master; sitting under warrants signed by him with his name, and having the same ends which have been productive of so much ill blood in Ireland. The warrants are said to have been issued in blank, and that the Duke of CUMBERLAND was ignorant of the persons to whom they were directed. The public are not in possession of any evidence distinctly to prove the contrary, though facts have been stated in the House of Commons which make the asserted ignorance of the Duke of CUMBERLAND more than doubtful. In a few days we shall be better informed, and shall then know whether acts which are subversive of all discipline in the army, are sanctioned by an officer of the highest military rank, and by a member of the House of Brunswick, whose loyalty and

\* When the principles which seated the House of Brunswick on the Throne are talked of, let it be recollected that one of the first acts of the first of the new dynasty of Guelphs (1 Geo. I. c. 38), was to poison the Constitution of the country; of that country, the voice of which called him to the Throne—by consenting that those who had been elected for three years should, by their own vote, sit for seven. And thus septennial instead of triennial Parliaments were established.—BENTHAM.



attachment to the Constitution is represented to be singularly devoted.

It would be impossible, in a few pages, to run through the many illegal proceedings with which Orangeism is connected in Ireland. It is sufficient to state its general tendency. When it has been connected with the Government, partiality in the administration of the law; oppression in various forms; general discontent and disaffection have been produced. Protestants, as well as Catholics, have admitted this to be the case; and in confirmation of it, though taking distinct parts of a mass of evidence may be subject to suspicion, it may be useful to quote the opinion of Lord Gosford, the Protestant Lord-Lieutenant of the county of Armagh.

3715. "Your Lordship would not say that the common character of the Orangemen is refusal of obedience to the laws? I do not think that their general principles, *as published*, go to that extent; but I have no doubt that the formation of the Orange Body has led to a great deal of lawless conduct, and very injurious consequences."

3991. "Your Lordship came here under a very strong impression against the Orange principle?—I have decidedly a very strong impression—a very strong anxiety to see that Orange system put an end to, because I think it is to the interest of Protestants, the peace of the country, and the peace and security of property, that it should be so."

This opinion all but Orangemen must entertain, for it is impossible the system could exist, connected as it is, in the minds of the Roman Catholics with the most painful associations, without producing all the consequences stated by Lord Gosford. And yet the evils which it inflicts are not sufficiently appalling, nor the illegal acts which it occasions sufficiently mischievous to prevent it receiving the support of persons of rank—of lay and ecclesiastical

nobles. It is justified by some on account of the character of the Irish people. Their temperament is said to differ from that of the English; their Government is good enough for them, but they are dull, and will not perceive its excellencies; there is an impatience about them which prevents their obeying the law; their very nature prevents them from being peaceable and orderly in their behaviour. But has any other system than coercion ever been tried, in order to ascertain its influence? "Laws," said Lord CHARLEMONT, "of the most sanguinary and unconstitutional nature have been enacted; the country has been disgraced and exasperated by frequent and bloody executions; and the gibbet, that perpetual resource of weak and cruel legislators, has groaned under the multitude of starving criminals. Yet, while the cause is suffered to exist, the effects will ever follow." A good government has never prevailed, and from the mode in which our House of Lords is dealing with the English Municipal Reform Bill, will evidently not exist in Ireland for some time to come. The influence of a faction will be allowed to prevail, and the People will continue to be censured for the vices which distinguish only their rulers.

But, whatever illegalities Orangeism may have produced in Ireland, there can be no doubt that its existence in England is also against the law. The act against Corresponding Societies is still in force, which makes Associations, constituted as the Orange Societies are, illegal. The Printing Presses of Messrs LOVATT and SAVAGE have been seized under its provisions, accompanied with circumstances of the greatest hardship. The Presses were not registered, and, from the neglect of a mere formality, were taken possession of by the Officers of the Government. Their owners were guilty of no offence; they had done nothing that the law condemned, except

neglecting to enter their names with the Clerk of the Peace for the county of Middlesex.\* But what is the offence of those who break the principal provisions of that Act of Parliament? What shall be said to excuse their having formed illegal associations, and being connected together in different parts of the country, by affiliation with a Central Society, of which the Duke of CUMBERLAND is Grand Master? Is this an offence which Brunswick principles excuse, or one which is to be pardoned as harmless? Is the rich and powerful individual to be exempt from legal liabilities on account of his rank, and those whom the Government pleases selected as victims to vindicate, as it is called, the law? A few weeks will prove if this is the case.

Before dismissing the subject, there is one objection which it is important to meet. It is said that if the law gives to Roman Catholics freedom of religious worship, Protestant principles will lose their influence. A general reply to the objection, perfectly sufficient in itself, would be, that if they can bear no competition with the principles of Catholicism, the sooner they lose their influence the better. They can deserve no defence if, as great moral principles of action, they can be of no service in any active encounter with conflicting principles. There can, however, be no serious

\* In the debate which occurred this week in the House of Commons, on the petition presented by the parties whose Printing Presses were lately seized, Mr BAINES, M.P., made a speech which, it is hoped, will not be lost upon the Electors of Leeds. He justified the seizure of the Printing Presses on the ground that they were used to print Unstamped Papers, and were therefore to be treated as a Ship having on board contraband goods. Perhaps he does not know that *by law* the Ship is liable to seizure for having such goods on board, and that there is not yet any law which enables a seizure to be made of Printing Presses, at which illegal publications are rolled off. The other portions of the speech of the *Liberal* Member for Leeds respecting the Stamp Duty on Newspapers ought not to be forgotten, as they were as remarkable for their illiberality, as the analogy he drew was for its incorrectness.

reason for the objection. It is rather that of a Churchman than of a Protestant; it savours of the trickery which at one period of our history distinguished those who were afraid of the Non-Conformists or Dissenters; and, therefore, to weaken them, excited alarm lest any influence of which the Established Church should be deprived, should give an advantage to Roman Catholics. The Church was by that means secured in its possessions; its power was consolidated; and the Test and Corporation Acts were the penalties paid by Non-Conformists for falling into the snare most ingeniously and cunningly laid for them. But the Churchman, interested in Church revenues, is, in truth, not afraid of the Roman Catholics—he fears religious equality.—There is also another objection, founded on historical events, deserving of notice. Charles II, it is said, was anxious to secure a general toleration of religious sects, in order to obtain opportunities to establish the Roman Catholic religion. He saw that any particular measure which should be proposed favourable to Roman Catholics would meet with a successful resistance, and therefore intended to gain for the Roman Catholics that influence under a general measure which would subsequently have proved fatal to Protestants. This is a common historical argument, which is easier of confutation than those who urge it are aware. In the fourteenth year of Charles the Second, a charter was granted to the colonists of Rhode Island. The persons who received it were, many of them, those who had left England in order to avoid the religious persecutions to which they were exposed,—not from Roman Catholics, but from the Church of England, under the acts for securing uniformity of religious worship. That charter contains the following remarkable provisions:—

“To preserve unto them (the colonists of Rhode Island) that liberty in the Christian faith and worship of God which they have sought, with so much travail, and with peaceable minds and loyal subjection to our Royal progenitors and ourselves, to enjoy; and because some of the people and inhabitants of the same colony cannot, in their private opinion, conform to the public exercise of religion according to the Liturgy, form, and ceremonies of the Church of England, or take or subscribe the oaths and articles made in that behalf, and for that the same, by reason of the remote distances of those places, will, as we hope, be no breach of the unity and uniformity established in this nation, we have therefore thought fit, and do hereby publish, ordain, and declare, that our Royal will and pleasure is:—

“That no persons within the said colony, at any time hereafter, shall be in anywise molested, punished, disquieted, or called in question, for any differences of opinions in matters of religion, who do not actually dispute the civil peace of our said colony; but that all and every person and persons may, from time to time, and at all times hereafter, freely and fully have and enjoy his own and their judgments and consciences, in matters of religious concerns, throughout the tracts of land hereafter mentioned, they behaving themselves peaceably and quietly, and not using this liberty to licentiousness and profaneness, nor to the civil injury or outward disturbance of others.”

This charter is still in force, and it is the only one of those granted by the English crown which still regulates the constitution of any of the states in America. It made all the public officers of the colony elective, and from the liberal and popular nature of its pro-

visions, afforded no necessity to abolish it, when other constitutions granted by the English Government were swept away. Under the clause that has been quoted, all religious sects were placed upon a footing of perfect equality, and have continued in that position to the present time—no state privilege, no peculiar liberty or exemption being granted to one sect more than to another. What Charles the Second offered to the English was conceded to the colonists of Rhode Island. And what has been the result? Has the Roman Catholic religion destroyed the Protestant churches in that country? Were the pretended designs of Charles the Second to accomplish the destruction of all that Protestants revered and respected, successful? That law which excited alarm in England, has been accompanied with every blessing which a just and good law will always produce. The Republicans of Rhode Island have adhered to it, though it commences with the regal titles of the prince of the family of Stuart, and have enjoyed under it advantages which no charter granted by a prince of the House of Brunswick has ever conferred on English colonists. When the measures of this country were odious to the Americans; when they had every temptation to erase all signs of the superiority which it had exercised over them, this charter was preserved in all its integrity, and still regulates the government of a state, in which, for above one hundred and seventy years, religious equality has been maintained by the law. Let those who pretend to be assured that the principles of the Reformation cannot stand without Legislative aid, and think Orangeism useful, see how powerful those doctrines are which they presume to think their puny efforts support.

TABLE of Petitions presented to the House of Commons (up to July 21), praying for a REPEAL of the TAXES on KNOWLEDGE.

By whom presented.	From whom, or whence.	Sig.
Mr Roebuck . . . . .	London . . . . .	227
Ditto . . . . .	Leeds . . . . .	562
Ditto . . . . .	W. Child . . . . .	1
Dr Bowring . . . . .	Leicester . . . . .	172

Mr P. H. Howard . . . . .	Carlisle . . . . .	27
Mr Strutt . . . . .	St Andrew's, Holboru . . . . .	232
Mr Chalmers . . . . .	Forfay . . . . .	112
Dr Bowring . . . . .	Kilmarnock . . . . .	72
Col. Gore Langton . . . . .	Frome Selwood . . . . .	253
Mr Wallace . . . . .	Greenock Mechanics . . . . .	270
Ditto . . . . .	Masons . . . . .	80
Ditto . . . . .	Carpenters . . . . .	120
Ditto . . . . .	Mechanics . . . . .	111
Mr Roebuck . . . . .	Bath Mechanics . . . . .	108
No name . . . . .	Barnsby . . . . .	232
Mr C. K. Tynte . . . . .	Yeoville . . . . .	906
No name . . . . .	Glenfield . . . . .	81

No name . . . . . Northampton . . . . .	961	No name . . . . . Glasgow Masons . . . . .	255
Mr Strutt . . . . . Derby . . . . .	944	Mr Oswald . . . . . John Tait . . . . .	1
Mr Hume . . . . . Preston . . . . .	2872	Mr E. L. Bulwer . . . . . Wangford . . . . .	150
Ditto . . . . . Lambeth . . . . .	219	Ditto . . . . . Berry Brow . . . . .	338
Mr Roebuck . . . . . Norwich . . . . .	2972	No name . . . . . Lincoln . . . . .	696
Ditto . . . . . Bath Guardian . . . . .	2	Ditto . . . . . Printers . . . . .	35
No name . . . . . Ausby . . . . .	160	Mr Tennyson . . . . . Stamford . . . . .	135
Ditto . . . . . Glasgow . . . . .	408	Mr H. Marsland . . . . . Stockport . . . . .	1836
Sir H. Parnell . . . . . Dundee Printers . . . . .	25	Dr Bowring . . . . . Dorchester (Young Mens' Society) . . . . .	60
Mr Heathcote . . . . . Hanby and Shelton . . . . .	394	Mr Lister . . . . . Bradford (Yorkshire) . . . . .	755
Dr Bowring . . . . . Birmingham . . . . .	147	Major Curteis . . . . . Rye . . . . .	255
Ditto . . . . . Port Glasgow . . . . .	282	Mr Hume . . . . . Brentford . . . . .	172
R. Colborne . . . . . Wells . . . . .	455	Ditto . . . . . John J. Stockdale . . . . .	1
No name . . . . . Belfast Printers . . . . .	89	Dr Bowring . . . . . Saxthorpe . . . . .	65
Dr Bowring . . . . . Glasgow . . . . .	2068	Mr P. Thomson . . . . . Manchester New Mechanics' Institute . . . . .	175
Mr Methuen . . . . . Trowbridge . . . . .	312	No name . . . . . Bradford (Wilts) . . . . .	135
The Lord Advocate . . . . . Leith . . . . .	1554	Mr Heathcote . . . . . Hanley and Shelton . . . . .	337
Mr Gisborne . . . . . Chard . . . . .	428	Mr Chichester . . . . . Barnstaple . . . . .	330
No name . . . . . Derby . . . . .	240	Mr Wallace . . . . . Greenock . . . . .	1667
Mr Divett . . . . . T. Besby . . . . .	1	Ditto . . . . . Labourers . . . . .	704
Mr Hume . . . . . London Type-founders . . . . .	508	Mr Sanford . . . . . Chard . . . . .	134
Mr Sheldon . . . . . Leamington Priors . . . . .	98		
Mr Steuart . . . . . Chard . . . . .	243		
No name . . . . . Worcester Institution . . . . .	25		
Mr Tooke . . . . . Truro . . . . .	322		
Mr C. Buller . . . . . Lancaster . . . . .	173		
Ditto . . . . . London . . . . .	405		
Ditto . . . . . Yarmouth . . . . .	562		
Mr Barham . . . . . Westmoreland . . . . .	850		

The number of Petitions presented up to the 21st of July was 72, having 31,941 signatures. Since that time, several more of an important character have been laid upon the Table of the House of Commons, and, among them, one from the City of London, presented by the Sheriffs.

Advertisements.

MR ROEBUCK'S PAMPHLETS.

THE following Pamphlets have already appeared, and are still on Sale at the Office:—

On the Means of Conveying INFORMATION to the PEOPLE, &c.

A LETTER to the Electors of Bath, on the CORPORATION REFORM BILL.

The STAMPED PRESS of London and its Morality.

The DORCHESTER LABOURERS.

The AMUSEMENTS of the ARISTOCRACY and the PEOPLE. The AMERICAN BALLOT-BOX, &c.

PERSECUTION preached by the Parsons of the State Church in Ireland. USELESSNESS of the GUARDS in LONDON.

TRADES' UNIONS: their Advantages to the Working Classes. FALLACIES of the HOUSE of COMMONS on the BALLOT in AMERICA.

The TAXES on KNOWLEDGE, by F. PLACE, Esq.

Of WHAT USE is the HOUSE of LORDS?

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Charles Fox, Paternoster row.

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Just published,

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2. Napier on the Ionian Islands.
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4. Rationale of Political Representation.
5. Portugal and its Political Economy.
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# THE EVILS OF A HOUSE OF LORDS.

BY J. A. ROEBUCK, M.P.

MR SPRING RICE AND THE TAX ON KNOWLEDGE,

WITH A POSTSCRIPT ON

THE FRENCH KING AND THE PRESS.

BY H. S. CHAPMAN.

MATCHLESS CONSTITUTION.

BY T. FALCONER.

PARLIAMENTARY NOTICES—MR HANMER, &c. &c.

EDITED BY

# J. A. ROEBUCK, M.P.

[PRICE THREE HALFPENCE.]

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## THE EVILS OF A HOUSE OF LORDS.

IN a pamphlet which I published a short time since, I promised to examine the worth of some of the arguments commonly brought forward in favour of the House of Lords; I am now about to fulfil that promise.

The late doings of the House of Lords are by some persons fancied to be the result of some extraordinary mistake on the part of the majority of its members. It is supposed and said, that such conduct is not the natural or necessary effect of the institution itself, but that it has flowed from a peculiar and rare inefficiency or unworthiness on the part of those who now constitute the Lords. This appears to me a great,

a very serious mistake. The present Peers are not peculiarly to blame; their conduct is by no means extraordinary, nor is it more mischievous than that of their predecessors. They are but continuing in their old accustomed road, while the People have fortunately been able to force the Commons out of it. The Lords act as they do, because they are *Lords*, not because they are *bad* Lords. The cause of the evil lies in the nature of the institution, not in the men.

They oppose the wishes of the People. True; but why do they so? *Because the wishes of the People are in direct opposition to the interests of the*

*Lords.* It is for the interest of the People that the Corporation monopoly should be destroyed. The power of the close corporations is a power by which a certain small number of persons were able to live at the expence of the community generally; and further, to influence the return of members to the Commons. Now, this power of the corporations is really in the hands of the Lords, and has been employed for their benefit.

The Lords, as I have already shewn, have a direct interest in fleecing the People—in other words, in bad government. All persons who have a similar interest, naturally rally round the Lords, and act with them, and for this reason: the House of Peers is the most powerful of the sinister interests of all those now existing in this country. Being a portion of the Legislature, it is efficient in supporting and strengthening the other sinister interests. The next sinister interest in point of power are the combined close corporations. The corporations are, many of them, directly the property of certain Lords—and all of these act with the House of Lords. In the same way, and for the same reason, every other sinister interest joins the Lords.

But the Lords see well that if the corporations are changed and made subservient to the People, they (the Lords) will lose very useful instruments.—My Lord A. has power in the corporation of B. This corporation returns a member to the House of Commons, who is, in fact, the mouth-piece of Lord A. Thus Lord A. has control over the Commons, and doubly influences the destinies of the People:—first in his own person as a Peer, and secondly by his nominee, who is returned by the borough or corporation of which Lord A. is patron.

But Lord A., in order to keep the members of the corporation in his interest, has hitherto been accustomed to

get for them various good things. Now, the loss of all these good things, together with the loss of corporation speculation, is what the corporations, that is, the members of the close corporations, fear; and the loss of influence over the House of Commons is what the Lords fear. Hence the Lords hate any measure by which the character of these corporations would be changed, and aid the corporations in preventing any change.

*The Lords, therefore, have been acting in accordance with their interests in opposing the wishes of the People respecting the Corporations Reform Bill.*

It is idle for us to fly into a passion with such persons as the Duke of NEWCASTLE, and others who have opposed this bill, and to rail at them because they have acted after the custom of human beings—that is, according to their own view of their own interests. It is not the part of wise men to expect miraculous virtue, and it would be miraculous virtue for the House of Lords *willingly* to favour good government. If a thoroughly good government were to exist, their condition would be very different from what it now is. They would have to support themselves and their families out of their own estates, and would not, as now, be able to quarter themselves and their children upon the nation. In other words, they would have to labour, whereas now they live in idleness. Moreover, their overgrown estates would then quickly be divided. For if the younger children could not get places paid by the People, their parents would have to provide for them, and the eldest son could not have the lion's share. But were their estates divided, their political power would further decrease. So that we have every reason to expect that they will always oppose useful reforms, while left in their present position. To abuse individuals, and say nothing

about the system in such a case, is unjust as well as unwise. If the system be approved, its consequences must be approved also. In other words, if you like the House of Lords, you have no just cause for abusing any of the Peers who desire to throw out the Corporation Reform Bill.

There is a mode of addressing the House of Peers, on occasions like the present, which has always appeared to me singularly inconsistent; not to say at the same time, exceedingly foolish. It is a mode adopted very generally by persons who call themselves Liberals—*Constitutional Liberals*, I think, is the name—and is now universally employed by the supporters of the present Ministry. It is an address, in fact, to the fears of the Lords. “You are,” say these persons, speaking to the Peers, “risking the very existence of your order. If you thus resist the wishes of the People, when the People are right, the People will rise up against you, and demand of what use is your institution; and judging you by your acts, they will decide that you are mischievous, and incontinently dismiss you.” Lord MELBOURNE’S address to *his order* not long since, was something after this fashion.

What is the precise meaning of this fearful prophecy? You say to the Lords, “Yield to the People.” You said so in the case of the Reform Bill. You meant by that, give up to the People the power which you have hitherto enjoyed of constituting the House of Commons. “The People are,” said you, “tired of bad Government; they are determined to reform the abuses of the State, and to put down all unnecessary expense.” The Lords, in this case, yielded. They yielded lest, as you said, the People should rise up against them, and take away the whole of their power;—so, according to your advice, they gave up some to save the remainder. No sooner

were the People possessed of this Reform in Parliament than they began to turn it to its proper purpose—viz., to remedy abuses. One of the first abuses they encounter is that of the Corporations—and their representatives frame a Bill to put down bad Corporations. And now it is again said to the Lords, “Give up another slice of your power—be careful lest the People rise upon you and discharge you altogether.” The Lords very naturally say, in answer, “Suppose they do rise upon us, and discharge us altogether;—what greater mischief can arise to us than the evil threatened by this Bill? It is not playing at Lords we care about—it is the solid pudding respecting which we are solicitous; and you come, day by day, and take one large slice after another, and you all the while preach to us prudence and moderation! Once give to the People a House of Commons wholly bent on good Government, and what quantity of the public money do you suppose will fall to us?—Not a farthing, be assured, unless we earn it. And where is the difference? If we are to lose our all, between one mode or the other, destruction is the same whether it come at two blows or one. Suppose we yield these Reforms:—the consequence will be, that we shall lose all those pleasures and profits of power which have hitherto belonged to us;—you, in short, persuade us to our ruin by threatening us with it.” This is exceedingly reasonable language, and has, in fact, been used by the more candid supporters of the Peerage.

Looking, then, at the Lords in this light, fairly acknowledging the sinister interests of the class, are there, we ask, any compensating circumstances for the evils which necessarily flow from the institution itself? We are not quarrelling with individuals. Human beings are human beings; and it is the duty of those who frame institutions, to be care-

ful so to frame them as not to place any of our fellow-creatures in a position in which they must necessarily become vicious. If any such are so placed, we are not to blame those who are thus rendered the enemies of their race, but reserve our indignation for those who make them so, or who allow them to remain so. Are there, we again ask, any benefits arising from the Lords which counterbalance the mighty evils which result from their Right Honourable House?

Yes, say their admirers, many and great are the benefits which the nation derives from the House of Peers.—Let us learn what their benefits may be.

The House of Lords is supposed to be serviceable to the nation in three several capacities: First, in their capacity of a second House of Legislation; second, in their capacity of Judges; and, lastly, in their capacity of an Aristocracy.—Let us inquire if in any of these they are beneficial to the community.

1. It is very generally believed, and still more generally asserted, that to the due enacting of laws, two separate and independent deliberative bodies are needed. It is argued, that if there were only one body, *precipitation* in legislation would be the consequence; that the sudden passions of the People would have unlimited sway, and that confusion and anarchy would follow.

Now, then, the *end* supposed to be attained by this second House of Legislation is *tempering* and *restraining* the Commons.

This means, if it mean anything, one of two things—either that the Lords have more discretion and calmness than the Commons,—in other words, more fitness for the business of a Legislature—or it means, that the double deliberation, merely because double, is better than a single one.

If the Lords be wiser and more pru-

dent than the Commons, why keep the Commons? We cannot have better than the best. Now, by the supposition, the best—that is, the most fit and worthy deliberative body in the country, is the Lords. If this be so, why encumber them with the Commons?

If wisdom and forethought had been employed about the formation of a Constitution, and it had been assumed that two deliberative bodies were needed, assuredly there would have been an attempt made to provide a second House of Legislation, which in some degree should derive from the very nature of its constitution, the qualities requisite for deliberation. For example;—we should have seen some attempt to bring into this second House the most grave and enlightened persons of the nation; we should have perceived some endeavours to secure probity, intelligence, and industry among them—for such are the qualities needed in a Legislature.

Now, I fearlessly assert, that, in our Constitution, no such attempt has been made; that, on the other hand, as the institution of the second House—that is, the Lords—now stands, the existence of *improbability*, *ignorance*, and *idleness* has been insured: That, so far from the House of Lords being more worthy, more instructed than the Commons, it is immeasurably inferior to it, in everything that is requisite to constitute an efficient and worthy legislative body. At the same time I cannot but allow that the House of Commons is far inferior to what it ought to be, and to what it would be, were it really responsible to the nation at large.

When an objection is taken to the Lords, in their capacity of a Second Chamber, we are told that the Americans even have a Second Chamber in their Senate. This is correct. That is, the Americans believed, I conceive erroneously, that, for due legislation, two Chambers, or Houses, were requisite,



Did they then leave the composition of either house to hazard? Did they place the Senators in a position which should necessarily bring out all the bad qualities of man's nature, and stifle all the good ones? Far from this was their conduct. The Senate of the United States is a responsible body. Their existence as a Senate, indeed, may incumber the political machine, but it does not render it mischievous. Unnecessary delay may arise in consequence of their deliberations; but wilful and necessary evil is not the result of their existence. It must, however, be allowed that the Americans, carried away by authority, have so constituted the Senate, as to make it less responsible to the public than is the House of Representatives. The nation has reaped the reward. All that is evil in their constitution finds support in the Senate.

If, in England, a Second Chamber should be deemed requisite, in order to perfect our political constitution, let us strive to make one which should have some chance of possessing the qualities which are necessary for an efficient legislature. Let us, in one word, make it responsible to the People. The Lords are not responsible, excepting in the way in which an Eastern Despot was responsible. *Insurrection* was the only check upon his conduct, and all mischief was unhesitatingly produced which did not reach the point at which insurrection became inevitable. The situation of the Lords being the same as that of the despot, their conduct is similar. They also oppress the People just so long as they are able, and never do what the people desire, till the chance of a rebellion stares them in the face.

Any one who knows the history of this body for the last five years only, must be aware that the statement is correct.

There are, as respects this subject, two questions. The first—is any Second Legislative Chamber necessary? The second—is the House of Lords the sort of deliberative Chamber best suited for the purpose of legislation?

My answer to the first question is, that, in my opinion, no Second Chamber of any sort is needed; to the second, supposing it proved that I am here in error, and that a Second Chamber is really necessary, that the House of Lords is not in any way the sort of Chamber that ought to be established.

I thus sum up briefly my reasons for both these opinions.

The most efficient Second Chamber would be an *elective* one, completely responsible to the People. But the House of Commons, if properly constituted, would be filled with the most efficient persons in the country. In this case it would be but foolish policy to have the deliberations of such a House subject to the revision of another, which, by the very statement, would be inferior—that is, second best: for if you had all the best men in the Commons, you could only put second-best men into the Second Chamber, whatever you might call it. Added to this, a second deliberation would consume valuable time, and not conduce to sound judgment.

But if this be true of a Second Chamber, thus constituted, how much more powerful become the reasons against a body like the House of Lords? They confessedly are not fit for deliberation. Therefore, in addition to the loss of valuable time, we have the mischief of a set of thoroughly incapable legislators revising the decrees of the People's representatives. The consequence is, that the People's most ardent wishes are crossed and delayed. The measures of the Commons are mutilated, and, generally, completely ruined by the labours of the Lords.

There are at this moment (the 17th of August) before the two Houses the following among other Bills:—

The Municipal Corporation Reform Bill;

The Irish Church Bill;

The Imprisonment for Debt Bill;

Mr HUME'S Bill for Lessening the Expenses at Elections;

Mr ELPHINSTONE'S Bill for Shortening the Duration of the Poll;

The Irish Corporation Reform Bill;

The People desire the passing of every one of these measures. The best and wisest men in the country desire it also. There is no *precipitation* to be feared; every measure has been amply discussed. If the changes contemplated by the above Bills were made to-morrow, they would be the effect of deliberate forethought, of grave and sufficient consideration. But now, I ask, what will be the result? Let the People dwell upon the answer: *The Lords will certainly refuse to pass the greater part of the Bills mentioned—most probably all of them.*

The Corporation Reform Bill they have already ruined. The reason that induced them to do so I have mentioned above.

The Irish Church Bill they will certainly throw out, and still keep up thereby religious dissension in Ireland. They do this from no love of religion, but from pure love of money. The thing they like in the Church is the pay. They lust for the flesh pots of Egypt.

The Imprisonment for Debt Bill they will also defeat, because they do not wish to have their estates amenable for their debts. The Merchant has his estate sold for the good of his creditors, if he fall into debt; the Landlords of England, who are more in debt than any other class of men, dread the application of such a just law to them; so they avail themselves of their legislative

powers to keep their creditors out of their money.

The same fate awaits Mr HUME'S Bill for lessening expenses at Elections. The Lords desire to maintain their old influence over the Commons; they seek to do so by making an election so expensive a business, as to keep away all liberal candidates of moderate fortunes. In short, they hope still, by force of money, to get themselves represented in place of the People.

The same reasons apply to the Bill of Mr ELPHINSTONE; not so strongly, indeed, and therefore the Lords may permit this to become law.

Against the Irish Corporation Reform Bill the feelings of the Lords are the same as those against the English one, and the fate of the one measure will not differ from that which has awaited the other.

Are not these six instances damning evidence against the Lords? Great indeed must be the good which they can effect in other ways, in order to counterbalance the mischief they produce as Legislators!

2. But do they afford us this countervailing good in their character of *Judges*?

My answer to this question is, that so far from this countervailing good, they produce as Judges additional and enormous evil.

The House of Lords, as is well known, is the ultimate Court of Appeal from decisions in inferior Courts respecting property. What is not generally known is the mode in which noble Lords conduct themselves while sitting as Judges in such suits.

The appeal is, in reality, an appeal to some one Lord who happens to be a Judge, or who has been one. This law Lord, as he is called, sits assisted by some half-dozen other Lords. This half-dozen is continually fluctuating, so that the actual result is as follows:— Lord A, the legal Lord, sits the first

day, assisted by Lords B, C, and D; the second day, by Lords E, F, and G; the third day, by Lords H, I, and K, and so on, through the whole alphabet, and at last—

Lord A gives judgment, assisted by Lords X, Y, and Z.

I need not say another word to show that a Tribunal of Appeal could easily be framed, which should possess more of the qualities which a judicature ought to possess than does the House of Lords.

As this ultimate Tribunal of Appeal is now constituted, one man really decides; but, from his being nominally joined by half-a-dozen others, the decision that he gives is called that of the House of Lords; and the necessary consequence is, that he decides wholly without responsibility. The House is responsible to no one; neither is he responsible to the House. And public opinion cannot reach him, as his judgment is shared by the House at large. It would be difficult for human ingenuity to frame a worse Court of Appeal.

3. If, then, the House of Lords do render to the nation some benefits which counterbalance the evils of which it is the author, those benefits must result from it in its character of an *Aristocracy*.

I now proceed briefly to inquire what are the effects upon the nation which it does produce in this character.

This subject is far too extensive to be properly treated in the few pages which I can devote to it. The question, in fact, is—what influence is likely to be produced upon the *intelligence*, the *morals*, and *manners* of the nation, by separating a particular portion of the community from the whole, and rendering them a class endowed with peculiar political privileges? Before this question can be answered effectually, the whole composition of society ought to be completely dissected; and the

various ways in which an Aristocracy influences the modes of thought and feeling in the nation, would require to be minutely and graphically described. This cannot now be done. I must, therefore, content myself with broadly stating my own opinion, and partially indicating the evidence upon which this opinion is founded.

My opinion then is, that the influence of an Aristocracy upon the manners, morality, and intelligence of a nation, is one of unmixed and enormous evil: That the necessary tendency of its influence is to set up a false and degrading standard of morality, and to establish a frivolous, selfish, and hypocritical one of manners; to offer high rewards for a puerile and deceitful philosophy, and to visit with opprobrium all original, bold, and searching inquiry: in fact, that an Aristocracy, by its interests being opposed to *change*, dreads all thought which has not authority for its guide, and, therefore, employs the whole of its power to repress all independent inquiry, and to punish severely every one who presumes to call in question established ways of thinking and feeling; *that it thus tends most seriously to deteriorate the intelligence of the People*:—that being also, by its interests, opposed to that severe morality which condemns the enjoyment of pleasures obtained by the unwilling labour of others, it seeks to confuse and confound the rules of conduct for mankind, wishing to make them rather the results of caprice than the offspring of careful investigation and rigorous impartiality;—*that it thus tends to vitiate the whole morality of the People*. And lastly, that living in idleness, and being averse to labour and to thought, the Aristocracy introduces, as matter of *fashion*, contempt for all high and ennobling emotions. To keep down disagreeable questioning, they establish cold, re-

served, and hypocritical manners; while, to distinguish themselves from the other classes of society, they endeavour to render the common intercourse of life a craft and mystery, attributing unspeakable importance to the trifles of which this craft is composed, and visiting with contumely all who are not acquainted with even its minutest details: That where an Aristocracy is powerful, this exclusiveness and contempt for all that is good and great in human feeling, is not confined to its own peculiar circle, but extends to, and infects every other class in society; —that it embitters all the social relations of life; renders society one continued strife and contest for superiority; induces habits of injurious expense; creates suspicion between individuals and classes; *and thus makes our manners the most fatal enemy to our happiness.*

Such is my opinion of the social influence of an Aristocracy; and I appeal to the present condition of my country in support of my conclusions.

If any one doubt the truth of what I say respecting the Aristocratic influence upon intelligence, let him turn to our own literature of the present time. He will then learn what an astonishing compound of conceit, ignorance, and superciliousness, is the literature which is specially composed for, and is the delight of, an Aristocracy.

If he doubt of the truth of what I assert of their moral influence, let him

merely consider the ordinary morality of all persons of, and connected with the Aristocracy, in the single particular of paying just debts. He will then learn how recklessly cruel is the conduct of this class, and how grossly unjust is the ordinary appreciation of it.

If he think me in error as to their manners, let him for a short period mingle in society, first with the great originals themselves, and then with the rich parvenues who imitate them. While with the first, let him hazard some expression of generous sympathy with the multitude, or speak of their happiness as of consideration equal to that of the Aristocracy themselves; — while with the second, let him risk a doubt as to the propriety of letting the rich rule, because they are rich, and he will quickly discover that he himself is an object of unbounded contempt and hatred. If he look closely, also, he will find this parvenue society miserable, because they cannot make themselves the equals of those they imitate; and he will find the Aristocracy in a constant agony of endeavour to render this equality impossible.

UNMIXED, THEN, IS THE EVIL WHICH THE HOUSE OF LORDS INFLECTS UPON THE NATION, WHETHER WE VIEW THEM AS LEGISLATORS, AS JUDGES, OR SIMPLY AS AN ARISTOCRACY.—SUCH IS MY ANSWER TO THE QUESTION, “OF WHAT USE IS THE HOUSE OF LORDS?”

J. A. ROEBUCK.

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## MR RICE AND THE TAX ON KNOWLEDGE—A FEW WORDS AGAINST PARTIAL REDUCTION.

PHILOSOPHERS tell us that cold is nothing more than the absence of heat—darkness nothing more than the absence of light. Cold and darkness, say they, are not positive existences, though they

occasion specific feelings, — they are merely privative or negative terms.

The CHANCELLOR of the EXCHEQUER's Budget is something of the same kind. It is of a negative, not a positive

character. No one in his senses will think of describing it by what it contains, but rather by pointing out what it does not contain, and so rendering its "darkness visible."

Among the measures upon which the public mind has been for some time dwelling, and which many expected would gain a place in the Budget, is the Repeal of the Tax on Knowledge. The Budget-speech is silent on the point. The tax is to remain another session, and Mr SPRING RICE thus silently confesses himself—that which many people have long known him to be—the arch knowledge-hater of the day. For my part, I am not much surprised at Mr RICE's hatred of the broad glare of day. He knows full well that a little sound Political Knowledge diffused among the People would be fatal to his tenure of a seat in the House of Commons. Hence he upholds a tax which operates as a bar to the exposure of his utter worthlessness, not only as a Minister of the Crown, but also as a Representative of the People. Mr THOMAS SPRING RICE is a cunning fellow: this no one can deny.

The CHANCELLOR of the EXCHEQUER's speech, on Friday night, was one of the most perfect specimens of pompous imbecility ever delivered within the walls of the House of Commons. It was a bombastic and inflated display of ignorance—a perfect nullity. It proved Mr RICE to be utterly undeserving of the name of Statesman, and, consequently, of public confidence. Exchequer Chancellors' speeches are proverbial for their humbug. Now, reader, take the trouble to go through "HANSARD'S Debates" for twenty years, and I defy you to find a parallel to the speech of this same CHANCELLOR for all the bad qualities which such speeches usually contain.

The *Spectator* of Saturday says, "All that the speech contained might have

been said in a quarter of an hour." Now, the *Spectator* has of late become rather Whiggish, and has made SPRING RICE one of its especial pets; so this rebuke has the more force. I think the *Spectator* is on the moderate side. Five minutes, it appears to me, would have been more than sufficient for such a paltry collection of facts and inferences. The managing member of a Benefit Club would have made a more intelligible statement of all Mr RICE had to say in less than the smallest time I have named. Mr RICE can nibble away at the outer corner, as it were, of a subject; but his paltry mind is utterly incapable of grasping a general principle of extensive application.

Then again, in addition to his limited capacity and knowledge, a Free Press would take into the account his habitual disregard of truth. There are at least half a dozen cases on record, in which Mr RICE has departed from his word. One was the case of the expenditure of Treasury money to prosecute the printer of the *Brighton Guardian*. The Ministry was accused: Mr RICE strenuously denied the charge. A few days after cognizance of the fact was brought home to him! Another case was a pledge to Messrs VIGER and MORIN, the delegates from Canada, not to pursue a certain line of conduct. Seven days after, he actually did that which he had promised not to do!!

A cheap Press would expose all this. Is it wonderful that Mr SPRING RICE dreads, and therefore hates a Free Press? Most certainly not. The wonder would be the other way. If Mr RICE could only contrive to persuade the People to submit to a tax which should raise the price of a Newspaper to seven times sevenpence, I recommend him most urgently to do it. The comparatively small charge of sevenpence will be fatal to his stupid, but pompous oration of Friday.

For my part, I am glad the odious Stamp is not to be touched by the tinkering hand of THOMAS SPRING RICE. I am glad of it because *total repeal* was not to be expected from this Minister. We should have had a partial repeal, which would have afforded no real relief to the People, but would have furnished a pretext to "the authorities," to prosecute with rigour those who might attempt to free themselves from a burthen "so light."

Two reports have been for some time current on the subject. One said that the Stamp Duty on Newspapers was to be reduced one-half; the other that it was to be brought down to one penny. Perhaps these reports were put forward as feelers; if so, we may infer from the Minister's silence, that he has obtained good reasons for shunning such measures.

As there is nothing like giving to the measures of Ministers clap-trap names, these partial repeals were called by Ministerial Toadies — "relieving the People of a portion of the Tax on Knowledge." Relieving the People indeed! Let us see in what it would relieve the People.

Some years ago, by a new process in heating pineries, pine-apples were reduced in price from about a guinea to seven or eight or ten shillings. This was a great reduction in price certainly, but was it a relief to the People? Oh, no. But why not? Because the People can no more afford to give seven shillings for the pine-apple, than seven guineas. This is an illustration of the case of the Newspaper. The necessary price of a Newspaper will scarcely permit the poor to enjoy it. Even a tax of one penny would almost amount to a prohibition. On a Weekly Paper, which can be afforded at two pence, it would be a tax of fifty per cent.; on a Daily Paper, which could not be made good for any thing, at less than three-

pence, it would be a tax of thirty-three per cent.

The Newspaper should be the book of the poor man. Untaxed, it is one of the prime necessities of his life; taxed, it is converted at once into a luxury for the rich. Nay, it is only the richest of the rich who can now afford to have a Stamped Daily Paper of their own. The partial reduction of the Stamp Duty might enable some few persons, rather less rich than the richest class, to enjoy the *luxury* of a Daily Paper, but it would not have the slightest effect in extending information among the class most in need of it, and I may add, most anxious to acquire it, and most likely to turn it to good account.

My own impression is, that even a tax of one halfpenny would be a serious bar to the free circulation of Newspapers among the great mass of the community; and, as for a tax of one penny, I am convinced that it would operate as a prohibition. I do not mean to say that a partial repeal would not somewhat extend the number of Newspaper readers, but I contend that it would not open the Newspaper to the class to which it is essentially necessary.

Taking this view of the case, it is the first penny imposed, in other words, the last penny retained, which comes within the class of "Taxes on Necessaries." It is this which converts the necessary article into a luxury. Every additional penny, therefore, becomes a tax on a luxury, and, as such, objectionable in an infinitely minor degree. It is the first penny which is the poor man's curse; the remaining threepence fall wholly upon the rich. Hence the partial removal of the tax would only add another to the many samples of unjust legislation which disgrace every Session of the British Legislature—every page of the British Statute-book. It would, I repeat, be no relief to the Peo-

ple. It would be a boon to the class already privileged to an extent sufficient to justify any means which the People have hitherto adopted to avoid contributing, in the unfair manner they are called upon to contribute, to the exigencies of the State.

Another reason why we should rejoice that his Whigship, Mr RICE, has not touched the Stamp-duty is, that a partial reduction would have been a signal for a regular crusade against that "infernal machine" the Unstamped Press. Ministers, regardless of the hatred which their recent and former persecutions have entailed upon them, would have gone blindly to the work, cheered on by the Tories, who, too wise themselves to institute extensive Press prosecutions, have never missed an opportunity of making the Whigs a cat's paw for that odious purpose. While the tax remains at its present height, the Minis-

ters dare not prosecute with impartial rigour; they may unjustly single out a few cases "as examples," but a fair and manly struggle with the whole army of offenders, is what they dare not provoke; they know that in such a case they would be compelled to succumb. It remains still to be shown whether the recent victims, weak and defenceless as the Whigs may have deemed them, will not yet prove too strong for their persecutors.

A moderate Stamp-duty is sometimes defended as a mode of paying for the conveyance of a Paper from one part of the country to another. Such a service should be paid for, but why not charge it as postage to those for whose benefit the service is performed? To charge town residents a part of the expence of service rendered exclusively to the country resident, is a monstrous fraud.

H. S. CHAPMAN.

## POSTSCRIPT.—THE FRENCH KING AND THE PRESS.

LOUIS PHILIPPE, King of the French, finds the Press extremely troublesome. He therefore hates it as cordially as the London Pickpocket hates a Metropolitan Policeman. In this hatred his French Majesty's Ministers fully participate. Accordingly they determine to put down the object of their most unholy aversion.

The means by which they design to accomplish this end is a Penal Law of uncommon severity. This Law first lays down, in vague and general terms—so that any construction can be adopted by a subservient Judge—what the French King and the French House of Lords do not like to have said of them, and then it inflicts enormous penalties, in the shape of fines and imprisonment, upon those who write what is forbidden.

Now, mark what clumsy workmen these same Frenchmen must be. Why do they not take a lesson out of our

book? They should not inflict enormous fines. Fines are obnoxious. Besides, it is an open and direct attack upon the Liberty of the Press, which is more obnoxious still. The French Ministry should have consulted Mr SPRING RICE. He would have explained to them—"in an impressive speech, exceeding two hours and a half in length"—that there is nothing like a Fourpenny Stamp, as a means of preventing the mass of the People from dabbling in the affairs of their betters. He would have reasoned as follows to the French Minister who consulted him;—

"You cannot, surely, desire to deprive your 'Respectable Classes' of the privilege of reading Papers, and of having Papers written for them? All you can possibly wish is to check the vile habit of reading which, I am sorry to say, is rapidly spreading, both in your country and in mine, among those who

would be better occupied in attending to their work, and in conducting themselves lowly and reverently towards their betters! I see you nod assent. Well, then, all you have to do is to raise the price of the Newspaper beyond the reach of those whom you desire to exclude. This done, and you may depend upon it all those seditious Republican writers, whom you are now proposing to make martyrs of, would either starve, or would (and this my experience tells me is more likely) adapt their lucubrations to the more limited class of readers—in other words, to *the ruling few*. Once accomplish this, and you will require no Penal Laws against the Press. You will find it your most useful instrument—your most obsequious slave. For a confirmation of what I say, look at our Press. They all write for those who can afford a Sevenpenny Paper. The People have only one Stamped Paper on their side, and that is dragging on a lingering existence for want of buyers. It is true that some of the Conservative Press seem to be against the party in power. They desire the places we have got. But whenever a question arises between the Aristocracy and the People, we know that both the Whig and Tory sections of the Aristocratic Papers will unite against those troublesome Radicals, whom the Tories hate nearly as much as we do. Indeed, not being compelled to conceal their hate, as we are, they *seem* to hate them more.

Should you introduce a measure of this kind, all you have to do is to swear it is a purely financial question—that you want money, and that you must have it, and that on that ground alone you propose a Stamp of eight sous. If there be any show of opposition in the Chamber, cite the case of England. Whatever peculiar beauty of our Constitution it may be the reigning fashion to admire, attribute it boldly to the operation of the Stamp-duty on News-

papers. This done, and I pledge myself that the 50,000 readers, which some of your Daily Papers, I am told, enjoy, would immediately dwindle down to some 6 or 7,000 of the richer class. This is not all the advantage you would gain. The tone of the Papers would change with the limitation of readers. Articles would be written to please the dominant few; and, as I said before, you would require no penal law against Republican writers, simply because no Republican writers could gain a livelihood.

“In this country we are pestered with breakers of the law, who are now become so numerous and so openly encouraged, that we dare not prosecute them. It is a long time, however, before the People can bring their minds to such a course, and although the Unstamped Press is now our greatest curse, and will, before long, succeed in destroying the Stamp-duty, be assured it is a thing of slow growth. Thus, you, and the several Ministries which may succeed you, will enjoy, at least, half a century of freedom from the annoying meddling of the People in the affairs of the Government. You will of course be somewhat troubled with petitions and deputations, but nothing is easier than to put them off. Promise them anything to quiet them, and it is easy to *explain*, as we call it, when the time for performing, or rather for breaking, the promise shall have arrived. This is my plan, and I find it invariably successful.”

This is the kind of advice the French Minister would have got from the *honest* English Chancellor of the Exchequer. The scheme has been tried in this country, and has succeeded to the heart's content of the Aristocracy, for half a century. A fourpenny Stamp is a much more scientific *gag* than a penal law, which must become inoperative from its severity.

H. S. C.



## MR HANMER TURNED CHANCELLOR OF THE EXCHEQUER.

ON the Vote Paper of the House of Commons there lately appeared the following notice:—

Mr HANMER — “In Committee of Ways and Means, to move, That all Dogs used for Drawing Carriages be subjected to a Tax of 1*l*. 8*s*. each (double duty).”

I will explain to the reader the reason of this attack upon the vendors of Dogs' Meat. They (the vendors of Dogs' Meat) have unwarily opposed themselves to a great and rival interest—the Landed Interest. I fear the Dogs' Meat Interest will go to the wall. But why, the reader may ask, are these two great interests rivals? The answer is short, but convincing—*Dogs do not eat corn.*

Now consider, I pray you, gentle reader, the wondrous perspicuity of this worthy Country Gentleman, Mr Hanmer. We can suppose him thus indulging in his logical deductions:—

“If dogs be highly taxed, more donkeys and ponies will be employed.

“If more donkeys and ponies be employed, more corn will be eaten.

“If more corn be eaten, there will be an increased demand for corn.

“If there be an increased demand, the price of corn will rise.

“If the price of corn be raised, the Landed Interest will be benefited.”

Is it wonderful, then, that a Country Gentleman should say,—

“Let dogs who draw carts be taxed.”

“Necessity,” says the old proverb, “is the mother of invention.” How bitter must have been the necessity which led a Country Gentleman through that series of propositions which I have just placed before the reader, any one who knows a Country Gentleman can easily appreciate. Indeed, for my own part, I must say that this is the strongest evidence I have yet seen adduced of the

extent and intensity of the present agricultural distress. It was no ordinary impulse that could have produced such a result.

For the sake of Mr HANMER, and the rest of the Landed Interest, I cannot but express sorrow, as I fear that this bright suggestion will not at present be attended to. However, there is balm in Gilead: their condition is not altogether hopeless. The following considerations will perhaps alleviate Mr HANMER's grief at the neglect with which his plan has been treated.

It is true, indeed, that dogs do not eat corn; but it is also true that dogs eat horses, and horses eat corn; so that, in fact, dogs may be considered indirectly consumers of corn.

Dogs sometimes (indeed not unfrequently) also eat beef, and beef, we all know, is the result of agricultural produce: so that, in more ways than one dogs are customers of the Landed Interest.

I must, however, in candour admit, that while a single dog will draw nearly as much dogs' meat as a donkey, he will not consume, in his indirect manner, so much corn as the donkey will in a direct one. We can therefore very easily understand and appreciate the preference felt by Mr HANMER for the whole race of jackasses.

Perhaps next year, if the Landed Interest should properly represent the case, and enforce it with their usual strength of argument and eloquence, the CHANCELLOR of the EXCHEQUER will be induced to give it a favourable consideration. If Mr HANMER could connect it with the subject of Tithes, he might probably then induce Sir JAMES GRAHAM to favour the House with some fervid and pious eloquence in support of it.

## MATCHLESS CONSTITUTION

THE English Constitution has been praised by Tories, as containing within itself the most complete checks on all abuses of power, and the means of controlling the different branches of Legislature in the most perfect manner. Their authority for this statement is the following passage from BLACKSTONE, which abounds with the usual jumble of inconsistency, absurdity, and nonsense, that accompanies the praises most lavishly bestowed by this writer on the different branches of the English Government:—

“Happily for us of this island, the British Constitution has long remained, and I trust will long continue, a standing exception to the truth of this observation. For, as with us the executive power of the Lords is lodged in a single person, they have all the advantages of strength and dispatch, that are to be found in the most absolute monarchy: and as the legislature of the kingdom is entrusted to three distinct powers *entirely independent of each other*; first, the King; secondly, the Lords spiritual and temporal, which is an Aristocratical Assembly of persons selected for *their piety, their birth, their wisdom, their valour, or their property*; and thirdly, the House of Commons, *freely chosen* by the People from among themselves, which makes it a kind of Democracy; as this aggregate body, actuated by different springs, and attentive to different interests, composes the British Parliament, and has the supreme disposal of every thing; there can no inconvenience be attempted by either of the three branches, but will be withstood by one of the other two; each branch being armed with a negative power, sufficient to repel any innovation which it shall think inexpedient or dangerous.

“Here, then, is lodged the sovereignty of the British Constitution, and lodged as beneficially as is possible for society. For in no other shape could we be so certain of finding the three great qualities of government so well and so happily united. If the supreme power were lodged in any one of the three branches separately, we must be exposed to the inconveniences of either Absolute Monarchy, Aristocracy, or Democracy; and so want two of the three principal ingredients of good policy, either virtue, wisdom, or power. If it were lodged in any two of the branches, for instance, in the King and House of Lords; our laws might be

providently made, and well executed, but they might not always have the good of the People in view: if lodged in the King and Commons, we should want that *circumspection and mediatory caution which the wisdom of the Peers is to afford*; if the supreme rights of Legislature were lodged in the two houses only, and the King had no negative upon their proceedings, they might be tempted to encroach upon the royal prerogative, or perhaps to abolish the kingly office, and thereby weaken (if not totally destroy) the strength of the executive power. But the constitutional government of this island is so admirably tempered and compounded, that nothing can endanger or hurt it, *but destroying the equilibrium of power between one branch of the Legislature and the rest*. For if ever it should happen that the independence of any one of the three should be lost, or that it should become subservient to the views of either of the other two, there would soon be an end of our constitution.”

This statement hardly contains one word of truth. The three branches of the Legislature were never independent of each other. The qualifications, too, of the Lords for the duties of Legislation would be most imperfect, if they must be of that kind of piety, wisdom, virtue, and valour, which they usually exhibit. The piety of the Bishops is of the worst character—that of their associates also places it in the most unfavourable light. But who, not a mean and a fawning sycophant, would have ascribed qualifications to legislate to birth, property, or valour? The determination of complex questions requires study, knowledge, patience, and reflection. Where there is astounding ignorance, valour may be necessary in order to deal with such questions; and this probably, BLACKSTONE meant. If property accompanied virtue, or virtue property, the number of the Lords, disqualified from the want of either, would be serious. Birth could give no aid; but birth, says BLACKSTONE, also qualifies. If so, how is it that there are those among the Lords whom the law declares have no distinguishable parents? Wisdom, too, is ascribed to

these hereditary persons, but it must be a spurious kind of wisdom, for it is unconnected with knowledge, judgment, or talents. These excellencies that usually accompany wisdom, have never been claimed for the Lords; and BENTHAM explains the reason thus:—

“In order to attain knowledge, judgment, and talents, *hard labour* is necessary. But the titled and opulent are seldom given to hard labour, and, therefore, seldom possess knowledge, judgment, and talents; because, as the man of title and wealth is already in possession of *consideration* from his rank and opulence, he is less disposed to exert himself to furnish his mind with those endowments which, of themselves, are sufficient to give consideration to other men—untitled and ungorged with wealth. Upon the whole, therefore, the men of *wealth and title* are disqualified from using the power attached to the most important of all offices (that of a Representative of the People) with any benefit to the universal interest.”

The assertion of BLACKSTONE that the House of Commons is *freely* chosen by the People, is equally untrue. His opinion of the Lords was gross flattery of that body; and his opinion of the House of Commons totally unjustifiable. The state of the representation of this country, at the time he wrote, was most corrupt. In 1816 it was equally corrupt, and was as follows:—

87 Peers of England and Wales returned Members	218
21 Do. Scotland do.	31
36 Do. Ireland do.	51
— 144 Peers thus returned	— 300
90 Commoners of England and Wales returned	137
14 Do. Scotland do.	14
19 Do. Ireland do.	20
— 123 Commoners thus returned	— 171
267 individuals thus returned	471
Independent Members	187
	658

Before the Irish Union, in 1800, the Commons numbered 558 Members, 310 of which were returned by patrons, and 248 were independent. At the Union, 100 Members were introduced as Representatives for Ireland. And by the statement given above, 471 out of 658 Members, were then at the will of 267 individuals, leaving with an increased House but 187 Independent Individuals.

Of this state of the Representation, harmony and agreement were necessary effects. The Commons did what the Lords commanded. Now and then

they kicked at the orders they received. A dissolution was the consequence; corruption was set to work, and the most remarkable harmony was again produced. “The equilibrium” was restored, and “our happy Constitution” worked on with great ease, oiled, whenever anything hitched, with some job, or a little additional taxation. “The virtue, wisdom, and power” that BLACKSTONE praises, was entirely in the Lords. The KING and the Commons were subject to them; but somehow or other the people could not be persuaded that this virtue, wisdom, and power, was not associated with the blackest corruption and the most profligate acts of irresponsibility. The People set about to reform the House of Commons, and, having to a great extent succeeded, the harmony of corruption was interrupted. The machine that had worked so well for the Lords began to work for the People. The Lords then found that what was good for the People was not good for them, and determined to see if they could not get the machine to move as it did before. The first great opportunity they have had to try their hands with mending the machinery, has been the Corporation Bill. The results of their efforts are well known. They have produced this inquiry: if the two branches of the Legislature, when both were corrupt, worked well in advancing corrupt measures, would not both work together in advancing good measures of Government, if both were reformed? No doubt is entertained that attempts must be made to produce a change which shall make these bodies act together; and there can be no doubt that it is the House of Lords which must be amended. The harmony of the Constitution must be restored. The mode in which it is to be done is by getting rid of all that is corrupt; and if the Lords cling to what is corrupt, they must abide by the pe-

nalties to which they expose themselves. It is impossible that the delusions which they have upheld, of their being a protection against democratic influence on the one side, and the power of the Crown on the other, can continue to have any effect. The supplies are in the hands of the Commons, and the Crown is controlled by those who supply its necessities. This is the only efficient check against bad measures of the Crown or of the Government; and

it exists independently of the Lords. Democratic influence must be shown to be bad, before the Lords can claim any merit for its suppression. The People know well what is beneficial to them, and if they were ignorant of the effect of the measures they desire, would the hereditary ignorance of the Lords be permitted to be of authority in determining for them?

T. FALCONER.

### Advertisements.

#### MR ROEBUCK'S PAMPHLETS.

**T**HE following Pamphlets have already appeared, and are still on Sale at the Office:—

On the Means of Conveying INFORMATION to the PEOPLE, &c.

A LETTER to the Electors of Bath, on the CORPORATION REFORM BILL.

The STAMPED PRESS of London and its Morality.

The DORCHESTER LABOURERS.

The AMUSEMENTS of the ARISTOCRACY and the PEOPLE. The AMERICAN BALLOT-BOX, &c.

PERSECUTION preached by the Parsons of the State Church in Ireland. USELESSNESS of the GUARDS in LONDON.

'TRADES' UNIONS: their Advantages to the Working Classes. FALLACIES of the HOUSE of COMMONS on the BALLOT in AMERICA.

The TAXES on KNOWLEDGE, by F. PLACE, Esq.

OF WHAT USE is the HOUSE of LORDS? ORANGE SOCIETIES.

#### POLITICAL TRACTS.

**T**HE following Tracts are on Sale by

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# THE CRISIS!

WHAT OUGHT THE MINISTERS TO DO?

By J. A. ROEBUCK, M.P.

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A ROTTEN BOROUGH FOR SALE.

By H. S. CHAPMAN.

---

MR BULWER'S SHAM MOTION FOR THE REPEAL OF  
THE TAX ON KNOWLEDGE.

By H. S. C.

---

ADMINISTRATION OF THE LAW BY THE LORDS.

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MR ORMSBY GORE AND THE LANDLORDS' ARGUMENT  
IN FAVOUR OF WAR.

EDITED BY

## J. A. ROEBUCK, M.P.

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[PRICE THREE HALFPENCE.]

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WHAT OUGHT THE MINISTERS TO DO ?

IN order that we may come properly to the discussion of the question of "*What ought Ministers to do?*" we must first understand clearly the position in which we now are. Before we can know what needs to be done, it is evident that we should know, and that thoroughly, the difficulties and dangers to be overcome.

I call the present state of this country a CRISIS. I must let the reader learn why I do so. *For the first time, under the new system of our Government, the two great principles of Democracy and Aristocracy have come directly and openly into collision in the Legislative Chambers of the Government.* The House of Lords is the organ and instrument of

the Aristocracy; the House of Commons is, at present, the organ and instrument of the Democracy. These two bodies are now in direct opposition to each other, upon a point that distinctly involves the great question of whether we are to have an Aristocratic or Democratic Government. Such an opposition between these two Members of the Legislature has not occurred since the year 1640. We know what the ill-timed opposition of the Lords led to at that time: let them look carefully to it, lest something similar happen now.

For many years previous to 1830, the House of Commons was, in reality, chosen by a very small number of the

rich men of this country. (See the article *MATCHLESS CONSTITUTION*, in a pamphlet I published last week.) The House of Lords and a few rich Commoners chose the majority of the House of Commons. Then the system, according to Mr CANNING, "worked well;" that is, the two Houses went on in agreeable harmony; they were always of one mind; and their agreement was, as Sheridan said of the actors, "absolutely wonderful." They provided generously for themselves, their relations, and their friends; but there was one thing they invariably neglected, and that was—the welfare of the People. However well the system worked for those who composed it, it worked nothing but mischief for the nation; and of this the nation at length became thoroughly convinced, and set about in earnest to get rid of the nuisance. While the nation was intent upon this object, the Revolution of 1830 took place in France. We here became excited also; and Reform in Parliament was demanded in a manner so serious and determined, that to refuse it was seen to be dangerous to the very existence of the Aristocracy. The Duke of WELLINGTON, nevertheless, held out against the People; but the House of Commons had not the courage to support him. He was put into a minority, and his Ministry was at end. He was beaten, nominally, on a question of finance:—the matter really at issue was Reform in Parliament.

Lord GREY came into office, and a Reform in Parliament was proposed to the House of Commons. Many of the Members of that House had, by this time, plucked up courage, and now determined to resist this Reform. It was too late; the time for resistance had gone by. The House of Commons was dissolved, and, by immense exertions and extraordinary sacrifices, a majority was obtained, in the new Parliament, in favour of the liberal measures of the Ministry.

The Bill for Parliamentary Reform passed that House; it passed not without scathe, however. Provisions were inserted by its wily opponents which materially diminished its efficiency; nevertheless, it was still too good for the Lords, who contemptuously threw it out on the second reading.

Then came the famous struggle between the People and the Lords—a struggle maintained not in the Legislative Chambers, but outside of their walls. It was a fight between the *Political Unions* and the *House of Peers*. *In this fight the Peers were beaten*. A history of the week during which this country was without a Government—the week that elapsed between the resignation and re-installment of Lord GREY in office—if fairly told, would exhibit an instructive picture to posterity. The intrigues and dishonesty of that time; the disgraceful duplicity and wretched cowardice of some, with the blundering, and headstrong, reckless ignorance of others, if generally known, would teach us the actual worth of our much-lauded Aristocracy.

The Lords yielded to the People; they were terrified out of their resistance. A REVOLUTION—a bloodless, peaceable one, it is true, but still a Revolution—was effected. The powers of Government were taken from the hands of the few persons who had hitherto returned the House of Commons, and placed in those of the middle classes of this country. The electors became, in fact, the ruling power.

But while the power of controuling the Government was in fact given to this portion of the People, they could only exercise it in a roundabout way. The House of Commons, it is true, was no longer the mere instrument of the Lords; but the influence of this last was not yet sufficiently controuled. They still were an independent branch of the Legislature, and could thus frustrate, for a time, any measure of the

Commons. The Commons, on the other hand, possessing the controul over the public purse, could at any time compel obedience to its will, by withholding the money requisite to carry on the Government; in other words, the desires of the People might on any occasion be made triumphant, by something very like a Revolution.

This new machinery of Government was set in motion in 1833. Early in that year the first Reformed Parliament met, and an overwhelming majority of the Commons was found to be in favour of Lord GREY's Government.

To those, however, who were accustomed to think, and who had carefully studied the science of Government, it was evident that this new machinery was wholly inadequate to the maintaining and carrying on a peaceable Government. For a time, dexterous management, they saw, might maintain a sort of outward harmony between the discordant and hostile elements of which the system was now composed; but it was also certain that an open rupture would take place at no very distant day.

Symptoms of this approaching rupture were quickly evinced. A portion of the very ministry who had passed the Reform Bill (coining a word for the occasion), talked loudly of the *finality* of that measure; the meaning of which phrase was, that the persons who used it, intended, in fact, to maintain the dominion of the Aristocracy, in spite of their recent concession to Democratic influence.

The Reform Bill was desired by the People as a *means* to an *end*. The end they had in view was good government. They sought to get rid of abuses, and the causes of abuses. The *finality* gentry said to them, while they were thus intent upon reforms, "We are content that some of the abuses of which you complain should be removed; but the causes of them, and particularly the

great parent cause—irresponsible power, are hallowed things in our eyes, and must not be touched by your unholy plebeian hands."

Under the influence of the men who talked thus, Lord GREY's Government staved off the evil day of rupture, by carefully abstaining from touching any abuse which affected the power or the profits of the Aristocracy. But this system could not continue. The Representatives of the People—the *Radical Reformers* among the first—determined to proceed at once to the plucking up by the roots the abuses which pervaded our political system. And now was seen the mischiefs of the changes made by the enemies of the Reform Bill in the measure originally proposed. The Reformers were constantly defeated in their endeavours, even in the House of Commons; and it became apparent to the People that the Reform Bill itself was an inefficient measure.

The voice of the People was now loudly raised. During the discussions which had taken place whilst the Reform Bill was slowly dragged through the two Houses of Parliament, Political Knowledge had been widely spread among the People. Matters hitherto looked upon as beyond their cognizance were freely investigated: long-cherished prejudices concerning the excellence of our Constitution were exploded, and respect for the Nobility was almost entirely destroyed. The People, therefore, when they saw their Representatives slack in the performance of their duty, spoke roundly to them, giving them to understand that Parliamentary Reform had by them (the People) been coveted, as a means to further reforms, and they were not going to sit down contented, simply with the possession of a good instrument, but were determined to use it. In other words, they said plainly that abuses must be reformed.

The two great abuses which presented

themselves in the most odious forms to the People, were the close Corporations and the Irish Church. But it so happens that these two are the parts of the bad system most cherished by the Lords. The reason of this peculiar affection is obvious. The Corporations are the chief source of their power in the House of Commons. The Irish Church is one of the most fruitful sources of their profit. It became, therefore, clear that the first struggle would take place on these two questions, and the thorough inefficacy of the new machine was made manifest by the result.

The constant pressure of the Reformers drove the Whig ministry upon these two abuses. That ministry then fell to pieces. The *finality* men were purged away, and those who were ready to reform, remained. Lord GREY retired, and Lord MELBOURNE was allowed by the Aristocratic party to assume the reins of government.

Possessing unbounded influence at Court, the Aristocratic party could choose its time and mode of action according to its wishes. When Lord GREY retired, the House of Commons was sitting, and the bills of appropriation were not passed. To put themselves into office at such a moment, they knew would have been madness. They therefore forbore for a time; allowed the session to close, and the money to be voted. During the recess Lord MELBOURNE was dismissed, and Parliament dissolved.

It was believed by the Aristocratic party, that the means of influence which they still retained through the imperfections of the Reform Bill, would enable them to obtain a majority in the House of Commons. They fancied that the desire expressed by the People for reform was a passing, or rather a passed enthusiasm, and their return to power would be viewed with indifference by the nation at large. Their calculations were not wholly without foundation.

The great majority of the Whigs was seriously diminished in the general election; and when Parliament assembled, it was doubtful whether the Reformers could, by a majority in the House of Commons, drive the Aristocratic or Tory party from power.

The exertions of the Reformers were, however, successful. The Tories were obliged to resign, and Lord MELBOURNE was again Premier, and the Whigs again filled the offices of state. The Aristocratic party had fought the battle in the House of Commons, and had been defeated; they now resolved to renew the strife in their strong-hold—the House of Lords.

This determination must have been adopted with infinite reluctance. While the struggle was in the Commons, the mischiefs of Aristocratic power were not set broadly before the nation. The desire on the part of the People was then resisted by their own so called representatives. It was not the nobles who resisted them in outward appearance, but a large portion of the People themselves. Persons, indeed, who looked beneath the surface, saw plainly that it was the Aristocracy at work, whether they laboured in their vocation or resistance in the Commons or the Lords. But the mass of mankind do not very often trouble themselves with much inquiry. They are imposed upon by names, and governed by appearances. Thus a rejection of proposed reforms by the House of Commons would have shielded the Lords, and thrown over their designs and labours an exceedingly convenient disguise. Luckily for the People's interests, the Aristocratic party did not succeed in this their grand desire; they were fortunately driven to their own House, and the real nature of the dispute was now about to be made manifest to every one.

Brought into power by the Reformers, the Whigs could no longer refrain from assailing the two cherished abuses of



the Aristocratic party, and bills were brought into the House of Commons to reform Municipal Corporations and the Irish Church.

To resist the first of these measures in the Commons, the Aristocratic party saw was utterly hopeless. Although in reality they dread Corporation Reform more than any other measure, they were afraid to expose their weakness by attempting an opposition to it, while in the Commons. The bill passed its three readings without a division.

It was hoped, however, by the leaders of the Aristocratic party, that something might be done in Committee to injure the efficiency of its provisions. In order to effect this much desired object, Sir ROBERT PEEL and Lord STANLEY, together with Sir JAMES GRAHAM, kissed and made friends, and used their joint efforts in mutilation. They failed. The bill, uninjured, was sent to the Lords.

On the Irish Church Bill, the conduct of the Aristocratic Party was somewhat different. They knew that the feelings of the People in this matter were not so decided as on that of Corporation Reform. It was fancied also, that the old cry of "no Popery" could be raised, and the ignorant imposed on. They, therefore, openly opposed the Irish Church Bill, and constantly divided the House against it. Here again, however, they were beaten, and this Bill also went up to the Lords, uninjured by the efforts of its opponents.\*

No sooner had the Corporation Reform reached the House of Lords, than it was evident that the moderation of the Tories in the Commons respecting it was a forced moderation. Unequi-

\* Respecting this Bill, I must remark, that, in my eyes, it had little worth beyond that which it possessed by its containing the clause which acknowledged Church Property to be National Property. As for the other provisions of the Bill, they would effect very little, if any good.

vocal demonstrations of rage and hatred were quickly made, and destruction of every good principle in the Bill immediately followed. It will come down to the Commons, not merely a useless measure, but one, if adopted, efficient to many mischievous purposes.

Such then is the present situation of affairs. The Democratic party—that is, the People, the nation—who desire the privilege of self-government in matters wholly concerning themselves, have, by their representatives, framed and adopted a measure of wholesome salutary Reform, as respects Corporation Government. The Aristocratic party, utterly regardless of these reasonable wishes of the People, have contemptuously destroyed the measure thus framed; have declared that the People shall not govern themselves; and have determined to maintain the power of interference and meddling with the People's peculiar affairs, which they (the Lords) have so long possessed, and so wantonly and disgracefully abused. They have done this, impelled by the undisguised desire to retain irresponsible power. They have openly and contemptuously pitted their own Aristocratic wishes against those of the nation; and, in the furtherance of a paltry wish for peculation, have risked their existence as an Aristocracy.

The inefficiency of the new machinery framed by the Reform Bill is thus made manifest. The intent of this new machinery, of this Reform, was to give to the People the power of self-government, and to take the power of Government from that small body which had hitherto possessed it. This was the object of the measure. But if the Lords can thus resist the Commons, can set their wishes at defiance, that object has not been attained. If, on the other hand, it be said that the Lords may eventually be compelled to yield, I answer, it can only be by deranging all

the operations of Government. The House of Commons may refuse the supplies, and by the evils which will necessarily result from such a proceeding, terrify the Lords into compliance with the People's desires. It must, however, be apparent to every one, that any Constitution which, for its ordinary and common purposes, needs a proceeding like this, cannot be said to be efficient to the end of good, that is—peaceable Government.

We are now in a position to entertain the inquiry of—what ought Ministers to do?

This inquiry is, in reality, two-fold: first, we are to inquire what, in such circumstances, ought to be the *ends* at which they (the Ministers) should aim; and, second, what *means* should they adopt to attain those ends.

1. *And first as to the ends at which they ought to aim.*

The first object should be, to get over the present difficulty—to prevent the defeat of the Democratic or National party in this great measure of Corporation Reform.

The next object should be, to prevent for the future the chances of such difficulties; in other words, so to frame our institutions as to give complete efficiency to the popular will.

If defeat of the National party be allowed, the immediate consequence would be the restoration of the Tories; and if the Tories return to power a serious evil will be done to the popular cause, and great confusion necessarily created.

Defeat on the present question will dishearten many, and give others an excuse for deserting the cause of the People. There is always a large class of persons who wait on fortune, and these never aid a losing cause. Now, our's, for the time, would be a losing cause, were we to be defeated by the Lords. In order then to prevent de-

sertion, it is necessary to conquer the Lords, even should the most desperate measures be necessary to that end.

But it should be remembered that the present contest really involves the great principle at issue. Are the People's wishes to be the guide, or are the wishes of a few Lords to govern us? The question is now brought to this point. If we allow the insult offered us by the Lords to pass by without notice, if we sit down quietly, content with what the Lords afford us, in the matter of Corporation Reform, the question is decided against us. Henceforth the People of England are to understand that the House of Lords is still to govern us. Spite of something like centuries of experience—spite of our endeavours on the Reform Bill, we are still to be subject to their domination. No matter how gross the abuse, nor how strong the desire of the nation to get rid of it, if a few ignorant Lords, with a palpable sinister interest, determine that the abuse shall remain, the People must continue to bear it, and to be fleeced according to the desire of these interested hereditary legislators. Such will be the result of the contest if the Amendments of the Lords be permitted to remain.

To settle this single question, however, is not sufficient. We have had enough of strife and turmoil. We are an industrious people, living by the sweat of our brows, and we require peace and security. We do not desire every year to be called in aid, in order that our representatives may not suffer defeat, and that our interests be not dangerously affected. But to prevent this necessity, we must place our representatives in a position in which they can conquer all opposition without our assistance.

Under our present Constitution, that is the manner in which our most important concerns are watched and protected.

Let the proceedings of the last year teach us. Enormous exertions and sacrifices, almost beyond human fortitude, were made, in order to return members to the House of Commons friendly to the national cause. Every means of bribery and gross corruption that a bad ingenuity could frame, was attempted, in order to get in persons hostile to that cause. The exertions of the whole People, roused from one end of the country to the other, were needed, to counteract and defeat these mischievous measures. At length the General Election ceased, and a majority of Liberal members were returned. The People now hoped for quiet, and expected that, having made this great effort, they might be permitted to direct their attention and their efforts to their own private concerns. In a few months, however, their Representatives cry out to them, "We want your assistance. The Lords are again about to defeat our endeavours for your benefit, and, unless you do assist us, immense mischief will fall upon you." Again are the People roused—again they are compelled to neglect their private interests—again are they called upon to combat with this mischievous power exercised in the House of Lords.

The situation of the People at this moment is exactly similar to that of a village which had in its neighbourhood the stronghold of a band of robbers. The villagers laboured and toiled, and accumulated wealth, and stored up the means of a comfortable subsistence. The watchmen of the village on a sudden ran in to them, disturbed them in their peaceful and industrious avocations by the cry, "The robbers are upon us." The plough was left in mid furrow, the sickle was thrown down, and the musket was seized. Days and weeks were spent in driving away the marauders; and, when the husbandmen returned to their fields and their home-

steads, they found ruin nearly upon them, in consequence of their forced absence; and that keeping off the robbers was very little less destructive than yielding to them.

The villagers also discovering that the business of repelling the robbers was becoming every day more harassing and mischievous, at length called a council to determine on the course that ought in future to be pursued. After long debate, which, like most debates, seemed likely to end in nothing; a grave elder, who had as yet been silent, thus addressed his friends and neighbours:—

"Neighbours, I have listened a long time to what you have been saying, and cannot help wondering at one thing: you none of you seem to understand the cause of your misfortunes."

Upon this the assembly set up a shout, and they all vehemently exclaimed, that they knew well enough the cause of their misfortunes. It was the robbers, they said, that were the cause of them.

"But," said the old man, "did you not, neighbour Ploughhard, propose to put a strong fence round the robbers? and did you not, neighbour Thresher, want to increase the number of our watchmen and our dogs?"

"Yes," said they, "we did so."

"Well, then," said the old man, "if I, like you, had known that the robbers were the cause of the evil, I should not have thought of more fences, and watchmen, and dogs; *but I should have just set about getting rid of the robbers themselves.* Let us all assemble once more, let us arm ourselves, make one serious effort, rout the robbers, disperse them, burn their castle, and take good care they never build another. This trouble will be our last; we shall be at peace ever after." The old man's advice was followed, and the robbers and their stronghold were destroyed altogether.

The advice of the old man should at the present time not be wholly neglected.

2. What, then, in order to attain these two important objects, ought the Ministers now to do; in other words, what *means* ought they to pursue, in order to accomplish these *ends*?

The first object is to prevent the defeat of the Ministers. How is this to be accomplished?

In the first place, the Lords' Corporation Bill must be indignantly rejected. If, upon conference, the Lords consent to restore *all* the expunged clauses, then the Bill ought to be passed. Should they refuse to restore less than all, even by one, it ought instantly to be thrown out.

The anti-national party will then attempt to force the Ministers to resign. The House of Commons can easily prevent this by an Address. The KING will not dismiss the Ministry so long as the Commons stand by them.

The next object of the anti-national party will then be to dissolve the House of Commons. They will desire this to be effected immediately, and for this reason: It is expected that a new election, under the old registration of last year, would be favourable to the Tories, because it is supposed that the freemen of the Corporations are inimical to the Corporation Reform Bill.

Our object should be to prevent this new election under the old registration, because the new registration is exceedingly favourable to the liberal cause. The new registration comes into force on the 2nd day of November. We must, therefore, prevent the dissolution of the Parliament before that time.

*This can be done by withholding the Supplies.* It can be done in no other way.

The Parliament ought to be kept sitting till October; or money enough for six weeks ought to be voted, and

the Parliament prorogued. This would render it necessary to re-assemble the Parliament before the 2nd of November; therefore the Parliament could not be dissolved.

When called together, the Corporation Bill should be carried rapidly through the House; the Supplies ought still to be withheld. If the House of Lords again reject the Bill, then let the Ministers resign, and leave the rest of the business to the People.

If they pursue any other course, any half measures—if they show the least intention of yielding, they are ruined. The Lords must be made to understand that they are driving us to a war *à outrance*, and that we are determined to have our desires, let what will happen; and that if it be found that our institutions stand between the People and their well-founded wishes, we are ready completely to remove those institutions, and thoroughly remodel the whole of our Government.

Should the ministers hesitate at this moment—if affection for their *order* should interfere with their duty to the People, woe be unto them. There are others ready and willing to execute the commands of the nation. These others will quickly assume the reins of Government, and, with no tender hand, will sweep away the abuses which now encumber and annoy us.

As to the second object which we ought now to seek after, viz. the prevention of a recurrence of these our present difficulties, we will discuss it when the first has been attained. Should the Lords by defeat be made to comprehend their real position, and be content with the insignificant character, which, for the good of the nation, they ought now to assume, any further steps will not now be needed. If, wilful, headstrong, and selfish, they determine to meddle with the affairs of the People, and seek after their own aggrandisement at our expense, a severe and thoroughly effective lesson must be read to them by an enlightened and indignant nation.

J. A. ROEBUCK.

## A ROTTEN BOROUGH FOR SALE.

“THE Reform Act,” says a writer in the second number of the *London Review*, “did two things:—it introduced into the constituency a large number of new Electors, not yet corrupted by the foul influences; and it inspired the Electors with an enthusiasm which induced them very generally to brave those influences, and disregard the mandate of those who could do them good or ill. So stood the case in 1832. But in 1834? In two years this effect of the Reform Bill had so spent itself, that the Tories, and those who were willing to act with the Tories, obtained within thirty of a majority of the Reformed House. \* \* \* This the Tories call re-action. We call it the natural working of the Constitution established by the Reform Bill; a Constitution which enables the People to carry all before them when driven by any violent excitement, but compels them, through the publicity of the suffrage, to exercise that power under pains and penalties, which prevent it from being ever excited on common occasions, or in quiet times.”—*London Review*, Vol. I., pp. 514-15.

That the above is a most accurate picture of the working of “the new Constitution,” let the following advertisement, which appeared in the *Courier* of the 12th of August, bear witness:—

### “SEAT IN PARLIAMENT.

“To be disposed of, a property which commands influence sufficient to return a Member. Apply, personally, to Mr WITHAM, Solicitor, No. 8, Gray’s Inn square, London; if by letter, to be post paid.”

Well may the *Spectator* say, “the Reform Act has not put an end to Rotten Boroughs.” It diminished their number certainly, but it did not thoroughly destroy them. It relieved us of that portion included in schedule A,

but it left us schedule B to become “a prolific nest-egg of corruption!”

The expiring influence of the Reform Act, both in boroughs and in counties, can only be arrested by secrecy of suffrage. The details of the Act are susceptible of much improvement, it is true; but while society is divided into rich and poor, all measures short of the adoption of the Ballot are mere palliatives. What does the advertiser mean by a property *commanding* influence? He means that the owner of the property possesses the means of enforcing obedience, by inflicting punishment, in some shape, upon those voters whose unexpired enthusiasm in favour of Reform “induces them to brave the foul influences, and disobey the mandate of those who can do them good or ill.”

Of course, this enthusiasm soonest dies out in those places where the means of inflicting punishments are greatest. To render the possessor of an estate sufficiently certain of his “influence,” to catalogue it as one item to enhance the price, the means of coercion must have been tried, and found effective. To render a purchaser willing to pay for this “influence,” the efficiency of the means of coercion must be obvious. Now, this is precisely the species of corruption which the Reform Act sought to remedy. That it still exists is proof that the Act was inadequate.

It must not be assumed that this advertised borough is the only one where the “foul influences” are still triumphant. Let the reader turn to any of the published accounts of the Borough Representation, and he will find, in many cases, influence ascribed without concealment, and as a matter of common notoriety, to some rich man in the neighbourhood. In Tamworth, for instance, “the property possessed by Sir ROBERT PEEL in the borough

and neighbourhood, gives him considerable influence. His and the TOWNSEND family have divided the patronage for many years.\* In Stamford, "the Marquis of EXETER possesses most of the 107. houses in the borough." In Thetford, the "Duke of GRAFTON and Mr ALEXANDER BARING have considerable influence." Of the borough of Thirsk, in Yorkshire, "Sir R. FRANKLAND is still popularly called 'the patron.'" The patron! Is it not degrading that such a word should be coupled with the representative system of a state calling itself *free*?

I should tire the reader were I to pursue these extracts further. In all the boroughs where the "influence" or "patronage" of a great man is sufficiently notorious to be recorded, the Electors are not in a condition to brave that great man's wrath except under the most extraordinary circumstances;—where, for instance, the anticipated good can be weighed against the known evil. I have not a doubt but that a General Election on the Municipal Corporation Reform Bill would produce an universal abandonment of all considerations of interest to procure the return of members pledged to the Bill; but such instances of self-sacrifice must not be expected on light grounds.

We have no right to expect men to draw down ruin upon themselves, and its consequent distress upon their families, for the public good; and this, in a large number of cases, would be the effect of a conscientious vote under the present system. It is, therefore, the duty of the representative body to use all the means within their power—be those means ever so small—to promote the introduction of the Ballot, as the only security against the "foul influences" of which the majority of borough electors have experienced the evils.

Compared with this grand Reform, all others are as naught. In the event of a General Election, no candidate should be listened to for a single moment who is not prepared to pledge himself to vote in favour of the Ballot. I think there cannot be a doubt but that a large majority of the constituencies call themselves Reformers. Let it be distinctly understood that Reform is a mere chimera without the Ballot. Until this is obtained, the great mass of Electors are in the condition of hereditary bondsmen, whose *free-will* can be bought by any knave or fool who has gold enough to satisfy the present possessor.

HENRY S. CHAPMAN.

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## MR BULWER'S SHAM MOTION FOR THE REPEAL OF THE TAX ON KNOWLEDGE.

ON Friday last, Mr EDWARD LYTTON BULWER brought forward his motion for the *partial* Repeal of the Stamp Duty on Newspapers. One would have thought, that having put a limitation on his original demand, he would have persevered to a division; but Mr BULWER thought, or acted otherwise.

He betrayed the cause he had undertaken to foster.

Mr BULWER's speech, as reported in the Newspapers, betrays every mark of reluctance. Pledged to the public to bring forward the measure, his desire seemed to be to do only just so much as would satisfy his pledge to the public, without giving offence to those givers of good things, the Ministry. In the latter object he has succeeded.

\* The whole of these extracts are from the *Parliamentary Pocket Companion* for the present year.

Never did a member of the House of Commons enjoy a more favourable opportunity for carrying his point. The Conservatives—having assigned their arrears of evil-doing to the Lords spiritual and temporal—were most of them absent. Some were killing grouse on the Scottish moors; others were preparing to slaughter partridges. Thus, as Mr WAKLEY very truly told the honourable gentleman, “the game was in his own hands. The success of his motion, if he now made it, was certain. A majority could be calculated upon without a question, as the Conservatives had all abandoned their seats on the other side of the House. (Hear, hear.)” Yet what was the course pursued by Mr EDWARD LYTTON BULWER? He threw away the advantage which Mr WAKLEY pointed out; and pretending to be convinced by the ten-times heard common-places of “his right honourable friend,” (!) declined pressing his motion.

Between the two principal actors in this farcical proceeding, the most amicable understanding seemed to exist. Mr CHANCELLOR of the EXCHEQUER could not conceal his satisfaction. The scene was quite in the *Peachum* and *Lockit* style, except that in this case the mover and his opponent seemed to say, “Brother, brother, we are both in the right.”

Mr BULWER’s conduct on this occasion reminds me very much of a scene in his own novel of *Paul Clifford*. The watchman of the prison in which *Paul* and some of his associates are confined, agrees “for certain valuable considerations,” to permit himself to be knocked down, and moreover to be so much hurt, as to be unable to prevent the “gentlemen misdemeaning” from having their own way. What the considerations were in the present case, of course we cannot know; we can only guess at them. This much, however,

is obvious—that the argumentative blows by which the “gentlemen misdemeaning,” in the present instance, knocked down this self-appointed watchman of the Press’s freedom, were only just sufficiently hard to keep up appearances. The discussion between Mr SPRING RICE and Mr E. L. BULWER was as pretty a sham fight as the public were ever amused with.

Why did Mr BULWER undertake the business in the first instance, if he did not mean to go on with it? Why did he not leave it to some other Liberal member who would not have played traitor? Mr BULWER has acted the part of a political dog-in-the-manger. He snarled if any one showed a disposition to take the question out of his hands, and yet he himself mismanages it. If I remember rightly, the well-acted zeal of Mr BULWER in favour of the Repeal of the Taxes on Knowledge was one of the causes of his obtaining a seat in the House of Commons. He took up the subject unsolicited, and now that the subject has done all for him that it can do, he ungratefully betrays it into the hands of the enemy. It is to be hoped that, next session, some more hearty opponent of the tax will take the matter out of Mr BULWER’s hands.

The CHANCELLOR of the EXCHEQUER was, as I have said, lavish of his compliments to Mr BULWER on the manner in which he had brought forward the motion. I do not wonder at this. If Ministers had many such opponents as Mr BULWER, their course would be most peaceful. You will be surprised, reader, when you see the reason given by Mr THOMAS SPRING RICE (if you have not seen it already) for thus complimenting Mr BULWER:—“Because he had brought forward the measure in a manner most calculated to make the subject understood by the Public out of doors.” Now this is a

pure and unalloyed piece of Ministerial insolence. If there be one subject which the "Public out of doors" understand better than another, it is this. During the present Session they have done all in their power to impart their knowledge to Mr THOMAS SPRING RICE and the House of Commons; but, although he pretends "to give up the principle of the tax," I affirm that he is still behind the "Public out of doors" in knowledge of this important subject.

The mode of instruction adopted by the "Public out of doors" has been to read to Mr RICE, and their other pupils in the House, about 100 lessons in the shape of petitions. Many of these petitions I have read. They are accurate in their facts and sound in their reasoning, and thereby render Mr RICE's talk about instructing the "Public out of doors" supremely ridiculous.

Mr RICE refers to the evidence of Lord BROUGHAM, "which proved that the Unstamped Press, as it now exists, not content with slandering public character, resorted to personal slander of the basest description, and that blasphemy and obscenity prevailed through many of these publications, some of which went so far as to advocate rebellion and assassination." Now, I have not a copy of Lord BROUGHAM's evidence at hand, and I am not disposed to take Mr RICE's quotation upon trust. My belief is that Lord BROUGHAM never characterized the Unstamped *Newspaper* Press in the manner stated by Mr RICE. If he did I can only say his Lordship did not draw an accurate picture. No one who has carefully looked through the Unstamped Papers with a view to comparison with the Stamped Press, would venture to give the former such a character. Of slander and paltry dirty scandal they have not one grain of what appears in some of the Stamped Papers. Those who are acquainted with the People know full well that they

have no taste for such matters. The taste of the mass of the People is for the politics and occurrences of the day. Slander and scandal are saleable only in a Stamped Paper. And now, reader, I pray you to mark another feature of the case: slander, scandal, and obscene jokes are always found connected with Tory politics of the most ultra kind. Do the People buy Ultra-Toryism? Certainly not. The politics of these slanderous, scandalous, and often obscene papers afford proof that they are purchased by those who delight to call themselves the "respectable classes of society!"

But even were the Papers such as Mr RICE characterized them, so far from affording an argument in favour of the continuance of the Tax, it would furnish the strongest possible argument in favour of total and immediate repeal—in favour of throwing open the Unstamped Press to a competition to which it is not now liable. The Stamp creates two monopolies:—the one in favour of the capitalist, who adapts his Paper to the tastes of his own class; and the other in favour of those who are willing to brave the terrors of the law. The Stamped Press cry out, "maintain this monopoly, but turn the balance in our favour, by persecuting the Unstamped Press." The Unstamped Press, on the other hand, with more honesty, say—"No; all we ask is free competition. Open the trade to all." If this latter prayer were granted, there is no doubt but that the Press would exhibit an improvement on both the present sections of the Newspaper Press; and there cannot be a doubt but that the People would purchase their Newspaper as they do their bread, wherever they could get it cheapest and best.

The CHANCELLOR of the EXCHEQUER would hold out no hope to the country on the subject of this Tax. He



“conceded the principle”—“he dealt with the question as one of Revenue, and nothing else”—but, as he was not in a condition to try the experiment of the effect of repeal, “he asked the House to stand by him in maintaining the public Revenue.” The reader may, perhaps, be led to suppose, that as Mr RICE “gives up the principle,” and only maintains the present state of the Tax, because “he is not in a condition to try an experiment,” that a prosperous state of the Revenue would at once be followed by a repeal of this odious and barbarous impost. Not at all. “If there were a surplus Revenue of 450,000*l.*, he (Mr RICE) could do much better with it than apply it to the remission of the entire duties on Newspapers.”

Now, reader, you are in a position to understand how little you have to expect from this same CHANCELLOR of the EXCHEQUER; and in how great a degree Mr EDWARD GEORGE EARLE LYTTON BULWER is entitled to your indignation, for his treacherous conduct in thus compromising a matter of such consequence with a Whig CHANCELLOR of the EXCHEQUER, without the sanction or even the cognizance of the Liberal Members of the House. Well might Mr HUME exclaim, with honest indignation, “If I had known the Honourable Gentlemen would not have pressed the motion to a division, I should certainly not have seconded it.”

H. S. C.

## ADMINISTRATION OF THE LAW BY THE LORDS.

AMONG the evils stated in a Pamphlet published last week, as connected with the constitution and powers of the House of Lords, were those arising from its proceedings as a Court of Judicature. The mode in which a legal question is determined by the Lords, was very accurately exemplified. Lord A, a legal Lord, hears the whole case; Lord B may, by chance, hear the whole; and Lords C, E, or F, hear a part; and the judgment is given by the legal Lord. The responsible persons are all the Lords; the division of their responsibility was asserted to be such as to destroy all real responsibility, and to diminish or take away the odium of any misconduct, to which those actually concerned in hearing, or in deciding on the case, ought to be exposed. A very curious illustration of the truth and correctness of these remarks is reported in the *Morning Chronicle*, to have taken place in the House, in the case of *Warrender v. Sir G. Warrender*, on Monday last.

The Earl of FALMOUTH is stated to

have asked Lord BROUGHAM to delay giving judgment, and a conversation occurred, in which Lord BROUGHAM remarked, “That he was charged with giving a hasty and unfair judgment in a case which had undergone the most deliberate hearing and careful consideration—a case in which, if any other persons were concerned, judgment would probably have been given three months ago.”

After some other remarks, the following dialogue occurred:—

“Lord BROUGHAM: I will now ask the noble Earl, the brother of the present Appellant, whether he has not spoken to other learned Lords, with a view to interest them in the result of this case? And, in particular, I will ask, has he not applied to Lord ABINGER, the Chief Baron of the Court of Exchequer? (Oh, oh.)

“The Earl of FALMOUTH solemnly declared that he had never done what the noble and learned Lord imputed to him. He had never attempted to influence any Peer *with respect to the merits of this Appeal*. He had never canvassed

the noble Lord in any way that would justify such a charge. HE HAD ONLY ASKED NOBLE LORDS TO ATTEND THIS JUDGMENT, under the view of the feelings he had already explained. The noble and learned Lord had done him great injustice.

“ Lord BROUGHAM said he understood the request to Lord ABINGER and others was, to be present at a re-hearing.

“ The Earl of FALMOUTH: No, not at a re-hearing, but at the judgment.

“ Lord BROUGHAM said that the effect would be the same.

“ The Earl of FALMOUTH stated his anxiety that there should be a judgment with full notice, so that MANY of their Lordships, now out of town, who had formerly attended, should have an opportunity of being present.

“ Lord BROUGHAM said that he believed *Lord Melville was the only Peer who had attended throughout the Appeal*, and had entered into it sufficiently to take part in the judgment.”

After an attempt to give judgment, the wish of Lord FALMOUTH prevailed, and judgment was postponed.

There are many very instructive comments of which this case admits. If a private person had solicited a judge to be present when a cause in which he was interested should be brought before the Court in which he might happen to sit, the judge would have felt it to be his duty to denounce publicly the party making the request, and if it was discovered that he did not do so, he would expose himself to the gravest censure, and deserve to be removed from his office. The penalties, also, to which the person applying to him would be exposed, and would properly suffer, would be of the severest kind. When Lord BROUGHAM mentioned the name of a judge who had been solicited by Lord FALMOUTH to attend, there were

exclamations of “ Oh, oh.” It was considered a gross breach of good breeding to expose the names of the parties applied to; but the duty of making the exposure was disregarded. There was no indignation expressed at conduct which, if only defended, would deprive the High Court of Appeal in this country of every claim to respect, and make its jurisdiction odious and hateful.

Lord FALMOUTH applied, it appears, not that his friends should attend at a re-hearing of the cause, but at the judgment. This fact, stated as an excuse or explanation, makes his proceedings so much the more censurable. Why should they attend, if not to control the judgment? If they were to control the judgment without hearing the case, does his excuse palliate the blame the act he had committed deserves?

It was also before two Lords only that the hearing of the whole case took place—before Lords BROUGHAM and MELVILLE. The other Lords heard only a part of the case. This is the common, daily, and ordinary practice of this High Court of Appeal. But bad and censurable as it is, there is nothing probably that would make it more offensive to suitors, than to require all those who are hereditary judges, and, therefore, by birth astute and able lawyers, capable of controlling the decisions of the judges of Westminster Hall—to attend. What they now suffer from delay, expense, and other evils incident upon this jurisdiction, would be inferior to this, that would be the greatest of all—the attendance of all his hereditary judges. The fair certainty they now feel, that regard will be paid to former decisions, and to established principles of law, would be removed, and their fate would depend on the merest freak of fortune. There is generally one law Lord who attends. He is, in truth, the sole judge, though not exposed to the

responsibility of a sole judge. Sometimes his decisions may be erroneous, but there has been no reason to believe they have been corrupt. In this case Lord BROUGHAM was the law lord. He had given decisions in other cases in the same manner, as in the one in which he was about to give judgment, when interrupted by Lord FALMOUTH. In no other case had any complaint been made of the non-attendance of Lords; in no other case had the judgment of Lord BROUGHAM been interrupted. In this, a suitor was a relation of one of the judges, and, in consequence, that earli-

est principle of English law—*that justice shall not be delayed*, was departed from. The Lords should remember that it was no unwise saying of Lord CLARENDON, “that there is no possibility to preserve the dignity, reverence, and estimation of the laws themselves, but by the integrity and innocence of the judges.”

But blameable as this transaction is, it is quoted not for the purpose of remarking on the conduct it exposes, but to exhibit the defective and imperfect constitution of the House of Lords as a Court of Appeal.

T. F.

## MR ORMSBY GORE AND THE LANDLORDS' ARGUMENT IN FAVOUR OF WAR.

MR ORMSBY GORE made the following assertions on Friday, the 14th inst. in the hearing of an approving House of Commons:—

“The Agricultural Interest flourishes in War and declines during Peace; while, on the other hand, the Mercantile Interest flourishes in Peace and declines during War. Now, considering the many years that we have been at Peace, I do think that we have a right for some greater regard from the CHANCELLOR of the EXCHEQUER, than he has shown to us in his present Budget. (Hear, hear.) The chief Interest in the country is the Agricultural Interest; if that declines, all others must decline with it, and be eventually ruined.”

This statement deserves remark for two reasons: first, it affords a good specimen of the Parliamentary Logic of Country Gentlemen; and, secondly, it proves, if it prove anything, that War is not only necessary for the welfare of Landlords, but also of the country generally.

It is a specimen of Country Gentlemen's Logic, for the argument successfully, in the very terms of it, refutes itself.

In one breath he says that “the Mercantile Interest flourishes in Peace,” and then he says, that “it cannot flourish if the Landed Interest declines, and that,” he asserts, “necessarily declines in Peace.” Now, if Manufacturers depend upon the Agricultural Interest, and are ruined when the Agricul-

tural Interest declines, and this last necessarily declines in peace, how is the assertion made out that Manufacturers flourish in Peace? I would recommend Mr ORMSBY GORE to reconcile this contradiction before he attempts another motion in favour of high rents and high prices.

But if the Landed Interest be the great one of the country—if the country cannot flourish unless this great Interest flourish—and if this great Interest cannot flourish without War, the conclusion that the country cannot flourish without War, is sufficiently evident.

Now, I will point out to Mr ORMSBY GORE a view of the question that he would not be likely to take without my suggestion.

If war be absolutely necessary for the welfare of the landlords, the People will be very apt to scan rather more closely than he will like, his assertion that the country cannot flourish when the landlords are badly off. And I think if once I could persuade the People, that War was really needed to keep landlords from starving, I should not have much difficulty in persuading my good countrymen to let them starve. We are beginning to understand the value of Peace, and I suspect would very willingly see every landlord hard at work getting his own livelihood, rather than encounter the horrors of another War. Let Mr GORE ponder on this suggestion.

J. A. R.

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## POLITICAL TRACTS.

A Great Number of Applications have been made for the Political Tracts advertised some time ago in Mr Roebuck's Pamphlet. Several of these are now quite out of print, and the stock of others is so low, that it is necessary either to reprint them, or to publish a new class of works of a similar description. A number of Pamphlets have therefore been put to press, which seem well calculated to increase the Political Knowledge of the People, and, particularly, to extend a Knowledge of Political PRINCIPLES—a thing now-a-days not much attended to.

Amongst the earliest of the Pamphlets to be Published, will be Mr Mill's all-important Essay on Government, which was the subject of the controversy with the Edinburgh and Westminster Reviews; and also the Essay on Jurisprudence; which, perhaps, will be followed by the remainder of Mr Mill's Essays from the Encyclopædia Britannica, at Sixpence each.

A new Edition of the little Tract, by the late Jeremy Bentham, entitled TRUTH v. ASHURST; OR LAW AS IT IS, CONTRASTED WITH WHAT IT IS SAID TO BE, which so admirably exposes the abuses and monstrous absurdity of the present system of English Law, is now ready for Sale, price Twopence.

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THE PEERS AND THE PEOPLE:

MUNICIPAL REFORM—CORN LAWS—TAXES ON KNOWLEDGE.

MUNICIPAL Reform did not, at first, excite the attention of the People to an extent commensurate with its vast importance. People who do not live in towns corporate, know but little of the vile practices of such Corporations, especially of close Corporations—take no notice of the degradation they inflict on all who are within their immediate influence, and have no sympathy with the sufferers. They had a vague notion that matters were badly managed, that trade and commerce were injured, that those in power misused their power, that the People were oppressed and plundered;—but still they never had evinced any sympathy with the sufferers, and the sufferers had long been so circumstanced that it was not possible, in any case, for them to throw off their burden.

It is the want of sympathy in the People for one another, which prevents their co-operation, in matters of the greatest moment, and produces a state of thinking and acting inimical to their welfare. Hence comes too little regard for mutual support, too little attention to the general interest, too exclusive an attention to local and personal interests, dividing them in opinion, separating the people into small portions, and putting them, at times, in pursuit of adverse objects, to the great injury of themselves and advantage of their enemies, the Aristocracy.

Thus, when a number of housekeepers in the metropolis, and others in various large towns, exerted themselves to procure a repeal of the House and Window Taxes, because they paid the money directly to the Tax-gatherers,

they were so completely absorbed in this comparatively small matter, as to be perfectly indifferent to the exertions of those who, taking larger views, needed their assistance to procure the repeal of much more onerous taxes. They could attend to nothing but the House and Window Taxes, absurdly persuading themselves that whatever could be saved from the grasp of the Tax-collector would remain in their own pockets—would be clear gain to themselves, and that none of their fellow-citizens would in any way partake of the advantage they sought. This was a very narrow, very selfish view of the matter, and never, while men continue to act in this way, shall we have reforms either to the extent we might, and ought to have them, or at the time we ought to have them. Had the housekeepers joined their efforts with others who were then acting, and the immense number of persons who would then have assisted them, the Tax on Newspapers would, before this, have been abolished, and a matter accomplished of all but infinitely more national importance than the repeal of the Taxes on Houses and Windows, which distracted the attention of the People, and ended in obtaining the repeal of the House Tax only.

The repeal of the Stamp Duty on Newspapers would have enabled multitudes of persons to judge of the best modes of proceeding, step by step, towards the attainment of really good, and consequently, cheap Government

the evil: the Cor directly in mon House Tax, but r of the loaf, and v garded by those view of the real active men could per notions wh entertained of th the Loaf Tax; t that this was, as over, the heavies is probably as g amount than is t hundreds of artic the Custom Ho a much greater a all the hundreds ther which are Office; and, ex paid as duty on l shilling of the en the People by th to the Governme goes to the Exch other Taxes. Thi the revenue raise Excise is deduct whole of the Gov from what are c the People gene vantage of one co —the Landowne property is bette any other sort cured; that clas special laws hav them to compe them, without

it will remain, so long as narrow notions of taxation and legislation, and selfish notions of personal benefit, shall be the rule of action among the People.

By the Repeal of the Government Tax on Newspapers, and the Landlords' Tax on Bread, more good would be done that can easily be conceived, or can be shown in the limits of this essay. The effect on Trade, Commerce, and Manufactures, and in the increase of employment for the Working People, would be very great and very general. The Tax on Newspapers produces only 480,000*l.*, and this is the utmost amount the CHANCELLOR of the EXCHEQUER could, in any case, have to deduct from the annual income. Nothing, however, would be lost to the Exchequer—it has been shown over and over again, that the revenue from the increased consumption of paper, and the number of advertisements, would produce a much larger sum than 480,000*l.* It is impossible to suppose for a minute that Ministers are not well satisfied that there would be an increase of revenue from a Repeal of the Stamp Duty, and yet, with the consummate impudence and imperturbable face for which men high in office are conspicuous, Mr SPRING RICE, when he produced his Budget, told the House of Commons that he should not propose to take off the Tax, because he could not afford to diminish the amount of taxation by 480,000*l.*, and the House did not contain hardly a man to tell

could make them.\* Let the People will at length folly, act in a becoming manner, and compel the Repeal of Newspapers and on Bread being almost equally necessary of life.

Ministers *were* not, and are not willing that the Repeal the Duty on Newspapers should be abolished, the case would there be an revenue. The People, do not take sufficiently enable them clearly to see advantages which would the repeal of these taxes are not yet sufficiently not so well disposed another as they ought pull together for the good selves; and thus little that little not well. Propriety however, spreading fast; wider space continually to be but reasonable to the time can be at no when, for such objects have been noticed, they rather, as sensible men matters of such vast importance.

Though Ministers were repeal the Government Tax on Newspapers, and the Landlords'

\* The recess of Parliament only a few days duration; but, in fear, be the case, I intend to withdraw, two or three short sessions, to show the origin and progress of Stamp Duty.

Bread, the last-named of which will be ruinously felt whenever there shall again be two successively bad harvests, they were willing to promote one measure of very great importance, reform to an extent which no one anticipated from them, in "Municipal Corporations." The bill they introduced gave to the inhabitants of towns the power of self-government. This bill, in a short time, would have enabled the People, in every considerable town in England and Wales, to conduct their own affairs in the most popular way—as another similar bill would have enabled the People in Ireland to conduct their affairs—has been so miserably distorted by the Lords as to prevent its becoming law. It seemed to have been the intention of the Tory Lords to throw out the bill in the most offensive way possible, and means had been concerted for that purpose. This roused the People to some extent; and the meetings which were held, and announced as about to be held, had an instantaneous effect;—*"the pressure from without"* put an end to the intention of the Tories, and another system of tactics was adopted. The People should see in this the wholesome power they possess, and should exercise it whenever it is needful. They should see that supineness on their part, that divisions among them, always have been, and always will be, taken advantage of by the Aristocracy to do them injury. They should see how safe and certain is the preventive when they act together as they ought to do. They should never forget the consequences which even the very partial effort now made in the right way has produced. The Lords have spoiled the bill,\* and prevented its becoming law. This is a present evil, which, if the People choose, may

be converted into a great and permanent good.

Could this Bill as it passed the Commons have become law, it would, in time, have led to a division of the country, each division having its Civil and Criminal Courts, in which justice would be administered by local Judges, and brought home to the door of every man's house without delay, vexation, and needless expense. These benefits may be secured and accelerated by another and a better Bill, if the people choose. The inestimable benefit of such a law would be the really useful importance it would confer on an immense number of well-disposed persons, and the exertions which they would not fail to make for the instruction, and consequent elevation, of the whole of the working people. Inasmuch, therefore, as the Bill includes the means of promoting the welfare of all, so all should exert themselves to promote the passing of such a Bill.

Before the Municipal Reform Bill was presented to the Commons House of Parliament, and when it was not expected to be so favourable to the people as it really was, vehement opposition in every possible way was anticipated from the Tories, and this anticipation suggested the publication of a Weekly Newspaper on a large scale, solely devoted to the important subject. An outline of the principles on which alone Municipal Corporations could be founded, was prepared six weeks before the Bill was produced, and was published as a prospectus of the newspaper.

The Tories in the House of Commons shrank from a direct opposition to the Bill. This was an artful proceeding to lull the People, who concluded that the Bill would pass the Commons without being materially damaged; and they became even much more indifferent to the subject than they would have been had the Tory opposition been as

\* The alteration of the preamble should be considered a premeditated insult, and should be treated as such by the Commons.



fierce as was expected. In this state of feeling, or want of feeling, in the People, the demand for the Newspaper was comparatively small, and its publication ceased with the fifth number. The supineness of the People induced the Tories in the House of Lords to conclude that they were indifferent to the measure; and the consequences are now seen in their conduct, and in the certain loss of the Bill.

It is now, above all things, desirable that every one should bestow the time and pains necessary to make himself master of the subject, that he may be prepared to exert himself, in every lawful way, to procure a much more perfect Bill than even that on which the Lords have consumed so much of their precious time, and taken so much pains to make worse than useless.

The following are the principles alluded to. They are the basis on which alone good corporate Government can be placed. They are a tolerably perfect outline of what should be proposed to Parliament. They will be proposed and passed into a law if the People be but true to themselves, if they shew that they understand their duty, and are resolved to do it in a becoming manner.

#### PRINCIPLES ON WHICH MUNICIPAL GOVERNMENTS OUGHT TO BE FOUNDED, AND ON WHICH ALONE THEY CAN BE USEFULLY AND PERMANENTLY ESTABLISHED.

The most successful, and by far the most mischievous, of all the arts of bad government, is mystery. This it is which, more than anything else, induces men to submit to insulting domination, to the rankest abuses, and to all kinds of inconveniences, indignities, and losses. In nothing is the practice of mystification carried to a greater extent than in Municipal Corporations; and the consequence is, that very few persons think themselves competent to interfere in anything which relates to the conduct of Municipal Corporations, their officers, or agents: they dread the trouble, vexation, and expense, generally useless as it is, of either advising or contending with municipal authorities. Until lately, even the hope of ever seeing any real reformation in these matters was relinquished; and the consequence is, that at the present moment there is a great want of public knowledge in aid of the impending reformation.

To remove the mystery,—to show to all that,

like other public departments, municipal government may be made very simple, very efficient, and in all respects greatly useful to the nation,—and to excite all who wish well to their country to take a proper interest in a work of such vast importance as its re-establishment,—the following outline of principles, on which such municipal governments should be based, has been made, and is now distributed.

Municipal institutions ought to be, as far as is possible, organizations of the inhabitants of towns, for their common benefit.

Each such organization should be divided into two parts, according to the objects to be obtained.

1. Public Economy.

2. Administration of Justice.

#### I. PUBLIC ECONOMY

Includes the management of the public property, taxation for local purposes, and superintendence of the receipt and expenditure of the public money; the execution, preservation, and improvement of all public works for common convenience and mutual advantage; the administration of public charities; the enactment of regulations for the town; and a watchful regard of the police and local magistrates.

#### II. ADMINISTRATION OF JUSTICE

Includes the protection of the inhabitants in their persons and properties; the prevention of nuisances, offences, and crimes; providing and executing appropriate remedies and punishments; decisions of disputes; recovery of small debts; and enforcement of police regulations.

These objects are of very great importance, and can only be fully obtained by municipal organization; and that organization will be the most perfect which secures the attainment of these objects by the simplest and least expensive modes.

Municipal Corporations, as they now exist, are incompetent to these purposes; the constitution of the best is exceedingly defective; and, by their incompetency, their neglect, and the abuses they create and maintain, they are formidably injurious. They are generally irresponsible bodies of self-elected persons, who abuse their power, perpetuate many grievances, waste the public money, and degrade and demoralize the people.

It is therefore intended to show—

1. The real source of all municipal authority.

2. The organization necessary for public economy.

3. The organization necessary for the proper, certain, and speedy administration of justice.

#### I. THE SOURCE OF MUNICIPAL AUTHORITY.

This need not be sought in history: it always exists, and has always existed, in the association of the inhabitants of towns, for their mutual security and advantage. The arrangements made by our ancestors were made by them to suit their state of society; ours should be made by us to suit our state of society.

Municipal governments were originally contrivances of the people to promote their common welfare; and the grant or usurpation of power, by close bodies, is a disgrace to the understanding and courage of the people.

Town governments should exist only for the mutual advantage of the people; meaning, by the word *people*, every honest member of the

community. It is only because the people, as a body, cannot transact the public business, that such governments are necessary; and they should always be composed of the freely-elected representatives of the whole community. Whatever system leads to the appointment of men to exercise municipal authority, who have not been freely elected by the people, is despotic, and necessarily tends to produce disorder and common injury. In all such cases, instead of the interest all men should feel in the support of those in authority, they will despise both the men and their proceedings, and will oppose their arbitrary power; having no means of compelling an honest exercise of authority.

Every man who keeps a house, and is assessed to any rate or tax, should therefore be an elector.

## II. ORGANIZATION FOR PUBLIC ECONOMY.

### 1. CONSTITUTION OF A DELIBERATIVE ASSEMBLY.

A Deliberative Assembly of a few persons, to conduct the whole of this class of the public affairs of every considerable town, is necessary. There must be but one such assembly in any one place. No distinction of classes among the persons composing it can be other than detrimental; there must, therefore, be no aldermen or other body assuming any of its functions.

The Assembly should consist of not less than thirteen, nor more than thirty-one persons, in any city or borough, since any larger number must impede the public business.

Election of the members of the Assembly should be annual, and on a day certain,—every member of the Assembly being re-eligible; thus enabling the electors to secure the assistance of those who have proved their ability and trustworthiness, and to reject such as have in any respect been neglectful or deficient.

The assembly, when elected, may be called by any name, as *Common* or *Town Council*.

### 2. MODE OF ELECTING REPRESENTATIVES, AND THEIR QUALIFICATION.

Each member of the Assembly should be elected separately, and where it is not impracticable there should be as many divisions or wards as members of the assembly, one only of whom should be chosen for each such division or ward; for in the choice of representatives in a body instead of separately, selection would be weakened by the greater number being strangers to the individual burgesses, while responsibility would be lost by its dissipation among a number.

Ballot being the only mode by which free elections can be made, all election of public officers should be by ballot. Without the protection afforded by the ballot, undue influences and intimidation will continue to be practised; there will be jobbing and petty bribery; the responsibility of the representatives will be greatly impaired; mal-administration will not be put an end to; and all the disorders and dishonest practices which at present degrade and disgrace the Corporate Towns, will be perpetuated.

There should be no property qualification for any office. Property will always have abundant influence without any being specially granted to it.

### 3. CHAIRMAN OR MAYOR: HIS ELECTION AND FUNCTIONS.

It should elect its own president or chairman, who may be called either president, or

chairman, or mayor. He should not act as a justice of the peace, it being necessary that the administration of justice should be free from all suspicion of local influence.

It should be the imperative duty of the chairman, president, or mayor, to call a public meeting of the inhabitants at the usual place of assembly on any occasion of either local or public interest, on receiving a respectably-signed requisition. He must preside at all such meetings.

The authority of the president, chairman, or mayor, will be considerable, and his duties arduous; for the due performance of which he should have a competent, but not an excessive, salary. Public correspondence, reports and abstracts of the proceedings of committees and commissioners, must be under his care; he must cause all reports to be made openly and publicly; he must sign all minutes of proceeding of the assembly.

### 4. FUNCTIONS OF THE DELIBERATIVE ASSEMBLY.

The functions of the Assembly may be comprised under six heads:

1. Administration of public property held for general purposes, so as to obtain the greatest possible amount of revenue, and thus enable it to reduce the local taxation to a minimum.
2. Surveillance and payment of the magistrates, officers of the courts, all other officers and servants, the police, &c. &c., maintenance and superintendence of the gaol or gaols.
3. Paving, lighting, cleansing, maintenance, and improvement of thoroughfares, and, where possible, the supply of water.
4. Maintenance of public buildings and works, such as the town hall, the market places, bridges, harbours, docks, water courses, sewers, &c.
5. Administration of trusts for hospitals, schools, and charities.
6. Making of bye-laws for its own regulation, assessment of local taxes, appointment and dismissal of clerks and servants.

An assembly thus appointed and endowed with authority, renovated yearly, and made individually and collectively responsible to the electors, would, as it ought to do, supersede the cumbrous machinery of the present corporations, and terminate all the many evils they have occasioned, and still maintain.

Such a body, deliberating in public, will be competent to the full and satisfactory discharge of every public trust which can be confided to it. It will grant leases of houses and lands, of tolls, &c.; and exercise all the functions above enumerated, by common consent, without the enormous expense incurred by procuring acts of parliament.

It must carefully watch the conduct of all its officers, of the police force and the magistrates.

It must, in consultation with the magistrates, determine the extent and pay of the police force.

The police force must be amenable to the council for its conduct, though placed under the immediate direction of the magistrates.

### 5. MODE OF CONDUCTING BUSINESS.

The deliberations of the assembly must be public.

Such parts of the public business as cannot be transacted by the assembly, or by its officers and servants, must be done either by small committees of its own members, or by one, two, or

three persons appointed by the assembly as commissioners.

Persons acting as commissioners must be paid for their services.

The members of the assembly cannot be paid for their services as such. They may, however, receive pay for useful services as members of committees or as commissioners.

No portion of the public money must be allowed to go into the hands of any member of the assembly. All must be received by the proper officer, who must give ample security for the sums which come to his hands.

#### 6. OFFICERS: THEIR APPOINTMENT, DUTIES, AND EMOLUMENTS.

Officers, necessary for the due management of public business, must be appointed; those of responsibility will be the Town Clerk or Clerk of the Council, the Treasurer, and the Surveyor. All persons whose situations are places of public trust must be annually elected by the community, by ballot.

But, as the strict obedience of its officers to the Assembly is of the first importance, it may suspend any officer appointed by the Commonalty, and submit his conduct to a vote of the community respecting his continuance in, or dismissal from, office.

On the dismissal from office of any such officer, the Commonalty or the Council must elect another for the remainder of the year by ballot.

The Town Clerk, or Clerk of the Assembly, must be its legal adviser; he must attend all its meetings, register all its proceedings, conduct the public correspondence, make reports, and, with the Treasurer, prepare his accounts for publication; and in all matters relating to his office, obey the instructions of the Assembly.

All monies which may come to the hands of any of the officers of the Assembly must either be paid to the Treasurer or to his account at his banker's.

The Treasurer will receive all monies, from whatever source they may come, and pay therefrom all the properly-certified orders of the Assembly. He must keep accurate and properly-classed accounts; he must produce them whenever called upon to do so by the Assembly, and to the Auditors at their request.

Three persons must be annually appointed by the Commonalty as Auditors, by ballot.

The Auditors must examine the accounts of the Treasurer, and compare them with the necessary documents and vouchers, twice in each year; and make out an accurate account for the Town Clerk to publish and distribute to the Commonalty in the cheapest possible way.

### III. ORGANIZATION FOR THE ADMINISTRATION OF JUSTICE.

#### 1. MAGISTRACY.

For the vigilant and efficient administration of justice according to the laws, persons qualified by education and character must be appointed to the office of Justice of the Peace, and be resident during their continuance in office.

These Justices of the Peace should be elected by the whole community, by ballot; though

the Council should have power to make a formal instrument of recommendation.

They should be elected during good behaviour.

Their number should vary according to the size of the towns and quantity of business.

No such magistrate should ever be a member of the municipal deliberating body, nor exercise any municipal function except that of Justice of the Peace.

They must attend to their duty daily.

They must be paid for their services.

Their conduct must be subject to the observation of the Assembly; which must have the power of suspension, from a day to be named, or immediately, for misconduct in the use of their power.

The Assembly, having made due inquiry, should report the same to a public meeting of the community, or by delivering a printed report to each of them at his home. A day should then be appointed, when a ballot shall be taken respecting the continuance in office of the person thus complained of.

Under the sole and absolute command of these Justices must be placed the police force; the number of the police constables being settled, in public, by consultation with the Assembly.

The duties of these Justices to be limited to those of Police Magistrates.

#### 2. POLICE.

An Inspector of Police must be appointed by the community. He must be paymaster of the police, and be under the control of the Magistrates.

The Police Constables must be appointed by the Justices of the Peace, as well as all public servants in this department.

The gaol should be under the Justices; but the keeper should be appointed and dismissed by the Town Council.

In all towns of considerable magnitude there should be a Coroner.

The Coroner should be elected by the community by ballot, and be liable to removal on complaint of the Assembly, in the same manner as other officers.

#### 3. JUDICIAL INSTITUTIONS AND OFFICERS.

One Justice should hear and determine all claims of debt to a certain amount.

There should be a Clerk to the Justices, who will also be Prothonotary of the Civil Court.

The administration of justice, both civil and criminal, by the agency of local judges,—superceding the present system of complication, vexation, delay, expense, and inefficiency, and securing to the people a speedy and just remedy in every civil matter, the prevention and detection of crime, the conviction of offenders, and the prompt and certain execution of the mildest sentences compatible with the well-being of the community, is a subject of the highest importance, deserving the serious contemplation of all who are competent to entertain it. Though intimately connected with Municipal Reform, yet owing to the existing difference of opinion with regard to the mode of appointing the judges, the extent of their jurisdiction, and its local application, it has been by the editors deemed advisable in the Prospectus to leave their own views undeveloped, rather than

connect what was indisputable, with that which would afford matter for argument, on a subject unessential to the cause they advocate, though of vital interest to society, at the time which is fast approaching when it can receive further consideration.

Upwards of 60,000 of this statement of principles have been carefully, and, it is believed, judiciously distributed all over the country, and have conveyed to a large number of persons a considerable portion of information they were not likely to obtain by other means. This "*useful knowledge*" will be still further extended by the present publication, and, it is hoped, will be carefully inculcated by every man who is at all desirous that the pernicious power of the Aristocracy should be lessened, and the wholesome power of the People be increased.

It is of the utmost importance that general principles of Government, as well National as Municipal, should be taught to the greatest possible extent; that efforts should be made for their adoption, one after the other, in as rapid succession as possible, until, step by step, *radical* Reforms have been effected in all our institutions, jurisprudential, legal, civil, criminal, and ecclesiastical. But information to the extent necessary to produce these effects, is a work of time and difficulty, and can be accomplished only by the continually increased desire of the People for the appropriate information, and a steady determination to obtain it. That there will be a continual increase of knowledge, spite of all the efforts of the Aristocracy, no doubt need be entertained; but for them it would have been greatly increased by this time. In their present position, they have the means to retard its progress to some extent; they are prompt on all occasions to use the means they have, and they will continue to use them as long as they can. Knowledge in the People is necessarily hateful to them; it is the foe of every order privileged to do mischief.

It is a war of "*right against might*," which cannot cease until might is so thoroughly vanquished as never to be able again to raise its head.

The Peers will never of "their own mere motion" consent to repeal the Stamp Duty on Newspapers, lest they should aid their persevering enemy Knowledge;—they will never willingly consent that the principles of free Corporations shall be reduced to practice. The Premier has, however, had the sense and courage to speak out on the subject. Lord MELBOURNE was insulted—almost scoffed at—and threatened with impeachment for having introduced the Bill. He met the attempted contumely by a plain statement of simple truths, put into a form of words which seldom meet the ears of noble Lords.

He said—"The Counsel at the bar had objected that there was no qualification; he (Lord Melbourne) would simply observe that the idea of a qualification was perfectly new in corporate bodies. There existed no such thing at present. It was then said that the corporations were to be founded on annual elections. The answer was, all elections in corporate bodies had always been annual. It might be a wrong, or it might be a wise system, but it was no novelty. It was then said by the learned counsel that we were going to establish a system of Republics throughout the country, but we found these Republics already established. If a town having a right to settle its own municipal government, to manage its own local affairs, and regulate its own police, were, indeed, a Republic, then this system of Republics had been already established by the ancient constitution of this country. The only alteration this bill proposed to make was, that these Republics should be popular instead of being oligarchical. They were at present nothing but oligarchies, and accompanied by all the evils and miseries that had in all places, and at all times, flowed from that system of government, a system which never promoted the welfare of those committed to its charge, but which was always the object of hatred, odium, and detestation—a system which generally terminated in tumult, turmoil, rebellion, and blood. (Cheers.)"

This is speaking out in the tone which should have been adopted by Ministers from the moment they came into office under Lord GREY. The fear of a collision with the Lords benumbed Ministers, and has all along been taken advantage of by the Tories,

to annoy them and embarrass their measures. Collision cannot be avoided; it is now courted by the Tory Lords, and ought to be met with the manly spirit the occasion demands. Will Ministers meet it thus? That is the question. If they will, they may depend upon the support of the House of Commons and the People. If they make any compromise with the Tories, the People will see that they are abandoned,—that nothing remains but Tories and Reformers, and they will act accordingly. They will not be dragged along, blindly, ignorantly, as they used to be, by Whigs and Tories, and permit the Oligarchy to proceed, as all Oligarchies have proceeded, until they have produced the consequences so truly stated by Lord MELBOURNE: they will be enlightened by the proceeding, and will find the means to prevent the Oligarchy from compelling them to resort to “*tumult, turmoil, rebellion, and blood.*” They will speak in a voice which will command submission to their will,—they will proceed steadily, carefully, legally, until they have put aside the Oligarchy, and resumed their own power, which they will take care shall be used rationally for their own good. This is matter for the serious consideration of every man, and if he proceed to the consideration as he ought to do,—as he will do unless he be doggedly stupid or perverse,—he will be induced to put aside all narrow views, and exert himself to promote the public good in the broadest and most effectual way by which his honest intentions can be accomplished.

The Oligarchy will oppose the restoration of the power of the People on every occasion in which their courage will bear them out. They will endeavour, by every possible means, to keep from the People whatever has at any time been filched from them by corrupt Parliaments, and mean and dirty roguish

Corporators. It has been the craft of all these to prevent the People having the power of self-government, to retain for themselves the means of stultifying them while they robbed them. In these matters they have proceeded as every order of men having interests adverse to the People have always, and ever will, continue to proceed. For these enormous evils the remedy is one—take away their power.

In all cases, at all times, the privileged classes in every rank have accumulated in their own hands every particle of power of every kind which circumstances have permitted. They have invariably used their power for their own aggrandizement and the depression of the People; never have they parted with any portion of their mischievous power, so long as they could retain it. Such, indeed, has been the blind pertinacity with which they have held it, that the almost certain loss of property and life, and the utter extinction of their order, has not deterred them from provoking the indignation of the People, and pushing them to a state of recklessness which nothing could resist. Yet these examples are thrown away upon the Oligarchy; experience has no weight with them. It may indeed be doubted, whether, in matters relating to themselves, the word experience has any meaning. Happily, in this country, it must be the fault of the People themselves if they be pushed to deeds of violence;—they have the power to put aside the Oligarchy, without resorting to “*tumult, turmoil, rebellion, and blood!*”

Let no one wonder at the proceedings of the Aristocracy, at the conduct of those who can see nothing useful in the People which cannot be made to minister to their desires, to gratify their caprices, to uphold their pride; but let the People of this country see, that by a course of steady perseverance in inculcating

and practising sound notions on Government, and by promoting reforms in every possible way, and to the greatest possible extent, they will obtain the full exercise of self-government by rational, and, consequently, peaceable means.

Times have changed, circumstances have changed, everything has changed, even the "*proud Barons*" have changed; but they have not changed with the times; changes go on much too fast for them, and they are a century behind in "useful knowledge." What they were, what they are, what they should be in knowledge and character, in power and consequence, was so well described in a petition to the House of Lords, in 1832, is in many respects so well adapted to the proceedings on the Municipal Reform Bill, and may be made so useful a lesson, that it is now put into a form for preservation, that it may be widely spread, and the matter it contains be extensively inculcated.

To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.

The PETITION of the Undersigned Persons, who are members of the Council of a Society calling itself the NATIONAL POLITICAL UNION,

Sheweth,

That your Petitioners humbly submit to your noble House, that the time has arrived when a great change must be made in the system under which this nation has been long governed.

That this inevitable change may be gradual and peaceful, or sudden and violent.

That it remains with your noble House to determine in which of these two ways the change shall be made.

That the House of Commons has for more than half a century past, been proved by indubitable facts continually adduced, to have been principally composed of persons returned either by means of their own money, or by the direct power and influence of a very small number of other persons, and not by the people of these realms, as they ought to have been.

That the evil consequences which have resulted from a House thus composed, are so numerous, that it is even impossible to mention them in the limits of a Petition to your noble House.

That these evil consequences are manifested to the People in the enormous public Debt,—the grievous load of Taxes,—the venality and corruption in every department of Church and State,—the heterogeneous, multifarious, mis-

chievous, and unintelligible laws,—the disregard of the welfare of the People,—and in the perpetual acts of oppression and fraud to which they have been and are still subjected.

That a longer continuance of the prevailing practices of returning members to the House of Commons is utterly impossible, the worst consequences of a violent revolution being less dreaded by the People than the perpetuation of this great source of constantly increasing mischief.

That this state of the public mind induced our patriotic King and his Ministers to accede to the wishes of the People, and to cause a bill to be brought into the House of Commons to amend the representation of the People in that House.

That the bill so introduced, was passed in that House, but was rejected by your noble House.

That a similar Bill has, in like manner, been introduced into the House of Commons, has again been passed by that House, and has been carried up to your noble House.

Your Petitioners are convinced that the Bill, with all its alleged and real defects and anomalies, will, if it be passed into a law, be the means of quieting the agitation of the People, will be received by them as an earnest that their interests will not continue to be either neglected as they have been, nor be sacrificed as they have been, to the interests of a very small number—as an assurance that the multitude of abuses which now exist, will be put an end to, and that the oppressions they have long endured, will cease.

Your Petitioners have no doubt at all that these allegations contain the sentiments of the great body of the People, in all ranks and degrees; of those who possess the largest aggregate amount of wealth, and amongst whom may be found the greatest intellectual acquirements.

Your Petitioners think it their duty to remark to your noble House, that neither by force, nor by corruption, nor by both united, can any Government long continue to exist in any nation, when the persons of whom that nation is composed, have acquired the knowledge which enables them to comprehend principles of Government, and which qualifies them to govern themselves, by means of institutions not opposed to, but identical with their well-being.

That in former times there was little wealth in this country, beyond that which was held by the Aristocracy in Church and State.

That there was little learning and knowledge beyond that which this Aristocracy possessed; the People being left in a state of profound ignorance.

That as the Aristocracy held these two principal ingredients of power, and as there was no political public, the Government of the country was in the hands of the privileged orders.

That as landed or real property came to be divided, and feudal services abolished, as new means of increasing wealth were discovered and brought into use, and as knowledge spread among the People,—power in the hands of the Aristocracy declined; and when at length, authority and force could no longer prevail, a system of fraud and corruption was devised, and has ever since been practised.

That a further division of real property, and a much greater accumulation of wealth among the People; and, above all, an immense increase of knowledge have, at length, made it as utterly impossible that the country can continue to be governed by fraud and corruption, as at the period alluded to, it could continue to be any longer governed by mere authority or force.

That a new element of power has been created by the more general diffusion of wealth and knowledge.

That this power must have its weight and influence in the Government of the country; and it is the well founded belief of your Petitioners that it is impossible by any means which the subtlety of man can devise, to prevent the exercise of this power.

That so different, indeed, are the present from former times, that, instead of nearly all the wealth in the Nation being possessed by the Aristocracy, the whole amount possessed by them is a small fraction.

That so different, indeed, are the present from former times, in respect to Intellectual acquirements in every branch of knowledge, that it can be no disparagement to the privileged classes to say, that the Country abounds with men in every department of knowledge, to whom no equal can be found among the Aristocracy; and that so widely have intellectual acquirements been diffused, that, generally, every man whose education has not been wholly neglected has become a competent judge, not only of legislative proceedings, but also of those measures that ought to come under the cognizance of Parliament.

Your Petitioners therefore submit to your noble House, that any endeavour to prevent the proposed Reform in the House of Commons, will be an attempt to govern knowledge by ignorance; than which nothing can be more absurd and more impossible.

Your Petitioners, therefore, pray that your Lordships will pass the Bill as it has passed the Commons, that wealth and wisdom may have their due influence in the Government, and thus prevent the most fearful, yet certain Revolution which has ever happened in any Country in any age.

And your Petitioners will ever pray.

Before the Parliamentary Reform Bill was passed, it was no exaggeration to say, as was said, "that the two Houses of Parliament constituted an Aristocratical conspiracy against the People." The Reform Act broke the neck of the conspiracy; and it will be the People's own fault if it should ever be resuscitated.

The Reform Bill, with all its anomalies and absurdities, and even when impaired as it was by the Lords, narrowed the Oligarchy, concentrated it, and made its proceedings apparent to all. This was a real and substantial good.

Every one now sees where the root of the mischief lies.

The People have only to divest themselves of all narrow and personal notions—to sympathize with one another—to pull together steadily for the accomplishment of great and comprehensive measures, to enable them to obtain all that rational beings can desire to possess—a perfect controul over every act of State, by means of Representatives freely and wisely chosen, for short periods, by the whole body of themselves.

FRANCIS PLACE.

Brompton, 29th August, 1835.

\* \* \* Since the preceding pamphlet was put into the hands of the printer, Ministers, with unparalleled meanness, have succumbed to the Tories, have submitted to openly intended insult, and our Whig, Reform, and Radical Members have followed in the train of degradation and disgrace.

It is, indeed, lamentable to be compelled to observe, that *not one* of those men, whom circumstances had induced the People to regard as a *leader*, has done his duty—that not more than two or three among the whole number of those who supported the Municipal Reform Bill, of those who talked, like brave and virtuous men, should have shown that they possessed either of these requisites of a statesman, but, when the hour of trial came, proved themselves mere drivellers.

The consequences are certain; all confidence in public men will, for a time, be extinguished. The self-degraded Whig Ministry will be peremptorily dismissed from office. This result is a necessary consequence of their meanness, their cowardice, and their treachery. It cannot be otherwise, since it can no longer be matter of much concern to the People whether they vote for sham Reformers, shuffling Whigs, or arrogant Tories. F. P.

## WHOLESALE OBSTRUCTIVENESS OF THE LORDS:

HE who has read the several pamphlets entitled, "Of what Use is the House of Lords?"—"Evils of the House of Lords"—"Matchless Constitution"—and "The Crisis"—published within the last few weeks, will be quite prepared for the proof of the obstructive character of that House, to which I am desirous of directing the reader's attention.

In the several articles to which I have alluded, it is shown that the harmony which prevailed between the two branches of the Legislature for so long a period, arose from the circumstance that the Commons were the mere tools of the Lords. By means of rotten Boroughs, close Corporations, and feudal county influence, the Lords and the Aristocratic class, of which the Lords are only a part, actually nominated a majority of the Lower House. Hence, the wonder is—not that the two bodies agreed together, but that they ever differed.

Disagreement, however, strange as it may appear, did sometimes arise, but it was only momentary. It was generally amicably arranged; but if this could not be accomplished, the Lords ordered the King to dissolve Parliament, and their Lordships straightway nominated a more obedient set of servants.

It is further shown in the above-named articles, that the Reform Act upset all this unanimity. Although that Act did not cause the mass of the People to be completely represented, it did enough to destroy the "beautiful harmony" of the matchless constitution.

The doctrine thus laid down is put beyond a doubt by a return laid before Parliament, on the motion of Mr EWART, of "The titles of all Bills, public as well as private, which,

during the last three years, have passed the House of Commons, and have not been returned from the other House of Parliament; also, of all Bills, during the same period, which have been returned from the other House of Parliament, with amendments, but which have not afterwards received the Royal Assent."\*

The number of bills on the first list alone is seventy-nine; of these, some few have since been returned with amendments (the Corporation Bill, for instance, is among the number so returned), and others will be so before the close of the session. Still we have from fifteen to twenty bills every session which are passed by the People's representatives, and are subsequently "burked" by the Aristocratic branch of the legislature.

The class of bills to which their Lordships have the strongest aversion, comprises all those which propose in any way to extend the influence of the People in the choice of their representatives, and thereby render the Lower House somewhat more Democratic in its character. Their Lordships' aversion to this has been already explained in the article on the "Evils of the House of Lords." So long as the Aristocratic class can preserve sufficient influence in the Commons to keep the fight within the walls of the Lower Chamber, the public eye may possibly be averted from the Peers themselves. Once let there be a permanent majority in the House of Commons in favour of the views of the People, and collision with the Lords will be too palpable to be either mistaken or denied.

Our British North American colonies afford an extraordinary confirmation of this view of the question. In each of

\* Ordered by the House of Commons to be printed, Aug. 27, 1835. No. 571.



those colonies, a House of Commons has been established on the basis of popular representation. The suffrage is there virtually universal. There is a qualification, but it is such as to include the whole male population. Hence the Assemblies of those colonies do actually represent the People.

Besides a Democratic Assembly, each Colony has a sort of mimic House of Lords in its Legislative Council. This Legislative Council is chosen by the KING, for the most part, out of the official class, and as they have scarcely a single interest in common with the mass of the People, they have never agreed—they will never agree with the People's Representatives.

The fight, however, is never carried on within the Colonial Assemblies. The Councils have tried hard to gain some permanent influence therein, but hitherto without success. Hence, the disputes between the People and the Oligarchy always assume the character of what is here called "collision."

So complete is this collision in the two Canadas, that the business of Legislation is literally at a stand. The Bills which are passed by the Assemblies in conformity to the views of the People, are invariably rejected by the Council, till at last the People have come to the determination that no Reform will answer their purpose which has not for its object the abolition of the Council. "If we must have a Second Chamber," say they, "let us elect it, as the only means of producing that harmony without which internal peace and good government cannot exist."

On this single principle the People of the Canadas are in a state of discontent bordering on revolt. Two years ago the Lower Canadian House of Assembly agreed upon a list of ninety-two principal grievances. They have since simplified the matter amazingly. They

have found out they have but one grievance, and that is, their mimic House of Lords. "Give us an elective Council," say they, "and we will find means to redress all minor grievances ourselves."

The experience of the People of England in the obstructive character of an irresponsible Upper House is only of three years' standing. The experience of the Canadians is coeval with their mimic Constitution. In England, before the era of the new Constitution, it was a mere theory of philosophy—now it is a fact ascertained by experience. In Canada there was never anything of theory in the question. It was always a matter of bitter experience.

In the Parliamentary return which I have mentioned above, there is abundant evidence (besides the Municipal Corporations Reform Bill) of the dogged pertinacity of the Lords in rejecting everything which might have the slightest tendency either to extend the influence of the People, or to abridge that of the Aristocracy. The Parish Vestries' Act Amendment Bill, rejected in 1833, the Liverpool Freeman's Disfranchisement Bill, and the Warwick Bribery Bill, rejected in 1834, the Scotch Reform Amendment Bill, the Stafford Disfranchisement Bill, in 1835, are all of this character.

Justice to Ireland is proved, by this return, to have been systematically refused by their Lordships' House; and Mr O'CONNELL is thereby fully justified in every syllable he uttered on Monday night, animadverting on their Lordships' conduct.

The temporal power of our overgrown Church Corporation finds constant support in the House of Peers. Bills for the removal of the Civil Disabilities which the Law imposes upon those who profess belief differing from that of the State Church, are annually rejected. The Jews are still denied

justice;—perfect freedom of religious worship does not exist;—the Church still retains its monopoly of the paltry fee on marriages between a Papist and Protestant;—tithes are still collected in Ireland.

All the improvements which have been introduced into our system of Criminal Law were long resisted by the Upper House. Prisoners are still denied Counsel. Bills for the removal of Death-punishment from some smaller crimes, are annually rejected. Local Courts that shall afford cheap justice to

the poor at their own doors, are opposed. Benevolence evidently holds no sway in their Lordships' House.

The evils unfolded by this return, admit of no remedy short of a Reform of the House of Lords. The Peers must either be made responsible to the People, or the Commons will, at last, be compelled to declare *that the concurrence of the Upper Chamber is no longer necessary to the making of a law.*

H. S. CHAPMAN.

## VOTES OF MR GEORGE FREDERICK YOUNG.

IN the course of the debate in the House of Commons, on Monday week, Mr GEORGE FREDERICK YOUNG, the Member for Tynemouth, entreated Lord JOHN RUSSELL to afford him reparation for the *pain, injury, and inconvenience*, he had suffered in consequence of a statement made by his Lordship on a former occasion, that in four cases out of five Mr YOUNG'S name would be found registered among the opponents of Ministers.

"I trust," said Mr YOUNG, "that with the frankness and candour which always characterize generous minds, he will not refuse me the reparation of expressing that he was in error."

To this lachrymose appeal Lord JOHN RUSSELL is reported to have replied as follows:—

"I spoke at the time what struck me at the moment. I believe that my impression was derived from some divisions in which I had seen the Hon. Member. One of these occurred at the commencement of the Session, and others upon some amendments of the Municipal Corporations Reform Bill; and I therefore said on a sudden, that which I supposed was a fact, that in four out of five divisions the Hon. Member had voted against the Government. I by no means wish to say that, on the whole, he may not be reckoned one of our supporters, and I believe that, looking at all the divisions since we came into office, my statement may be found erroneous. To a certain extent, therefore, I beg to correct it, and I hope hereafter I

shall have to correct it still more. I hope I shall have to say, that of all the supporters of the present Government, the most steady, uniform, and constant, is the Hon. Member for Tynemouth (cheers and laughter)."

In making the original statement Lord JOHN RUSSELL did not observe the rule which on most occasions Ministers so strictly adhere to. He incautiously abandoned the usual vague and general mode of expression which ministerial gentlemen find so useful. He ventured to indicate the precise proportion of Mr GEORGE FREDERICK YOUNG'S votes. Now this was, as the sequel has shown, extremely unwise. Lord JOHN should have foreseen that, if his statement were incorrect by a fraction only, it would give Mr YOUNG a hole to creep out of. And so it has turned out.

What may be the proportion of Mr YOUNG'S votes for and against Ministers, I cannot take upon myself to say; but I can do that which will prove of much greater use to the public—I can give his votes a pretty accurate general character.

At the commencement of the Session, Mr YOUNG adhered to the Tories—he was for giving them a

fair trial. Accordingly, he voted for Sir MANNERS SUTTON, and so put in his mite for the exclusion of the more liberal, or, rather, the less illiberal of the two great aristocratic factions from power.

On the question of the Ballot, Mr GEORGE YOUNG went with Ministers, by voting against Mr GROTE's motion. On a great number of the Amendments to the several Clauses of the Municipal Corporation Reform Bill, on the other hand, Mr YOUNG did all he could to justify Lord JOHN RUSSELL's complaint.

Whenever Ministers are disposed to relax the iron bonds of restriction on trade, Mr YOUNG will be found against them. If, on the other hand, they are engaged in resisting the cry of the people for a removal of restrictions,—if they are puffing side-winds at the principle of free-trade, Mr YOUNG will be found lustily swelling his cheeks to increase the blast.

It thus appears that Mr YOUNG is not *always* against Ministers. As far as connexion with the Ministry is concerned, Mr YOUNG may be said to be an independent Member: Whenever their measures assume what is called a Conservative cast, Mr YOUNG is their staunch supporter. If they evince a disposition to grant concessions to the People, then, indeed, is Mr YOUNG against them. A correction of a single word would have brought Lord JOHN RUSSELL's statement within the truth. If, instead of saying, "that in four cases out of five, Mr YOUNG had voted against *Government*," Lord JOHN had said "against *the interest and well-being of the People*," his Lordship's expression would have been quite indulgent to-

wards the Member for Tynemouth. There might arise a case—I do not affirm that it ever has arisen—wherein Mr YOUNG might be found supporting the views and forwarding the interests of the mass of the People: namely, where the general interest might chance to coincide with the interest of Mr YOUNG, and of the section of the community to which he belongs, or I should rather say, with what he and they deem their interest. It would, however, be quite a metaphysical puzzle, to note down a definition of this supposititious case; and when you had done it to your own satisfaction, the changeful nature of the last-named limitation, namely, *their own opinion of their interest*, would probably prevent its occurrence.

To his Constituents, Mr YOUNG calls himself a Reformer. The character of his votes is decidedly Conservative. What Mr YOUNG may call himself is not of much consequence, provided the good People of Tynemouth do not permit themselves to be deceived by a name. The miser in the play questions his servant touching the colour of a box, supposed to be his lost money-box. The servant affirms that he has seen a *grey* box; but the lost box is *red*. Ah! *Grey-red*, says the servant; and the master, ready to grasp at anything which promises the restoration of his darling money-box, is satisfied with the explanation. Should Mr YOUNG, unable to prove that he is a *Reformer*, endeavour to palm himself on the electors of Tynemouth as a *Conservative-Reformer*, I trust they will remember the *Grey-red* box, which was not the money-box after all.

H. S. C.

## Advertisements.

## MUNICIPAL CORPORATION REFORM BILL.

A numerous and highly respectable MEETING of the Burgesses and other Inhabitants of the Borough of Salford, convened by the churchwardens and overseers, and held in the Town Hall, on Monday, August 24th, in compliance with the requisition of one hundred and sixty-five electors, "for the purpose of considering the propriety of petitioning the Commons' House of Parliament to reject the MUNICIPAL CORPORATION REFORM BILL, if that measure should be presented to them in its present mutilated state, and to take such other steps as the exigency of the present alarming crisis may require;"

LAWRENCE ROSTRON, Esq. senior Churchwarden, in the Chair;

The following Resolutions were unanimously adopted:—

Moved by William Harvey, Esq.;

Seconded by W. B. Grime, Esq.;

1. That this Meeting has heard with sorrow and indignation that the bill for reforming the Municipal Corporations of England and Wales, which had received the approval of the representatives of the people in the Commons' House of Parliament, and which measure was looked for with the most anxious hope of the nation, has had its best and most important provisions destroyed, and others introduced in their stead, of the most exclusive and aristocratic character, fraught with mischief and confusion, and utterly opposed to the free and enlightened spirit of the age, by a majority of an assembly of individuals who represent themselves only, and whose principal aim and efforts appear to be to over-rule at once the monarch and the people of these realms.

Moved by T. Bury, jun. Esq.;

Seconded by Mr Tomlinson;

2. That at this important crisis, when a collision between the two Houses of Parliament appears to be inevitable, it is the opinion of this Meeting that it is the bounden duty of the country to petition the House of Commons to maintain the independence, rights, and privileges of the people, and to insist, by every legal means, on such measures as may be necessary to good government, local as well as national, and to remain determined and firm in their resolve to have carried into a law the Municipal Corporation Reform Bill of England and Wales in its original purity and effectiveness, and to reject with the deserved contempt the present or any other mutilated or mock measure which may be brought before them, said to be for the amendment of that bill.

Moved by Mr J. S. Ormerod;

Seconded by Mr G. F. Mandley;

3. That it is the opinion of this Meeting, that the people are restrained by the confidence they have in their representatives in Parliament from a violent and unequivocal demonstration of their anger, excited as it is by the hostility manifested to their wishes and prayers by the Lords; and it is also the opinion of this Meeting that the time has at length arrived when it becomes the duty of every friend of his country to petition the Commons of Great Britain and Ireland to institute an inquiry into the utility, or otherwise, of the hereditary principle in legislation, with a view to the defining of the constitution, and fixing it on some common-sense principle.

Moved by T. Hopkins, Esq.;

Seconded by E. Armitage, Esq.;

4. That the following Petition be adopted by this Meeting, and that the representative of the borough, Joseph Brotherton, Esq., be respectfully requested to present the same to the House of Commons, and that the Right Hon. C. P. Thomson and Mark Phillips, Charles Hindley, Richard Potter, John Fielden, William Ewart, and Peter Ainsworth, Esqrs., be respectfully requested to support its prayer:—  
To the Honourable the Commons of Great Britain and Ireland in Parliament assembled,  
The Petition of the undersigned Burgesses and other Inhabitants of the township of Salford,  
Humbly Sheweth:

That when your Honourable House in your wisdom brought forward and, in concurrence with the other branches of the legislature, passed a bill for reforming the representation of the people, your

Petitioners regarded that great measure as the means of obtaining further wholesome and much-needed measures of reform.

That your Petitioners highly approve of the conduct of his Majesty's Ministry in inquiring into the state of the Municipal Corporations, with a view to making them subject to such reform as the lapse of time and the altered circumstances of the country demand; and they beg leave to express to your Honourable House their conviction of the adaptedness of the bill introduced to, and passed this session by, your Honourable House for effecting this most desirable object.

That your Petitioners are of opinion that the bill for reforming the Municipal Corporations of England and Wales, as originally brought in and passed through your Honourable House, was in the highest degree satisfactory to the country; and it is with indignation and sorrow that they have heard, that after it had received the approval of your Honourable House, and when the nation was anxiously hoping it might become a law, that its best and most important provisions had been destroyed, and others introduced in their stead of the most exclusive and aristocratic character, fraught with mischief and confusion, and utterly opposed to the free and enlightened spirit of the age, by a majority of an assembly who represent themselves only, and whose principal aim and efforts appear to be to overrule at once the Monarch and the people of these realms.

That your Petitioners see that in consequence of the act which they deplore, the event of a collision between your honourable house and another branch of the legislature has become almost inevitable; and while they would exceedingly regret such an occurrence, still they humbly pray that, should the bill be sent down to your honourable house in its present mangled shape, your honourable house will be pleased to firmly maintain the dignity and independence of the people, and of your honourable house by rejecting, with deserved contempt, that or any other mutilated or mock measure said to be for the amendment of the bill for reforming the corporations of England and Wales, and to remain determined and firm in your resolve to have that bill as originally brought into and passed through your honourable house, in all its purity and effectiveness, carried into a law.

That your Petitioners are of opinion that the people are restrained by the confidence they have in their representatives in your honourable house from a violent and unequivocal demonstration of their anger, which is excited by the hostility manifested to their wishes and prayers, and the insult offered to them, through their representatives, by a majority of the other house of parliament; and are further of the opinion that the time has now arrived, precipitated by the event to which your Petitioners have alluded, when the necessity is apparent for an inquiry being instituted by your honourable house into the utility, or otherwise, of the hereditary principle in legislation; and your petitioners, therefore, humbly pray your honourable house to institute such inquiry, with a view to the defining of the constitution, and fixing it on some common-sense principle.

And your Petitioners, as in duty bound, will ever pray, &c.

Moved by Mr R. Oram;

Seconded by T. Bury, jun., Esq.;

5. That the proceedings of this meeting be advertised in the Times, Advertiser, and Guardian, Manchester newspapers; in the Morning Chronicle and Sun, London newspapers; and in Roebuck's Political Pamphlet; and that Messrs Frost, Ormerod, Mandley, Hodgetts, Rostron, and Oram, be a committee to procure signatures to and forward the petition for presentation.

LAWRENCE ROSTRON, Chairman.

William Lockett, Esq. having been called to the chair, the following resolution was carried by acclamation:—

Moved by Thomas Hopkins, Esq.;

Seconded by William Harvey, Esq.;

6. That the thanks of this meeting are eminently due to Lawrence Rostron, Esq. for having, in conjunction with his colleagues, so handsomely consented to the wishes of the requisitionists, and convened the present meeting, and also for the able, manly, and impartial manner in which he has presided over its deliberations.

WILLIAM LOCKETT.

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# THE CONDUCT OF MINISTERS

RESPECTING  
THE AMENDMENTS OF THE HOUSE OF LORDS.

By J. A. ROEBUCK, M.P.

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LOCAL COURTS IN BOROUGHES.

By T. F.

---

MR SPRING RICE AND THE APPROPRIATION ACT.

By H. S. CHAPMAN.

EDITED BY

# J. A. ROEBUCK, M.P.

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[PRICE THREE HALFPENCE.]

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## THE CONDUCT OF MINISTERS RESPECTING THE AMENDMENTS OF THE HOUSE OF LORDS.

SOME time since I asked, "WHAT OUGHT THE MINISTERS to do?"—We are now in a position to answer the question; "*What have Ministers done?*"

On Monday, the 31st of August, a large body of the Liberal Members of the House of Commons assembled, in order to hear from the Ministry what course they intended to pursue. Before going to this meeting, I had passed many hours in anxious conversation with some of the most hearty friends of the popular cause. Every one of these persons was fully conscious of the importance of the occasion, and well aware of the great question now at issue between the Lords and the People. They all of them felt that it was now to be ascertained, whether the Reform Bill was to be something more than a mere piece of parchment. The object of the Reform

Bill, they said (and said truly), was to prevent the House of Lords ruling this country, by means of a corrupt majority in the House of Commons. The purport of that measure was not simply to prevent a corrupt majority from ruling, but also to take away the governing power from those who directed and ruled this majority. For the purpose of carrying out this intent, the Reform Bill provided that a majority of the House of Commons should be elected by the People; and it was anticipated that the wishes of the People, as expressed by their representatives, would and could meet with no effectual opposition. But it is now evident, we said, that the Lords have not yet acquiesced in this arrangement. They have here opposed themselves to the whole nation, and have brought to issue

the question, "Is this country to be governed according to the wishes of the many millions who compose the nation, or according to the wishes of the few dozens of persons composing the House of Lords?" If the Lords now prevail, the question will be answered in their favour.

Heretofore the Lords governed by means of a majority chosen by themselves and sent into the House of Commons. Should we now yield, they will hereafter govern by compelling the majority elected by the People so to shape and fashion every measure as to make it agreeable to their Lordships. The real effect will be the same in both cases, and the Reform Bill will be a nullity.

Such was the view we took upon this important occasion. It cannot, therefore, be deemed wonderful, if we looked to the result with no ordinary anxiety.

When I arrived at the meeting of Members I was cheered and my expectations were raised by the feelings manifested by the large majority present. Not to yield appeared to be the general determination; and most (as far as I could judge) were content to lose the labour of this year, rather than lower their own dignity, and thus compromise the interests of their constituents. All seemed to understand that, even supposing we were to be disappointed now, the next year must bring a far more sweeping and effective measure.

All that now was needed, was, that Ministers also should be equal to this great occasion. That they would prove so was very generally believed. Lord MELBOURNE'S conduct in the House of Lords, his very bold and uncompromising demeanour, gave promise of a like steadfastness in those who ruled in the Commons.

Every expression of the Members present, as Lord JOHN RUSSELL pro-

ceeded to explain the determinations of the Ministry, shewed that no spirit was wanting on the part of their supporters.

Lord JOHN RUSSELL commenced by observing on the mode in which our Bill had been treated by the Lords, and explained to us the manner in which he intended to remark on those proceedings. Here, where spirit and firmness were manifested, he was cheered, and supported warmly, ay, enthusiastically. This enthusiasm, however, soon cooled under the refrigerating influence of his Lordship's eloquence. We but too soon perceived that no call was about to be made on our resolution. Compromise was the order of the day, and the Ministry made us feel, that what this crisis was about really to determine was wholly beyond their ken and understanding. The sole thing they were looking at was the Municipal Bill; while the principle involved in the dispute between us and the Lords seemed wholly to have escaped their consideration.

No sooner was the example thus set by Lord JOHN RUSSELL, than the majority, who, a few minutes before, were ready firmly to support the bill, began to find reasons for wavering. The grand business was to sing the praises of the bill, even as mutilated by the Lords, and the general cry was, "it contains so much that is good, that we must take it. We are indeed sorry that any thing is to be given up, and we protest against its being believed, that by yielding we give up our opinions, or recede from our principles. We yield to necessity. We believe that the advance made by the measure as it stands, will give us a vantage ground for further advances. We therefore take what the Lords choose to afford us."

Having, under the influence of the Ministry, quickly made up their minds to concession, the next point was to know what concessions were necessary,

in order to gain their Lordships' assent. The wishes and the welfare of the nation was no longer our guide: all that we had to govern us, was the good pleasure of the Peers.

They who most keenly felt the degradation to which they were about to submit, were extremely anxious to declare that they would accede to no change which affected the principle of the bill. As every one settled for himself what the principle of the bill was, this declaration was safe, and exceedingly convenient.

Amidst this chorus of submission, one person alone\* gave utterance to his feelings of repugnance to the course about to be pursued. That person was Mr GROTE, the member for London. Unfortunately, he was content with a brief statement of his feelings upon the occasion. Placed as he is by his acquirements and his wealth, in a very commanding position, a determined and active opposition on his part would have gone far materially to check the desire to concede, then so prevalent among the followers of the Ministry. His disgust, however, led him too easily to despair. To save his own dignity and honour, was, he believed, all that he could accomplish. A man of more sanguine and vehement temperament would have done this, and saved his country at the same time. His position gave him a power which hardly any other person in that assembly possessed.

Discontented, if not disheartened, by the turn which things had taken, I went down to the House of Commons because my duty compelled me to be present. But never before was that duty so irksome. I was compelled to be present, and to view the unwise, not to say degrading, submission of the Com-

\* It ought, however, to be stated, that Mr BERNALL objected strongly to yielding on the subject of qualification. He even went so far as to say, that he should oppose the Ministers. In the House he did not persevere in this.

mons of England, to a few ignorant, irresponsible, and interested Peers; I was forced to witness an act that I was certain would entail on the People years of toil and anxiety, and perhaps eventually lead to a disastrous conclusion.

The crowded avenues to the House shewed the anxiety of the People. Every one seemed to understand the critical nature of our position except the Ministers, to whose judgment our fortunes were confided.

Lord JOHN RUSSELL'S speech, in which he explained the concessions he proposed, was weak, common-place, and wholly inadequate to the occasion. It was clear that he knew not what was at issue. The thing present before his mind, and which chiefly occupied his attention, was his own tenure of office. He gave convincing proof that he was totally unconscious of the fact that the very nature of our future government was depending on the manner in which this question was to be settled. He confined all his observations to the Municipal Bill, and dwelt with great emphasis, and at extraordinary length, upon each petty alteration he was suggesting. That the whole business of the session was thrown away; that every reform in the manifold abuses in Ireland had been contemptuously rejected; that the Lords, for the sake of their own private interests, had checked, thwarted, and insulted the Commons of England,—all this was passed over in silence. A few empty and unmeaning phrases about dignity and firmness, some conventional nonsense about the independence of each House of Parliament, was all that he deigned to utter upon the real matter in dispute. It was indeed the speech of a Duke's son and a Duke's brother, playing the part of a popular leader.

When Lord JOHN RUSSELL sat down, another actor appeared upon the

scene—Sir ROBERT PEEL, in the character of mediator between the Lords and Commons. A selfish cunning was never more thoroughly evinced, than in the speeches and doings of that right honourable gentlemen on that memorable night. Every sentence, every word, was directed to the great end of his own aggrandisement. To exalt himself at the expense of every one else, was the end of every endeavour.

Stung to the quick by the contemptuous words, and still more contemptuous conduct of the leading men of his own party, he so played his part as utterly to spoil the whole scheme of their policy. He made his own party feel that all they gained in the way of mutilation was what he allowed; and the Ministry he compelled almost to acknowledge, that all that they could save of the bill was still what he allowed. Well might Mr GROTE exclaim, that the People of England were allowed to have only such reforms as Sir ROBERT PEEL was disposed to grant. And no less true was the sarcastic observation of a well known member of the House to me, while this humiliating scene was being enacted:—“This is a regular *cross* between Lord JOHN RUSSELL and Sir ROBERT PEEL, and the motion is *jockeyed*.”

One observation made by the ex-Premier shewed plainly the folly of the Ministers—and another marked in a curious manner, the character of the speaker and the assembly he was addressing.

“This question (said Sir R. PEEL) must now be settled—and I desire to see it settled this year. If it be delayed till another session, so satisfactory an arrangement as is now practicable, will be utterly impossible.”

This was intended as a significant warning to his own party. Sir R. PEEL saw distinctly that a year's delay would entail the necessity of a far more sweep-

ing measure than the present. But what is bad for the Lords is good for us. If the Ministers had as distinctly seen this same consequence, they would not, if they meant honestly by the People, have submitted to the dictation of the Lords.—Sir ROBERT PEEL dreads a year's delay, because he knows that the People would be the gainers thereby: *satisfactory* in his mouth, means *satisfactory* to the corrupt influences. A year's delay, then, ought not to have been dreaded by the advocates of the People.

The observation which was characteristic of Sir ROBERT and his hearers, was as follows:

“I think it best for all parties, that I should speak out. On this occasion, I think that by far the most satisfactory course that I can pursue, is to say precisely what I think and feel; I shall not therefore hesitate to speak the entire truth upon this matter.”

This statement was followed by great cheering from the Ministerial side of the House. (Indeed, it should be remarked that the reception of Sir R. PEEL's speech by his own party was anything but cordial. A colder welcome could hardly have been given).

By this expression we learn that there are times when Sir R. PEEL does not think it right to speak what he thinks and feels: but if this be so, and as he speaks notwithstanding, he speaks what he does *not* feel, what he does *not* think. This it seems was an extraordinary occasion; he therefore took an extraordinary course, that is, he determined to speak what he really felt; and he thought fit also to make an apology for so doing. But speaking what one feels and thinks is speaking the truth—speaking what one does not think and feel is to speak the opposite of the truth. This last mode, it appears, is the usual or ordinary one—the deviation from this into truth was uncommon, and



required a distinct apology. Who will say that this was not characteristic of the speaker and his audience!

Sir ROBERT PEEL was succeeded by Mr HUME.

To me Mr HUME's view of the matter was an erroneous, an unwise one. He was, moreover, inconsistent with himself—he at one moment complained of the proceedings of the House of Lords, and in the next recommended a course which not merely sanctioned those proceedings, but also held out an inducement to the Lords to repeat them. Mr HUME also, like the Ministers, confined his view solely to the Municipal Bill, and thought that we gained much by accepting it.

Mr GROTE then, in a brief but pointed manner, expressed his great disapprobation of the whole proceeding adopted by the Ministers. His arguments were, however, chiefly directed against the evil tendency of the amendments proposed by the Lords upon the Corporation Bill, while he passed over the mischievous nature and tendency of the power which enabled the Lords to insist on these so-called amendments. His objection did not appear to be so much to the system which necessarily led to such a result, as to the result itself. Mr EWART, who followed Mr GROTE, appeared to take the same view of the matter. As my opinion was altogether different from this; and as the observations which I addressed to the House, fully explain my sentiments upon this great matter, I shall now lay them before the reader. The reporters, who pretended to give an account of what I said, either could not or would not understand me,—as any one will immediately perceive, who will take the trouble to compare my own report with that given in the *Morning Chronicle* of Tuesday the 1st of September.—I spoke very nearly as follows:—

“ Mr Speaker,

“ To an observer, who looked not beneath the surface of things, the present condition of the people of this country would appear not very flattering to human vanity. He would see a great and an intelligent people, after a long and painful experience, after patient and very careful inquiry, and after mature and anxious consideration, determine, by means of their Representatives, to fashion a great measure of Reform for some of their most important internal institutions. He would see the Representatives of this great and intelligent People, in obedience to the commands of their constituents, pass a long and painful Session in deliberation upon this great measure of Reform. He would see them, after having exercised all their care and judgment upon the measure; after having weighed, with intense solicitude, every particular portion of this Reform, and framed the whole so as, in their best judgment, to provide for the well-being of the nation they represented; he would see them, I say, compelled to submit their measure to the consideration of another, and wholly irresponsible, assembly; and he would see this irresponsible body—a body with interests wholly opposed to those of the nation—treat with unmeasured contempt and scorn the wishes of the People, and the measure framed by their responsible Representatives. And he would, lastly, behold this great and this intelligent nation, after being thus checked, thwarted, insulted, trampled on, scorned, and absolutely derided, bear with patience all this ignominy and degradation. To him, Sir, who should look no further than this, the spectacle I have described would appear little grateful to human pride. But if he would carry his observation further, he would see real cause for gratulation,—he would see why the People he was contemplating were deemed great and intelligent.

He would then see, that although they bore with patience all this insult, all this opposition to their wishes, yet, that apathy was not the cause of their forbearance. He would see them forbearing, because conscious of their own strength, and fully alive to the inestimable advantages of peace and order. He would see them putting faith in the great impulse of improvement; relying on the necessary advance of truth; and determined to essay all peaceful means of obtaining the great object of their wishes. Forbearance, when the result of such feelings, is a proof not only of virtue, but of intelligence.

“ But there is a point when such forbearance must cease; and when a People thus intelligent and honest are once roused to action, they will show themselves as resolute in hostility, as they were patient in peace.

“ This time—the time for giving up all forbearance, is fast approaching. Every day brings us fresh evidence that vital changes in our constitution are required for the peace and the welfare of this nation.

“ The result to which we are now arriving is to me no disappointment. They who form their opinions respecting government, on an investigation of the principles of human nature, expected and predicted the present state of things. Many of these inquirers into the science of government long since foretold what would be the inevitable result of carrying into practice the theory of the British Constitution. Experience is but too fatally verifying the accuracy of their statements.

“ The noble Lord below me (Lord JOHN RUSSELL) is, I know, a believer in the theory of the English Constitution. (Hear, hear, from Lord J. RUSSELL). Every day's experience, I should think, ought to lead him to doubt the correctness of this belief.

“ He however, acting under that be-

lief, did, under the Ministry of Lord GREY, propose to reform this House, and thereby to carry into execution the description so often given of this our mixed Constitution: in other words, the noble Lord determined to create a House of Commons wholly independent of the Lords; to make two separate and independent legislative bodies; and he hoped that these two bodies, thus independent, could and would carry on the business of Government with perfect harmony, and thus work out the happiness of the nation.

“ For myself, I had no such expectation; and I found many, for whose opinions I had great reverence, who had formed conclusions directly opposite to those of the noble Lord. To us it appeared, that the House of Commons, representing the People, and the House of Lords, representing themselves, had hostile and irreconcilable interests: that the interest of the People was one thing, the interest of the Lords another and very different thing; and that we, pursuing the interests of the People, should soon be driven into hostile collision with the House of Lords, who would steadily pursue their own interests.

“ The event has justified this expectation. The Commons and the Lords are now in opposition. We, the Commons, acting in our character of the People's Representatives, performing faithfully a sacred and imperative duty, find ourselves violently opposed, insulted, and scoffed at by the irresponsible House of Lords, who represent themselves, and who are steadily pursuing their own private, ay, and pecuniary interest also.

“ From the moment when the first Reformed Parliament met, this strife commenced. For a time, it was shrouded in some mystery, and its true nature was sedulously hidden from the eyes of the multitude. It has become too plain to be misunderstood. All men see that

the two branches of the Legislature are in collision, and we all know and feel that the question we have now to determine is not simply the passing of the Municipal Reform Bill, but whether the wishes of the People or of the Lords are to govern in this country. It is idle—it is worse than idle—to attempt to hide this from ourselves. The machine of Government has come to a stand-still. The noble Lord was often told before the passing of the Reform Bill, that he was framing a machine for Government that could not work. He clung to his preconceived ideas respecting our Constitution; he passed the Reform Bill, called into operation hostile elements, and now wonders that strife is the result.

“Whether the Government of this country is hereafter to be an *Aristocratic* or *Democratic* one, is now the great point to be determined. There is no middle course. One or other party must succumb; and I, as a friend of Democratic Government, look anxiously to the result. (Here the Tories cheered, and to this cheer I answered)—That I am a friend of Democratic Government is not wonderful. I am one of the People; I have the same feelings and interests; and, while doing my duty as a Representative, I pursue my interest as a citizen.

“Now comes the question, what is to be done? I answer boldly that the evil must be cured in its cause, and that the existence of the House of Lords, in its present shape, is incompatible with the welfare of England. If we look at their deeds for the last three years,—even if we confine ourselves solely to the consideration of their doings of this year, no disinterested and sane person for one instant will assert that the well-being of the country has been forwarded by their conduct. Look at their conduct on this very Bill of Reform in the Municipal Corporations; has not every act proved that they contemn and hate

the People, and that they are determined to show this contempt and hatred, by insulting us, the representatives of the People? What did they in the first instance? They call two hired advocates to their bar, and allow them to indulge in every possible abuse of us for hours together. ‘Oh but,’ says the Right Honourable Member for Tamworth, ‘it is extremely difficult to draw the line between what is, and what is not, the legitimate defence of a client; if the judge interfere, the danger is that the just defence may be obstructed.’ Did that Right Honourable Gentleman never go into a Court of Justice? If, Sir, he ever have frequented such a place, I ask him, if he believes that any Judge would permit an advocate to indulge in vulgar abuse of any of the constituted authorities of the State? Would the Chief Justice of the King’s Bench allow abuse of the Common Pleas? Is it not notorious, Sir, that any attempt at such a breach of decorum would be immediately suppressed and severely reprimanded. But the Lords could not do this; they would not: they were delighted with the vulgar abuse of these hired advocates, and chuckled at abuse they had not themselves the courage to utter.

“But did any one ever hear of such a proceeding, as to allow persons to claim such a right in the business of Government, as to be permitted to have counsel to defend that right before a Legislative body? The truth is, that the interest in this case was the Lords’ interest. Corruption in every shape is dear to them, and they can even go so low as to claim fellowship of feeling with a Town Clerk. In this case, however, there was more than mere sympathy: there was a community of interests. The Lords, by the Reform Bill, were deprived of the power of sending Members to Parliament. They wish to retain any power which now belongs to

them, and which may be turned to the corrupt influence of voters. Corporations afford them the means of exercising such a power, and they, therefore, fight after this headlong fashion in favour of corrupt Corporations. Every one of their amendments has for its object the maintenance of corruption and irresponsible power. Their object has been, under the guise of fine names, to further their own interests, and those interests are, in this case, of the very lowest and most degrading description. The dirty motive shows through all their acts. The desire of peculating urged them on; they crave to live upon the industry of the People, and fight, with disgusting pertinacity, in order to obtain this disgraceful privilege.

“If this measure had been the sole one which had been subjected to their tender mercies, and thus mutilated and ruined, we might have borne the destruction of our labours with comparative equanimity. But this is only a part of a system. Every act of any importance passed by us, the representatives of the People, has been altogether rejected or completely ruined. Our chief labours this session have been directed to the framing a relief for Ireland, in the shape of a church, and also a relief for England, in the shape of the Municipal Corporation Reform Bill. The fate of this last we are now discussing; but what has become of the Irish Church Bill? It is destroyed. Where is the Constabulary Force Bill? It is also destroyed. Why, Sir, even the ATTORNEY-GENERAL, in his attempts to ameliorate the civil law of this land, has been met and thwarted by this body of irresponsible rulers. His bill respecting imprisonment for debt, what has become of that? It affected, or was supposed to affect the estates of these noble persons, and the bill is consequently rejected. And thus it has

been with many other measures which I will not now stay to enumerate. But look at this bill which they have amended. Let any one go over it, who has the slightest idea of what a legislative measure ought to be; and then let him tell us if it is not a disgrace, even from its mere form, to any legislative body composed of reasonable men. It is a hard thing to see our labours thus thrown away year after year. We have attended here for seven long months. In that time we have laboured hard for the People, and at the end of the session we are condemned to behold, and are implored to behold with patience, every thing we have done destroyed.

“I again ask, Sir, is this system to be continued? Our business is not now merely to attempt to repair the dilapidations made by the Lords in this bill; we have a more important duty to perform: we are now to say whether we are content to allow this system to continue. Are we, year after year, at the end of every session calmly to submit to this thwarting of all our efforts? There is one thing I will predict if we be so content—Ireland will soon relieve us from the labour of governing her. For three successive sessions we have laboured, in order to relieve the miseries of that unhappy country, and, if possible, to heal the wounds inflicted by many centuries of misrule. We have not advanced one single step. Every year sees our labours rendered abortive by the headstrong proceedings of the House of Lords. If we wish peace for Ireland, we must change this faulty system.

“The commencement of this much-needed reform should be the firm resistance of the Commons to these wretched amendments. The time for such conduct on our part must come, and there are many powerful reasons why we should pursue it at once.

“If the House of Lords be permitted to remain in their present condition, there can be no peace for England. We hear great talk of revolution, but few persons seem to understand that it is the House of Lords which alone renders revolution at all probable or necessary.

“The People of this country are essentially a peaceful people. Their industry requires peace, and the mighty trade of this country is the offspring of quiet and security. This quiet and this security the Lords by their conduct seriously endanger; and I call upon the noble Lord and his Majesty’s Ministers, to do their utmost to avert the many evils which the Lords will bring upon us, if allowed unchecked to continue in their dangerous career.

“There is something ungenerous in the conduct of the Ministry towards us and the People. Here we are, daily called upon to keep up the feelings of the People, and to excite them to a sense of their condition. I myself have done my utmost, have done all my humble abilities allowed, to create and maintain this feeling among my countrymen. (Here the Tories cheered very lustily.) Yes, I acknowledge that I have done so; I have done so, because I deemed it my duty. I was in hopes that when the People were prepared, the Ministers would not hold back; and as they had done all they could to create in the minds of the People a feeling of indignation at the bad government under which we live, I did hope that they (the Ministers) would not now desert and betray the People.

“It has been said that we cannot go through a revolution every year. This is true; and for that reason it is, that I call upon this House to reform institutions which render a yearly excitement, almost amounting to revolution, absolutely necessary. We desire a Government that can provide for the necessities of the People without this

periodical and extraordinary commotion. In other words, we want a peaceful Government; and that cannot be said to exist while there is an irresponsible body in the State, which, to be restrained from doing evil, needs an annual excitement of the People, bordering on revolution. As a lover of peace, as one that believes that no People can attain happiness during strife and combustion, I call upon this House to begin the reform by rejecting at once the amendments of the Lords. If we do not adopt this course, in twelve months the same difficulty will again occur. Here in the year 1836; and perhaps in the month of September, we shall be called to our posts in order to check the evil doings of the Lords. We shall again be forced to go through the same piecemeal and humiliating fight that we are now asked to maintain. We shall be called upon to drag reform from the Lords *bec et ongle*, tooth and nail, and be content with such shreds and patches of beneficial measures as now disgrace your table. The mode which true dignity requires, which true policy also demands, is at once to make a stand—to say that the interests of the People would be best provided for by the measure we originally proposed; that from that measure we cannot recede; and that as our sole rule of conduct is the welfare of the People, we are not justified in accepting any measure, no matter who may require it, which does not in our opinion thoroughly provide for the good government of the nation.

“Believing this, I object to any concession; and if my advice could prevail upon this House, I would entreat them to re-enact every one of our original measures, saying that such was the pleasure of the People,—let those who dare resist it.”

Such, as nearly as I can remember, were the words and the arguments I

used. The more I reflect on all I said, the more firmly am I convinced, that good policy demanded of us this resolute proceeding. Ours is now a lingering agony, and we have to bear insult as well as injury.

Mr O'CONNELL, I regret to say, upon the same premises, expressed in nearly the same form, came to a different conclusion. He allowed the mischievousness of the Lords, and yet prayed for concession in order to put the Lords *perfectly in the wrong*. For my part, I cannot understand the wisdom of this proceeding. The Lords have proposed an immense number of bad measures, and we are called upon to accept a large portion of them, in the hope that the Lords, not satisfied with the evil thus done, may still reject the Bill as too good, and this is called putting the Lords *perfectly in the wrong*.—Is it not at the same time doing wrong ourselves? Did we not propose a measure, which we believed the necessities of the People demanded? We established nothing which we did not think necessary for good Government. How shall we be able to answer to our constituents for having yielded up our opinion, and having accepted less than we deemed necessary for their welfare? It is said that we gain something, and that this gain will enable us to advance still further. This is not safe policy. This partial reform will create discontent, and lead eventually to apathy concerning all reform. Each advance will be so small that the People will not be able to perceive and appreciate it. The trouble needed on their part to gain this minute advantage they all understand and feel; and this trouble they will not deem repaid if some substantial and marked improvement do not follow. Municipal Reform under this amended Bill is anything but complete. The People by it will not have gained entire control over their own affairs,

and they will naturally be discontented and disappointed. This is a serious risk to run, because we dare not resist the Lords.

It is further said, however, that the principle of the Bill is not touched. I beg leave to dissent altogether from this assertion. The principle of the Bill was to give the rate payers the controul over their town affairs. This power has been materially curtailed—and chiefly by the clause requiring qualification for the Members of the Town Council. Such a qualification narrows the number from whom the People may choose, and thus deprives them of controul. Mr GROTE had determined to divide the House upon this question, but was persuaded to forego his intention because it was said that the division would not mark the feelings of the House. We were told that if we were to endeavour to lower the qualification required, we should be doing an immediate and practical good, and would receive support. When I, however, proposed a qualification of 10*l.* rating, we were then informed that as we had conceded the principle, it was idle to quarrel about the amount; and on this plea, we were again prayed to abstain from a division. But although

“An honest man may take a knave's advice,  
He is an idiot who is cheated twice.”

So I insisted—and 37 (!) men had the courage to divide against the Lords and the Ministry.

The admission of the Aldermen for six years also materially touches the principle of the Bill. Six years is a long interval in a man's life, and irresponsibility for that period will prove of mischievous influence. This body of Aldermen will always be found against the People, and the effect of their existence will be to create an interest in every town, to which all that is corrupt and evil will look for support and sympathy.

It is unnecessary to touch upon the various items which make up the whole sum of our concessions. The grand mistake was committed when we determined to concede at all. Every evil after this great one, seems so minute, that I have not patience to dwell upon and discuss them.

The Lords have rejected some of our amendments, and a sort of sham resistance is being concocted. Liberal members are requested not to leave town. This is a farce. Having gone so far in degradation, one step more will signify nothing. The bill will eventually be received in its present shape, and the only intention of this show of independence and resistance is to save appearances.

The Ministers, then, have betrayed the cause of the People. They made a great noise and bravado, and when the fight approached, ran away.

This result is not creditable to their judgment, either as statesmen or even party politicians. It is quite evident that the Whigs did not foresee the effect of their own measure, when they proposed the Reform Bill. Had they done so, they would now have been ready to carry out the principle of that measure, and to have insisted on the supremacy of the People. They have shrunk from this great duty; and, whatever may be the integrity of their purposes, they are plainly unequal to the arduous duties which their position of popular leaders in this time of trial and difficulty necessarily imposes on them.

As party politicians, they have committed serious errors. By this backward and hesitating proceeding they

have lessened the People's confidence in their judgment and their integrity, and have thus involuntarily prepared the means of effecting their own downfall. Whatever may be their fate, however, one thing must never be forgotten,—the fight between the Aristocracy and the People has at length fairly commenced in the Legislative Chambers of the Government; and this fight will not cease till one or other party is forced to yield implicit obedience to its opponent. The great practical question now to be determined is, whether the Peers or the People are to govern. However painful may be the acknowledgment, it must be openly avowed, that in the first encounter the People have been defeated.

J. A. ROEBUCK.

Being determined to test the House of Commons during the next session, I have put on the books the following notice, which, if I then be a member of that House, I will assuredly bring forward and push to a division:—

“In order to give due weight to the wishes of the People in the great matter of legislation, to move for leave to bring in a bill to take away the *veto* now possessed by the House of Lords in all legislative measures; and to substitute in lieu thereof a suspensive power in that House; so that if bills which have been passed by the House of Commons, be rejected by the House of Lords, and again during the same session be passed by the Commons, such bills shall become law, on the Royal assent being thereunto given. [Next session.]”

In the Vote Paper the word “weight” was changed to “credit,” which rendered the first part of the sentence unintelligible.

## LOCAL COURTS IN BOROUGHES.

“NEVER any good Bill was preferred, or good motion made in Parliament, whereof any memorial was made in the Journal Book, or otherwise, though sometimes it succeeded not at first, yet hath it never died, but at one time or other hath taken effect.” The truth of this observation, made by one of the most eminent English lawyers, Sir E. COKE, will, in all probability, be exhibited in many instances in the course of a year or two. What in previous years the Lords have rejected, will at no distant day be forced upon them; and the good Bills they have habitually refused will at last become law. Among those to which they appear to have the greatest repugnance, are any which shall facilitate the administration of justice, and render it more easily attainable, or shall permit it to be attainable at a cheap rate. The Municipal Corporation Reform Bill contained a few clauses which, to a limited extent, would have removed some of the defects of the existing Local Courts. They were mutilated or erased by the Lords. The appointment of Recorders, or Local Judges, is regulated by the Bill, but little is actually done towards making the Courts in which they shall preside effective.

Under the charter of numerous boroughs, Local Courts of Record are constituted, with power to take cognizance of almost every kind of personal action. Apparently offering every advantage to the inhabitants of such boroughs, they have fallen into almost entire disuse. The chief reasons to explain this are:—

1. That the Judge, or Recorder, though directed by the charter to be “learned in the law,” a technical phrase denoting a Barrister, or Counsellor\*—

\* 4 Black. Com. noticing the 2 Henry IV, st. 1, c. 6.

has been generally a Peer, and this Peer has usually been what is called the patron of the borough, or more properly, the corrupter of its morals. Having no experience of the duties he was to discharge, his presence on the bench was never expected or desired. In his absence, however, no other person could preside. Thus, though the object of the charter was to secure an efficient Judge, in nearly every borough—York, Chester, and a few other places excepted—no such Judge is to be found. Bath, for instance, has long had a heavy and intolerant nobleman, the Marquis CAMDEN, as its Recorder, who, though specially required to sit at certain times in the Local Courts of the borough, never made his appearance in them. Yet the Town Clerk of Bath declared, before the House of Lords, that there was no abuse in the Municipal Government of that city; and the Marquis CAMDEN by his votes assented to the statement which his own conduct contradicted. This case was a common one. The law directed the appointment of Local Judges—meaning efficient Judges; the Corporations appointed persons who had not education, information, or intelligence sufficient to enable them to act as Judges.

2. Another evil connected with these Courts, was the ease with which a suit under a writ of *habeas corpus*, or *certiorari*, was removed to any of the superior Courts of Law. To a great extent it secured the disuse of the Local Court; though even without interfering with the general jurisdiction of the superior Courts, the practice might have been checked.

3. The Attorneys of these Courts were frequently persons called Serjeants at Mace; persons whom it was often very doubtful, if they had the power to read or to write.

4. The Town Clerks had the uncon-



trolled power of packing every Jury summoned.

5. The unwillingness of interested persons connected with the Corporations, that these Courts should be available for their original purposes.

6. The scale of heavy fees by which the process in such Courts was regulated.

With these evils, the Local Borough Courts have been rendered almost useless; and the new Bill does not correct their defects. In some instances it secures the nomination of a proper Judge, while it leaves the imperfect constitution of the Court much in its present state. The great body of the People are, however, interested in making them efficient and useful instruments of good Government.

The chief objections urged to their improvement are the expense of such Courts, and the increase of patronage. The poor are unable to get justice administered to them; they often lose all they possess in consequence, and they receive one of these two replies.

Now, with respect to expense, it would be but small, and could be easily afforded in all large towns, the Corporations of which possess considerable property. A very large sum is at present paid to a Mayor, to Sheriffs, and other persons, for feasting. It is expected by their corrupt supporters, that what properly they should receive only as a remuneration for trouble and loss of time, should be spent in debauchery and gluttony. Now, as the more important duties of the Mayor will be thrown upon the new Recorder, the salary of the one may be increased, and the other reduced. Both should be paid for their services, and should take for their own use what they receive—but they should be exempt from the corrupt charges which feasting usually entails. The Recorder could thus be well paid, and the Mayor will actually

receive much more than the expenditure now imposed on him, permits him to have.

The other objection, of the increase of the patronage of the Crown, is absurd. If the Government is, through popular institutions, made responsible to the People, and public opinion has its due weight in the House of Commons, the appointments of the Government cannot be very objectionable. It would be more gratifying to see all appointments, directly or indirectly, of a Municipal character, under the direct controul of Municipal bodies; but, if this cannot yet be effected, no great fear can be entertained of the character of the legal appointments that may be made. But, in truth, there will be little or no increase of patronage. Nearly every large town has at present a Local Court of Requests for the recovery of small debts. The presiding Barrister is appointed by the Crown. In many cases the profits of the office are from 400*l.* to 600*l.*, and, I believe, in many cases, 800*l.* a year. There would be little difficulty in uniting the office of Local Judge, or Recorder, and that of the Judge of the Court of Requests. If this were done, the income of the new Judge would easily be supplied, and the patronage of the Crown would not be increased. The better regulation of the Local Court is then the only object of anxiety. I would not have these Courts established upon the model of those contained in Lord BROUGHAM'S Bill. The principle of this Bill was odious to the Lords, and they rejected it after an affected discussion, in Committee, on its details. I think the principle good, but that the powers given to the Court were most defective, and that its other regulations were so very imperfect that the Bill could not have worked well. The Local Judge ought to have had power to grant what are now mere diocesan probates or ad-

ministration of the effects of deceased persons situated in only one diocese; he should be Judge of a well regulated Court of Record, Judge of the Local Court of Requests, the Revising Barrister upon the claims of electors (an arrangement that would save more than 20,000l. a year), and he should have other powers, especially those usually connected with what are called duties of Police, which should make his office as extremely useful as possible.

The advantages of such Courts I will shew at a future time, both by a general statement of their operation, and by particular examples of the grievous injustice which the non-existence, or the defects of such Courts cause. The fear that some lawyers affect to entertain of the possible uniformity of decisions (a fact not so correct as they assert it to be) being disturbed is groundless, and is a mere excuse to maintain that uniformity of misery and injustice, that protection to fraud and robbery which the imperfections of our judicial establishments at present secure.

Some of the moral effects of the publicity of the administration of the law, and of the advantages of having even the ordinary functions of a Magistrate performed by a person of weight and consideration, is shown in the following extract from some valuable evidence given by Mr MURRAY, before a Committee of the House of Commons. If the local Judge, whose position and authority would be great, in addition to his other duties, daily administered the law, the benefits it would produce are thus very accurately stated:—

“I venture respectfully but strongly to urge the importance of well considering every practicable suggestion for improving the respectability of the police offices. It is obvious that these distinct courts, sitting daily, *open to all classes of a thickly populated metropolis [or town]*,

and entertaining almost every possible case incident to vice, misery, and passion, are calculated to exert a considerable influence on public conduct; differing in its extent and effects, in a great degree, according to the estimation in which the tribunals are held. It is equally clear that they are not, at present, as highly estimated as is consistent with the benefits they are capable of conferring. Casual or reluctant visitors are not judges of the amount and nature of a police magistrate's business; of the many cases of deep interest which crowd upon his attention; the constant demands upon his experience; the frequent trials of his patience, and the repeated calls upon his knowledge of human nature. The value of his office does not consist more in the strict legal performance of his judicial and administrative duties than in the exercise of a sound discretion, *under the considerate application of the principles and feelings of humanity, as an adviser, an arbitrator, and a mediator.* The hearing at a police office may in some instances, especially to the young and misguided, be the opening of new views of life and new rules of conduct. By the exercise of tact and kindness upon the part of a magistrate, and by his showing an interest in their well-being, persons may be awakened to feelings which have been dormant for years, or of which they scarcely ever knew themselves possessed. In domestic quarrels, parties may be made aware of their relative position, and go away with clearer views of their mutual claims and dependencies. Even with our present imperfect civil jurisdiction, the just demands and grievances of the poor may often be settled and redressed by appeals to the sense of justice, or shame of their opponents. There is scarcely a conceivable case arising, particularly among the poorer classes, which may not immediately or directly come under the notice of public offices; it is most important, therefore, that every means should be adopted for upholding their reputation, and so extending and increasing their moral influence.”

T. FALCONER.

## MR RICE AND THE APPROPRIATION ACT.

CONSIDERABLE misapprehension seems to have existed both in and out of Parliament, relative to the effect of a refusal to pass the Appropriation Act. The case in itself presents no peculiar difficulty; but, as the House did not appear, from the discussion of Thursday last, to understand either their duty or their position, the public ought not to be surprised that Mr SPRING RICE, with his usual cunning, took advantage of that state of doubt.

Mr HUME, it will be remembered, proposed to suspend the passage of the Appropriation Act, while the Lords' amendments were under discussion, under the impression that such a course would amount to a stoppage of the supplies.

Mr DUNCOMBE appeared to be under the contrary impression, but his conviction was by no means strong—"He trusted his right hon. friend the CHANCELLOR of the EXCHEQUER would state to the House the nature and operation of this Appropriation Bill; he himself had tried to explain it to his constituents, and had said to them, 'Gentlemen, I believe it is too late to attempt to stop the supplies now.' If, indeed, they were in a situation to stop the supplies by suspending the Appropriation Bill, he should give a vote in favour of the proposition of the hon. member for Middlesex." In answer to Mr DUNCOMBE's final question, "Whether the supplies could now be stopped?" Mr RICE distinctly said "No." Mr WARBURTON took the same view of the case. "If," said he, "it were proper to exercise any power of stopping the supplies, it ought to have been resorted to before they are voted; *there was no such power now.*"

Now, the question is, who was right? I think it is not difficult to show that Mr HUME's view of the matter was correct.

It must be remembered, that what is usually called voting the Supplies is done in Committee. A Committee is merely a contrivance of the House of Commons to facilitate the progress of the business of the House. In no case have its votes the force of a law. Measures are discussed in Committee for the mere purpose of stripping the discussion of second and third readings of unnecessary details, but this course does not supersede the necessity which exists that all measures pass through three readings.

In proceeding upon Bills, the House is not bound by the acts of a Committee. The votes of Committees merely have the character of a recommendation, and only acquire the force of a law when the House has embodied the said recommendation in the form of a Bill, and when that Bill has obtained the sanction of the other (in this case, willing) branches of the Legislature.

BLACKSTONE distinctly states—Book 1, chapter viii, page 308—that "the supply cannot be actually raised upon the subject till directed by an act of the whole Parliament."

I am not surprised that Mr RICE, taking advantage of the state of vague uncertainty which prevailed in the House on the subject, should have taken upon himself boldly to declare that the House could not refuse to pass the act. Mr RICE, we all know, is not very scrupulous in his statements when he has a point to attain. I must confess, however, that I was surprised to learn that Mr WARBURTON took the same view of the case, in opposition to Mr HUME. Mr WARBURTON is generally guarded and correct in the statements which he makes in the House of Commons. On this occasion he appears to me to have spoken without due regard to this most important privilege of the People, held in trust for them by their representatives.

It may be urged that it is not usual to withhold supplies after they have been voted in committee. This is true. It is not usual, because the necessity for pursuing such a course is, fortunately, not usual. Once let the necessity arise, and it becomes the duty

of the House of the Commons to break through the ordinary custom.

For such a course a greater case of necessity has, perhaps, never occurred. The Peers had evinced a determination to resist, as far as they dared, such of the just rights of the People, as were embodied in the original Corporation Bill. A bold manifestation of counter-resistance on the part of the so-called

People's house would, without doubt, have extorted better terms from our inveterate and implacable enemies, the Peers. Mr HUME deserves the People's thanks for the attempt he made. It would have been utterly useless to have pushed his proposition to a division, as it could not have been carried, had the whole Liberal party been with him.

H. S. CHAPMAN.

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\* The Pamphlet, "Of what Use is the House of Lords?" has been for some time out of print, but the demand continuing, the Proprietors have been induced to reprint it, and it will be ready for delivery on Saturday, the 12th of September.

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# A SHORT REVIEW OF A LONG SESSION.

BY J. A. ROEBUCK, M.P.

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MR GROVE PRICE AND THE CONSTITUTION.

BY J. A. R. M.P.

---

NEW METHOD OF DISFRANCHISING ELECTORS.

BY H. S. CHAPMAN.

---

BOROUGH JUSTICES.

BY H. S. C.

EDITED BY

# J. A. ROEBUCK, M.P.

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[PRICE THREE HALFPENCE.]

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## A SHORT REVIEW OF A LONG SESSION.

THE late Session of Parliament has doubtless, in its results, created much disappointment. Let no one despair, however; good seed has been sown, and many of us will live to see the fullness of the harvest. The People will reap the benefit, and long remember the events which had their beginning in the Session of 1835.

This Session has derived its chief present interest from having been one continuous practical illustration of various defects in the English Constitution. It is in its character of a long political lesson that I now seek to exhibit it to the reader.

### THE DISSOLUTION OF PARLIAMENT.

The first point in our Constitution which was illustrated during the Ses-

sion was the disadvantage springing from that arrangement which enables an irresponsible Magistrate to dissolve, according to his own will, or rather caprice, the great Legislative Body of the nation.

Let us, for a moment, consider what might be the result of such an arrangement.

Suppose that the People had chosen, with due care, their Legislative Representatives, in the full hope and expectation that a great and efficient change would be effected by them in some of their institutions requiring immediate reform.

Suppose that, in accordance with the wishes of these Representatives, a Ministry is selected to carry into effect

the desires of the People; and that this Ministry is employed in preparing the means, and acquiring the information, needed.

Suppose also that the Monarch, whom, for wise purposes, doubtless, the Constitution renders irresponsible, should, upon the impulse of a disturbed imagination, or a corrupt Court, or a disappointed party, or of all three united, without sign or warning, take his People by surprise, and at once cashier these Ministers thus approved by the Representatives of the People.

On a sudden private business is deranged, industrious habits are broken in upon, trouble and anxiety, and national disturbance and distress are the painful effects of this capricious freak of an irresponsible Ruler.

All this trouble is created because the irresponsible Ruler possesses the power of suddenly dissolving the Parliament. If such a power did not exist, no change would take place in the Administration not sanctioned by the actual Representatives of the People.

Added to these evils, we may easily conceive another. We may suppose that a party inimical to the People, and yet able to influence the determinations of the irresponsible Monarch, knowing that a dissolution of the Ministry and Parliament would take place, prepare all the various means of corruption and control that may be brought to bear in an election. The People, taken on a sudden, would be unprepared, while their enemies would be all in readiness. And thus it is easy to conceive that a weak or capricious Monarch might involuntarily be turned into an instrument most mischievous to the well-being of his People.

Our own experience teaches us that these suppositions are not merely imaginary. There is something more in them than chimera. The things that

I have here supposed have many of them taken place; and it now behoves us, as an intelligent People, at once seriously to inquire whether such an arrangement be necessary, and if not necessary, how it can be reformed.

That the KING, by the existing Constitution of this country, has the power of dismissing his Ministers and dissolving the Parliament, we all know. That he is also completely irresponsible while exercising this power, is equally notorious. That during the last year this prerogative was employed much to the surprise and inconvenience of the nation, no one will deny who has any regard for his own character.

Two causes have been assigned for this unexpected proceeding. It has been said that it originated in the mere pleasure of the KING; that his intention was unknown to his nearest relations and connexions; and that no one advised his MAJESTY on the occasion. To the nation no explanation has yet been afforded as to the circumstances which led the Royal mind to this unexpected and extraordinary determination. The most profound wisdom might have suggested it, but as yet this wisdom is wholly unperceived by the nation. Astonishment was, indeed, the very general feeling of the People; but I am inclined to believe that this astonishment did not result from any belief, on their part, that the extraordinary proceeding was a wise one.

The second explanation is, that the KING was induced to dismiss the Ministry and dissolve the late Parliament by the constant solicitations of persons around and about the Throne. Every man, whether a king or a peasant, must desire a quiet house, and we can easily understand how even a People's welfare may be made to yield to a desire for a peaceful home.

I care not which of these accounts is

the true one. The result, under either hypothesis, is the same; an act, in the highest degree affecting the interests of the People, is performed, without any reference, which the People can perceive, to their interests. The affairs of a great nation are governed by rules wholly beyond their reach or understanding. As far as their interests are concerned, the dismissal of the Ministry and the dissolution of Parliament might as well have been determined by the toss-up of a halfpenny.

The result of this mysterious proceeding was nigh proving disastrous to the country. We now, indeed, look back with comparative indifference. But we ought seriously to reflect upon the near escape we have had from enormous peril, and to consider whether it be for our welfare to permit a power to remain which at any time may impose the same hazards on the nation.

Two remedies have been proposed for this defect: the one is a sham remedy; the other an effectual one.

It is said that Ministers should be made responsible for this proceeding of the Monarch—that in the very case before us Sir R. PEEL ought to have been deemed responsible for the dismissal of the Ministry, which took place wholly without his knowledge. It is quite clear that no one would feel that Sir R. PEEL could be justly made responsible for this act of the KING. Done without his advice, without his knowledge, surely it cannot be fairly imputed to him. But, on the other hand, it is asserted, that by taking office he became responsible, and that by subsequently dissolving the Parliament, he took upon himself the act of dismissing the Ministry. I must own that I cannot agree in this assertion; and I am the more inclined to dispute it, as it does not get over the difficulty. Suppose that Sir R. PEEL had declined office, and that the KING

had then dissolved the Parliament, but finding no one to accept office, had been compelled to reinstate the Whigs—who would have been responsible in that case? According to the rule, the Whigs, for accepting office—the Whigs, against whom the dissolution would have been directed. According to our present Constitution, business could not go on without somebody in office; and yet by this plan no person could take office without incurring the danger of impeachment.

The theory of the matter, as generally explained, is as follows:—The King is not responsible, but his Ministers are. Should he desire to change his Ministers, it is thought right that he should have the power of what is called appealing to the People—that is, of suddenly dissolving the Parliament and calling a new one.

The answer to this statement is, that this appeal to the People may really be no appeal at all. Under the present law of registration, and with Septennial Parliaments, any sudden Election will most certainly not determine the feelings of the majority of the People. This, however, would not be the case, if the time of an Election were certain; if nothing were left to chance; and if every one knew the very day and hour when every General Election would take place. The making it thus certain is the second remedy proposed, which remedy I call an effectual one.

If, instead of the present method, the following were adopted, all the difficulties suffered by the nation during the last year, in consequence of the dismissal of the Ministry and the dissolution of Parliament, would have been avoided.

Let every Parliament be chosen for three years; let its powers expire on the last day of December of the third year of its existence; and then let the

next Parliament, immediately on the 1st day of January, commence its sittings.

The General Election should take place on the first of December of the third year. Say, for example, that in the present year, on the first of December, the Representatives are chosen; they would commence their sittings on the first of January, 1836. The power of prorogation might still remain in the KING.

On the first of December, 1838, the next Election would take place, and on January first of the year 1839, the new Parliament would assemble; the power of the preceding Parliament having expired, by law, on the last day of December 1838. By this mode, perfect certainty would be insured as to the time of every General Election, and nothing would be left to be determined either by caprice or chance.

The demise of the King need by no means induce a dissolution; the Parliament chosen by the People to carry on the business of the Government, need not be dismissed because the KING has been changed. On the contrary, there is every reason for continuing its existence. Confusion is much more likely to be avoided by keeping the Parliament together, than by suddenly dismissing it on a change of the Executive.

I can see but one objection to the arrangement here proposed: it is actually in full operation at this present moment in the United States of America, and is attended by the most beneficial results. People will call the plan a *Republican* one, and then believe that they have said enough to ensure its condemnation.

In answer to this overwhelming assertion of the thing being Republican, let us, for a moment, consider what would have been the result during the last session, if my proposed arrangement had been in actual operation.

It becomes at once exceedingly doubtful whether the KING would ever have thought of dismissing his Ministers. If the dismissal were the result of his own individual determination, it is very probable that such a determination would never have been formed; the change must have been made under the belief that a Parliament would have been obtained to sanction it. Now, if to change the Parliament had been out of the KING's power, he would not have ventured upon a change of Ministers which he knew full well would not have been approved by the existing House of Commons. Things would probably, therefore, have remained as they were.

Such, also, would probably have been the case, even if the late dismissal was the result of Court intrigue. No one would have counselled a step which they knew would only bring discomfit and disgrace.

If no change had taken place, the Whig Ministry would have met the Parliament with their measure of Corporation Reform well digested; also with their Irish Church Reform, and measures for the relief of the Dissenters, as well as for the better internal government of Ireland. We should probably have had some proposal respecting Local Courts, and a general Reform in the Law; and, be it remembered, every liberal measure would *have been supported by a powerful and commanding majority*. The benefits resulting as well from the more complete preparation of the reforms proposed, as from the effective support they would have received, can easily be appreciated by all, and need not here be enlarged upon.

If, however, the KING had determined to change his Ministers, the result would have been nearly the same. No one knowing the temper of the House of Commons would have accept



ed office in place of the dismissed Ministry, and the KING would have at once reinstated his discarded servants.

Now, compare this state of things with what really took place.

Knowing that he could dissolve the Parliament, the KING dismissed his Ministers, who were pledged to bring forward great and popular reforms.

The KING, having chosen a new Ministry, composed of the most bitter enemies of the People, dissolved the Parliament, and suddenly called upon his People to elect new Representatives. The People were taken by surprise; their enemies were prepared; corruption, in every shape, was employed by the infuriate and almost despairing Tories; and a strong body of the People's enemies got into the House of Commons.

The forces of the People and their enemies being so nearly equal, all those who were wavering, all those who were timid, and all those who were dishonest, went over to the Tory Ministry. No one now could predict the result. Fortunately, by efforts almost superhuman, a small majority was gained for the People; but gained, be it remembered, at the cost of enormous suffering on the part of the poor and conscientious voters. Hundreds risked the very existence of their families by doing their duty. More barefaced corruption, more cruel tyranny was never exhibited, than was witnessed in this country during the last General Election; and all this suffering and guilt was produced by a determination for which no one has yet been able to discern a reasonable motive.

One-third of the whole Session was lost in turning out the new choice of the KING. After weeks of labour and anxiety, we succeeded in reinstating in March, the Ministry that had been dismissed the November preceding. The

toil, the time, and the money expended in repairing the gratuitous mischief of the dissolution of Parliament and the dismissal of the Ministry, cannot be appreciated by those who did not share in the labour; but all those classes of the nation, whose well-founded hopes have been delayed, can feel and understand some of the evils produced by this extraordinary and unexpected determination of the irresponsible Executive.

We may lay it down as incontrovertible, that the Government which, for the due performance of its functions, is least dependant on the determinations of individuals, is the best Government. Our efforts, therefore, ought steadily to be directed to the object of making our own Government as much as possible thus independent.

We ought to endeavour so to arrange it, that stated periods should of necessity bring stated and determinate duties. The machine of Government ought to go on by itself, and ought not to need for calling it into action the will or determination of anybody. What I here mean may easily be conceived by comparing the Governments of this country and the United States. Before the English Government can come into action, the will of the KING must be declared; his writ demands the People to elect Representatives; his determination summons those Representatives together; his permission is needed in order that they may commence their labours; the consequence of this arrangement is uncertainty and confusion. Nothing is regular: the welfare of the nation is rendered a mere matter of chance, and the interest of millions may be hazarded by a bad digestion or a domestic quarrel.

Our American brethren have settled this matter differently. Not only in the United States Government, but in the Governments of the several States,

the time and manner of Election are determined by the law. This law, to give it effect, needs not the declared will of anybody. The stated day of Election arrives—the Elections take place. The stated day for the assembling of the Representatives arrives, and they assemble. The stated day of dissolution arrives, and they dissolve. Here are certainty, order, and confidence, in place of uncertainty, confusion, and suspicion. The one arrangement is the proceeding of reasonable men, acting under a full understanding of what their interests demand ;—the other is the result of mere hazard, was produced by accident, and is maintained through ignorance and folly.

By some it is objected, that if the KING have not the power of dissolving the Parliament, his means of doing good will be materially diminished. A time may come, it is said, when the People are beyond their Representatives, and when an appeal to the People is really needed. The case of the Reform Bill is adduced in support of this statement, and it is said that our hopes of Reform would not now have been fulfilled, had the KING not possessed the power of dissolving the Parliament.

There are, no doubt, cases in which the power in question may be beneficially employed ; but the real matter to be determined is, whether the good that is likely to be produced by such a power will compensate the evil which results from it. The truth is, that in nine hundred and ninety-nine cases out of a thousand, *the power will be employed against the People* ; and it should also be remembered, that short Parliaments render its existence unnecessary. A seven years' Parliament is one thing ; a three years' one another : and, according to my plan, the shorter term is the one fixed upon. The whole proceedings connected with the Reform Bill were

of an extraordinary character, and ought not to be taken as illustrative of the ordinary and regular proceedings of a settled Government. Extraneous circumstances also existed of a very peculiar description. The French Revolution had excited the People, and terrified many by whose determinations the interests of the People were greatly affected. This led to results that ought not to be expected under common circumstances, and the conduct of our rulers under the influences then acting cannot be safely quoted as an example for the future.

It may also be said that, by this new arrangement, the KING is made too much like a Republican Magistrate ; and persons who are in the habit of calling themselves friends to Monarchy may take alarm. A little common sense, in such cases as the present, would be of infinite service. What is the actual state of things—I mean, what is now actually done, and not what is said ? Who determines all the important acts of the KING ? Is it the KING, or the House of Commons ? By whom is Lord MELBOURNE made Minister ? Is it by the KING, or the House of Commons ? It is notorious that his Most Gracious MAJESTY cordially detests the present Ministers ; but he cannot get rid of them, simply because the House of Commons determines that he shall have no one else. In a desire for independence, the KING lately chose Sir R. PEEL. What was the result ? The Commons very coolly told his MAJESTY that Sir ROBERT did not suit them, and Sir ROBERT consequently retired. So it is with all the acts of the Crown. The Ministry, while in office, determine everything, and they are chosen by the Commons. Now, the change I propose takes away power from the Constitutional Advisers of the Crown, and makes the word of the law

perform the duty required. The KING would not be one whit less a King, because the law determined that elections should take place on a given day, than he now is, when no one knows when elections are to occur. In the case of municipal elections the plan I propose is adopted; all that is here required is to extend the principle and practice to Parliamentary elections.

#### THE RESULT OF THE ELECTIONS.

After the dissolution of the last Parliament, the election of the new one claims attention. A short statement of facts is necessary, to render our observations intelligible.

The Tories were fairly ousted from the House of Commons by the elections of 1832. Under the enthusiasm created by passing the Reform Bill the People put out their strength, and their enemies were, for the most part, terrified out of the field. With this state of affairs the Tories were by no means content, and they determined, if possible, to win back their way into the place of their former dominion. In other words, they determined to circumvent or coerce the People. It is clear that, when the wishes of the great majority have power and effect given to them, the Tories have no chance of success. It is only by depriving the People of the means of carrying into effect their desires, that these enemies of the People can gain their object.

I assume, without condescending to proof, *that any arrangement in a Government, which gives a small minority of the People the means of defeating the desires of the majority, is a mischievous arrangement, and that it ought to be immediately and completely reformed.*

The Tories, who are a small minority, were by some means enabled, during the elections of 1834, to reverse, in an immense number of cases, the decrees of the People of 1832. Was it by any peculiar institutions of the country

that they were enabled to do this, or did the result take place in consequence of the fickleness of the People themselves?

The Tories themselves say that the People, in 1832, were misled, and, by their own enthusiasm, deceived—that a short time was needed to dissipate the momentary hallucination, and that such was the case was proved by the elections themselves. This is plausible, but, unfortunately for them, not true.

The People have not changed—that is, they have not gone back to Toryism. The only change that is apparent is in the increasing desire manifested for the power of governing themselves. The wish for popular control is daily gaining strength, and every hour shows us that the doom of Aristocratic dominion is sealed in this country.

How comes it, then, if such be the wishes of the People, and if the institutions of the country are the same as in 1832, that the result of the two general elections was so different.

The causes of this difference were the following:—

1. The People did not expect a general election, and consequently had been careless respecting the registration.

2. The registration is by far too complicated and difficult a process; and the effect is, that many, by mere forms and technicalities, are deprived of their right of voting. Thus the list of voters did not fairly represent the People.

3. There exist in this country certain permanent classes and interests (as they are called) all hostile to the People. Of these the most powerful, and therefore the most mischievous, are the House of Lords, the State Church, and the corrupt Municipal Corporations. All these classes well understand that they have a common interest. They, during the last year, perceived that searching reforms were about to be

instituted, which would seriously affect this common interest. They therefore combined their forces, and brought them to bear upon the elections. It was this combination of Lords, Parsons, and Corporators, that chiefly produced the unexpected result of the last General Election.

During 1832 the enthusiasm of the People, and the late Revolution in France, prevented these sinister interests from combining. They got over their terror, however, in 1834, and scrupled not to use any means which corruption, bribery, and downright tyranny afforded.

What is the lesson that we should learn from this event? what defect does it signalize? what reform does it demand?

Let the late Municipal Reform answer this question. We have reformed one of these said sinister interests. We have made it, what it ought to be—viz. an instrument of good government. Heretofore Corporations have been instruments of mischief; in future they will be serviceable to the nation at large. They were mischievous, because irresponsible. They will be useful, because subject to the control of the People.

The State Church has been, and still is, an institution wholly mischievous. It is not a religious, but a political institution.

Erecting the Parsons of a country into a corporation, and providing for them at the public expense, is at one blow to render them, as clergymen, inefficient; and, as political intriguers, effective and mischievous.

The Parson that is provided for, whether he please his flock or not, will be certain to take the path of ease, and be utterly careless respecting his congregation. His flock will seek other pastures, and another shepherd will

tend them. The increase of Dissenters proves this beyond the possibility of doubt.

But as the Parsons are a corporation; and as their interests require combination and watchful guarding, none will be more upon the alert to prevent change than the State Clergy. The tendency of all change at the present day is towards the abolition of reward where service is not rendered, and also to the increase of popular control. Now, neither one nor the other of these things is pleasing to a well paid and idle priesthood; they therefore hate the very idea of change, and willingly join with those other interests of the State which also dread the control of the People. To thwart the People—to coerce them—to insult and ill-treat them, seems the great delight of this Clerical Corporation. They, therefore, throughout England, Ireland, ay, in Scotland too, set themselves manfully to work against the People's desires in the elections. Like all other combined bodies, they are powerful; and, as they were feelingly alive to their interests upon this occasion, their virulence and their mischievous industry knew no bounds while opposing the candidates whom the nation favoured.

It is now, therefore, actually thrust upon us to determine whether a corporation thus mischievous in its nature and powerful in its means should be permitted to remain. The remedy I propose is simple and effective—*make the Parsons elective, and leave their pay to the good pleasure of their hearers.*

The interference of the Lords in the business of elections has been rendered notorious by the various election inquiries which have taken place during the Session. The standing resolution of the House of Commons, declaring the interference of Peers in elections to be a breach of the privileges of the

Commons, like most of the other regulations intended originally to curb the Aristocracy, has been shown to be a standing farce. The impunity of noble Lords, on these occasions, is about as notorious as their interference.

Connected with this matter of elections was one peculiar and distinguishing mark of this Parliament—I mean Election Petitions. The public being very little acquainted with the secret history connected with this subject, I will give the reader a short description of it.

An Election Petition is distinguished by two circumstances—it is exceedingly expensive and exceedingly uncertain. It is, therefore, always worth the while of a rich man to present a petition against his opponent, if he be less rich than himself.

These Petitions are expensive and uncertain, in consequence of the peculiar nature of the tribunal by which they are decided. This tribunal consists of certain Members chosen by Ballot; thirty-three names of those persons who happen to be present are obtained by means of Ballot; of these thirty-three, each party strikes off eleven, and the remaining eleven constitute the Committee.\*

When an Election Ballot is to come on there is what, in the slang of the House of Commons, is called a general *whip* of the House by both parties. The persons chosen are supposed to be Judges; and yet, as their names are called by the Clerk, very unequivocal symptoms of displeasure and satisfaction are manifested by the opposite sides of the House; the whole affair being, in fact, a party contest.

Eleven men sitting to hear complicated evidence compose, necessarily, a clumsy tribunal—one admirably fitted

to please a rich and dishonest suitor, who desires to ruin his poorer opponent. I was once favoured with a Petition against my return, on the plea that I had no qualification. The question would not have occupied a Judge five minutes; it took the Committee six hours. Three witnesses were examined, and for that day's work the expence to me was 120*l.* Now, if instead of being a mere question of qualification, a scrutiny had been needed, and perhaps a hundred persons in attendance, coming from a distance, the expence might have been 1000*l.* a day.

The Tories of Ireland have had recourse to Election Petitions, as the last means of destroying the power of Mr O'CONNELL. A common purse supplies them the means of carrying on the war, and they hope by expence to ruin him. The same plan has been tried against English Reformers. The case of Col. THOMPSON must be fresh in everybody's recollection. The means of remedying the evil are simple; but I suspect they would be furiously opposed by those who hope still to gain power by means of money.

If, in place of Committees, a single Judge were chosen by the House, to be removable also at the will of the House, and to try no other causes, a great saving would follow, and the law of Elections would be rendered certain. Now there is no law: what one Committee decides to-day another will undo to-morrow. A single Judge, acting under the eye of the public and the control of the House, would have every motive to be honest and diligent. If, in addition, the expenses of trying the Election Petition were to be defrayed by the place represented, the trial could not be turned into an instrument of oppression.

UNSUCCESSFUL ATTEMPTS AT REFORM.

The mode of bringing about reforms in England is a curious one, when we

\* This striking off the names by the two parties; is familiarly called *knocking out the brains of a Committee.*

recollect that we are called, and really re, an intelligent People.

The People for a long time experience some evil; after a satisfactory period of suffering they become impatient, and demand a remedy; the House of Commons thereupon sets to work, and proposes some remedy to rectify the evil.

The next operation is, for the House of Lords to throw it out.

This process is repeated various times.

If the evil be a large one, and affect so many of the People, that a very general feeling of discontent may arise, there is some hope that, eventually, the desired reform may be accomplished.

After sundry rejections by the Lords, the People get seriously angry; very significant threats are heard; their Lordships are, on a sudden, terrified; a little show of resistance is perhaps maintained by a Peer, whom everybody agrees in considering stark mad, and the measure is passed. This is called the march of temperate reform.

But, as there are many measures much needed, which would remedy evils felt only by a few, or if felt by many, not at any one period of great apparent amount, many reforms are, under the present state of things, nearly hopeless.

It is for this reason that I object to receiving half reforms. As the People must be fairly roused to dangerous anger before we can hope that the Lords will grant us Reform, and as it is impossible to rouse the People on any but great occasions, I believe that taking any portion less than the whole is unwise policy. Take an example from the Municipal Corporation Reform Bill. Lord JOHN RUSSELL proposes to make certain amendments in this Bill next year. He may propose so to do, but the question that he ought to ask himself is, are the People upon this Reform being refused, likely to become so angry as to frighten the Lords? If not, there is no

good in bringing forward any measure, for it will be incontinently rejected, and rejected with perfect impunity. We Radical Reformers have had a wide experience of the truth of this statement. The Reform Bill contained matters that we thought, and the People thought, exceedingly mischievous; and, moreover, it left untouched many matters that required immediate alteration. What is the consequence? Session after Session measures are introduced in order to remedy these abuses, and Session after Session sees them fail,—the reason being, that they are not of importance sufficient in the eyes of the People, to induce them to threaten the Lords with revolution.

Two or three remarkable cases in illustration of this, occurred during the past Session. Elections are by all allowed to be too expensive. Mr HUME brought in a Bill to remedy the mischief. In this bill he also proposed to reform the crying grievance of requiring qualification for Members of Parliament; he was obliged to give it up. The payment of rates is another matter very generally complained of by the People; we shall never get rid of it until the People take the case in hand. The Ballot is another question of the same kind. The Registration of Voters another.

From what I have seen of attempts at partial Reforms, I am convinced that it is useless to spend time or labour upon any but large and important measures. If some industrious and competent person, say Mr GROTE, would combine into one Bill all the various Reforms needed to perfect our Representative System; if he would make it as perfect as the present state of our political science would permit, and propose the whole at once, the People might eventually be roused to demand it in such a manner, that the Lords would not dare to stand out. Instead of

bringing on the Ballot as a separate question, and the Registration of Voters as another, and so on, the whole ought to be combined, and the system made scientific and symmetrical. A very short time would be needed to gain public attention to it, and to excite them in its favour. When this excitement reaches danger-point the Lords will yield.

The question of Reform in our Judicial Procedure ought to be treated in the same way. The omission of the whole matter of Local Courts from the Municipal Reform was, on this account, in my opinion, a prudent course to pursue. Next Session the subject may be considered as one great whole, and a complete Reform at once proposed. In this point of view, also, one of the amendments proposed by the Lords is seen to be less mischievous than it was intended to be—I mean the alteration proposed respecting the appointment of Magistrates. When once the subject of Judicature comes to be considered in all its parts, the present faulty arrangements respecting Police, and the determination of small causes, cannot fail to be perceived; and it is to be hoped, that common sense, and the suggestions of men of science, will be listened to in the future plans of Judicial Reformers. The prejudices of the Lawyer tribe, together with the interested outcries of Attorneys, ought to be disregarded, and justice should be made justice in reality as well as name. The rejection of Lord BROUGHAM'S Local Courts Bill was certainly not well intended by the Lords; but I cannot help believing, that a far more complete and efficient Reform will result from the delay occasioned by the bigot ignorance of their Lordships.

There are, however, classes of Reformers (so called) who meet with little opposition from the strong sinister interests of the day, or from the Government. These persons, impelled by various motives, are constantly tam-

pering with the law, and meddling with affairs which they do not understand, or which want no change. The Bills they bring in are curiosities in their way: such, for example, were Mr PEASE'S Cruelty to Animals Bill, and Alderman WOOD'S Omnibus Bill, and a host of others which I cannot now stop to describe.

Under the pretence of remedying a particular evil, these gentlemen propose measures of the most unheard-of severity. They enter into the most minute descriptions, and, impelled by a species of *furor* in their new vocation of legislation, they deal out penalties with a hardihood and lavishness that would not have disgraced the Star Chamber and High Commission Court. Alderman WOOD, in his eagerness to aid the shopkeepers of Cheapside, forgot every sentiment of justice, and quietly shut up the book of experience as an old and useless volume. On a sudden the old, and long-tried, and universally-condemned Hackney-coach Office was to be revived, with a large apparatus of commissioners, clerks, &c. The Hackney-coachman's code was elaborately prepared, together with that of the Cab-man, and the Omnibus-driver, and the Waggoner. Nothing was too minute for this exhaustive performance. It determined on the mode in which the Cad of an Omnibus should raise his hand when seeking a fare; it prescribed the exact number of inches that a Waggon-wheel should be from the curb-stone, and the number of miles that an *empty* Cabriolet should go per hour. It determined also the place in which the Cab-driver should sit, and ended by converting the whole trade into a monopoly. The Cruelty to Animals Bill was a rival to this measure in all its parts. Cruelty to animals (meaning thereby any animal except man) was thought so much of, had so completely possessed the mind of the

framer of this measure, that cruelty to his own species dwindled into nothing in his eyes. To hurt a calf was deemed a crime, but to persecute unjustly the poor calf-driver was held a meritorious act; and so many precautions were taken to provide for the comfortable travelling of calves, sheep, pigs, and bullocks, that the poor human beings of London were likely to go without meat altogether. It is necessary, we all must allow, that cruelty to any sentient being should be avoided; but I would suggest to Mr PEASE and his brethren, that something more is required in this very difficult matter of legislation than good intentions. To will that cruelty should cease is one thing; so to frame the law as to render it an efficient means of preventing cruelty, is another. To draw the line accurately between the domain of *law* and *morality* is no easy task, and certainly requires a far more powerful and instructed mind than is possessed by the benevolent *friend* in question. He, indeed, in his enthusiastic chace after humanity, heedlessly trampled down every safeguard which experience and science had taught us to be necessary for the ordinary security of person and property. This instance of one-sided humanity is not altogether without a precedent. The Brahmin, who would die rather than kill or even strike a cow, will, without remorse or compunction, drive the car of his idol god over any poor wretch who, in the madness of devotion, flings himself under its wheels. The machinery of Mr PEASE's Bill evidenced in the framer a woful lack both of knowledge and of feeling for *human* animals.

There is, however, a yet more important conclusion suggested by this host of meddling changes which are yearly proposed by ignorant and often interested persons; and that conclusion is, that the rules of Parliament afford

no adequate security against useless and mischievous meddling with the law. There is nothing in the proceedings of Parliament that more needs reform than the whole order of its business. Everything is now left to chance, to caprice, to jobbing. Year after year sees the statute-book increasing, but improvement cannot be said to be commensurate with the change.

The business of reforming the law should not be left to individual caprice. A special committee ought every year to be appointed, to report upon all bills proposed to be brought in, and to arrange the business to be done. Particular subjects ought to be confided to selected individuals, and the whole business of the Session properly parcelled out. Thus order and regularity would be introduced into our proceedings. Every one might easily learn what was going on, and legislation would not then be, as it is now, a business of riot and confusion. Many most important alterations in the law are being hourly made, and no one heeds, or indeed can heed. It is impossible for any man to make himself master of one-fifth of the business before the House, and yet no one has any security, unless he himself looks into the matter, that mischief does not lurk under every proposition made. If the business before the House were properly arranged, if to competent persons were confided the separate matters of legislation, there would really be some security for the public; at present there is none, and any conscientious man must feel pain under the enormous responsibility now imposed upon him. The attention of the public is directed to a few important and engrossing topics, but these form but a thousandth part of what is before Parliament; and while attention is thus directed, the interested take every opportunity of smuggling through the House jobs of every hue and character.



Surely it is high time that this should be remedied.

In a preceding Pamphlet I dwelled at some length upon the grand defect of our institutions, as evinced in the doings of the by-gone Session (I mean the obstructive character of the House of Lords), and I therefore need not now do more than allude to it. Any one, however, who in future years shall look back upon the long Session of 1835, will not fail to perceive that the important conclusion established and brought to light by our abortive labours on that occasion is, that two Legislative Chambers, wholly independent of each other, and representing different parties and interests, cannot so be combined into one machine of Government, as to form an effective instrument of Legislation. It has now been proved by experience, that hostility between two such bodies is certain; and it must be evident to all, that hostility and good government are incompatible. In other words, then, the English Constitution, that far-famed affair of balances and checks, has been shown to be, what BENTHAM long since proved it, an admirable machine for standing still. That happy admixture of powers, that due amalgamation of Monarchy, Aristocracy, and Democracy, which Whig Philosophers have so long delighted in admiring, is now seen to be a chimera, and a few months of painful experience have taught us how idle are the doctrines of those who will not take human nature for their guide.

After what we have now witnessed, we shall doubtless have many proposals on the part of the Whigs for tinkering the machine of Government. It is with some curiosity that I await the numerous profound schemes that will be devised. The propounders of these plans will, I feel assured, most steadfastly shut their eyes to the fact, that noble Lords, like

other human beings, will follow their own interests; and that, consequently, so long as they have the power of turning the nation to their own profit, they will do so. Instead of a searching and effective Reform of the Lords, we shall have schemes of making Lords by the dozen or the hundred—Lords for life—Lords for years, and so on—anything rather than a plan for depriving the House of Lords of its present mischievous privileges.\* We shall be treated with long dissertations upon the Prerogative of the KING as to making Peers: Lawyers will raise up much learned dust in the dispute; and so great a cloud will be created, that the disputants will lose sight of the matter about which they are quarrelling. This dust must not blind the People; let them ever bear in mind, that in a good Government none have power whose interests are not the same as those of the People; and that the privileges of the Lords, who have interests in direct opposition to those of the People, are utterly incompatible with the good Government of this country. Bearing this in mind, let them not be diverted from the only real remedy, viz. the abolishing those powers by which the Lords now interfere with the business of Legislation.

The by-gone Session, if it had done nothing beyond reading us the lesson which I have here described, could not be said to have passed without doing service to the People.

J. A. ROEBUCK.

\* A friend of mine some time since suggested to me a plan for getting over the present difficulty in the Lords, which the Whig Doctors will not easily surpass. He proposed to enoble the First Regiment of Guards, still keep them under Martial Law, and make them vote at word of command—the whole Regiment voting at once, and on the same side. This is a species of Ministerial majority that would be far more useful than any preceding one. The superiority in the *drilling* would be conspicuous.

## MR GROVE PRICE AND THE CONSTITUTION.

THE following notice appears upon the Vote-paper of the House of Commons:—

“MR GROVE PRICE—To move that the Notice of the Honourable Member for Bath, given on Wednesday, 2d September, 1835, and the Notice of the same day, by the Honourable Member for Middlesex, be erased from the list of Notices, as subversive of the principles of our balanced Constitution, as derogatory to the character, and an abuse

of the privileges, of this House—(Next Session).”

I hope that Mr PRICE means something more than a flourish by this notice. I beg to assure him, that when the next Session arrives, I shall place my notice again on the books, and shall call upon the Learned Gentleman to bring forward his motion. The subject is far too tempting to permit him any escape.

J. A. R.

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## NEW METHOD OF DISFRANCHISING ELECTORS.

THE Revising Barristers for the Cities of London and Westminster have made a most important discovery, which will, without doubt, be extremely acceptable to their Whig masters. It is no less than a new and most simple method of disfranchising Electors by wholesale. The facts are these: It appears to have been the custom, almost universally, to prepare printed lists of the persons entitled to vote, which lists have been handed in to the Revising Barristers as provided by the Reform Act.

On Tuesday last some of the parish lists were handed in, as usual, to the Revising Barrister sitting in Guildhall.

The Revising Barrister, after referring to the 44th clause of the Act, decided that a *printed list* could not, according to its provision, be received, inasmuch as the Act expressly requires that the *original list* from which the published copies have been made, shall be furnished to the Revising Barrister on the first day of his holding his Court; hence, he contended, a *mere copy* could not be received.

The Parish Officers protested against this decision, on the following very reasonable grounds: That the lists, in many instances, after having been used by the printer, were neglected and destroyed, or were not to be found; and

that, as the Act directs that the said lists be delivered on the first day of the sitting of the Court, the result of the Revising Barrister's decision would be, that all those parishes of which the original lists could not be found, would be disfranchised. One of the Revising Barristers then sent the Parish Officers to search the printer's dust-holes for the fragments of the original lists, in default of finding which he promised to consider what course he would pursue. His colleague (being, I presume, somewhat less inimical to the Elective Franchise) contented himself with swearing the respective Overseers as to the truth of the copies, at the same time pointing out “the propriety and necessity of adhering, for the future, strictly to the directions of the Act, which absolutely required that the list furnished to the Revising Barristers should be the original one.”

Now, a word or two as to what constitutes an original. A paper, let us suppose, is drawn up, but, being corrected, altered, and perhaps dirtied, a copy is made by a clerk. This copy is duly executed, as by law required, whilst the strictly original is preserved, merely to serve as a copy. Would not due execution of the clerk's copy constitute it an original in the eye of the law?

Again:—a written contract is drawn up between A and B. Two copies are made, in order that both the contracting parties may possess one. Both are duly executed. Would any lawyer care whether A or B possessed the original? Would not both be considered originals, according to the legal acceptance of the term? Take a third case: It is not an uncommon practice among merchants to write their letters in a letter-book, from which a copy is made by a clerk, which copy is signed, and sent to the person to whom it is addressed. The original, *in fact*, then serves as a copy. Would the merchant's letter be considered not *an original*, merely because it happened not to be the first written? It appears, then, that it is not necessary to enquire the order in which an instrument may have been drawn up, in order to determine whether it be what the law considers an original. That instrument is an original which is duly executed, and in the disposal of which all the necessary forms have been observed. All, therefore, that the Revising Barristers are, as it appears to me, called upon to inquire, in the first instance, is, whether all the necessary forms have been observed. If they have been so observed—and, in the case of the City lists, no other objection besides that which is now under discus-

sion appears to have been made—then the business of hearing objections and claims, the special business of the Revising Barristers, should be proceeded with.

The business of the Revising Barristers is strictly to try the validity of claims to vote. It could not have been the original intention of, however agreeable it may now be, to the framers of the Reform Act, that the Revising Barristers should throw in the way of the Elective Franchise all sorts of vexatious impediments wholly unconnected with the chief end of their appointment. That the lists have to undergo the ordeal of "revision" is a proof that the law is not very solicitous about the original lists as handed in; and it does seem to me that Revising Barristers have taken upon themselves a truly graceless task in raising a preliminary objection which would nullify their character of "Revising" Barristers, by leaving them no lists to revise. The object of the Revising Barristers should be to facilitate, to the utmost of their power, the working of the Reform Act. Instead of this, they seem to be actuated by a desire to impede its operation. The Franchise is, in short, treated as an inevitable evil, which it is their duty to check as far as they are able.

HENRY S. CHAPMAN.

## BOROUGH JUSTICES.

ONE of the Sunday Papers gives a list of the benefits which are conferred upon us by the Municipal Corporations Reform Bill. Among these benefits will be found the following:—

"All the Tory Justices will be removed from office."

Now, it so happens, that the clause which confers this boasted benefit, is one of the most objectionable in the whole Bill. It confers upon the Crown the power of appointing Justices, and whether it confers a benefit or an evil depends wholly upon the advisers of the Crown for the time being. In other words, we are, as far as the appointment of Justices is concerned, at the mercy of the Ministry of the day.

If it should so please his MAJESTY, he can at once exercise the mischievous Prerogative described in the first article of this Pamphlet, in which case the

"Tory Justices" would not be removed from Office. If, on the other hand, the present Ministry be permitted to remain, we shall have the lesser of two enormous evils. All the Tory Justices may, perhaps, be removed, and we shall have in their place the benefit (?) of a set of Whig Justices.

The Paper which put forward the list of benefits on which this short note is written, is wont to pretend to a constant reference to general principles. Strange that it did not strike the Editor of the print in question, that a short remedy for the evil of a partizan, and consequently unpopular, Magistracy, resides solely in the principle of Election. It is a master-piece of Whig advocacy to point out as a beauty that which every man in the Kingdom considers a defect.

H. S. C.

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EDITED BY

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[PRICE THREE HALFPENCE.]

A LETTER TO THE DUKE OF CUMBERLAND.

MAY it please your Royal Highness. Why I take the liberty of addressing you at the present moment, this following paper will give you some account. How you may interpret it I cannot tell: but I can in confidence say, that my intention is to procure to your Royal Highness's character even a more ample share of justice than the People are inclined to give to it; and to let the world see how various are your titles of merit.

Your numerous virtues, your untainted character, your spotless life, eminently qualify you for being the "Chief and Supreme Head" of the *Orange Institutions* of this empire. You are the "Grand Master;" your office

is "permanent" and "uncontrolled;" your authority is "discretionary" "illimitable," and "absolute."\* The number of your subjects in Ireland is 220,000 men,† most of them armed; and in Great Britain and the Colonies, 140,000 men. These men are "bound together by religious ceremony and sanction almost equal to an oath".‡ In the Army there are more than 30 Lodges.—The object of this Institution is to resist the spirit of Reform and to preserve those Institutions of your country which are best adapted to the

\* Report of Select Committee on Orange Lodges.

† Report of Select Committee, p. 25.

‡ Report of Select Committee, p. 25.

gratification of the interests and feelings of your followers. The effect of this Institution is "to keep up an exclusive association in civil and military Society, exciting one portion of the People against the other; to increase the rancour and animosity too often unfortunately existing between persons of different religious persuasions—to make the Protestant the enemy of the Catholic, and the Catholic the enemy of the Protestant—by processions on particular days, attended with the insignia of the Society, to excite to breaches of the peace and to bloodshed—to raise up other secret Societies among the Catholics in their own defence and protection against the insults of the Orangemen—to interrupt the course of justice—to interfere with the discipline of the Army, and thus to render its services injurious instead of useful, when required on occasions when Catholics and Protestants may be parties. All these evils have been proved by the evidence before the House in regard to Ireland, where the system has long existed on an extended scale, rendered more prejudicial to the just interests of Society by the patronage and protection of so many wealthy members, high in office and in rank, taking an active part in the proceedings of these Lodges."\*

The Committee states the imperious necessity of *suppressing* this Institution, and recommends the House to consider whether, under the statute of 39 Geo. 3, c. 79, "the law officers of the Crown should not be directed to *prosecute* the grand officers of all these Orange Lodges without delay." Your Royal Highness's followers will then be dispersed—you will cease to be a Sovereign; and though the Deputy Grand Master in Ireland traitorously proposed to proclaim you as the "*nearest to the Throne*"—you may be assured that the

People will never permit you to ascend that Throne. No; they wish you and your noxious Institution to be crushed.

To prove that you now stand upon the brink of a precipice—to exhort the People through their representatives not to spare you—to hasten this great good—to destroy you completely in the opinions of all men (in those of all good men you have long since been weighed and found wanting) is the chief end of my writing this paper. I bring three charges against your Royal Highness, and intend to support them upon the report of the Committee.

The 1st charge is, that as a citizen you have gravely infringed the laws of your country; and consequently deserve severe punishment.

The 2nd charge is, that as a soldier, you have disobeyed the commands of your superior officer; and ought to be dismissed the service.

The 3rd charge is, that in order to exculpate yourself, your Royal Highness has made statements which no rational being can believe, or reconcile with facts which are proved to have taken place.

The first charge I bring under the 39 Geo. 3, c. 79, an Act for the suppression of Societies established for seditious and treasonable purposes, and for the better preventing treasonable and seditious practices.

In section 2, the act runs thus:—"Every society which shall be composed of different divisions or branches, or of different parts acting in any manner separately or distinct from each other, or of which any part shall have any *separate* or *distinct* President, Secretary, Treasurer, Delegate, or other officer, *elected* or *appointed* by or for such part; shall be deemed and taken to be unlawful combinations or confederacies." The Loyal Orange Institution in Great Britain, and the Orange Institution in Ireland, are one and the

\* Report of Select Committee, p. 16.

same society;—because the rules of the former are similar to those of the latter; the same signs and pass-words are used by both; members of lodges in Ireland are admitted into lodges of the Loyal Orange Institution in Great Britain and the colonies, and vice versa.\*

Yet they act *separately* and *distinctly* from each other, have separate and distinct secretaries, treasurers, and other officers *appointed* and *elected*.

Moreover, in England, the Deputy Grand Masters of counties are *appointed* by the Imperial Grand Lodge for the particular county. The Deputy Grand Masters of districts are appointed by the Imperial Grand Lodge, on the recommendation of the brethren of the district.† Thus the Loyal Orange Institution in Great Britain and in Ireland, is a society composed of different branches (lodges), which have different presidents (masters) and secretaries, appointed or elected for such lodges; it is consequently an unlawful institution, and every member of it convicted of belonging to it, “upon indictment by due course of law, shall and may be transported for the term of seven years.” 39 Geo. 3, c. 79, s. 8.

The second charge is, that you have signed warrants for the holding of Orange Lodges in the Army, in contravention of an order of the Duke of York. To this charge you have replied in a letter to the Chairman of the Committee on Orange Lodges, in a letter to the Loyal Orange Institution, and in a speech delivered, September 1, at the Grand Lodge of the Institution.

You declare that you † “have been libelled for sanctioning what you never had sanctioned—the holding of Orange Warrants in the Army.” You had

\* Report of Committee, page 4.

† Report of Committee, page 3.

‡ Extract from Speech of DUKE OF CUMBERLAND, from the *Morning Chronicle*, Sept. 2.

signed merely blank warrants, which were improperly filled up. Your Royal Highness’s plea is, that you had no criminal intention. Now, your Royal Highness ought to be aware, that whatsoever may be the value of your simple affirmation, though you may be celebrated for that strict adherence to truth for which princes are so renowned, and which is the characteristic of your illustrious family; yet in a court of justice your simple denial would be considered of little value, when compared with the evidence in favour of criminal intention deduced from the overt act. Undoubtedly an act is not a criminal one, unless it be the result of a criminal intention or of criminal negligence; yet, according to all rules of law, the defendant ought to show good reasons for supposing the absence of criminal intent or negligence.\* Now, your Royal Highness has contented yourself with pleading not guilty; and when summoned before the tribunal to exculpate yourself, your answer is this: “The Duke of CUMBERLAND desires to inform Mr HUME, as Chairman of the Committee, that he has no state-

\* This principle, as stated by Mr ALLEN, may be misconceived. The *onus* or necessity of proving an absence of criminal intention, is not always even permitted to the party charged with offence, but only in such cases as the law does not assume to be conclusive against the prisoner. Criminal intention, in jurisprudential language, is not the same thing as in common parlance. In the latter case, it always includes a direct desire to do evil; but in the former, *neglect* concerning the safety of others often constitutes criminal intent. As, for example, if I fire down a street, not intending any one harm, the intent is here criminal, because of the gross neglect of others’ safety. But in this case no proof of absence of a criminal intent would be permitted. So in the case of the Duke of CUMBERLAND signing blank warrants. The mere signing is a proof of criminal intent. The culpable *neglect* is as gross in this case as the former. As, however, the mere signing might not be deemed conclusive evidence of evil intent, though strictly it ought, his Royal Highness would, if put on his trial, be permitted to prove absence of such intent. That is, to escape punishment, the *onus* or weight of proof is on him.—*Editor*.

ment to make to the Committee." \* Now, I ask your Royal Highness if a person were to be found slain by the hands of some other person, and the defendant, on his trial for murder, when asked for his defence, were to reply that he had no criminal intent, and had no further statement to make nor evidence to produce; would not that person (if he were a private individual) probably be hanged, unless, in the evidence for the prosecution, or in the circumstances of the act, valid reasons were found for supposing the absence of criminal intent. Now let us see what is the evidence against your Royal Highness, and whether it tends to exculpate you.

It is proved that—At the first meeting of the Orange Institution of Great Britain after the Duke of CUMBERLAND became Grand Master, held at the house of Lord KENYON, on the 17th of March, 1829, the Duke of CUMBERLAND in the chair, the report of the Grand Committee was read, received, and confirmed, and the following resolutions were *unanimously* adopted:—

That new warrants be granted—

No. 66, to Samuel Morris, musician, 43rd Foot, Gibraltar.

No. 94, to Hospital Sergeant Charles O. Haines, 2nd Battalion Rifle Brigade, Malta.

No. 104, to Private James Bain, 42nd Foot, Gibraltar.

No. 114, to Corporal John Parkinson, 2nd Battalion Rifle Brigade, Devonport.

No. 248, to R. Lawrence, 5th Battalion Royal Artillery, Gibraltar.

At a subsequent meeting in the same place, on the 4th June, 1832, when the Duke of CUMBERLAND also presided, the report of the Grand Committee and their resolutions were read before the Grand Lodge. The tenth resolution is to the effect that "several additional letters were laid before the Grand Committee containing complaints against Mr CHETWOOD; among these were letters from the following non-commissioned officers and privates:—

Bermuda, Sergeant Chainey, Nov. 2, 1831.

Corfu, Hospital Sergeant Haines, 2nd Battalion Rifles, April 15, 1832.

Dublin, Brother Nichols, 50th Reg., May 12, 1832.

Malta, Brother M'Innes, 42nd Reg. Highlanders, May 1, 1832.

Quebec, — Inglis, 24th Reg.

By the report of the proceedings of the Grand Lodge, held on the 16th of April, 1833, the Duke of CUMBERLAND being in the chair, it appears that the proceedings of warrant 233, Woolwich (being a Military Warrant Royal Artillery, 9th Battalion) were read, and Brother John Gibson (military), of the said warrant, was examined, and it was resolved that Charles Himens (a private in that battalion) should be suspended from membership, with right of appeal through the Grand Committee to the next lodge.

\* \* \* \* \*

3rd. There are regular entries of names of the regiments and lists of artillery in the lodges from 1820 to 1824, the number of the warrants granted to each of them, the amount of dues owing by them to the Grand Lodge, and the amounts received from time to time from them. All these accounts are kept by the Deputy Grand Treasurer, and once a year or oftener, the accounts of the institution were balanced, and laid before the Grand Lodge, and in these accounts entries from lodges in the army appear. In the accounts published and circulated of late years to every member of the Grand Lodge, there are many entries also of the names of the privates and non-commissioned officers, from whom money was received.

Dues received from the following Military Lodges, from the account submitted to the Grand Lodge, June 4, 1835:—

	£	s.	d.
Woolwich, 133, dues to March 13, 1833		0	15 6
— 296, 1st Royal Dragoons		2	8 0
Gibraltar, 53rd Regiment for new warrant		1	11 6
From Malta, Fusileers, granted by Commissioner Nucella, for new warrant		3	0 0
Dover, 114. Dues from June, 1832 } 1st Rifle Brigade		1	0 0

4th. There is a register, in which some thousand names are alphabetically entered, with the number of the Lodge they belong to; and of these, some hundreds entered as military, and the number of the regiments they belong to.

5th. There exists a printed register, made up to 1830, of all the Lodges under the Institution, having the names of thirty regiments or corps opposite the numbers of the warrants they hold, and many of the printed circulars announced that those registers of the Lodges were on sale, at 2s. each. An extract of the registers of Military Lodges is given in another part of the Report.

6th. In the printed circular reports of the proceedings of the Grand Lodge at which his Royal Highness presided, there are entries of the warrants granted to regiments by that Grand Lodge: for instance, it appears from the minutes of proceedings of the meeting of the Grand Lodge at No. 9 Portman square, on the 17th February, 1831, the Duke of CUMBERLAND, Grand Master of the Empire, in the chair, that the issuing of 24 warrants to hold new Lodges was approved, and three of them are thus inserted, viz.

\* Report of Committee, page 1.



No. 254, to Samuel Heasty, 6th Battalion Artillery.

No. 258, to James Smith, 94th Foot.

No. 260, to Private Wilson, 17th Foot.

There are also entries (1947) of Serjeant William Keith having attended two meetings, as proxy for the 1st Regiment of Dragoon Guards. Warrant 269. And by a resolution at a meeting of the Grand Lodge on the 15th February, 1827, "No person can be received as proxy in the Grand Lodge, who is not of himself qualified to sit and vote therein.\*

This is only a small portion of the evidence produced by the Committee, who report to the House of Commons: "When it is also known that, at every meeting of the Grand Lodge since his appointment, the Imperial Grand Master and the Deputy Grand Master were present, your Committee must repeat, that they find it almost impossible to reconcile statements in evidence before them with the ignorance of these proceedings professed by Lord KENYON and by his Royal Highness the Duke of CUMBERLAND."† I think that all impartial men will allow that your Royal Highness must have known of the existence, must have intended the existence, and approved of the existence, of Orange Lodges in the Army, and they must allow that this intention is as clearly proved as anything which can be proved by circumstantial evidence. Your Royal Highness, however, only signed *blank* warrants. Now, it is the most miserable subterfuge to assert that you did not commit a criminal act because the warrants were blank ones—because you did not know that any *particular* warrant you were signing was for the Army. You *intended* Lodges to exist in the Army—you signed blank warrants; the consequences were, the existence of Lodges in the Army: and for these *prohibited* consequences you deserve punishment, in virtue of the criminal intent.‡ Your Royal High-

ness's friends, I think, must now allow, without further proof, that in establishing the second the third charge is sufficiently proved against you, and that you are apt to make the strangest, the most erroneous, and most daring assertions, when they are required for your own vindication. You seem almost to doubt whether you had been guilty of any very improper act in signing Orange warrants for the Army, for, in the speech to which I have referred, you said, you would take that opportunity of saying that you had been informed that the practice was not in opposition to any *published* order from the Horse Guards, but merely in violation of a confidential recommendation issued in 1822, during the time your brother, the Duke of YORK, was Commander-in-Chief, and of which *you knew nothing*. Nay, so confidential was it, that the very generals, being *colonels of regiments*, *knew nothing of it*, the recommendation being wholly confined to the officers in command of regiments or battalions, and not inserted in the *orderly books*.\*

These assertions are most incorrect. The Committee report as follows:—"It has been alleged by some of the officers of the Orange Institution, that the orders of the Commander of the Forces were merely a *confidential* recommendation, and not a general order published from the Horse Guards. Your Committee are desirous of removing that error, by referring to the evidence of Major-General Sir J. MACDONALD, the Adjutant-General of the Army, who, on the 6th of August † states that the con-

be made of these warrants, the mere negligence of signing the blank warrant is highly criminal, and deserves exemplary punishment. The excuse offered, therefore, does not free his Royal Highness from legal guilt, while it greatly enhances the moral guilt of the transaction; for no one in his senses can but believe that gross falsehood has been added to open contempt for the law.—EDITOR.

\* Extracts from the M.S Minute Book—Appendix to Report.

† Report of Committee, page 21.

‡ Allowing, for a moment, that the Duke of CUMBERLAND did not know the use intended to

\* *Morning Chronicle*, September 2.

† The Duke of CUMBERLAND's speech was on the 1st of September,

fidential circular letter of July, 1822, was embodied in the *edition* printed in that year of the General Regulations and Orders of the Army; and it is the *duty* (27) of the *colonel or commander* of every regiment to have one of those books; and every regimental officer (31) is directed to supply himself with a copy of it; and that every regimental orderly-room ought to have a copy (31). Of the orders of the Duke of YORK no officer ought to be ignorant.\* Your Royal Highness is a Field-marshal. However, you do not seem to have paid much attention to the two codes by which a soldier distinguishes right from wrong. The laws laid down in the orderly-book, and those of honour, seem equally unknown to you.

Your Royal Highness deserves credit for your boldness. Unable to refute the charge brought against you, you refuse to exculpate yourself before the tribunal offered to you, and you defy your accusers in these terms: you meet the charge "in the way you would meet every gentlemanly charge" (charge of dishonourable or ungentlemanly conduct?) "with contempt, and a firm determination not to be bullied."† Your Royal Highness seems to be deeply irritated at the discovery of your evil deeds—"You were pained to think there was an enemy in the camp somewhere—a *traitor* who was propagating falsehoods to suit his own purpose, but which traitor would sooner or later be discovered and expelled. Either that man or the Duke of Cumberland should not belong to it."‡

Your Royal Highness's plot against your niece has exploded: some of those nearest to you are known publicly to have asserted that *she is surrounded by evil advisers*. Your friends deem that

with you on the Throne, Protestant ascendancy would be restored in Ireland; the House of Lords would preserve their now endangered privileges; other laws would have place than those of the Representatives of the People; and justice would otherwise be defined than the will and interests of the community. Your Royal Highness asserts that you are yet undaunted and determined to persevere in these projects. You exclaimed:

"If ever there was a time when the principles of Orangeism ought to be inculcated, it was the present. There was a set of men, mortal enemies to the Church of England, who were endeavouring by every means in their power to overthrow the Church and Constitution. You hoped their hatred proceeded from no disrespect to the Almighty. [Your Royal Highness is aware that you are generally supposed to hold morality, religion, and truth in equal esteem]. Good Christians they could not be, their motives being too sinister to allow even the supposition that they respected a Church which they alike threatened and endangered. The Executive entrusted with the Government of the country were doing all in their power at present, by their ignorance of the Orange Institutions, or from ignorance of what was due to the sacred altar they were called upon to protect, or from cowardice, or from self-interested motives, to destroy all that remained or was dear to them of the Constitution established in 1688. You could form no other opinion of his Majesty's Ministers; their acts proved that they were inimical to the Church Establishment. It was by actions and not by words that the community at large were led to form their estimate of men and things. You begged to assure the Lodge that you were as firm now in the cause of Orangeism as at the first moment you

\* Report of Committee, page 14.

† *Morning Chronicle*, September 2.

‡ *Morning Chronicle*, September 2.

entered the Institution; and if it was necessary to fight the battle over again, you would stand foremost in the ranks to do so.”\*

In such terms of reproach your Royal Highness gives vent to the feelings with which you regard the Ministers of your Brother and the majority of the Commons. Your intention is here boldly declared to resist the wishes of our Representatives by the aid of the Orange Lodges. The Orange Institution is an *imperium in imperio*, of which you are Sovereign; it almost excites Ireland into open rebellion, and ever keeps up a smouldering civil war. This Institution must be destroyed, and your Royal Highness must be dethroned. Your avowed intention of using it as a means of resisting the Commons, constitutes you morally a traitor; I regret that you are not legally one, for then you might be dealt with as you deserve; then you might gloriously finish your career of evil deeds, by finally atoning to the injured laws of your country. To see you *convicted and transported* for the offence which you have committed, and suffering a punishment similar to that of the Dorchester Labourers, would be a spectacle at which all good men would rejoice. Though these wishes will not be realized, still, however, the Representatives of the People may, and it is their duty to attempt to crush you. Your Royal Highness is guilty of a grave offence; it would be useless, however, to impeach you, for you would be tried by your Peers; and, conse-

\* *Morning Chronicle*, September 2.

quently, the chance of convicting you would be much such an one as that of convicting a thief before a jury from Newgate. The means which the House of Commons ought to adopt is, to address the Crown to take away your rank and honours in the Army; or you might be tried by a Court-martial—the latter, probably, would be preferable, if a fair tribunal could be secured.\* In either case you would be degraded in the eyes of the nation; you would suffer a dishonouring punishment, and the advantages of passing an act to exclude you from any chance of succeeding to the Crown would become more apparent even than it is at the present moment. Thus two of the great objects of punishment would be effected. First, terror would be produced; for by your Royal Highness’s illustrious example, minor offenders would be deterred from outraging, in a similar manner, the laws of their country. Secondly, you would, in a great degree, be incapacitated for further mischief, for the stigma attached to your Royal Highness would impair your means of working evil. The third great object of punishment is—reformation; this, in your Royal Highness’s case must evidently be dispensed with.

That your Royal Highness may be dealt with in the manner I have recommended, and that speedily, there is none who more devoutly prays than your Royal Highness’s humble servant,

WILLIAM ALLEN.

\* Perhaps the best way would be, to order the Attorney-General to prosecute. A common jury would do his Royal Highness ample justice.—EDITOR.

## A LETTER TO THE FUTURE MUNICIPAL ELECTORS OF BATH.

GENTLEMEN,

I did my utmost as a Representative of the People, to give to you the important powers you will soon possess: Excuse me, therefore, if, as a friend, I say a few words to you respecting your exercise of those powers.

Your object, in the coming Municipal Elections, ought to be, and doubtless will be, to select persons who will with honesty and intelligence discharge the duties imposed on the Municipal Government; in other words, you will endeavour to select *honest* and *intelligent* Town Councillors.

About honesty, little need be said by way of explanation. We all know what is meant by the phrase "*an honest man.*" We should, however, bear in mind, that he who showed himself dishonest yesterday, is not likely to prove honest to-day.

The honesty of a Town Councillor will be shown chiefly by the conscientious and economic employment of the public funds; by his industrious discharge of his duties; and by his resistance to all impulses of partial affections or peculiar interests.

Respecting the intelligence needed in Town Councillors, there seems some misconception. Their duties, for the most part, will be those which any man of plain and sound understanding may faithfully discharge. Excepting in so far as they are occupied in the business of administering the law, no peculiar knowledge or difficult acquirements are required of them; and it is to be hoped that with the administration of justice in any shape they will soon have nothing to do.

They will have to watch over the particular interests of the town; to provide for the well-being of the inhabitants, in so far as it depends upon the joint funds

and joint powers of the town society; to watch over the markets; to see to the due administering of the Police; and to turn to the best account the natural advantages of the city; to see that to the almost, the health and comfort of the inhabitants is provided for by proper regard to the buildings, the streets, and sewers of the town; to choose honest and faithful Commissioners to watch over and administer the various charitable funds belonging to the town; to choose a Recorder who shall really know and administer the law. These are the duties of the Town Council: but to perform them well, no peculiar practice—no especial knowledge—no long and arduous training is needed. The more highly any man is instructed the more efficiently will he perform the office of your Municipal Representative; but for the due fulfilment of its duties no peculiar education is required.

Having said so much respecting the requisites for the office of Town Councillor, let me say a few words as to the men who ought to be chosen Town Councillors.

When, in private life, we seek for a servant, one of the first things we inquire into is his character; for, no matter what may be his other qualifications, if he be not honest he will not prove a good servant.

The first question in such cases is, have you been in service before? If the person seeking service say that he has not yet served any one, you inquire of him who knows him, and who can speak to his good name and conduct? He refers you to his neighbours, and to those who have known him for years.

If, however, he have been in service, his last master becomes the best possible evidence respecting his character.

And now the question (almost the

first) is put to the former master, why did your servant leave you?

Having brought things to this point in private life, suppose the answer to be as follows:—

He left me because he was dishonest, idle, and ignorant. All the money he was entrusted with he misspent, or stole and converted to his own use; he would do no work but when it pleased him; and when he did attempt to do anything, he was so stupid and ignorant, that he did more mischief when industrious than when merely idle.—Who, I ask, would take a servant with such a character?

Now, Gentlemen, I seek to apply this illustration.

When you are looking about for servants, two classes of persons will offer themselves for the *situation*. One set will have been in service before; the other set will not.

It will be said, perhaps, by some, that those who have been in service before will be likely to know something of the business; and, therefore, on the score of intelligence are preferable to those who have never been tried.

If what I have already said respecting the requisites for the office of Town Councillor be true, this observation need not be deemed of much weight. Plain common sense is what we find in many of our neighbours; and good, plain, straightforward common sense is what we chiefly desire in the case before us.

But let us approach the matter a little closer. Is it true that these persons who have been in service before, that is to say, *the old corporators*, really know anything more about the business that a Town Councillor will have to perform than any other persons in the town? There is nothing like experience in these cases. Many good people in your city delight in the thought of being practical men. Now, let us be practical men; and let us judge by the experience which every day brings under our considera-

tion. Get a list of your precious Corporation, take the names of the worthies one by one, and inquire seriously into the qualifications of all and each of them. It is a common thing among the People of London, when they wish to call a man a fool, to say, that “he will never set the Thames on fire.” Now London is a large place, and the Thames is a moderate sized river. Bath is much smaller than London, and the Avon very inferior to the Thames. Now, the proportions being presumed, you may apply the same sort of saying to your wise Aldermen of Bath. They will never set even the Avon on fire;—no, not one; nay, not all of them combined; and many a rough-handed mechanic of your goodly city has more good, common sense than the whole tribe of your half-doctor, half-lawyer Corporation. In good sooth, pray let me ask, what has been the experience of this worthy offspring of a corrupt and pestilent system? Is it the dinners they have eaten at your expense that has endowed them with experience? It may be so. Experience of the sweets and savours of misrule; experience of the pleasure of dining at other people’s cost; and the dainty delight of eating gratuitous venison and sipping gratuitous claret, presented by the *grateful* members who had bought all their votes at a price. Excellent experience, truly, to boast of, before an indignant People armed with the power of dismissal!

But there may be other experience which we wot not of. Yes, truly! Let us descend from the Dining to the Justice-room of the Town-hall. But let me ask of you, Gentlemen, if these old limbs of a corrupt Corporation gained experience in this sanctuary of Justice, did you not gain a lesson of experience also within its sacred precincts? If *they* learned Justice therein, did *you* not also learn *what* that Justice was? Should you (and I put the question to you as honest and high-minded men)—should you like

such Justice to be administered in your name? Remember, that the moment they are clothed with the sanction of Popular Election, the deeds that they did in the days of their corruption are sanctioned also. Disguise it as you will, hide it from yourselves as you may, the world will say, and so saying will mourn, that the People would sanction one day what, on the day before, they had declared to be worthy of abhorrence. The old Aldermanic Justice of Bath will then have your seal and stamp; and then, when censuring the corruptions of the old corporators, we must lament over the folly of the new.

But to return to my illustration. Why did these *experienced* servants leave their old places?—or, to use a somewhat more correct phrase—why were they turned out? Suppose the People of Bath to be in the place of the master I have spoken of above, as answering the question, why did your servant leave you? Suppose the People answering that question in a body, would not the answer run thus?—

“We turned these servants out, because they were notoriously corrupt, ignorant, and idle; they were for ever peculating; money was never safe in their hands, and a heavy load of debt is now on our shoulders, in consequence of their criminal extravagance; they domineered over and insulted us; they took possession of our house, and rioted therein at our expense; they spent our money; they abused ourselves; they spoiled the beauty of our buildings; turned the advantages with which Nature has favoured us into a means of corruption; year after year they sold us for a price; they sacrificed everything to their private interests, and converted the power conferred on them as our servants into means of mere personal advantage. Being thus corrupt and mischievous, we have at length succeeded in discharging them—and

devoutly pray, that anything like them may never again be seen, having power over the welfare of their fellow citizens.”

If, in private life, you would not accept a servant with such a character, why should you depart from the rule in public life? All morality is founded on the same principles, whether it relate to public or private affairs: and the man that has been bred up in a dishonest system; who has lived and thriven under it, is unfit for an honest one. He who could see no evil in the old corruptions of the late Corporation, will see no mischief or immorality in turning the powers of the new one to the same disgraceful ends. Honesty is not the growth of an hour, but of a life—it is the offspring of habit, not of impulse. It must, like the fame of a woman, be untouched—if once breathed on, it is tainted, and loses its freshness and its beauty. The feelings and the habits created by practice in immorality, are not to be gotten rid of at a moment's notice, or for special purpose: They will stick by those in whom they have once been raised during the remainder of their lives; and for ever unfit them for the service of the People. No man can serve two masters. Their master has hitherto been—Mammon; they cannot in their hearts forego his service, and bind themselves willingly unto truth and honesty. They cast their lot for corruption, and must stand the hazard which has made dishonesty a losing game.

Great professions I well know are made now of regard for the People. Professions and protestations avail little against acts, recent, and of olden time. At what time is it, I ask, that this sudden regard has arisen? When the People became powerful. Human nature is ever consistent with itself—and now, as heretofore, the most haughty tyrants have shown themselves also the

most crawling and cringing slaves. The truly dignified feeling they have not. They know not

“That glorious privilege of being independent,”  
And will now be as fawning, as before they were insolent.

Let us try the worth of these professions by the conduct of the Corporation during the last three years. Did they not oppose their whole force to the election of liberal representatives? Did they not attempt to get in a rank Tory for the town last year? Did not the members of the Corporation, in their individual capacity, send up addresses to SIR ROBERT PEEL? Did not they present petitions in favour of retaining the Irish Church in all its present extravagance and inefficiency? And, lastly, did they not sign a petition against giving you the very power which you are now about to exercise? Have they not on all occasions been foremost to give their countenance and sanction to harsh and tyrannical measures of government? Have they not opposed every reform which the People desired? And in the instance of the Corporation Reform Bill, did they not send their Town Clerk to give evidence at the bar of the House of Lords, in the hope and with the intention of ruining the measure? The corporation of Bath during the last three years, have been particularly active in exhibiting their hatred of the People, and their dread of popular control. No matter what might be the subject, so soon as Tory petitions began to be presented in the House of Commons, one from Bath was sure to make its appearance, and we heard it eternally repeated that such petitions were exceedingly numerous and *respectably* signed. “Among the names attached to this petition,” the member presenting it was always accustomed to say, “are most of the gentry and leading persons of the town; and the very first names are those of many

members of the Corporation.” You know full well that the corporators are a very busy race—a busy race in mischief—always opposed to you, always endeavouring to thwart and disappoint you. If you, the great body of the citizens, wished a thing, it was quite enough to make the Corporation oppose it; and their opposition has always been attended with insolence and contumely. Do they not at this moment turn up their noses at you, as shopkeepers and mechanics? Do they not, as well as their organs of the press, invariably describe you as low, vulgar, and disreputable? Turn to the Newspapers which represented their opinions, at the time when you first received your power of electing representatives. Read the columns in which opinions are given of yourselves and your representatives. See if there be an epithet expressive of contempt and hatred with which you are not visited. Can you, I ask, have confidence in men who have thus unequivocally expressed their detestation of you personally, and of the principles which you have professed and supported? Can you believe that any one of them can sympathise with you,—can have your interests at heart? Do you believe that they will pursue your interests in preference to those of the corrupt body to which they have so long belonged?

These I know are harsh truths, but the time and the circumstances compel me to utter them. Having been accessory to confiding to you the great powers you will soon have to exercise, I cannot but feel anxious respecting the manner in which you may acquit yourselves before the world; in which you may justify or impugn the judgment of those who deemed you capable of self-government. It is my habit to speak plainly; I have done so in the present case. If I incur your displeasure for so doing, I shall regret the

loss of your good-will; though I cannot repent me of having performed what I deemed an imperative duty.

Such is my opinion of the persons who will offer themselves to you, as having been in service before. None of these, in my opinion, ought to be chosen. You will then be driven to choose from persons who are about to take office for the first time. Is there any difficulty here? Have you not honest and intelligent men among you, in your own ranks, of your own opinions, well known, and highly respected? One of the great mistakes of the People at all times, and in all countries, has been the belief that their rulers, and political servants, should be chosen from the higher or richer classes of the community. Every day's experience teaches us how strong is this feeling among the people of this country. A rich man who calls himself a *gentleman* is always the person to be preferred. Whether he be capable, whether he be honest, is not the first question—but *who is he?* If it so happen that the candidate can show that he is by birth and station a *gentleman*, then many are content: but if it should happen that he cannot show this, none so ready to reject him as the People—none so hurt at the sarcasm upon the low-lived candidate—none so eager to indulge in scorn of the humble of birth as the People? Does experience teach us that this is a wise feeling? Far from

it. The great benefactors of mankind have, for the most part, been of humble origin; and, to give a remarkable instance of the erroneousness of this very common feeling, I need do no more than mention the fact, that nearly every person concerned in the American Revolution was of humble birth. FRANKLIN was a printer's boy. WASHINGTON was a surveyor.

But to come home, and to the present time. In the present Parliament there are a few men who have risen from very humble situations; and these are among the most useful and honest of the People's representatives. In a few instances the People conquered these idle prejudices, and chose honest men from among themselves. They have been rewarded for their wisdom, by having been faithfully served.

My advice to you therefore is, to look about carefully among yourselves; and if you find an honest and capable man, do not ask if he is a gentleman, but at once make him a Town Councillor.

The subject to which my observations relate is too large for the limits of one letter. I shall therefore recur to it on future occasions, until I have made you fully acquainted with my feelings and opinions on this important matter. In the mean time I beg you to believe me, very truly,

Your friend and servant,

J. A. ROEBUCK.

## BOROUGH COURTS.

At the time I last week wrote a few short remarks on the propriety of establishing Local Courts in all considerable Boroughs, I had not been able to obtain a corrected copy of the Municipal Corporation Reform Act. I could not, therefore, state distinctly the nature or extent of the new arrangements of such

Courts. The Act has since been published, and those who entertain any desire that Local Courts should possess extensive and efficient powers, and that the administration of the law should, from the personal character and position of the Judge, in every case, however apparently trifling, carry with it the



greatest possible weight and authority, will find that little has been done; when the opportunity of doing much was afforded, towards increasing the usefulness of the Local Judges directed to be appointed. There is also a multiplication of judicial appointments under the Act wholly uncalled for. It was desirable that the same number of persons—though not the same persons—now executing judicial duties, should continue, or, if possible, that their number should be diminished. The necessity for increasing the number might be great in a few places, but would have been occasioned by circumstances very different from those referred to in the Act. The cases in which additional appointments are directed to be made, are exactly those in which the duties directed to be divided among several persons should have been thrown upon one.

If it shall be considered advantageous that a town should have a Recorder, a course of proceeding is pointed out in the Act by which his appointment is to be regulated; if, also, it shall be desirable from the extent of a town and the amount of its population that an instructed person should administer what are termed, though incorrectly, laws respecting Police, such an appointment may also be made. The Council, who are to be chosen by the Burgesses, are to decide on the propriety of such appointments, and the Crown, upon the petition of the Council, is to nominate the Officers. For some strange reason, the Act specially declares that the duties of the Recorder and the Police Magistrate are not to be executed by the same person. Under the old system there were Boroughs where the Recorder or his Deputy sat daily with the Magistrates, to determine questions of Police. I believe that this was the case at York; and that in the absence of the Recorder, his Deputy or the City Counsel always sat as the assessor of the

Magistrates: and there were advantages arising from this practice of the most important kind. If persons who are charged with any offence know that they have been fairly dealt with, and that the persons before whom they were brought understood their case, and have acted towards them with a full knowledge of all the circumstances, no proper feelings are offended, and the parties as well as the spectators are satisfied with the proceedings. If the presence of an instructed and intelligent Judge produces such beneficial effects, why should the duties of the Police-office be separated from that of the Recorder? Is it because it is supposed that the one should be more dignified than the other, and that this dignity, which, in truth, means, in this case, nothing but mere rank, is secured by their separation? Is it because authority and respect can only be exhibited towards those to whom you give a title of precedence? or that the one office having been filled by a better class of persons than the other, it is still necessary to keep up the distinction that has unfortunately existed, of having a vulgar, coarse, and brutal Police Magistrate, and a humane, well-informed, and instructed Recorder? If a distinction between the offices has existed, it has generally been of this character. Is it such a distinction as should be continued? The practice to be established is, to raise the character, the influence, and the standard of qualifications of the Police Magistrate; to appoint to the office such persons only as will be qualified to be Recorders. If this is done, why should the offices be kept distinct? If it is not done, what is the inference that may be drawn? Can it be any other than one that shall take from the Police Magistrate every title to respect, and deprive him of all useful influence? The person who is rarely to be in communication with the public is to be a person of character;

and the person who is always to be before them, whose every word, whose gestures, whose habits, whose ordinary conversation, whose careless remarks, will be the subject of daily notice and comment, who ought to be watchful and guarded in every thing he says or does, who ought to possess the greatest personal excellences, whose sphere of utility will be of the most extensive kind, and whose advice should be rendered, by his character and position, as impressive as possible, is actually treated as the subordinate person. Care is taken in the Act to state that the Mayor of a borough is to have precedence of all persons within his jurisdiction, and that the Recorder is to have precedence next after the Mayor. No notice is taken of the Police Magistrate, and he is to find that precedence, which it is to be hoped will be an honourable one, which his character may gain for him. This arrangement must have been suggested without any consideration of its object. The person who could separate the functions of the Recorder, who is to act as the judge of the superior Local Courts, from those of the Police Magistrate, could have understood little of the reasons for appointing either. There might be the possible objection that a Magistrate who commits offenders for trial, should not afterwards preside at their trial. It is, however, one that can hardly be of any weight. The committing Magistrate would be compelled to be more careful, and to refrain from some of the discredit exhibitions which he now sometimes indulges in, if it should appear that it would give a party complexion to the future proceedings that would occur; and he would be more likely to do so, by holding the position of the superior Local Criminal Judge, as well as of committing Magistrate. If it was felt, too, by the Police Magistrate, that his own misconduct

might tend to the serious injury of the parties before him, and deprive him of the just authority that he should possess in the exercise of his more important judicial functions, what evils would ensue? Those only that would have the good effect of removing a bad Judge from office, whatever that office may happen to be.

There is, in fact, no good reason to separate these offices. The arguments urged respecting the superior qualifications required to fill the one of them, may be answered most correctly, by showing the necessity that exists that the supposed inferior office—inferior in a scale which does not notice its effects—should be filled by a person of even superior talents to the person who may preside in what is treated as the superior office.

The Act, as it now stands, requires, then, first, a Recorder, who is to be a Barrister; and secondly, a Police Magistrate, who is also to be a Barrister: Where the one is necessary, it may be assumed, with little fear of error, that the other should be appointed. In towns of the same class, requiring these officers, there is usually a third judicial officer, another barrister, who is the judge of the Local Court of Requests; and a fourth barrister will be required, to perform judicial duties in the course of the year, in the revision of the lists of persons entitled to the Parliamentary Franchise. Now, we have here four public functionaries where one would be sufficient, and we have them performing fewer duties than should be imposed on that one.

I do not object to any number of public functionaries, when any necessity exists that they should be appointed. There are duties which public officers, appointed and paid by the public, only can perform. If these duties increase in weight, to the extent that one person cannot perform them,

let additional persons be appointed. It is idle to check the well-being and the good government of a community by any fear of having acts that are necessary to be done, well done by several persons, if a few persons cannot do them well. Impose the greatest responsibility upon those who select the officers, and upon those who are appointed. Bind them down by every condition which shall secure the execution of their duties in the best and most efficient manner. Pay them sufficiently, and pay them economically; appoint them willingly, and exhibit confidence in them; and give every facility for their removal in case of misconduct. But patronage has been so abused in this country, and the number of public offices has so multiplied, for merely corrupt purposes, that the creation of a new office is treated by many as an offence, and the exercise of many public functions as personally degrading. There is indeed hardly any abuse which is not directed against a person who, entertaining liberal opinions, accepts any office. In most cases it has been deserved, as it has been attended with a compromise of principles. But in cases not of this kind the same effect is produced.

It is easily explained, by the manner in which public appointments have been made. The necessity, however, that certain offices should exist, as necessary instruments of Government, whatever may be the form or character of the Government, is disregarded; and the offices, and the persons who fill them, are included in some general censure. If this was occasioned by a just jealousy that places should not be unnecessarily multiplied, it would have a beneficial effect. But if any office is admitted to be necessary, the great object to be attained is, that it shall be subjected to efficient control, that its duties shall be well executed, and especially that the business that one person can perform shall not be divided among a number of petty officers. The Recorder and Police Magistrate, under the Corporation Bill, can be named only at the request of a Town Council, and so far the patronage of the Crown is in some degree checked; but the legal patronage created by the Act, with that which now exists, is far more extensive than is needed, and is not subject to sufficient popular control.

T. F.

September 16, 1835.

## LIBERAL CONSTRUCTION OF THE REFORM ACT AT LEEDS.

THE fifty-sixth clause of the Reform Act has been a cause of frequent and most vexatious Disfranchisement. It requires the payment of one shilling by each Elector, without demand being made, "to be levied and collected, in addition to, and as a part of the money payable by him as his contribution to the rate for the relief of the poor." In most cases this clause has been very rigidly construed. At Leeds, however, the Revising Barrister, Mr CLARKSON, has construed this clause more liberally. A person, named WEBSTER, had omitted the necessary payment. Mr CLARKSON argued that the 27th clause conferred the right of voting upon per-

sons occupying premises of a certain value, being duly registered, "being rated in respect of such premises," and having paid their rates; that the shilling in question could not be said to be levied *in respect* of the premises, and that, therefore, he did not think the non-payment of the shilling should disqualify. Mr CLARKSON accordingly disallowed the objection.

There is much more danger to be apprehended from a contraction of the suffrage than from its extension; it is hoped, therefore, that Mr CLARKSON'S reading of the two clauses in question will be extensively adopted.

H. S. C.

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# HAND LOOM WEAVERS

AND

## FACTORY WORKERS:

A

LETTER TO JAMES TURNER, COTTON SPINNER,

FROM

FRANCIS PLACE.

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COMMEMORATION OF THE REFORMATION.

By J. A. ROEBUCK, M.P.

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MR RINTOUL THE "WE" OF THE SPECTATOR.

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HAND LOOM WEAVERS AND FACTORY WORKERS :

A LETTER TO JAMES TURNER, COTTON SPINNER.

Brompton, London, 29th September, 1835.

MY GOOD FRIEND,

I thank you for your letter, and for the printed placard containing the "Address of the Cotton Spinners and Factory Workers."

That the style which you and your coadjutors think it wise to adopt, and the purpose you hope to accomplish, may be more extensively known, I have caused your address to be re-

printed, and have made such remarks upon it as time and space will permit.

These remarks may hereafter be extended, and others may be made, until the whole matter relating to the Working People has been developed, and the principles which govern profits and wages be so demonstrated, as to be made easily intelligible to every one. Until this has been done, and the Working People understand their rela-

tive condition to other classes, they will never attain to that state of comfort and independence they ought to attain, and in which every good man must heartily desire they should *place themselves*.

My doing this will, however, depend upon the disposition of the Working People themselves. If they in any considerable number shall appear to be disposed to desire the information so necessary to their welfare, and without which they cannot go on in the right way, I shall be ready to do my best for their service. If they shall not be so disposed, I shall be, as I have long been, compelled to wait in hope that the time will arrive when they may be willing to come to a right understanding of these matters to them of the very greatest importance.

#### COPY OF THE PLACARD

LET LABOUR LIVE!—LET INDUSTRY BE REWARDED!—LET CHILDREN BE PROTECTED!

Fellow Workmen, Fellow Countrymen, and Fellow Sufferers,

We, the Operative Cotton Spinners and Factory Workers, in Delegate Meeting assembled, at Preston, in the county of Lancaster, beg most respectfully to call your attention to this our humble

#### ADDRESS

To the honest Labourers and industrious Producers of the United Kingdom, of every class, Agriculturalists, Artisans, and Manufacturers.

IF patience and perseverance can ensure victory in a good cause, *our* efforts must at last be crowned with success. Faint we sometimes are, but still we pursue our course.

From the hard earnings of our ill-requited toil we have sacrificed for several years, what is to us a large portion, *not* to buy the bloody weapons of "civil discord or of a servile war," (which may God avert!) but to attempt, as we now do, to arouse the attention of our neighbours and countrymen to that most accursed system under which we and *our children* continue to groan.

What speculator of ages past ever dared or ventured to predict the monstrous evils of the British Factory System? Whoever imagined that human depravity could so far vitiate the best blessings of Heaven as to transfer, by means of our boasted "ingenuity," the labour of the parent to the infant, and of the man to the woman? and having thus rendered the lords of God's creation artificially "superfluous," would hand them over to the tender mercies of an Emigration Committee, and force them from their native home and their beloved country, to make room for the inanimate, untaxed, and mo-

nopolizing *Machines* of their covetousness, "that they may be placed alone in the earth!" And these, forsooth, are "Christians!"

In bare justice to Christianity, we do denounce every abettor of such a heartless system as a very apostle of Atheism. Christianity! Does it contain one precept to sanction such a system as that of the British Factories?—a system which immures in a foul and blighting atmosphere the thousands who now toil in these modern temples of Mammon. Does Christianity deprive the young of the balmy air of Heaven, and of the gay pastimes of childhood, and leave them, when Mammon's bond is paid when his cruel claim (15 hours a-day) for labour and occupation together, is satisfied, neither TIME nor PHYSICAL CAPACITY for the schoolmaster's lessons, nor for the counsels of the ministers of *Christ's* religion? Is this "Christianity?" Is it not heathenism? Is not barbarism itself refinement to this, and is not Paganism divine when compared with such "Christianity" as this?

Those who, in "the dark ages," caused their children to pass through the fire to Moloch, and filled the Valley of Hinnom with infants' wailings—those who even now encourage the blind Hindoo to prostrate himself beneath the gory car of Juggernaut—those who consign the hoary head of age, and even smiling infancy to Ganges' gloomy stream—all infinitely fall short of the depravity which, in a "Christian country," fatten systematically upon the hardships of innocent childhood and the groans of oppressed manhood!

This, Fellow Countrymen, is no over-drawn case, no poetic description of unreal woe. Towards all *productive* occupation, without exception, the *principle* of degradation and of spoliation is in exercise; and is contemplated, in still keener force, by the heartless money-mongers of this "enlightened" generation. "The monied interest" in this country, as they are called, have usurped the seat of government, have wielded "the lash of the law," and have jostled Justice from her throne. This lofty-eyed generation boldly demand our labour at a rate even lower than the due sustenance of nature admits. Coolly they doom us to "coarser food," to workhouses, gaols, or to the cruel alternative of compulsory emigration, which they [most fiendishly call "voluntary," when they have first pinched us down to abject submission! Meanwhile, they claim to enjoy all but entire immunity from toil, from taxation, and from restraint; and if among the crowd a murmuring word is uttered, they—"liberal" souls—are ready to introduce to us a park of artillery, or a forest of bayonets!!

This, fellow-sufferers, to speak truly, is the real character of a very large portion of the mighty ones of this land. We gladly admit that there are exceptions.—But how have they obtained the power thus to crush us, and to make us bend down to the ground for them to tread over?

The first cause is our ignorance; and under the factory hours of labour, that ignorance is hopeless. The second is our *divisions* and *jealousies*, which spring in a great measure from our ignorance. The third cause is the worst of all, and the least excusable—our *intemperance*! We debase ourselves, and invite tyranny to trample upon us! Our enemies see

in the vices of a large opportunity and pretext for oppressing our body the Fellow Workmen! let us, at all events, to deliver ourselves from the last of these evils. Unless this be done, our case is hopeless; we are and must be the victims of imposition; we can neither by pecuniary nor by moral means do anything for our emancipation from the yoke which others impose, till we have broken the iron fetters of intemperance, which our own hands have rivetted.

The producers of this land could soon, by moral unity, overturn every unjust and oppressive system, by God's help. But we are divided: we, like Sampson, are shorn of our strength, and these Philistines are upon us.

The money-mongers and the party politicians find us an easy prey. They perceive that we are easily amused and divided by party ribbons, and banners, and clap-traps, and thus we become, by turns, the playthings and tools of Whigs, Tories, and even Radicals. Each of these parties are striving for place, power, and pension—these are the gods of their idolatry. Each in turn is, or else would be, patriots when out of office, and tyrants when in, sucking voraciously the nation's life blood, and only stopping to take breath, and to utter the insulting cry of "Prosperity, prosperity," and to tell us that *for them* "the machine works well." Oh, the trickery of this game between the *Outs* and the *Ins*! Ambition inspires it, cupidity urges it, and hypocrisy disguises it:—we have, however, to pay the smart! Let us not be misunderstood. In each of these three parties there are some good men, real philanthropists; but they are led away by party spirit. This is our national ruin—scrambling for power and place under colour of patriotism.

Would to God that men of real benevolence would cease from this worse than child play, and learn, before it is too late, that the wealth of the producers is the wealth of all.

We are not for *confusion* and *bloodshed*, and therefore we speak thus plainly. Let not the trumpet of seasonable warning be disregarded, because it is sounded by a few plain Lancashire workers. We would spoil no man of his rightful property—we dream not of any absolute equality of condition—we entertain no visions of a Paradise below. We expect that the "brow" of man must "sweat" for his maintenance, but we expect also, according to the promise of the Most High, to "live" by it—to "eat our bread" by it; nor do we yet learn, that in his severest indignation, God has ever doomed the majority of the human family to toil, that a minority of idlers may eat all the "bread," and leave the producers to pine upon the *chaff* and the *husks*. We read no where that he has condemned *our children* to toil *for us*, or *to toil at all*. But if it must be so, if our children must toil, if ingenious avarice, the master idol of the land, has so contrived and ordained, at least let those who profess to reverence the God of love stand up for us, and claim some real protection for the factory child.

We know that great bodies of our fellow-countrymen are deluded by the idea that Lord Althorp's Act affords sufficient protection. Many suppose, especially those who live remote from manufacturing districts, that the system has been reformed to the model of our lamented

friend, Mr Sadler. We tell them *it is a delusion*. That some amelioration may have taken place in many instances, we are willing to allow; but of that let us not be forgotten, that the great majority of twelve hours factory workers are still working fifteen, when meals, &c., are occupied nearly It is boasted, that children under sixteen years are protected from more than eighteen hours work, and allowed education.

Be it known to all who value the health or education of the young, that this Act is, as we always said it would prove, a complete failure. We therefore call for help. Charles Hindley, Esq. M.P. for Ashton, himself a large cotton manufacturer, is so convinced of this, that he has benevolently introduced, this session, a Bill to amend the failure of Lord Althorp and his factory commissioners. We ask that Mr Hindley may have the support of the nation, upon the express condition that the ten hours' clause be retained and never relinquished, and also, that the restriction as to time be laid on the moving power. There are also some other improvements, which we trust he will admit. We regard this measure as a first instalment. We openly declare, that this is not all we require. We do not look upon a Ten Hour Bill, however effective, as a "cure all." There are many other measures required by strict justice for the labouring and productive classes, but this stands first on humanity's list.

We have indeed but little reason to hope for any good for our class from the House of Commons; but as Mr Hindley is willing to try them *once more*, let him have the nation's support. And is it not a national measure? Certainly, as much so as the deliverance of the blacks from their bondage. And if those who made such ado about Black slavery do not heartily join to put down this *White* slavery, they brand hypocrisy on their own foreheads, and deserve the scorn of every real lover of his country and kind. Will not the farmers help us? Let there be no strife between us and them. Our interests are one—what is bad for us, is not good for them. The interests of all producers are common—what hurts one class of them hurts all. The money-mongers of every political party rush together in one phalanx, wherever our common cause is to be opposed. If labour cries for protection, for cessation from toil—if industry require that property should bear its due quota of taxation, you will soon find *Peel*, *Rice*, and *Hume* all "cheek by jowl."

Let, then, all petty jealousies and distinctions fall, and let us all join first to set our children free. Ours is a well-tried cause. No question has been more variously and amply discussed by the press and by public meetings; no question has undergone more thorough sifting; no position is more firmly established, especially by the highest medical authorities. Mr Hindley is now at his post. In another session he will have to fight for us. Now, then, let us prepare to help him. From Preston, in the extreme north-west of the Factory Districts, we humbly venture to sound once more the tocsin of agitation; yes, we repeat it, of agitation, and in good earnest too—of such an agitation as has not yet been—peaceful in its character, but firm and resolute too. Our Manchester brethren are not less ready than we. They will forgive

us if we say, we are now prepared to meet them; to confer with them; to act upon any well devised and uniform plan. Yorkshire with be wanting—Scotland, we hope, the conflict: us. Let us gather them, but it shall be one, it shall not be anything, which shall shake the of Tyranny to its base, and teach the worshippers of gold that there is a power above them, and that there is a spirit in Britons that will not suffer them to see their children thus enslaved.

We claim the Bill of Mr Hindley for *ourselves* as well. We are parents, we have families who look up to us for instruction, and we have no time either to acquire information for ourselves or to communicate it to them.

Once more, then, we ask the help of all who love their country. We invoke the arm of Omnipotence, humbly imploring his power and approbation! To our countrymen we say, cease from your ribbons and banners, support party strugglers no more, leave them to die—to exhaust themselves; support those men of all parties and shades who will espouse and maintain the good old rule of Christianity, “Do unto others as ye would they should do unto you.” Here is our rallying point.

Farmers, help us, and we will help you. We call upon all to help us. We appeal to Christians and to Christian Ministers. By a firm union of moral energy we may, by God’s help, save our country yet. *But if we now hang back and continue disunited, the sequel of its history will be written in blood.*

And now, fellow-countrymen, (in conclusion) we call upon you to arouse. Demand, or at least cry most urgently for a restriction to “ten hours,” according to the plan of Mr Hindley’s Bill. *We shall never be able to stand our ground until we shorten time.*

Form committees as they have done in Manchester, Preston, Bradford, Wigan, Warrington, &c. &c. Bradford, Yorkshire, is at present the centre of communication, and letters (post paid) addressed to J. B. Smeles, Bridge street, will receive attention.

(Signed on behalf of the Meeting),  
H. E., Chairman.  
B. J., Secretary.

August 23rd, 1835.

You appeal to your fellow workmen, to your employers and others, as to christians—you dwell on this topic as one likely to be useful to you: you depend upon a broken reed. You appeal to humanity and religion: you are supplicants in a way which cannot serve you. You deceive yourselves. There are to be sure, as you admit, some who from religion and humanity are desirous to see your condition improved, but they are few and far apart. Yours is a matter of business. You have the power to regulate your own concerns; and until you are sufficiently acquainted

with the matter, honest enough to one another to hold together as you ought to do, and wise enough to use your power discreetly, your condition cannot be improved. All appeals to religion and humanity will be useless, so long as you are unwise and unfaithful to one another.

Have you never read the fable of Hercules and the Waggoner. “As the Waggoner was driving his team, one of the wheels stuck fast in the mire; down fell the waggoner on his knees, and bawled, and prayed to Hercules to come and help him. Hercules looking down from a cloud, told him not to lie there like a stupid idle rascal as he was, but to get up, flog his horses, put his shoulder to the wheel, and then if he called upon him, he would help him.”

From this fable came the proverb

“God helps those who help themselves.”

Drop all nonsensical appeals, get up from your knees, put your shoulders to the wheel, push the waggon out of the mire, and you will find that you want no Hercules to help you: you will find the power, whenever you find the resolution, to help yourselves.

Neither canting nor threatening, nor violence of any kind can serve you: drop all notions of such things. Take pains to understand all that relates to your condition; work together honestly, patiently, resolutely, and you will accomplish your purpose. You will never accomplish it by any other mode of proceeding.

You ask: “Whoever imagined that human *depravity* could transfer the labour of the parent to the infant, and the man to the woman, thus rendering *hands* artificially *superfluous*.”

There indeed is the evil; yes, there is the *depravity* which more than everything else put together ruins you.

You, as well as many others, know well that I have always deprecated the



employment of women in every regularly conducted trade. Women have enough to do to attend to their homes, their husbands, their children, their relatives, and such light labour as can be done at home; their place is home; there they must be, or there can be no order, no satisfaction, no comfort. All is turned upside down, where the woman is turned out of her home,—turned into a mill or a workshop. Women who follow a regular trade like men, never can be either good wives, good mothers, or good companions; and yet, unless these are all the society must degenerate, until at length it can go no lower, until *depravity* has reached its lowest depth, until crime and misery can be pushed no further.

Let us then calmly inquire about this *depravity*. In the reports of Committees of the House of Commons, are statements made by both masters and men of the former earnings of spinners and weavers. The wages of weavers were it seems at one time higher than those in any other common trade. How then has it happened that they are now lower than in any other common trade? You have answered, "*pinching*" and "*grinding*" have lowered them, "the *avarice* of the rich has lowered them." Here is fallacy, here is self-deception. Ask yourselves another question: how is it that while the weavers' wages were gradually sinking, those in other trades were generally rising? Why has not "*pinching*" and "*grinding*" and "*avarice*" kept them down also, and made all workmen equally ill paid with the cotton weaver? Why have not these things compelled the wives and children in other trades (where they might be employed) to be employed as they are in mills and factories and hand looms? Why have not tailors and shoemakers and compositors, with their wives and sons and daughters, been compelled to work for

fourteen, fifteen, and sixteen hours a day, for a pittance, which when put together, does not amount to so much as the man alone earns? Why, indeed? Hear me—hear your friend, who would not, if he could avoid it, say one word to you which you would not like to hear—whose greatest pleasure would be to praise you, as it is his greatest pain to blame you.

When the weavers in Lancashire were earning 36s. a week, the tailors in London were earning 18s. 6d.; when the weavers were earning 28s. a week, the tailors were earning 21s. 9d.; when the best of the weavers were earning 7s. 6d. for six days' labour of fourteen hours each, the tailors were earning 36s. for six days' labour of twelve hours each. In other trades a proportionate rise had taken place.

How has this happened? I will tell you: These trades had each of them a judicious combination, they knew that separately each man had no power at all, and that, unless they combined, their wages would be reduced to the lowest sum on which they could exist and perform their labour. Take an example. In 1810 the master-tailors combined, and went to Parliament for a bill. The bill was carefully and artfully drawn; its purpose was to give the masters power over the men, to enable them to employ women, and consequently children. The Bill was sent to a Committee, and was thrown out,—thrown out by the well-directed exertions of the men, aided by some of the wisest of the masters.

Had not the men been in a well-digested combination, they must have submitted; and if they had, the number of hands would have increased so rapidly that, in a few years, women and girls would have done so much of the trade, that the whole body would have been reduced to a very low state of de-

gradation, — to horrid poverty, vice, crime, and misery.

The same course would have been pursued in many other trades, and instead of the increase of knowledge, and sobriety, and decency of behaviour,—and, above all, the growing desire to have their children better and better instructed, they would have been in the sad condition in which the cotton “*weavers and factory-workers*” are but too generally placed. One trade has, however, followed a different plan, and bitterly do they suffer for their want of sense. I mean the Spitalfields silk weavers. In that trade women and children work, have always worked, and have always, with few exceptions, been in poverty; and there they will remain so long as the practice is continued.

I now come back to the “*cotton-weavers and factory-workers,*” and I ask you, how did it happen that when “*a cotton-weaver*” could earn better wages than men could earn in other common trades, they did not maintain those high wages? How did it happen that while, in other trades, wages rose, theirs fell?

Hear me, while I tell you the unpleasant—the appalling truth! At that time the men were much more ignorant—much more dissolute than they are now; for information has even reached them, spite of their poverty.

The men were then as idle as they were were ignorant and dissolute; nothing was saved—all was squandered. A few exceptions will not invalidate the rule.

They worked, at times, in their own looms; they contrived to put up other looms; they taught men and women to weave, that they might hire their looms. The pittance they got from this hiring enabled them to increase their idleness, and to indulge their debauchery. They were too besotted to think of the consequences—too selfish

to think of anything beyond their own immediate indulgence. Thus were the cotton-workers increased with amazing rapidity, and this practice has continued to the present time. “Thus has the labour been transferred from the man to the woman; from the woman to the infant. Thus have hands been rendered superfluous.” Thus have wages been reduced to nearly the starvation point.

It will be said again, as you have said now:—all this is a consequence of the factory system, and the masters are the cause of it. Ask yourself, then—Why have not the masters in other trades done the same? See if you can find any other answer than this—*The men would not let them.* See if you can find any other honest and true reason than this. The cotton-masters needed do no more than countenance the absurd conduct of the workmen, until they had accomplished the mischief, and then they had the power to do nearly as they pleased.

No trade, no manufacture, has gone on increasing like the cotton manufacture—no trade, no manufacture, has required so rapid an increase of hands. It ought, therefore, to have been one of the best paid. And so it would have been, but for the increase of hands still faster than the demand for them. The increase of hands seems almost incredible; it was, however, soon made *artificially superfluous*, and the sad consequences are before us.

“Oh,” say you and your confederates, catching like drowning men at straws—“we have to contend with the *untaxed and monopolising machinery.*” Now, these machines have been the cause of the great increase of the manufacture, and of the immensity of trade connected with it; and had not the number of hands increased faster than the demand for them, wages must have been high. No efforts, however made,

or by whom made, could have made wages low. Almost, if indeed not quite within the memory of persons yet living, there were not so many as 40,000 persons employed in the whole manufacture; yet sometime since, when Robert Owen, after taking much pains to acquire accurate information, stated the number at *one million two hundred thousand*. Now then, ask yourself—let any one ask himself—if without the continued increase of machinery, one fourth part of this number could ever have been employed? Whether, if there had been no machinery, even a one-tenth part of the number could have been employed at all? Let all, then, everyone, ask this question, and without prejudice answer it. If we had increased our number to 1,000,000, instead of 1,200,000, should we not have good wages still? One only answer can be given.

But the power-loom—ay, the power-loom. If I were to pass over this piece of machinery, it would be said I had omitted to notice it, because it would have confuted my assertions; and they who love to delude themselves with a fallacy, to cheat themselves with an idle excuse, would have triumphed in their mischievous self-delusion. The power-loom is not an universal loom; it cannot weave fancy articles, it cannot weave gingham, it cannot weave fine fabrics, it cannot weave either muslin or cambric. Now then there are more of these fabrics to be woven than there were of all kinds of fabrics taken together when the power-loom was first introduced, and there are many more persons employed in hand-loom weaving now than there were at the time when the power-loom was first used. Here then is the answer. Had there been no increase, or only a proportionate increase of hand-loom weavers, wages could not have fallen; the power-loom might be left to do its coarse

work, giving good wages to those who managed them, while good wages would also be given to every one of the hand-loom weavers.

You describe the oppressions of the monied interest, and say, “they have pinched us down to abject submission.” This is railing to no purpose. You know—you all know—that no sooner does a workman find the means to employ other men, than he becomes a “pincher” as much as he can. You all know that the little master, and the new master are the first to take advantage of the poverty of the workman, of his want of employment; that this leads upwards until wages are lowered all round. “Pinching,” then, is the vice of all, whether monied or unmonied. I heartily dislike the rich man who, by manufacturing or trading, seeks to increase his too great riches. He who does this seldom cares at all for the condition of others—their happiness or unhappiness is no concern of his. But this, even this, should have no influence on the working man. What is it to him that some men care nothing about him? His business should be to care for himself, for his family, for his relatives, for his class, and to give himself no trouble about what the rich may think of him. Whenever the working people shall care as they ought to do for their own class, all will soon be well with them.

You come at length to something like the real matter-of-fact. Speaking of your degradation, you say:—

“The first cause is our ignorance; and, under the factory hours of labour, that ignorance (the removal of it) is hopeless.

“The second cause is our jealousies and divisions, which spring in a great measure from our ignorance.

“The third cause is the worst of all—and the least excusable—our intem-

perance! We debase ourselves, and invite tyranny to trample upon us!"

With one exception these are plain truths. You have it in your power, notwithstanding "the factory hours of labour," to do much. Yes, here are the truths all should attend—to which all must attend—or your case will become hopeless.

The only wise course for you is, to leave off railing at others, and go seriously to work for yourselves. "God helps those who help themselves," says the proverb; and you may depend upon it that you never will be helped by any but yourselves. If you reason on the matter closely, you will be *convinced* that you never will be helped by any but yourselves, even if all were disposed to help you, as but few ever will be.

Why then, if you are properly disposed to help yourselves, should not the factory hours of working be reduced? In other trades, the workmen refuse to work more than a certain number of hours; and the masters have never been able to make them work more hours than they themselves have decided shall be a day's work. Why do not you do as they have done? A mill cannot go on without spinners; spinners are the best paid, and would, if they were as well organised as other trades are, be just as able as they are to settle the hours of working. Depend upon it you will never have the number of working hours reduced until you yourselves have reduced them. You only waste your time in complaining of your grievances, and in praying for help to Hercules; actions, not prayers, must serve you, or nothing will.

Your proposed remedy of a short time-bill, is even more than absurd. It never will be granted. It ought not to be granted. No Parliament will ever pass a bill to prevent any class of manufacturers from carrying on their business in any manner they may think

most advantageous, save only so far as relates to the employment of children; and a short time-bill is not necessary for their protection. A short time-bill would make the condition of the "factory workers," beyond all that they have hitherto endured, miserable indeed.

You talk wildly of a "power above the worshippers of gold, which shall shake the temple of tyranny to its base, and shew that there is a spirit in Britons, which will not suffer them to see their children thus enslaved." This is calling upon Hercules with a vengeance. You have heard his reply—"get up, you lazy rascals;"—yes, get up; the power is in your own integrity, vigilance, and perseverance; "put your shoulders to the wheel;" help yourselves, and Hercules will help you—that is, when you help yourselves—when you want none of his help.

I wish I could see your own power in full exercise. It will not be a power from above to "shake the temple of tyranny to its foundations," but the power, the moral power of men, of men here below, who understand their duty to one another, and have wisdom and courage to use it discretely, yet effectually.

With respect to the employment of children, I agree with you that it is altogether improper; it is all but atrocious in many cases;—actually atrocious in many of their parents to let them go, and nearly, if not quite, as bad in the legislature to permit the practice. Children are especially under the control of the legislature. The law has declared that they are not free agents, that is, they are not free to choose for themselves. It has forbidden them to make contracts to dispose of themselves; it ought, therefore, to prevent others from disposing of them improperly, and to some extent it has done this. It has left them generally to the care of their parents and guardians, and it is itself

the guardian of those who have no "natural guardian." It punishes parents who use them cruelly, and it takes them away from cruel parents; yet it permits them to be sent to factories, where the employment, the discipline, and all the consequences taken together, amount to cruelty much greater than the law will permit the parents to exercise in their own persons. This should be rectified. It might be rectified by a well directed simultaneous effort, and the time would soon arrive when no child under thirteen years of age should be suffered to enter any mill or factory as a labourer; and when admitted, even at that age, the hours of their work should be carefully limited. This step taken, the next as regards minors should be, that no girl should be employed as a labourer or worker in any mill or factory whatever. If the legislature should think it was pushing power too far, to prohibit girls being bound apprentices to those employed in mills or factories, after they were fourteen years of age, you, the men, should exclude them, by refusing to work with them. Keep them out, keep them up. Your future happiness depends too greatly on the education of girls from fourteen to twenty-one years of age, for you to allow their education destroyed, and themselves debased in mill and factory work.

If, then, the men refused to work in mills and factories with girls, as they ought to do, as other trades have done, in workshops, and for those masters who employ women and girls, the young women who will otherwise be degraded by factory labour will become all that can be desired as companionable wives, and the whole condition of factory-workers would soon

be improved, the men will obtain competent wages for their maintenance. This the one will never be, nor the other ever obtain, under the present system.

I have never seen the inside of a cotton-factory. It is almost certain that I never shall see the inside of one. I have read all the evidence taken by Committees of Parliament; I have read books and pamphlets; I have conversed with numbers of cottoners, masters as well as men; I understand much of the machinery used in all sorts of mills, and should like to see it in use. But I cannot voluntarily submit to see the misery of working it before my eyes. I abhor such scenes of degradation as even the best of the cotton-mills cannot be free from.

This will be treated as a ridiculous feeling—as an absurd prejudice; but to me, to whom human beings are valuable as they are intellectual and free, a cotton-mill is more abhorrent than I can find words with which to describe it.

Here my good friends is a test of the wisdom and virtue of the factory-workers and the hand-loom weavers! Here is a reply to some parts of their address, of which they will not probably purchase five hundred copies! If they had the proper feeling, they would re-print it. It contains their own address, as well as the comment thereon. They would make a small subscription, continue it weekly, and circulate a penny pamphlet, say once a fortnight. Here is the opening of a controversy, which, if it were carried on with temper, might lead to almost inexpressible advantage.

Yours, my good friend,

FRANCIS PLACE.

## COMMEMORATION OF THE REFORMATION.

THE grand instrument of villainy in England is *devotional hypocrisy*. No matter what the object in view, a pretence of devotion is deemed, and really is an exceedingly efficient means to attain it. Do you want to fleece the People? do you want to stir up war and hate among your fellow citizens? or do you want to get a good house, and to live at your ease?—put on the mask of devotion. This single instrument will materially serve you in all your purposes. The rogue of every shade and description is now consequently always an amazingly religious person, and the darker his villainy the deeper is the shade of his sanctity. If an idle vagabond hating honest industry, determines to live by begging, he obtains as the first portion of his stock in trade a religious tract, or a hymn book. With one hand he seeks your charity, and with the other brandishes in your face the evidence of his devout and pious character. Does a villain of a far more atrocious description wish to deprive your children of their inheritance, he also assumes a sanctimonious bearing—he declaims against the vanities of this life, and under this guise persuades you that he is a model of Christian humility and self-denial. You make him your executor, and he robs your children of their inheritance. The seducer too, now, as the daily papers almost daily testify, puts on the same convenient garb; and under the pretence of seeking the Lord, and by means of fervent devotion, makes *serious* love to your wife, or perhaps succeeds in dishonouring your daughter.

Are we for ever to be thus imposed upon? Shall we never be able to penetrate the thin disguise of the sanctimonious hypocrite,—and believe a man to be a villain, even though he have holy words in his mouth? When each succeeding day brings us fresh

evidence, and bitter experience teaches us to put no trust in devout professions, are we still to go blindly forward, regardless of their striking admonitions, and turn a deaf ear to all the warnings that assail us?—A striking test of the extent of our gullibility is at hand. If in spite of all the many proofs before our eyes of the ease with which rogues assume an appearance of devotion, and of the sort of use to which this assumed devotion is turned, we yet allow ourselves to be carried away by fine professions and hypocritical pretences, and suffer the Orange Tories of Ireland to stir up commotion and civil and religious war under the device of commemorating the Reformation—if we allow this I say, then let no man despair of imposing on the public, no matter how scandalous, how extravagant may be his swindling intentions.

Let us endeavour to obtain a correct and distinct conception of the circumstances under which this pious scheme has been propounded, and we shall then be able to appreciate the wisdom of those with whom it originated, and the honesty of that party who desire to turn the notable project to their own sinister and selfish purposes.

At this moment something like six millions of the Irish People are of the Roman Catholic Church, and eight hundred thousand of the same People are of what is called the *Reformed* persuasion: under this general term, be it observed, the Reformed sects differing from each other, as much as they differ from the Catholics.

Persons belonging to these Reformed sects, have until the last few years had undisputed sway in Ireland; and an iron despotism was theirs over their brethren of the Catholic Church. Thanks to the increasing knowledge both of the English and the Irish People, this odious despotism has been

uprooted. The rage of the faction thus deprived of their unwholesome power knows no bounds. They are absolutely frantic at their loss: and there is no scheme, plan, or device, they will not adopt in the vain and desperate hope of regaining the power of which they have happily been deprived.

The division of the Irish People has been up to this time, *Catholic* and *Protestant*—which terms are synonymous with *oppressed* and *oppressor*. Religious discord has been brought and kept in aid of bad Government. In order the better to despoil the People, at large the happy plan was suggested and adopted of dividing them into two grand religious divisions—thrusting the mass of the People, that is, the great body who were to be fleeced, into the despised class; and keeping the small portion that were to use the shears and to live by the plunder, within the holy circle of orthodoxy. *Protestant* came thus to mean—*Aristocrat* and *oppressor*; *Catholic*, the *People*, the *oppressed*.

In England happily the fury, the madness of this religious hate is unknown; and as a nation we are unable to sympathise with the despoiling Protestants of Ireland, though we be of the same creed. So soon then as the influence of the *People* of England was felt in Ireland, a Reform commenced—Religious persecution began to cease, and peace and good will began to take place of hate and commotion. Everything is gradually tending to this desirable result—religious discord is beginning to die away, and good Government for Ireland is what we in our lives hope to see accomplished.

Just as the embers of this war began to die out—just as the flame had been extinguished—just as peace was beginning—certain holy and pious persons, utterly careless of the circumstances in which this unhappy country is placed, looking not to the right hand or the

left, not asking whether true religion enjoined peace and not confusion, choose to propose to the People the celebration of a division which took place among Christian brethren three hundred years ago. This division was into *Protestant* and *Catholic*, and they call upon us in the midst of distractions such as I have just described, to celebrate the triumphs of *Protestantism*. In the midst of Ireland, among six millions of Catholics, an insulting festival is proposed, in order, I presume, to make the Catholics believe that Protestants are humble, peaceful, and forbearing. These godly persons have a strange way of conciliating good will and promoting peace. A People, who for centuries have been scourged under the name and authority of Protestants; who, because they were Catholics, have been plundered and ground to the earth, are now, under pretence of a devotional festival, to be taunted with the errors of their faith, and with the evil deeds of those who, three hundred years ago, believed in this faith; to be insulted by the pompous celebration of an event, which they deem a calamity, and, in no measured language, to be consigned to perdition because of the stubbornness of their belief. This is what will be done by the commemoration of the division which took place among Christian brethren three hundred years ago.

I well know the pretences by which it is sought to evade the conclusion to which I have come. It is said, that mankind were freed at that time from a pernicious thralldom, that immeasurable good resulted to the world from the Reformation, and that we cannot do better than testify our gratitude for so great a deliverance.

The first answer to this statement is, that such a celebration might be very proper, if men were all of one mind concerning the event. That if the whole nation were Protestant—if the division

between Catholic and Protestant no longer subsisted—if no heats, heart-burning dissensions, and commotions, could arise from it—then such a festival would be harmless. But when the contrary is notoriously the case, when such a festival would be deemed an insult by a large and suffering portion of the People, that which would be harmless in the case above supposed, becomes not merely dangerous but criminal—criminal in every point of view; whether we look upon it simply as affecting the peace of society, or the proper and religious tone and temper of their minds. Such a festival will now promote hate, and perhaps civil war. It will serve to strengthen the hands of those who have used power only to oppress the People; will promote bigotry, and incite to persecution. It is not enough for any man to say, I do not intend this. It behoves us, when we act, to learn the effect of our acts, not merely as regards ourselves, but others. The originators of this scheme might have had no evil intent; but so a madman might say, who throws a lighted match into a magazine of powder, or into a stack of corn. He did not intend the explosion; no—he did not intend it, but he has produced it; and the effect is the same as if the evil intent reigned in his mind when he acted. If the man who should throw a lighted match into a stack of corn were not mad, he would be hanged, no matter what might be his intent: his neglect—his utter carelessness—being just as culpable as the most nefarious intentions. So of the pious proposers of this incendiary scheme: their carelessness and neglect make them as culpable as if they distinctly had desired disturbance. They shall not cloak the evil with the garb of sanctity. Their devotion, if it take this turn, is as mischievous as impiety; and on their heads be all the mischief that may result from this nefarious device.

Let us, however, penetrate a little deeper, and learn what is the actual state of mind which has led to the desire of celebrating this event. Is not vanity at the bottom of it? Is there not lurking in some of these pious hearts a vain-glorious feeling of superiority? And above all, is there not immeasurable presumption there? “We are right,” say these self-glorifying folk—“we are in the right path—but ye blind and perverse generation of Catholics, ye are utterly in error, and are going straightway to destruction. As we are assured that we are without blemish in our belief, we are not content with the eternal benefits which we suppose result therefrom; but we wish for a little earthly glory in consequence of our lucky superiority. It is true it is written that we are not to exalt ourselves, lest we be abased; we will, however, in this case, run the risk, as it is a pious exaltation. A little self-gratulation is permissible in so exceedingly good a cause.” Is there nothing of this sort *thought*, if not *said*, by the proposers of this festival? If they were really influenced by gratitude towards God, for having led their forefathers out of error, could they not testify this gratitude by quiet and silent thanksgiving? Need they spread dismay and confusion among their brethren because they are joyful? Need they be mischievous, in order to prove themselves grateful? In my humble judgment, the most appropriate testimony in such a case would be the inward devotion of a truly pious and thankful spirit—a quiet thankfulness, a retiring and modest joy, and steadfast determination to assume no merit, while we sought to be grateful for our deliverance from error. A spirit which sought to give this testimony would do its labour in secret—would not proclaim upon the high places its satisfaction, but in the inmost chamber of the house offer up its thanksgivings to God. How different is the vain-glorious proceed-



ing here [proposed? Noisy demonstrations of thanks, giving occasion to insolent pretensions to superiority. Ten thousand pulpits are to resound with ten thousand versions of the escape from the Harlot of Rome. The language is to be ransacked for expressions of abhorrence and contempt to throw upon the faith and the ritual of our Catholic brethren, and ignorance will come in aid of presumption to swell the cry of victory. What the Reformation did do, few at this time really understand; and amongst the most ignorant are often the pretending and arrogant expounders of religious doctrine. We have heard so much raving respecting the Romish despotism, and such outrageous and hyperbolical praise of those who threw off the yoke of the Roman Pontiff, that it is with difficulty that we can bring our minds to a quiet contemplation of the actual facts of the case. We confound the present and the past, and fancy that the Protestants of the sixteenth century resembled in thought and feelings those of the present day; and, on the other hand, when speaking and thinking of the Catholics of the present time, we believe them to resemble those of the sixteenth century. Gross as this error is, it is of daily occurrence. We forget that religious persecution was the great crime of our forefathers, whether Protestant or Catholic, and that the horrid cruelties of CALVIN and our HENRY the EIGHTH were not surpassed by any deeds of the Romish Priesthood. Each sect persecuted the other. Such doings were deemed meritorious; every disputant in theology finished every thesis by damning his opponent, and, if able, crowned his work by torturing his body in the hope of preserving his soul. Let us remember that CALVIN burned SERVETUS for a point of doctrine which he himself could not understand; and, also, let us never forget, that the fires of

Smithfield were kindled by the Protestants as well as by the Catholics. The Puritans of a still later day vied in cruelty with the Romish Priesthood, in the days of their worst persecution; and the Presbyterian code of Massachusetts cannot be surpassed by the worst doings of the Inquisition. The Reformation, then, was not that great advance which we are taught to fancy it. Mankind did not at once pass from cruelty and superstition to mercy, toleration, and an humble devotion. Three hundred years have passed away since the Reformation, and it is only within a few short years that we have seen equal laws enacted for all sects and persuasions. The true principles of these matters are only beginning to be known and acted on; and if any one man, or small set of men, had, during the sixteenth century, spoken and acted as the whole nation now does, in Protestant as well as in Catholic countries, that small minority would have been consigned to prison, and most probably to the gallows. Who was it that persecuted the Quakers? Protestants. Who was it that passed intolerant acts against Dissenters? Protestants. Who was it that framed the sanguinary code for Ireland? Protestants. In good sooth, if we were carefully to search the history of the Protestants, we should read a sad lesson of cruelty, superstition, and folly. We have no reason to pride ourselves upon the conduct of our forefathers. Truth and reason alike bid us to avoid all boasting and triumph, and to hang down our heads in shame when thinking upon the long catalogue of atrocities that disgraces every page of every history. The records of mankind have been written in blood; and the most foul and disgusting pages are those which contain the horrid history of religious persecution.

But whatever might be the intentions of the proposers of this scheme, it is

clear that the Orange party in Ireland will make it the means of insult and contumely to the Catholics of that country. In England, too, the Tory priesthood will endeavour again to raise the "No Popery" cry, and attempt to confound their own sinister interests with those of religion. They will endeavour to make the people believe that O'CONNELL is really the Prime Minister of the country; that he, being a Catholic, will seek to bring back the olden times of the Romish Church, and that all the ills from which the Reformation is supposed to have delivered us are about to be revived by the Radicals and O'CONNELL. Such is the turn which the Tories, whether

lay or ecclesiastical, will give this celebration; and it is against their arts and mischievous devices that I desire to warn my too confiding countrymen. The Tory, like the idle beggar, puts on the mask of devotion, and for the same purpose. He wishes to live at other people's expense, and, in order to gull the public, plays the devout. If impiety were the fashion, we should have him, for the same end, proposing to dance a saraband in the church. The generation of the Tartuffes is yet flourishing in this world, and their last great act was devising this said pious festival.

J. A. R.

## MR RINTOUL THE "WE" OF THE SPECTATOR.

I RECENTLY took occasion to caution the Public not to estimate as an excellence of the Corporation Act, the mere power which it gives of removing Tory justices. This caution I deemed necessary, as a Sunday Paper which has lately shown an increased attachment to the Whigs, had catalogued this feature as a benefit. Hereupon Mr RINTOUL, the editor of the *Spectator*, shows his teeth.

Among the furious tribe of the dignified WE, "the plural unit," as GEORGE COLMAN wittily calls it, Mr RINTOUL is certainly not the least sensitive; indeed, to read his remarks one would suppose some great and grievous evil had been inflicted upon him. It seems never to occur to the "Wegotistic" class to which Mr RINTOUL belongs, that abuse unmerited, unmitigated, and unrelentingly poured forth, without the slightest rational cause, may be a source of annoyance: but, once call in question, under the name of a "Sunday Paper," some paltry unimportant remark of some one of these mighty personages, and straightway you are as-

sailed with venomous hostility. It perhaps never occurred to Mr RINTOUL that the somewhat coarse abuse which he is constantly in the habit of heaping upon Lord BROUGHAM, may be extremely offensive to those who deem Lord BROUGHAM a public benefactor; and however favourably they may be disposed to view fair and honest strictures, who cannot but regard such vulgar abuse as immoral.

Perhaps Mr RINTOUL may suppose there is no "bungling misrepresentation" on his part in his reply to me. I can easily show that there is. He begins by alluding to "an article in Mr ROEBUCK's pamphlet," and subsequently speaks of the "Pamphleteer." The effect of this, and, I presume, its object (for Mr RINTOUL is far too wise a personage to permit the effect of his writing not to correspond with its object) is to generate a belief that it was an article of Mr ROEBUCK's that he was attacking, and not a trifle of mine. Now this is a mendacious insinuation, to avoid the stigma of a lie. It is what is commonly called cheating the

devil of his due. It reminds me of the trick of the man who cried "Sad dog, sad dog," after the dog which had offended him, in order to draw down upon the poor animal the treatment usually inflicted on a mad dog.

In commenting on the passage in the *Spectator*, I took it as it stands. I certainly did not go to another corner of the Paper to ascertain whether there was any other passage which would explain the editor's whole opinion on the subject. It would be a hard judgment to compel a man to read through the heavy sheet of the *Spectator*, ere he should be permitted to remark on the contents of one of its many columns.

Those who are in the habit of perusing the public Papers must have perceived how easily the editors are excited, and how little competent they therefore are to pass judgment on the acts of public men. Let but the simplest statement they can make be called in question—let it be done with the best intentions—let every offensive expression be avoided, and still the dignity of

the WE is offended. There is an evil arising out of this of the greatest magnitude. It is impossible that some differences should not occasionally exist between public men and editors of newspapers, wholly independent of adverse political opinions, but founded on mere private antipathy. The consequence of such antipathy is, that abuse is daily poured out by the WE, without end, against the offending party. The attacks upon Lord BROUGHAM in the columns of the *Courier*, the *Spectator*, and other papers professing to be liberal in their politics, are of this character. The Public are never put in possession of the reasons for this private hostility, but are left to assume that it is the most high-minded public principle which influences the attack. Why is Lord BROUGHAM assailed? What is his offence? Wherefore is he abused? Are his principles changed? No, reader; his principles are what they were, but the WE has been offended or slighted.

H. S. CHAPMAN.

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ham, and other towns, and forwarded in great numbers to the metropolis weekly, where there are plenty of persons who are glad to sell them.

Whether this account of the mode of evading the Stamp Inspectors be correct or false, is really nothing to the purpose. The Stamp Office people confess themselves baffled. The law against the Freedom of the Press is acknowledged to be a dead letter, and, like all inoperative laws, should be at once repealed. So long as the Stamp Inspectors fancied they could prevail against the infringers of the law, there was some excuse for its maintenance. Now that they have deliberately recorded their opinion that the punishment of the offenders is impossible, there can no longer be a shadow of excuse for the maintenance of the Stamp. However much the present Chancellor of the Exchequer may fear, and consequently hate, the Diffusion of Knowledge, he will henceforward find it a matter of difficulty to resist the daily accumulation of evidence against this most obnoxious and oppressive of laws.

H. S. C.

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**PARTIES IN THE HOUSE OF COMMONS: DISSEN-  
SIONS AMONG THE TORIES.**

SIR ROBERT PEEL lately, in his address to the Corporation of Tamworth, thought it necessary to manufacture an excuse for his late failure as Minister of this country. On his accepting the post of Premier, he stated to this said Corporation, that he believed himself

able to carry on the Government. (The world at large believed the right hon. gentleman either *deceived* or *deceiving*.) A few weeks showed that Sir R. PEEL'S expectations were groundless; he was obliged to retire, in order to avoid dismissal. He now thinks it necessary to

*account* for his mistake—to give some reason for his former belief, and to show how it was that he was deceived. The reason given was, that from the acknowledged differences of opinion existing among the various classes of the liberal side of the House of Commons, Sir ROBERT PEEL expected that no union would be effected amongst them, and that by this division of his enemies he should be able to retain office, and govern the country. This division, however, unfortunately for the ex-Premier, did not render his opponents absolutely blind to their own interests. They, seeing their arch enemy in power, determined to forego their differences and combine their forces in order to rid themselves of the mischievous interloper. Thereupon Sir ROBERT was turned out; and thereupon, also, Sir ROBERT sets up a shout, half a whine, and half a laugh. His enemies combined, shameless politicians! The Radicals knew that a Tory in office would exclude all hope of Reform; the Whigs saw that a Tory in office would exclude them from all hope of power. They hated the Tories more than the Radicals, and they, therefore, did not refuse to aid the Radicals in ejecting the Tories. Mr O'CONNELL, Mr HUME, and Lord J. RUSSELL acted together; the rope of sand, as it was called, was found a bond of union the Tories could not sever, and thereupon Sir ROBERT indulges in signs of wonderment, and makes insinuation of dishonesty. The Liberals of every shade knew well, that all change, all reformation, would be impossible under Sir ROBERT PEEL: they all to some extent desired change—the great majority desired important and vital changes. They saw that by being united, advance could be made; they therefore joined together; and this, in Tory language, is called an unholy alliance.

Sir ROBERT PEEL, in making this statement, but re-echoes what has been

repeated by the Tory organs, times without number. He has furbished up an old and worn-out argument, and, in Jew fashion, brings it forward as new. He pretends to be astonished at the junction. He declares that he could not have expected it. Such things were never heard of before, and no other sect or party ever was guilty of so extraordinary a coalition! For his information, and for the proper edification of the public, I will describe a party which has done precisely the same thing, and to the same end—a party which, though close to Sir ROBERT, he, it appears, could not perceive—a party, in short, of which he was the leader—the Tory party.

The elements of which the Tory party, the Tory side of the House of Commons, is composed, are as discordant as any that are united under the Liberal auspices. The divisions existing among them are as marked as those of their opponents, and their political principles vary precisely in the same manner. The Liberals, however, found a common end; they discovered that in one great matter they agreed—viz. they all believed that a great reform in our institutions was needed. They differed, some of them, as to the extent of this reform. They differed also, in some degree, as to the means of effecting it; but they were unanimous in believing that some great change was necessary, and they believed also (and the event has justified their expectation) that a measure of immediate practical good could be proposed, which should unite all classes of Liberals, and make them act with harmony and with effect.

The Tories also found that they, with all their many causes of discord, could unite for one great purpose, which should please all. They all of them desired place and power; they all of them desired to exclude the Liberals from any participation of the good

things; and they all agreed that the principle of self-government was pernicious. They discovered that they all desired to prevent any change that should, in reality, strengthen the influence of the People. To maintain the present system of corruption intact in substance, they also found to be a common object. Differing as to the means of attaining this desired end, differing as to their conception of what was actually needed to maintain the system, they nevertheless united into one band, and together strove to put down and utterly to rout their opponents.

The cases are similar; and if one party deserve reproach, the other cannot escape it.

Such is the general statement. I will now bring evidence to sustain the description I have given: in other words, I will describe the different sections of the Tory party in the House of Commons.

The opinions of this party, in their various gradations, form a descending or ascending scale, and their differences create the same difficulty to him describing them, that lies in the path of the naturalist when he endeavours to classify the various races of the human species. It is difficult to know where one class ends or the other begins. The extremes show wide divisions, while it is impossible accurately to state where the division begins. The difficulty will be immediately perceived by the following table of names. Between Lord MANDEVILLE and Mr PUSEY the distance is immense, but conservatives of every possible gradation may be found between the two.

1. Lord MANDEVILLE,  
Sir R. INGLIS,  
Right Hon. H. GOULBURN,  
Right Hon. F. SHAW,  
Mr Serjeant LEFROY,  
Lord STORMONT,  
Colonel SIBTHORPE,

These are specimens of outrageous Conservatives—Tories of the out-and-out school; men who hate all change, and who look upon the days of CASTLEREAGH as the standard or measure by which all other times ought to be tested. Folly, ignorance, and bigotry could hardly be more accurately represented.

2. Sir H. HARDINGE,  
Mr BONHAM,  
Mr H. TWISS,  
Mr GLADSTONE,  
Sir R. PEEL,  
Mr PRAED.

These are official Tories;—the shade of their Conservatism varying, indeed, considerably, but still all their opinions are brought to agree by the expectation of place. For example: if it were not for hopes of office, Mr GLADSTONE would rival Sir R. INGLIS in his bigotry; but as he expects to be a minor star in the constellation of a Tory Ministry, he would prudently put any outrageous Conservatism in the dark, should it stand in the way of his official advancement. Mr H. TWISS has really no opinions at all; he puts on his Toryism much as Mr GLADSTONE would subdue his—for place. Sir H. HARDINGE is a sharp little testy person, whose capacity really never reached a general principle. He is always, it would seem, ready to fight; and, from experience of his ability, I should think he could do nothing else.

3. Lord SANDON,  
Lord ASHLEY,  
Sir ANDREW AGNEW,  
Marquis of CHANDOS,  
Mr ALSAGER.

Here is another set of Tories, of a shade and description entirely different from the preceding. More moderate, and in some degree more reasonable, excepting always Saint ANDREW.

4. Lord STANLEY,  
Sir J. GRAHAM,

Sir M. RIDLEY,  
 Sir M. S. STEWART,  
 Mr GEO. SINCLAIR,  
 Mr E. DENISON,  
 Mr ROBINSON,  
 Mr G. F. YOUNG.

These may be called the *indescribables*. They are Conservatives; but evidently of a different nature must their Conservatism be, from that of Sir R. INGLIS and Mr SHAW. These also differ greatly among themselves. Lord STANLEY is a hot-headed, supercilious, and an ignorant, haughty Aristocrat. Mr ROBINSON is simply imbecile. Mr SINCLAIR seems crazy; and Mr DENISON is too weak to have any opinion. Mr G. F. YOUNG takes up his position among the Tories, because when parties are balanced, the doubtful men become important. Should parties be decided, that is, should one obtain a marked majority, we shall see Mr YOUNG the very humble servant of *the majority*.

5. Mr MILES (Somerset),

Mr WILSON PATTEN,

Mr Alderman THOMPSON,

Mr PUSEY.

Here again is another set of Tories, wholly different in their principles and proceedings from those mentioned above.

If from this extract of Toryism we make a compound extract, and take Sir R. INGLIS, Sir R. PEEL, Lord STANLEY, and Mr PUSEY, do we not find under the same banner men as opposite in principles as are Lord JOHN RUSSELL, Mr O'CONNELL, Mr HUME, and Mr GROTE. Sir ROBERT INGLIS was in his heart violently opposed to every portion of Sir ROBERT PEEL'S bill for the relief of the Dissenters. Had this bill been proposed by Lord JOHN RUSSELL, the member for the University of Oxford would not have been content silently to leave the House when he heard the explanation of its

purpose. Furious opposition would then have been deemed his duty, and we should have seen what was really the distinction between the opinions which that proposed measure evinced, and those of Sir R. INGLIS. It should be remembered that this difference exists not on a minor point, but on the grand principle of religious toleration. Sir R. PEEL on this point differed seriously from his more sturdy namesake, and proposed a measure which Sir R. INGLIS must have believed wholly subversive of every principle upon which the Church of England is founded. Again, on the subject of the Appropriation of the Revenues of the Irish Church, Mr PUSEY differed from Sir ROBERT PEEL, Lord STANLEY, and Sir R. INGLIS; and this difference, both as regards principle and expediency, is quite as marked, and quite as important, as the difference between Lord JOHN RUSSELL and Mr GROTE on the Ballot. If we turn back to the proceedings of the GREY Ministry, we shall find Sir R. PEEL in almost every case in which the Tories were opposed to that Government, voting against Lord STANLEY. How, then, can it be said that the elements of which the Tory party is composed, are homogeneous and harmonious?

The truth is, that Sir ROBERT PEEL united under his banner, during his late short holding of office, men of the most opposite characters and opinions, because his whole dealings during that time were false and hypocritical. He saw that the nation, that is, the great majority of the People, desired certain great changes in their institutions. He saw that in order to keep the nation quiet, he must promise to yield in some degree, and a large degree, to their wishes; he therefore made very liberal professions. These professions gave many persons, of no fixed principles, or steadfastness of character, an excuse



for siding with a Tory Minister, and we then heard the cry of "a fair trial." The talk of Sir ROBERT PEEL was intended to afford these persons this excuse, in the hopes of gaining a majority by this device. On the other hand, the Tories who had brought Sir ROBERT into power, did not believe one liberal sentence he uttered. They believed every promise to be a pretence, and not being themselves very scrupulous, they saw no dishonesty in this cajolery. They supposed their leader faithful, and for the time permitted these popular effusions. But when they found this Premier, to whom they had given life and power, really intending or attempting to perform some of his popular promises, great was their anger, and serious to Sir R. PEEL were the results of their indignation. If we could arrive at the secret history of the time, we should find that the retirement of the late Premier was not a little owing to the anger of his Tory supporters. His Bill respecting the Dissenters utterly astounded the bigots of his party, and the only support he obtained was given by his declared opponents. Who, then, will say that his followers were of his opinions, or that perfect harmony reigned in the Tory camp, when the opinions of the chief were opposed to those of nine-tenths of his army? Will any one say that Mr GEORGE SINCLAIR'S Toryism is like that of Sir ROBERT INGLIS, when Mr SINCLAIR advocates the voluntary principle, and Sir ROBERT is a bigot supporter of the Established Church? Let the Tories point out a greater difference existing among the Liberals.

Now, if it be asked how it comes to pass that we hear so little of these divisions among the Tory party, as compared with those which exist among the Liberals, the answer is easy and satisfactory. By the men of the Liberal party their opinions are considered

matters of great and signal importance, and they are at all times anxious that no mistake should arise respecting them. Therefore, when they combine for a common purpose with persons who hold opinions adverse to their own, they take care to state distinctly the grounds of alliance, and record scrupulously the matters in dispute between them and their temporary allies. Thus there always will appear great discrepancies in the opinions of the Liberals, so long as they attach importance to those which they conscientiously hold. On the other hand, among the Tories this same scrupulousness does not exist: difference of opinion is a thing which they rather seek to hide than to publish. They by no means look with a favourable eye upon that state of mind which leads a man to determine his opinions for himself, and on careful and accurate inquiry. They desire that we should believe on authority, and wish that all doubt and opposition be laid by that potent exorcist. If, therefore, at any time a Tory be, by accident, led to differ from his brethren, he, to a certain extent, is grieved at his own departure from his party standard, and endeavours, to the utmost, to conceal his heresy; and he acts as if he was as orthodox as his associates. On rare occasions only do we find them coming forward with declarations of opposition to the determined plan of proceedings of their party—they follow their leaders, and deem implicit obedience the great virtue of a partisan. If such had not been their rule of conduct, Sir ROBERT PEEL would, during his short Premiership, have at once driven the great body of his followers into open and violent opposition. They bore with remarkable patience and fortitude, the liberal professions of their leader, though every one of them was in direct opposition to all their favourite tenets. They did this on the principle

of obedience; and it was only when Sir ROBERT PEEL ceased to govern, that expression was given to their dissent from him.

There is also another reason for the apparent harmony existing among the Tories. Political principles with them are matters of very secondary importance: their grand object is place, and the means of living upon the public. Anybody that will afford them the opportunity of thus fleecing the People, will not by them be much troubled with any peculiar fancy or crotchet

which they may entertain respecting Government. Feed a Tory well, and you silence his scruples, and obliterate from his mind any notion of an independent opinion. With morality such as this, it is not at all extraordinary to see great harmony existing amongst them. But theirs is a harmony that bodes no good to the public. They agree in order to plunder, and are good friends at the nation's expense. So much, then, for Tory harmony and Radical dissensions.

J. A. R.

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## O'CONNELL AND ENGLISH AGITATION.

MR O'CONNELL, I am glad to see, has at length adopted the most effectual method of redressing the grievances of Ireland. He is now endeavouring to make the people of England understand what those grievances really are; and in order to excite the feelings of Englishmen in favour of Ireland, he is shewing them how intimate is the connexion between bad government in both countries. His late tour through England and Scotland, will be followed by signal benefits to the empire at large, as it will serve materially to break down many long-standing prejudices against our Irish brethren, and to unite the Reformers of all denominations into one compact and energetic body.

The career of Mr O'CONNELL reads a significant lesson to all who advocate the cause of the People. A very few months since the name of Mr O'CONNELL was a bugbear even to liberal and enlightened English Gentlemen. The People, be it spoken to their honour, never felt that distrust and hatred of the Irish Agitator, which so long and so powerfully influenced the more exalted and instructed of our countrymen. The extent and intensity of this hatred

no one can thoroughly estimate who has not mixed in the society of English Politicians.\* The overbearing and intolerable insolence of the House of Commons to Mr O'CONNELL can never be properly explained to the People—an insolence which must have crushed any man not endowed with the steadfast courage and extraordinary talent which distinguishes Mr O'CONNELL from all other public men of the present day. He was actually the ruler of Ireland. His sway over six millions of his countrymen was undivided, and almost without limit; and yet, when he made his appearance among the so-called Representatives of the People, contempt, scorn, hatred, were in every possible shape and means exhibited towards him. To hear the private conversation and the suppressed exclamations of these persons, one would have been led to

\* An anecdote related to me by a distinguished Soldier, marks very pointedly the sort of feeling not long since prevalent respecting Mr O'CONNELL. He told me, that on meeting an old acquaintance, whom he had not seen for some time, his friend said, "Where do you come from?" The answer was, "I have just come from Mr O'CONNELL." "Did you shake hands with him?" was the next inquiry. "Yes." "With which hand?" "With my right." "Then shake my hand with your left."

believe that a felon had found his way into the House—some wretched being stained with every crime, and disgraced by every evil propensity. Shouts of derision, laughs of utter contempt, noisy interruptions, vulgar abuse, and violent threats and denunciations attended all he said. He has lived (and short has been the time needed!) to see himself the first man in that very assembly—to see his authority looked up to and respected—and to see the Ministry of the day actually depending for their existence on his goodwill. The very Whigs, who raved at and insulted, now court and applaud him; in place of the laugh and the contemptuous shout, respectful attention and enthusiastic plaudits wait upon his words. In Ireland, and by the force of Ireland, he has long been what the French call *une puissance*, a power by himself. To enlarge and strengthen this already formidable influence, the goodwill of the multitudes of England and Scotland is gradually being added to the almost idolatrous worship of the Irish. No man in our days ever wielded such a power; no man, be it in justice said, ever so well deserved to wield it.

What is the secret of this extraordinary success? In what consists the charm by which Mr O'CONNELL wins his way into the hearts of men? Others have equalled him in ability, many surpass him in acquirements, some few (very few indeed) have been able perhaps to cope with him in debate—how does it happen, that no one has yet arrived at the same unbounded influence?

The secret, and let it be well remembered; is, *that Mr O'Connell has never deceived his countrymen.* Through times of dismay and discord, in good report, in bad report, in the time of trial and in the hour of trouble, the People have ever found him their steadfast advocate. He has faults—the faults of his countrymen, the faults of

a rhetorician—but the People forget them in the recollection, that amidst all his mistakes, his wild and inconsistent statements, to them he has ever been true. He has kept one end always in view—the redress of his country's wrongs. He has allowed no private feelings, interest, or predilections to interfere with this end. He has sacrificed everything to the attainment of this one great object. He has become the friend of those he has denounced—he has united himself with those who have scorned and bitterly insulted him—he has forgotten his private wrong, when the public good required it—he has put by old enmity, he has thrown aside strong and long-nurtured prejudice—he has given up long-cherished opinions and long-favoured projects:—everything in short has been made to yield to the one great leading purpose of his life, the redressing of the grievances of Ireland. Well may he exclaim, I am the Advocate of my country. So he is—and being so, he hesitates not in his cause to assume the character of the Advocate, and forgets all things but the success of his client. This is the key to all his conduct; it will account for his discrepancies, his exaggerations, his misstatements. He is an Advocate—Ireland's Advocate, and pleads her cause as if she were his client.

Such devotion to his country's cause necessarily won him the hearts of his countrymen. In aid of this devotion he brought an eloquence unrivalled at the present time, and almost if not quite equalling that of the great master of antiquity. Simple, plain, business-like, exquisitely natural, vehement, even as a man is vehement in his own cause and in private life, no one can fancy him what is called an orator—that is to say, he has arrived at the highest excellence of his art. Nothing appears studied or premeditated—nothing *ap-*

pears done for oratoric effect, and nothing is sacrificed to display. His knowledge is not equal to his style and manner. In many things he has yet to acquire the very elements of political science; but he always by a sort of happy intuition seizes the real question in debate—with one blow he beats down the opposing fallacy, and with almost preternatural facility builds up his argument upon its ruins. This wonderful power has conquered the opposition of the House of Commons. His opponents listen in spite of themselves; in trembling they acknowledge his superiority, and curse their stars for having given them such an enemy.

These qualities, such as I have described, have made Mr O'CONNELL the idol of his countrymen. Whether the same mode of employing his abilities will eventually gain for him equal power in Great Britain, may be doubted. Ireland oppressed—and grievously oppressed—by England, required an advocate. The people of England want an *advocate* much less than they want a *representative*. The qualities required for these two characters are distinct, and ought not to be confounded. An advocate has a cause—to that he sacrifices everything. He implores, he deprecates, he threatens; he glosses over opposing circumstances; he artfully colours; he suppresses and disturbs truths that tell against him; he exaggerates everything in his favour. The representative *deliberates*—his sole end is *truth*. He is a philosopher, brought into action for the benefit of a nation. It behoves Mr O'CONNELL, now that he seeks to enlarge the sphere of his utility, to make himself master of this broad and very marked distinction. He has now placed the cause of Ireland in so commanding a position; he has so linked her destinies with those of England, and so impressed the people of England with the belief that justice must be

done to Ireland, that he now may forego the character of the Advocate, and assume the more elevated office of a Representative of the whole empire.

It must not be expected, however, that the influence of any man in England can ever equal that of Mr O'CONNELL in Ireland. The different situations of the two countries precludes the possibility of such an event. The comparatively calm, sedate, and inquiring nature of the English people, their love of truth for truth's sake, renders it impossible for them to evince or to feel the same enthusiastic ardour in favour of any one individual, as that now felt towards Mr O'CONNELL, by the people of Ireland. The English are a great and powerful people; they have no superior, and dread no oppressor. The difficulties which, in their Government, they have to conquer, are difficulties springing from the very nature of man, and must attend on every society, at every stage of its existence. They feel no wild desire of revenge, no frantic hate, no passionate love for old and long-cherished, because contemned and persecuted, opinions. They march onward as a sovereign people. The Irish have hitherto advanced as a conquered province. We have leaders whom we respect; but we have no advocate whom we blindly and passionately adore. We pay respect as an equal does to an equal who has rendered him service. The Irish offer a wild and passionate gratitude to the Saviour who has rescued them from destruction.

The respect of an enlightened people, however, is no mean reward; and though the love of an ardent nation may be more grateful to one's vanity, the more sober offering of a more sedate, and without offence be it said, more reflecting people, may afford to a well-regulated judgment, a pleasure not inferior.

J. A. ROEBUCK.

## CONSOLATION AND COMPENSATION TO BOROUGH TOWN CLERKS: ROYAL PREROGATIVE.

A CELEBRATED French maxim writer, who sometimes managed to hit upon a very striking truth, tells us, that in misfortune we derive great consolation from the misfortunes of others. The common-place language of worldly consolation seems implicitly to recognize this uncharitable feature of human nature. A man who is bent upon consoling his neighbour always commences by citing the cases of those who are much worse off than the individual sought to be consoled.

If I were to offer the Borough Town Clerks consolation of this ordinary character, I should certainly bring before their consideration the case of the London pickpockets. I should say, "Let us hear no more of your grievances—no more of the injury done to your 'vested interests' by the Municipal Corporation Reform Act; compare your fate with that of the pocket-picking tribe, and a moment's reflection will show you of how much less you have to complain than they.

"Your first outbreaking of complaint was against the Commission of Inquiry. What was this commission, in reference to your interests, compared with the first Metropolitan Gas Company in reference to the interests of the industrious gentlemen I have just named? The first gas lamp lighted in London was a species of first report. It boded the class in question no good. It was an insidious attack upon their interest, and was, I have no doubt, so viewed by them. Then came the Metropolitan Police Act, which was merely the consummation of that crusade which was commenced by the introduction of gas lights, against the 'vested interests' of the industrious class in question. The proceedings of the Gas Company and those of the Municipal Reform Inquiry Commissioners, were alike in this respect

—that they went no further than to bring to light deeds, which the old lamp-lighters and the old corporators—out of a tender regard, some said, for the parties interested—threw no light upon. The Metropolitan Police Act in the one case, and the Municipal Reform Act in the other, did no more than perform that which had been previously shown to be necessary."

There was an excellent suggestion in a recent number of the *Bath Guardian*, touching compensation to the Town Clerk of that city, whose vested interests are likely to be somewhat damaged by the new Corporation Act. The *Guardian* proposed that in the very probable case of the rejection of the present incumbent by the new electors, he should be immediately called to the House of Lords, as a small compensation for his grievous disappointments. To this admirable and highly practicable expedient, I have only one objection—its limited application. Why should it be confined to that Sangrado-like city of hot water and bleeding? Why should it not be extended to all rejected Town Clerks? Nay, more; it is so cheap a mode of compensation, that I am of opinion the Peerage should be made a sort of refuge for all those who may hereafter suffer in their vested rights, by those daily improvements which lordly Legislators no longer dare prevent. This done, and the utility of the institution of the Peerage would become much less questionable than it is at present, and Mr ROEBUCK'S very awkward, stunning question—"Of what use is the House of Lords?" would admit of a very short answer.—It is useful as a receptacle for the destitute—a refuge for those whose claws the People may hereafter succeed in cutting.

The Upper House is even now looked

to as the only hope of the privileged tribe. Why not make it a more perfect instrument by a simple process of identification? The vested interest gentry are now compelled to resort to the clumsy expedient of being heard by their counsel at their Lordships' bar. Under the proposed order of things, they would be themselves heard from their respective places. There might the injured hackney-coachman pathetically preach against the "omnibus nuisance," to an admiring and sympathetic audience. The ruined pickpocket might join his voice with the voices of the Bishops against the progress of light—the march of education. The whole anti-free trade gang, the advocates of the "rob and let rob" system, with the member for Worcester, Mr ROBINSON, at their head, would of course be removed from the House of Commons to the more congenial assembly. There might they utter their stupid inconsistencies, without danger of being nightly laughed at. To-day, for instance, with a view to persuade the English farmer to emigrate to their ice-bound wastes, they might tell their hearers what a delightful country Lower Canada is; how fertile its soil, how charming its climate. To-morrow, forgetting what they had previously said, they might declare that Lower Canada is a wretched place, incapable of producing Wheat as advantageously as the neighbouring States, and wholly dependent on the Timber trade for the means of purchasing British goods. How delightful would it not be to such hot and cold blowing people as Mr ROBINSON, were they thus enabled to utter these and similar absurdities, without the annoyance of being met with that chilling "Oh, oh!" with which they are now so constantly greeted!

But the King is the sole fountain of honour—and in thus prescribing whom he shall anoint, are we not interfering

with the Royal Prerogative? This is the Constitutional slang we meet with every day. I reply by another question: What is the Royal Prerogative? Those who have carefully perused the Pamphlet entitled "A short Review of a long Session" will have no difficulty in finding a solution to this question. Those acts which are attributed to the King, are not the result of the Royal will, but of that of the Ministry. The Royal Prerogative is therefore a mere fiction. It is a political cobweb which may arrest the progress of the weak, but which the strong break down whenever it suits their convenience. To understand this more perfectly, let us take as an illustration the ordinary case of the Royal Assent to Bills. Does any one believe for a moment, that this Act proceeds from the Royal will—the result of Royal deliberation? The British Aristocracy managed to usurp the exercise of this, as of every other branch of the Prerogative, long ago. When the progress of rotten Borough and close Corporation corruption had placed a large majority of the House of Commons under the controul of the Peers and the Aristocratic class, they found no difficulty in controlling the Monarch—of reducing him to the condition of a mere puppet. They pretended that when a majority of his Majesty's faithful Commons, and of the Lords, spiritual and temporal, had decided upon a measure, it would be "unconstitutional" on the part of the Monarch to refuse his Assent. As long as the People laboured under the strange delusion that the Commons House of Parliament was really their House, this doctrine must needs have been extremely popular. The "danger of extending the Prerogative of the Crown" was the bugbear which was continually presented to the People as a screen behind which the Aristocracy might carry on their insidious operations

against human liberty. Whenever the Aristocratic class bawl out about the danger of interfering with the Royal Prerogative, the public may rest assured that the threatened branch of the Prerogative is wholly in aristocratic hands, and consequently works entirely in their favour. Whenever the Prerogative operates rather favourably for the People, we may expect to hear a resuscitation of the old fallacy of danger. While I am on the subject, I will state the constitutional\* power of the President of the United States with respect to Bills. When the House of Representatives and the Senate have agreed to a Bill, it goes to the President for his sanction. So far, the United States Constitution is a close imitation of British custom. The imitation, however, stops here. The American Constitution clothes the PRESIDENT with a power which the British MONARCH does not possess. The KING is *obliged* to give his assent. The PRESIDENT is not so compelled; he may withhold his sanction, in which case the Constitution prescribes that the Bill must be returned to the House in which it originated, with the PRESIDENT'S written objections, which objections are reconsidered; when, if the Bill again pass both Houses by a majority of two-thirds, it becomes law without the formality of the PRESIDENT'S sanction.† An extension of the Royal

\* The word "constitutional" applied to American public law, has not the same vague signification as with us. It cannot there be used to designate what the party using it may desire to approve, any more than the word "unconstitutional" can be employed as a mere vague term of disapprobation. It there refers to *written law*. Tell an American that such and such a doctrine is unconstitutional, he will at once ask you for chapter and verse. In England these words are generally put forward as a ready means of practising deception. They belong to that numerous class of words which having acquired what Mr Bentham called an eulogistic or dyslogistic force are made use of by knaves, and are received by fools, as reasons or against anything under discussion.

† UNITED STATES CONSTITUTION.—Article I, Section 7, Clause 2.—Every Bill which shall

Prerogative to this point would surely be an improvement upon the present "Constitutional" practice. It would emancipate the MONARCH from the degrading condition of a puppet, and elevate him, or at all events attempt to elevate him, to that of a rational being. At first a MONARCH'S reasons might, perhaps, be a little curious; but "practice makes perfect," and I have no doubt but that after a couple of sessions' practice, his MAJESTY'S reasons would be as pure a specimen of dialectics as one could find even in SPRING RICE'S Budget speech, which every one admits to be a perfect prodigy (for SPRING RICE) in that particular. What a load of responsibility would not this occasionally remove from the oppressed conscience of a conscientious monarch! "There, my Lords," he might say; "take back your Bill, I will have nothing to do with it; I wash my hands of it entirely; pass it if you please, but do not make me a party, as I conceive it interferes with my coronation oath, and consequently with my conscience." Thus the obligation to assent to Bills against the Royal conscience, need not again set an unhappy MONARCH blubbing.\*

have passed the House of Representatives, shall, before it becomes a law, be presented to the President of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large upon their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the Bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases the vote of both Houses shall be determined by Yeas and Nays, and the names of the persons voting for and against the Bill shall be entered in the journal of each House respectively. If any Bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

\* It was reported, at the time, that GEORGE the FOURTH cried when required to give his

The Royal Prerogative of Peer-making is no less fallacious and illusory. It may sometimes happen, as in the case of the KING's illegitimate offspring, that the MONARCH is permitted to have his own way; but on all important occasions—when, for instance, a batch of Peers is made for a political purpose, it is the Ministerial list which is carried. The matter is determined on without consulting the MONARCH; and except, perhaps, in a solitary case, of rare occurrence, the Royal act of conferring the dignity of the Peerage, is a mere Ministerial ceremony. To enact, therefore, that those who may become shorn of their vested interests by the operation of progressive reforms and improvements, be compensated by a seat in the Upper House, need not in any way interfere with the prerogative as it at present exists. The MONARCH for the time being may still be permitted to elevate to the Peerage those who have administered to his appetites and his enjoyments.

Some inconsiderate people may, perhaps, suppose that the House of Lords, by such a process, would be rendered worse than it is at present. Not at all. As an instrument of Legislation the

assent to the Catholic Emancipation Bill, urging that it was a violation of the coronation oath, and against his conscience! King GEORGE the FOURTH's conscience!! A more heartless reprobate than the late KING perhaps never lived; and, like many an aged reprobate, he took to religion when the power of sensual enjoyment had fallen into decay.

House is now as bad as it can be. Any change must either make it better, or leave it where it is. The chapter of accidents is here decidedly in the People's favour; so we may as well innovate at once. Confine a score of half-famished rats within the narrow precincts of a tub, and mutual destruction speedily diminishes their numbers. By setting the owners of vested rights in like manner against each other, taking care at the same time to deprive them of the power of preying upon the public, they would, like the rats in the tub, inevitably devour each other. Their end would be much like the melancholy fate of the Kilkenny cats—there would be nothing left but a little bit of flue.

Some curb would, it may be said, be necessary to restrain the evil-doing of such a motley Legislative chamber;—no more, however, than is now admitted to be necessary. The constitution of the House is now as bad as it can be. Upon this point it is unnecessary to dwell. The truth of the proposition has been abundantly shown in the several Pamphlets in which the evils of the House of Lords have been discussed. It follows that those remedial measures which would be effective in ameliorating the present House of Lords, would be an equally adequate check upon the mischievousness of the extended chamber.

H. S. CHAPMAN.

## POSTSCRIPT. — MOTIONS ANNOUNCED FOR NEXT SESSION RELATIVE TO THE HOUSE OF LORDS.

THERE are three classes of measures announced for next session, having for their object the amelioration of the House of Lords as at present constituted. The first may be designated *preliminary*. It has for its object a searching enquiry into the present state

of the House of Lords. Mr HUME is the mover, and the wording of his motion is as follows:—

“Select Committee to inquire as to the number of Peers in Parliament; their qualifications and privileges as such; into the constitution of that House, its powers, privileges, and immunities; and to consider how far that House has



fulfilled the important duties of a Legislative Body, and of the high court of appeal of Parliament; also into the manner in which conferences are held with, and communications made between the House of Lords and Commons."

Though I have styled the above a preliminary measure, there is no doubt but that it will lead to some effectual proposal on the part of the excellent mover.

The second may be styled *partial*. Its object is improvement, but not complete reform. It leaves wholly untouched the evil constitution of the House. It is simply a proposal to remove the Archbishops and Bishops from the Upper House of Parliament. Mr RIPPON is the mover.

The last class may be termed *effectual*, or, if you please, *radical*. It goes to the very root of the evil. Mr O'CONNELL proposes to destroy the irresponsible character of the House of Lords, by introducing the principle of election, by making the Second Chamber like the House of Commons, a body representing the People. Mr ROEBUCK's motion, on the other hand, would deprive the House of Lords of all power of working evil.

Mr O'CONNELL's motion runs as follows:—

"Select Committee to inquire and report whether it be necessary for the maintenance of the rights and liberties of the People of Great Britain and Ireland, that the principles of representation shall be introduced into the other House of Parliament."

Mr ROEBUCK's motion has already been printed in the Pamphlet on "The Conduct of Ministers." It proposes to enact that a Bill rejected by the Lords, and again passed by the Commons, shall no longer require the Lords' concurrence, but shall become law on receiving the royal assent.

These effectual measures will no

doubt give rise to another class, namely the class of *palliatives*. To avoid the complete destruction of Aristocratic privileges, however obnoxious those privileges may have become, all sorts of partial, patch-work, tinkering remedies will be brought forward by those who pretend to be great reformers, but who really pass their days in devising means of checking the progress of reform; and, when reform is inevitable, of reducing it to a minimum. These evil geniuses will no doubt throw their measures between the Lords and the Liberals, to screen the former from the well-directed shafts of the latter. One proposal I have heard of, which is now under process of concoction by a noted pamphleteer of feeble powers, and which is represented to be of the palliative character I have named. By making a bit of flourish about the necessity of reform in the House of Lords, following it up by a proposal to make the Lords elect a House from among themselves, the writer expects to be able to save their Lordships for awhile. It is perfectly clear, however, that this system would necessarily produce a House of Lords infinitely more hostile to the People and their interests than the House as at present constituted. Under the present system it may occasionally suit the Ministry of the day to make a few comparatively Liberal Lords. Such an event has occasionally occurred, and always to the sore annoyance of the existing Peers. Left to the Peers themselves, they would never think of choosing as their representative a Peer who betrayed the least sympathy for the People. They would choose men who would support their order, and none other. H. S. C.

## GENERAL EVANS'S RULE OF PROMOTION IN THE AUXILIARY ARMY OF SPAIN.

GENERAL EVANS has proclaimed to the troops under his command, that merit shall be his rule of promotion. What a shocking innovation! What a vulgar army he will have under his command! "Gentlemen," (so called) with plenty of money in their pockets, who have been regularly educated by the best of army-clothiers, and the most skilful of dancing-masters, will have no preference. The Radical General is determined to appoint as his officers a parcel of vulgar fellows, whose only merit consists in knowing their business.

What an abominable scene his mess-room will exhibit! There will be discourse of "guns, and drums, and wounds—God save the mark," and nothing heard of ladies' eyes and ladies' favours.

I should not wonder were General EVANS, on his return to his country and to his seat in the House of Commons, to propose a similar "innovation" in the British army. If

he or any other Radical should make such a proposition, I know of no other way of meeting the evil, than by a petition to the Lords, to be signed by all the army clothiers, corset-makers, kid glove dealers, and highly-polished *blunt* sword manufacturers in the kingdom, praying to be heard by their counsel at the bar of their Lordships' House, against such an abominable innovation.

H. S. C.

POSTSCRIPT.—Seriously: a Committee of the House of Commons should be appointed, to inquire into the effects of the several modes of obtaining promotion upon the efficiency of the army. A comparison between our own educated corps—the Engineers and Artillery, with the rest of our army, where rank is purchasable, would solve part, but part only, of the question. There would still remain that portion of the inquiry which relates to what is technically called—"rising from the ranks."

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## CONDUCT OF THE AUTHORITIES TOWARDS THE UNSTAMPED PRESS.

THE conduct of the creatures of the Whig Government towards the proprietors, printers and venders of the Unstamped Newspapers, reminds me of that of the bullying, cowardly schoolboy, while undiscovered the terror, but finally the butt of the veriest urchin of the lowest form. He begins by putting on a hectoring tone and air, swaggering among his equals, and threatening all around him. At first the plan succeeds, and he tyrannises to his heart's content. Presently one of his schoolfellows, somewhat more confident of his own powers than the rest, and goaded to resistance, determines to measure strength with the bully. He does so, and conquers. By and bye boys of minor power are

emboldened to resist, and the same result takes place. Defeat now succeeds defeat, till at last the crest-fallen boaster, reduced to his just position, becomes an object of contempt to those over whom he had previously tyrannised.

Precisely similar to this was the conduct of the authorities towards all concerned in the Unstamped Press, from the proprietors and conductors downwards first to the poor printer, and from him to the miserable, defenceless, starving creature who was driven to sell an Unstamped Paper at the corner of the street, in order to get a pennyworth of taxed Bread for his famished wife and children.

The proprietors were the first to measure their strength with the authorities. The struggle was arduous and protracted, but the perseverance, courage, and address of the former prevailed, and the beaten myrmidons of the Stamp Office tacitly acknowledged their defeat by shifting their attacks to weaker opponents—the printers of the forbidden works. The cowardly manner in which they proceeded has already been described, in an article entitled “Persecution of the Unstamped Press.” Here they were driven from their ground by popular odium, and at last they were brought to a confession that “It was impossible to proceed against the printers of the Unstamped Press.”

Thus beaten in almost every way, the wretched street-vender became the only being on whom they could wreak their dastardly vengeance. I say vengeance, because prevention of the offence was and is out of the question. Were the authorities to incarcerate a thousand victims, the poverty of London would furnish forth a thousand more before the rising of the morrow's sun. But even from this last ground have they been driven, by a recent decision of Mr HALLS, the magistrate, as the following report will show:—

“THE UNSTAMPED.—*Martin Robinson*, who handed in a petition to the Magistrates, was charged by ROBERT CURRIE, a common informer, with exposing for sale on Saturday night, in Clare Street, Clare Market, the *Weekly Police Gazette* and *Twopenny Dispatch*. The prisoner had only been very lately sent to prison for fifteen days for the

same offence. Mr HALLS observed that it was very painful for him to send a poor man, who had seen better days, to prison for selling such publications, when it was notorious that they were exhibited in shops all over the town. It was placing the Magistrates in a very awkward predicament. Had the prisoner been ignorant of the law, and had he not been punished for the same offence before, he should have attended to his petition. He would punish the prisoner with a month's confinement, but it would be the last time he would ever commit another under such circumstances, as the offence was evidently connived at in others, which had rendered the law totally powerless.”

The conduct of Mr HALLS on this occasion, merits the warmest commendation. By his good judgment and humanity, he has most probably put a stop to such disgraceful proceedings against the weakest of the offenders, under a most obnoxious law. The only class which the Stamp Office people have lately dared to cope with, are by this decision screened from the vengeance of these malignants. Let us hope that the wise and benevolent decision of Mr HALLS will have a good effect upon his fellow Magistrates, and that they will see the injustice of permitting the oppression of a weak class of citizens, under a law which is impotent against a stronger class, and the folly, not to say the extreme iniquity, of continuing to execute a law which has been repeatedly declared to have failed in attaining one single end for which it was made.

H. S. CHAPMAN.

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## THE REGISTRATION.

THE Conservative and Liberal parties both lay claim to a considerable gain on the present year's Registration. The Conservatives ground their statement on the vast number of objections they

have succeeded in maintaining; which argument the Liberals meet by citing the increase in the number of Liberals registered, which, say they, is sufficiently large to enable the Liberal party

to afford to the Conservatives the rejection of twice as many as they have succeeded in rejecting.

It is as yet quite impossible to make any accurate estimate of the truth. This much, however, may be affirmed, that if the statements which have appeared in the provincial papers be correct, the Liberals,—including under that term the Whigs, for the present purpose,—have really gained considerable ground.

When it is stated, however, that the Conservatives have expended vast sums of money in most of the boroughs—bringing, thereby, into play all the vexatious machinery of Agents, Attorneys, &c., which money, so readily put in motion, it will easily be believed that the “gain” has not been without considerable personal sacrifice. In one county alone, 5,000*l.* is said to have been expended upon those clogs upon the franchise which I have just named—By a Scotch paper the Registration has been characterized as “a most harass-

ing business for the Liberals.” And such indeed it is. The expensiveness of the Registration, and the loss of time it involves, are in themselves a cause of extensive disfranchisement. I myself am acquainted with several persons who could not afford the time to attend to answer objections, and to whom it was not convenient to employ an agent.

The defects of the system of registration have been rendered abundantly apparent by the events of the present year. The proceedings of the Revising Barristers’ Courts will afford ample evidence in favour of a radical change in this obnoxious portion of the Reform Act; but as the question involves matters of too great importance to be dismissed at the fag end of an article, I must take another opportunity of going into the question at length, unless, indeed, some more fit person take up the pen, in which case I shall cheerfully give way.

H. S. C.

### Advertisements.

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# A CHURCH, WHAT? A STATE CHURCH, WHAT?

By J. A. ROEBUCK, M.P.

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LEGAL WISDOM—THE REVISING BARRISTERS.

By J. A. R.

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SOBRIETY OF THE WORKING CLASS—THE  
GIN PALACE FALLACY.

By H. S. CHAPMAN.

EDITED BY

# J. A. ROEBUCK, M.P.

[PRICE THREE HALFPENCE.]

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## A CHURCH, WHAT? A STATE CHURCH, WHAT?

WE hear much talk of *the* CHURCH.—It is every now and then said to be in imminent danger: It is always of immense service—it is never in the wrong. But we are seldom told what the Church really is. In order to supply this deficiency, the following description has been attempted.

In the early times of Christianity its professors constituted but a small and insignificant minority of the People among whom they lived. In the midst of surrounding Jews or Pagans, they lived in small and detached assemblies, united by the bond of a common faith, and common observances. They were accustomed to call each of these collections of Christians, the Assembly, or Meeting, or Ecclesia, or *the Church*. In Jerusalem, for example, the small body of Christians lived together, had all things in common, and endeavoured to distinguish themselves from the Jews

around them. In speaking of themselves they were accustomed to call themselves the *Ecclesia*, or *Assembly*, or *Church* of Jerusalem. In Antioch, in Rome, and in the other places in which the Christians were, they did the same thing; and thus we have them speaking of the Churches of Jerusalem, of Antioch, of Rome, and so on.

In the same way that each little community of Christians desired to separate and distinguish itself from the enemies of their faith among whom they dwelled, and to live in one united band or company, so did the whole body of Christians, in whatever country, desire to consider themselves of one united flock, and to be distinguished by one common name. Thus the various Assemblies or Churches of Jerusalem, of Antioch, Corinth, Rome, &c., were all called the Assembly or Church of Christ.—As Christians in

Rome, for example, were united by the circumstance of their being of one faith, so were all the Christians of the whole world united by the same circumstance. Therefore, when speaking of the Christians collectively who lived in Rome, a Christian of those early days would have called them the Church of Rome; when speaking of the Christians in the world at large, he would have called them the Church of Christ.

The great tendency of all language is towards abbreviation; and one great leading principle of human nature is to exalt ourselves. Thus, in process of time, the Christians introduced the expression simply of the CHURCH; and it was quickly understood to mean themselves alone:—they were the Assembly or Church, by excellence.

This is a very common process, and may be observed in the case of every separate sect or community. The Reformers, in their early days, were accustomed to speak of their religion, as *the religion*, and *the faith*: and the various denominations of dissenters at the present day, are in the habit, each in its own case, of calling themselves, *the congregation*, or *the meeting*. The expression is not in reality intended to signify that there are no other congregations, or no other meetings—but is used merely as a distinctive mark for their own peculiar sect or community. An instance of the same kind of proceeding in language was afforded by the Athenian and Roman people when speaking about their respective towns. When an Athenian said—*the city*, he meant Athens—when a Roman used the same expression, he meant Rome: and after the permanent establishment of the Roman dominion, the expression going “*ad urbem*”—to the city, always signified going to Rome. The speaker did not thereby signify that there were no other cities; but he used this form of expression to designate the chief

city in his opinion. He used it, both for the sake of brevity and vanity.

The Church, then, in this signification of the term, means *the persons of the Christian faith, united together by the bond of that faith*. Paul, one of the earliest teachers of Christianity, distinguishes the meaning of the term with accuracy. He directs one of his epistles “unto the *church* of God, which is at Corinth; to them which are sanctified in Christ Jesus, called to be saints,” &c. Another epistle he addresses “unto the *churches* of Galatia.” Now, as there is but one church of God, and as there were many churches in Galatia, it is clear that the distinction which I have mentioned above, even then existed. Any assembly of Christians at a particular place, was called the Assembly or Church of that place, while Christians collectively were denominated the Assembly or Church of God in Christ.

It must be recollected that this Assembly or Church, these Assemblies or Churches, existed all within one empire. All the various Assemblies or Churches were equally worthy, and the division was merely one of place, and not of faith. The faith of the Church of Galatia was the same as that of the Church of Antioch or Corinth. Separate churches in those days did not mean *hostile* ones.

It must also be borne in mind, that this Union, or Assembly, or Church, for purely spiritual purposes. The religion of the heathen world was a purely temporal affair. The aid of the Gods was sought in order that the people might prosper here on earth; and the Priesthood of Rome, maintained and fed by the state, were deemed of essential service to the state, in procuring for the people the good will of the Gods.

The religion of the Christian has a different end and purpose. Prosperity

in this life was distinctly stated to be no sign of the Divine favour; on the contrary, the doctrine was carefully inculcated, that whom "the Lord loveth, he chasteneth." The end of the Christian religion was happiness hereafter. It was a business separate and apart from worldly concerns, and was expressly ordered to be so divided.

Thus, then, a Christian people might be considered in two points of view: first in a temporal, and secondly in a religious light. In the first they were united for social purposes; they had magistrates and laws relating to those circumstances. They also united for religious purposes, and they had magistrates and laws relating to these circumstances.

When speaking of themselves in this second, or religious point of view, the Christians were accustomed to call themselves *a Church*, *the Church*. The important circumstance was, they were united by one common faith, for the pursuit of one common end, viz. eternal happiness.

It is evident that the *State* and the *Church* are two things in this way only—they are the same people viewed under two different aspects. In the same way, any individual may be called two things; John, for example, is a citizen, but John is also a Christian. The same John is both; that is to say, when you call John a citizen, you consider him in one point of view—when you call him a Christian, you look at him in another.

How does it happen, then, that we find the two words *State* and *Church* united in this sentence—"a *State Church*?" It is clear that the phrase "*citizen Christian*" would puzzle us. What has induced mankind to unite into one denomination matters so wholly heterogeneous? The answer to this question is not difficult.

I have not long since said, that the

People uniting for religious purposes, had laws and Magistrates in relation to those purposes. In the early Christian Church, those whom by analogy I have termed Magistrates, were of two orders only—*Overlookers* or *Presbyters*, and *Deacons*. The *Presbyters*, that is, old men, were appointed *Overlookers*; and to aid them had certain *young men*, that is, *Deacons*.

In the very early days of Christianity, the business of an *Overlooker* (*episcopos*, from whence our word *Bishop*) was exceedingly multifarious. At that time the Christians often lived in common; and to govern this community and provide for its wants, was the business of an *Overlooker*. He prayed with, and he instructed the People.

To this office the most worthy and efficient from among the People was elected by the People.

In process of time, as the communities of Christians increased, the office of *Overlooker* became more important. In a few centuries the simple form of government adopted by the original Assemblies or Churches of Christians was corrupted by imitations of the proceedings, dresses, and even form of worship adopted by the Roman Priesthood. The Priesthood became a separate class, and considered themselves to have interests peculiar to themselves.

In the ancient times, as I have said, the community of the faithful were denominated the *Church*: the vanity of the Priesthood soon arrogated that term to themselves. They attempted to confound the interests of religion with their own interests. The interests of the *Church*, they quickly inculcated, were identical with those of the Priesthood, and the transition was easy to the making *Church* and Priesthood one. In common language it soon came to be understood, that if you spoke of the *Church* without further explanation, you thereby signified the Priesthood.

In process of time also, divisions unhappily arose among the brethren of Christians; they separated themselves off into separate sects, and each sect had its own body of Priests, and each body of Priests called themselves the Church. Europe, however, long remained under the sway, as regarded religion, of what is now termed the Papal Priesthood. This Priesthood was maintained partly by the nation, and partly by estates which the nation allowed the Priesthood to hold after the fashion of a corporation.

When that division took place which is called the Reformation, multitudes of sects arose; and, as before, every sect had its own Priesthood, and these different Priesthoods arrogated to themselves the title of Church. In different countries the State or Government favoured different sects, and generally the manner in which they evinced their favour was, by declaring the peculiar tenets of the favoured sect to be the true tenets, and by paying the Priesthood of that sect. Thus, in England, HENRY VIII. threw off the Papal dominion, and established a set of tenets which he declared to be true, and ordered all his subjects, upon pain of death for disobedience, to believe these said tenets. A Priesthood was quickly found for a religion with a King at its head; and, after sundry revolutions, finally, in the reign of ELIZABETH, the Reformed Anglican Religion was established in England. The people of this faith constitute, strictly speaking, the Church of England; and the tenets of these people are maintained by the governing body of the country, by the State; and as the Priesthood are paid by the same, this Church is called the State Church of England. But as the Priesthood of this Church, like that of all others, have arrogated to themselves the title and denomination of Church, the State Church of England in ordinary, but incorrect language,

signifies the Priesthood of the Church whose tenets are maintained, and Priesthood paid by the State—the word State here not signifying the whole body of the People, but simply the governing power.

We may now arrive at a correct understanding of what is really intended by the many expressions now so freely used respecting the danger of the Church. It is quite evident that thereby it cannot be intended that the great body of the People of England who are of the faith which distinguishes this Church, are really in any temporal danger. But it must mean one or both of two things. It must mean, either that tenets which distinguish this Church are likely to be no longer held by the People, or that the Priesthood are likely to be no longer paid by the State. Now, without any very great violence upon any man's belief, I think we may all conclude that the cry of "the Church is in danger" is raised by those who dread the loss of pay, and not by those who fear a change of tenets. And I am the more inclined to believe that such is really the sort of thing dreaded, because the dread is a very reasonable one: There is much danger that the payment of the Priesthood by the State will actually cease; every reasonable man must acknowledge this. But, on the other hand, no man in his senses, or not blinded by passion and interest, can believe that the tenets of the People are in any danger. We do not find that the tenets of the Dissenters are less firmly held because their religious teachers are not paid by the State; neither is there any fear entertained by any one that the Catholics of Ireland are likely suddenly to be deprived of their religion; and yet the Catholics of Ireland pay their own Priesthood without aid from the State. We ought to give those who utter the cry of "the Church in danger" the benefit of this distinction, and out of



charity suppose that they intend what is reasonable. Their dread is lest they lose the pay, not that their religion should all at once be filched from them.

That the Priests will lose their pay without a serious outcry, no one need anticipate; but, luckily, the priestly weapons are not very dangerous at the present time. Some ages since the matter would have borne a different look, but now no one need be terrified respecting priestly vengeance. The worst they can do is to bring false accusations; and this, we may be assured, they will most freely attempt. The chief accusation will be irreligion; and I have little doubt but that the explanation which I have here attempted (and which I venture to affirm is in the highest degree orthodox and sound) will be denounced as savouring of infidelity. To take the Apostles for one's guide, when they lead to conclusions opposite to the reception of pay, must appear irreligious to those in whose minds pay and religion are inseparable. Anything that militates against much money and little work is, in its very nature, heretical with those to whom the sweet and savour of religion is the money that it will bring. Any one that can persuade himself that the gorgeous appointments of the Archbishop of CANTERBURY are compatible with the humbleness and meekness of a Christian Bishop, can easily, by the same process, arrive at the conclusion that a correct account of the Apostolic Churches is a venomous libel upon the Church of England. An hallucination of this sort is no uncommon affair: doubtless there are many orthodox yet drunken followers of the precepts of the Koran; and many a pious courtesan has for her patroness the chaste and virgin mother of God. The robber who blows out your brains, and adores Christ on the cross, are apt specimens of the same state of mind.

One of the favourite statements of those who cry out that "the Church is in danger," is, that the property of the Church is as much the property of the Priesthood as Woburn Abbey is the property of the Duke of BEDFORD. This fallacy would never have been listened to, had the explanation above given of the meaning of the term Church been steadily fixed in the minds of the People.

Uniting for the purposes of religion, a given People—say the People of England—thought fit to set apart certain lands for their own religious uses. The property was indeed the property of the *Church*; or, using the definition for the word defined, the property of the People of England, united together by the bond of a common faith; in other words, it is the property of the Nation or People, viewed in their capacity of Christians. It so happened that the People chose to change their religion; in other words, they broke up their former religious community, and formed a new one. At this dissolution of the old community much of the property was taken by the governing power, and turned to other uses; a great portion, however, remained, and the same governing power declared that it should be applied to the purposes of religion. Hereupon the Priesthood step in and say, "this is Church property; Church and Priesthood are identical; therefore it is our property—Priesthood property." Was ever anything so preposterous? The property belongs to the People, in their capacity of a Church or religious Assembly; hitherto they have employed it in over-paying an idle Priesthood. They are fast coming to the conclusion that the interests of religion would be better promoted by a different mode of providing for their religious expenses, and they therefore determine no longer to apply the property hitherto dedicated to this service in the way formerly

adopted. Hereupon a band of expectants rise up, and call it their property; they confound the various meanings of the word Church, and endeavour to make it considered to be spoliation for the People to use their own property as their best judgment shall determine.

I will close these observations by stating the various meanings in which the term CHURCH has been applied.

1. The great body of those professing Christianity.

2. Any particular portion of this larger body, living in a particular place.

3. Any particular portion of Christians holding peculiar and distinctive opinions, and subject to a separate Church government.

4. The Priesthood of any church, or assembly, or sect. (This is now by far the most common use of the term.)

5. A place of worship. The building in which the Church, that is, the People, assembled. J. A. ROEBUCK.

## LEGAL WISDOM—THE REVISING BARRISTERS.

THE following extracts from various country Newspapers, describing the wise doings of the Revising Barristers, suggest considerations that embrace topics even yet more important than the Registration of Voters. The whole administration of justice in this country is infected with the evil which appears in these cases after so astounding a fashion; and it behoves the People seriously to consider of the means by which so fatal a plague may be completely and permanently eradicated.

I place the extracts at once before the reader; and beg his most careful attention to one and all of them.

Under the *old* system, the Constituency, at least knew what they had to trust to. Their rights were clearly defined, easily maintained, and jealously guarded from invasion, as from abuse, by the law of the land. Now, the elector holds such rights as have been ostensibly vouchsafed to him by 'the Bill, the whole Bill, and nothing but the Bill'—(which, indeed, was '*Bill et preterea nihil*,')—on so frail a tenure, as to be dependent on the ignorance or the sagacity, the neglect or the diligence, of a parish officer;—the captious objection, or the trickery of a political opponent;—or the ever-varying interpretation of legal and verbal technicalities by Revising Barristers. Under the *new* system, the voter of this year will most probably be disfranchised in the next; and without any criminal, unworthy, or even questionable act on his part."—*Leamington Courier*.

WELLS.—REGISTRATION OF VOTERS. — The Revising Barristers, Oxenham and Stevens, Esqrs., attended here on Wednesday and Thursday, when a remarkable scene took place. Mr Fowles had objected to the greater part of the claims within the liberty of St Andrew, principally those of the Dean and Chapter of the Cathedral; but the service of the required

notices being denied, the Barristers required from Mr F. copies of those he professed to have served, and, after repeated ineffectual attempts, on the Wednesday, to substantiate by his oath the copies tendered by him to the Court (many of which were *prima facie* and glaringly incorrect), the Barristers declined to receive his oath on the subject, unless corroborated by collateral evidence; the merits of the claims of these gentlemen, in respect of the offices they hold in the Cathedral, were, therefore, not discussed, and their names consequently remain on the register.

The utmost inattention and ignorance were betrayed by many of the overseers, *insomuch that the voters of several whole parishes were expunged from the register*; and it would be well if overseers would be advised by this circumstance to obtain professional or other proper assistance in the preparation of their lists, &c., for it is evident that many, from their habits of life, cannot be conversant with the intricate details of Acts of Parliament; and there are instances, of the least possible apparent consequence, in which a trifling departure from the letter of the Act involves on the parish considerable difficulty, unpleasantness, and, possibly, expense. It is understood that the result of the revision of the county lists in this district is in favour of the Conservative interest.—The following are the parishes that have been disfranchised, *in consequence of the lists not being properly signed by the overseers*:—Paulton, Chilcompton, Chewton Mendip, Hinton Blewett, Portishead, Uphill, and the populous village of Wrington.—One of the overseers at Congresbury objected to the votes of five or six Conservatives, but not one of them were sustained, in consequence of the word *objection* having been written against the names, instead of *objected to*.

BATH.—The Court for the revision of the lists for the parishes of the city of Bath, and the hundreds of Bathforum and Wellow, &c., in the Eastern Division of the county of Somerset, was opened on Monday, at the White Lion Inn, in this city, before G. N. Oxenham and A. J. Stephens, Esqrs.

Monckton Coombe was postponed, *the assistant overseer being unable to prove the transmission of the proper list to the clerk of the peace*.

Combehay.—The list affixed to the church door was signed by only one overseer, though

the names of both were attached. List rejected, and the parish disfranchised.

*Swainswick*.—The overseer in attendance had transmitted a list, but *could not swear to having sent the original list* to the clerk of the peace, it having been left with the printer for his use. Decision deferred.

*Dunkerton*.—This list was signed by the assistant overseer, but *not signed or authorized by the two overseers*. List rejected, and parish disfranchised.

*Freshford*.—*The list produced was not signed*. The original list was not sent to the clerk of the peace. Decision deferred.

*Kelson*.—A similar case. Decision deferred.

*Englishcombe*.—The list was *signed by one overseer only, when affixed*; but after publication the other overseer signed. List rejected, and parish disfranchised.

*Claverton*.—This list was not proved to have been sent to the clerk of the peace. Decision deferred.

The following lists were passed, reserving for after-decision the objections to individuals:—Bathford, St Catherine, Langridge, Weston, Batheaston, Charlcombe, Northstoke, Hardington.

#### TUESDAY AND WEDNESDAY.

The following parishes were wholly disfranchised on account of informalities of the overseers with regard to the preparation of the lists:—Timsbury, Publow, Wellow, Kelson, Monckton Coombe, Claverton, Buckland Denham.

ST MICHAEL'S, BATH.—The county voters in this parish have also been disfranchised *through an informality*. This case appears to be one of peculiar hardship, inasmuch as the overseers had rigidly complied with the *spirit* of the Act. Their notices were all published in due time, and the directions of the Act strictly complied with, *with the exception of their having sent to the high constable a copy of their list instead of the original*; an objection of so frivolous and vexatious a character, that if it had been strictly insisted upon in every case, nearly the whole division of the county would have been disfranchised. The overseers produced the original list from which their copy had been made, and upon oath verified its authenticity, and its being that from which their copy was made. As the Revising Barristers have upon former occasions received copies, and, indeed, at this revision the other Barrister, Mr Stephens, has in a parallel case done so, it does seem to be peculiarly unjust towards this parish—more especially as, to use the expression of the Barrister (Mr Oxenham) who rejected the list, they had, in other cases (*viz.* at Saltford) “*twisted and turned the law*.”

ST PETER AND ST PAUL, BATH.—The case of this parish was similar to that of St Michael. The overseers sent the high constable a *copy* of the list instead of the original. The disfranchisement of the abbey parish is, however, of little import, as most of the claimants are qualified in other parishes.

REVISION OF VOTERS FOR THE BOROUGH OF BATH.—Yesterday, the Barristers, William M. Praed and John Greenwood, Esqrs, attended a Court, at the Guildhall in this city, for the purpose of revising the Lists of Voters for the Borough of Bath. The chief feature in the day's proceedings had reference to two or three

individuals, who claimed a right of voting on the ground of their occupancy of certain houses which they let out for lodgings; at the same time having their actual residence elsewhere.

The first case of this kind which came before the Court was that of Samuel Nicholls, on whom notice of objection had been served in respect of the house, No. 48 Pulteney street. It appeared that the house had been at various times let out to lodgers, Mr Nicholls retaining possession thereof by his servant, who constantly slept on the premises. Mr N. had at all times access thereto; and he frequently slept there himself. The servant, whether rendering service to the lodgers or otherwise, was always paid by Mr Nicholls, and subject to his dismissal at pleasure. A question was here raised as to the actual value of that part of the premises (when fully let), which was occupied for the use of the servant, and which being stated by Mr N. to be more than 10% per annum, the Learned Gentleman stated that, as it was very probable that many cases of a similar character might be brought before the Court, they should for the present postpone their decision, as facts might be hereafter adduced, tending more fully to elucidate the validity of this alleged qualification.

In the Revision Court, at Brighton, on the 30th (Sept.), we find the following matter reported in the *Tory Brighton Gazette*:—

“On the name of John Smith being read over—

“Mr Good, overseer, objected to him for neglecting to send in a new claim on changing his residence. He conceived that the 36th clause was imperative on persons changing their residence to send in a fresh claim, and quoted the following portion of the clause:—‘No person whose name shall be upon such register for the time being, shall be required thereafter to make any such claim as aforesaid, so long as he shall retain the same qualification, and continue in the same place of abode described in such register.’ Now, as Mr Smith had not continued in the same place of abode, in his opinion the Act disfranchised him.

“Mr Deedes, to meet the objection, quoted a portion of the 37th clause, by which it appears that if an overseer believes that the person claiming is not entitled to vote, he may have power to add the words ‘objected to.’ But in this case *the qualification* was not disputed; therefore it turned merely upon the change of residence, and he was not quite sure whether the overseers were acting strictly within the meaning of the Act, by putting the words ‘objected to.’ Notwithstanding, he thought the responsibility ought to attach to the voter.

“Mr F. Cooper said he was prepared to prove that Mr Smith lived at 1 Hanover place. (He was described as living on the London road.)

“Mr Deedes said the question was whether they had power to alter it.

“Mr Good said that in sixteen or seventeen cases similar to this the parties had sent in their claims.

“Mr Deedes approved of their doing so.

“Mr Kell said there had been no difficulty *in other parts of the county*. If the residence could be supplied, that was deemed sufficient.

“Sir Walter Riddell said that *the object* of

the Act was to give persons a vote who could *prove* their qualification. He conceived they had no right to insert the words 'objected to,' unless they were satisfied that the party was not properly qualified. He thought that, to construe the Act liberally, the name should be retained.—*Deficiency supplied, and the name retained.*

"Sir David Scott, Bart.—A case similar to Smith's; residence supplied, and name retained."

Now, without finding fault with this decision, let us turn to another under similar facts, which was given on revising the lists for South Warwickshire, at Stratford-on-Avon, on the 23rd of September last, by Mr Humsfrey, a leading man at the Bar on the Midland Circuit:—

"BIDFORD.—Edward Ashwin was opposed by Mr Hobbes, under the 37th section of the Reform Act, on the ground that he had changed his residence without sending in a fresh claim. The claimant was examined by Mr Patterson, and stated that he had given in his residence, in his first claim, as being in High street, Stratford-upon-Avon, and that he had since removed, retaining his former qualification, but he had not sent in a new claim stating his removal from his residence.

"By Mr Humsfrey: He had no fixed place of residence now; he was now tenant in two different places.

"By Mr Patterson: He believed that he did not live in High street on the 31st of July last.

"Mr Hobbes said he thought it quite clear that the claimant did not live in the same place as he did when he gave in his claim to be registered, nor could it be said that the claimant was correctly described on that register, for he did not live in High street.

"Mr Patterson contended that it was not necessary that a person should continue to live in the same street. The change in this case was only from one house to another, within a few doors distance, and there could not, by possibility, be any intention to defraud, by the claimant not having sent in a fresh claim. It had been decided the other day that 'Dublin' was a sufficient description of the place of residence of a voter, who held a qualification in this county; and surely, if such were the case, there could be no objection to the claimant being described as a resident of a small borough like that of Stratford-upon-Avon.

"The Barrister said, that if 'Stratford-upon-Avon' had been alone presented in the claim, and High street had been omitted, why, then, change of residence from one street to another would not, perhaps, have caused any objection; but here was the claimant residing in High street, and he had changed his residence without sending in a new claim, which the law demanded. The words of the Act were—'so long as he shall retain the same qualification, and continue in the same place of abode described in such register,' he shall remain entitled to a vote. It was hardly possible that that vote could be allowed.

"Mr Ashwin said that *now* he had no fixed place of residence, and that he should *not know* how to describe himself if he wanted to claim.

"In reply to a question by Mr Hobbes, the claimant said that he still occupied the same

house to which he had removed from High street.

"By Mr Patterson: The White Lion was one of his places of residence for the present time; he was not living in High street at the time of the last register, and there was no objection made *then*. He had changed his residence about a year and nine months.

"The Barrister: That is of no consequence; few objections were taken last year at the registration, by either party.

"Mr Hobbes said that if the words 'High street' had been left out, then the only question would have been as to whether a change was contemplated by the act, in a removal in a town, from one house to another.

"The Barrister: *Yes, certainly.*

"Mr Patterson said that at the time of registering last year, the claimant was on the register for High street, while he had removed from there some time previous.

"The Barrister said he saw that he was; but as he did not live in High street now, how was he (Mr H.) to say that the claimant remained in the same place of abode as that described in the register? and which the Act said was requisite. As to what had been said about the name of the town being sufficient, it appeared to him very doubtful; he thought that the name of the particular place should be mentioned; for, if that argument were good, a man might claim as a resident of London, and yet change his residence, without giving notice that he had done so, though he might still be in London. *The claim would certainly not do.*—Claim disallowed."—*Leamington Courier.*

Then again, notwithstanding all this trouble and expense, what security have the people in the decisions of the Barristers in their respective Courts? They are as varying as the climate in which we live. No man knows—no man can know when he has secured his vote, or in what manner he can proceed safely in order to secure it. We have one law for Warwickshire, and another for Sussex, both brought into operation from the same Act of Parliament, and each administered by a "Barrister learned in the law." Mr Clarkson, the other day, recommended the electors of Leeds\* to do that which, by his decision, he held to be unnecessary, "AS OTHER BARRISTERS MIGHT DECIDE DIFFERENTLY!"

Now, what a monstrous state of things is this! Here is a JUDGE, against whose decision there is no appeal, openly avowing and telling the people to their teeth there is no dependence to be placed in the permanency of his decisions, and that his successor may, upon the same facts, decide directly the reverse. Now, what security can the people have in such a state of things? Here is a fine field in which the attorneys can ply their vocation. In order to shew the sort of objections these gentlemen are disposed to avail themselves of, taking the chance of Mr Clarkson's avowed uncertainty of the Barrister's decision, we extract the fol-

\* The Leeds case has been already noticed in a former Pamphlet in an article entitled "Liberal decision of a revising Barrister." The decision was, that the non-payment of the registration shilling was not a legal cause of disfranchisement.

lowing from the *Times*, relative to the voters for Middlesex:—

“(Before Mr COVENTRY).

“ST LUKE’S PARISH.—Thomas Lee and five other persons claimed for a rent-charge. They were objected to by the Conservatives.

“Mr Dimes, a solicitor, submitted that the notice was not good, inasmuch as it was printed, whereas the Act of Parliament required that the notice should be in writing.

“Mr COVENTRY decided that it was a valid notice, as it was signed in writing.

“PARISH OF HACKNEY.—Mr Coppock objected to the reception of the overseers’ list. The directions of the Act were, that the words ‘objected to’ should be placed opposite the name of the party objected to; whereas, in the lists sent in by the overseers of this parish, those words were written on the right-hand side of the list, and consequently opposite the qualification, and not opposite the name, in compliance with the terms of the Act of Parliament.

“Mr COVENTRY thought there was nothing in the objection.”—*Brighton Patriot*.

Throughout all these proceedings we perceive the same mischievous spirit that pervades the acts of every court in this kingdom. Law, in the opinion of Lawyers, is not deemed a means to the end which the world at large believe it to be. Law, in their opinion, is a species of game, and the end is the pleasure of playing it. Mankind, generally, believe it the rule by which rights are determined; and the administration of the law, the actually determining or apportioning such rights as come into dispute. For example, A lays claim to a field; B denies the justice of this claim; thereupon A goes to the Judge, and requires of him to determine to whom the field does, according to the rule of law, belong. In such a case, common sense would dictate to the Judge the following proceeding:—

1. He would ask A on what ground he claimed the field.

Hereupon A would state the ground.

The Judge would at once be able to decide one point, viz. whether the grounds, supposing them not controverted, be sufficient to justify the claim; if not, he would dismiss the claim at once; but, if it were sufficient, he would then make

2. Application to B, and ask him

what he had to say in answer to this claim.

Suppose, for example, that A had said, “I bought the field in question on such a day.” This fact, if not opposed by some other fact, would be sufficient to constitute the claim of A. Now the Judge says to B, what have you to say to this?

B might answer in the following ways:—

1. First, he might deny the assertion altogether.

2. He might say, true; he bought the field, but he sold it to me since.

Or,

3. He might say, the sale was fraudulent or not complete; or the land was not the property of the person who sold it to A, &c.

If B answered in the first way, the Judge would turn to A and say, B denies your assertion; what proof have you of the sale?

Hereupon A would bring evidence.

If B answered in the second way, the Judge would ask A what he had to say to B’s assertion; and he might say it was false. Hereupon B would be called on to prove his statement.

We need not pursue this illustration further. By it the reader, however, must perceive that the process of adjudication might be rendered simply the pursuit of truth. If he know anything of English law he must know that this is a very different process from that which our courts pursue. The thoroughbred Lawyer never asks what the real state of the case is. The Judge never troubles himself about the important circumstances of the transaction, but inquires if certain formalities have been gone through; and should he discover any error in the performance of these formalities, he at once determines that he committing such error, shall, for the time at least, lose his right, or be kept out of his demand.

The Revising Barristers have pursued a course precisely similar.

The Legislature has determined that, before a man be entitled to vote for a member of Parliament, he shall (for example, say, in a borough) be in possession of premises of the yearly value of 10*l.*; and that he shall have held such premises or others of equal value one year.

The really important, the only important points here are—1. The value of the premises: 2. The time they have been held.

And the business of the Barristers ought to be, to see that no one be on the list of voters who has not the requisite premises, or who has not held them for the required time; and that no one should be off the list who is possessed of the required qualification.

It is evident that the Legislature's intention was, that every man in a Borough sending a member to Parliament, who has premises worth 10*l.* a year, and who has held such premises for one year, should have the right to vote. And it is equally clear that anything which goes to give such persons the right of voting really furthers the intention of the Legislature; and everything which prevents such a person from possessing the right to vote frustrates the Legislature's intention.

SWIFT gives a ludicrous account of the proceedings of English lawyers in a case wherein a cow was in dispute. They did not endeavour, he says, to discover to whom the cow really belonged, but were exceedingly anxious to learn whether the field in which she was milked was round or square. This description is not more extravagant than some of the proceedings above described. Having to determine, for example, whether the persons on a given list are possessed of premises worth 10*l.* a year, the Barrister begins by wishing to know whether the list is

*printed* or written. What possible difference can it make whether the name of JOHN STYLES have been put on the paper with types or with a pen? JOHN STYLES says his house is worth 10*l.* a year, and that he has lived in it a year; and, therefore, the Barrister wishes to know whether the name of JOHN STYLES was written or printed. There is his name *printed*; everybody knows that the individual, JOHN STYLES, in the Court, is the JOHN STYLES intended. The Barrister knows it also. But for the Barrister's wisdom this is not enough. Who knows what might be done? No one can say what errors may occur, so I will not believe my eyes nor my ears, and I say I do not see JOHN STYLES, that I do not hear JOHN STYLES, and furthermore I declare that JOHN STYLES shall have no right of voting!

So in the case of signing the lists. The signature is but a means to an end: authenticity. If the signature be omitted it does not at once follow that the list is not authentic. The signature not being affixed, the list requires some other authentication. The Overseer is before the Barrister. Did you make out this list? I did. Is it correct? It is. What more could be attained by the signature? But, no, this is not sufficient for lawyers' wisdom. God knows only what might happen, so I shall disfranchise a whole parish, by determining not to receive the list which I know, and everybody else knows, to be authentic.

Again: having to inquire whether the voters of a certain parish had the requisite qualification, had held their premises one year, and paid their rates and taxes, the Barrister taking up the list, begins with something like this inquiry. Barrister: Is this list original?—Overseer: I cannot say. It is authentic; that is my signature, and I have compared the names with the rate book.

It is not the list that was first written, for that was sent to the printers. Barrister: Did you destroy that list sent to the printers before the 24th of August (stating some day)?—Overseer: I do not know.—Barrister: Can you swear that you did?—Overseer: No, I cannot.—Barrister: Then I will not receive this list, and the whole parish is disfranchised.

Now, consider the absurdity of this proceeding. The really important circumstances are, first, that no person not duly qualified as above described (the incidents of qualification being three-fold, the having premises of a certain value, the having possessed them a given time, and the having paid the rates and taxes by him due); that no person not thus duly qualified should be allowed to be on the list of voters. The second, that every person duly qualified and claiming to vote should be on it. The law has provided certain guards by which to secure the correctness of the list. It imposes certain forms and duties on the Overseers, in order to insure correctness. But these forms are but means to an end, the end being correctness—and this end is not to be sacrificed to the form. Now it should be remembered that the list is far more incorrect now that the whole parish is disfranchised, than it could by possibility have been if the Overseers' list had been revised. The list of voters is correct when all duly qualified are on, all not duly qualified are off the list. Now here at one blow hundreds duly qualified are struck off, and the list made grossly incorrect by the ignorance and blundering of the Barrister.

Further, what security for correctness is derived from the Overseer having destroyed the former list? There was floating, I suppose, in this lawyer's unhappy brain some notion which he had derived from the dim luminaries of

the English law, respecting the best evidence. He must take the best evidence. The best evidence is the original, says the sapient lawyer, and if that exist it must be adduced. If it do not exist, I will take second best evidence; but you must prove that the best does not exist. Just look at these facts, reader, like a plain man, not troubled with lawyer acumen. The Overseer swears that the original, as it is called, is destroyed. The lawyer receives the list offered, well knowing it to be a correct list. But he does not know it to be correct because the overseer has sworn that another has been destroyed; he derives that knowledge from a very different set of circumstances, all of which were before him, and had already produced the effect upon his mind before the oath was taken. Not one tittle of security was added by the oath, but, forsooth, a rule of law was adhered to; a rule, to say the least of it, that is as stupid as its effects are mischievous. What difference could result from the circumstance of a dirty list of voters, handled and thumbed by the printers, being thrown, like other waste paper, on a heap, and not put into the fire? What could be done with this list that happened to be first written? And what had the circumstance of its having been first written to do with the matter at all?

The truth is, the mind of an ordinary lawyer is wholly incapable of keeping steadily before it the real end in view in each legal proceeding. It is overborne and confounded with the incidents, and, as LOCKE has said, *sticks in them*. A lawyer, moreover, is always exceedingly acute in finding out possible contingent evils—only on one side of the question. He is blind to all others. He can perceive the evils possibly arising from his acting, but he can see none that will follow his not acting. The lawyer here, for example,

doubtless conjured up much possible, though not very probable, contingent evil as likely to result from his reception of this second best list, but he could not see the enormous evil, viz. the wholesale incorrectness produced in the whole list of voters, by his refusing to receive the particular list in question. So a judge who refuses to adjudicate, excepting under peculiar formalities, and after particular evidence, can never be made to understand that injustice greater, and far more extensive, is likely to arise from the refusal to adjudicate, than could possibly follow from an incorrect decision. Suppose, for example, A owes B 20*l.*, and has no legal proof of the fact. If that matter were brought before the King's Bench, no Judge would receive the evidence of A to the fact, neither would he receive the evidence of B; so B would be deprived utterly of his debt. Why is this? Because the Lawyer's mind can perceive, or rather can fancy it perceives, certain possible, yet not very probable, contingent evils, arising from receiving the testimony of parties, but cannot be made to understand the injustice effected by refusing to receive it. The puzzles of the English law of evidence, which are a disgrace to the bench, the bar, and the country, have bewildered these aspirants to judicial honours, viz. these Revising Barristers; and they make the public suffer in consequence of this bewilderment. An ordinary man, with a plain and common-sense mind and education, would never have fallen into these blunders; but the half-educated, legal wiseacres, book in hand, flounder at every step. The proceedings of these people, with their legal books in hand, resemble much that of the ignorant sailor, who, by the aid of "Hamilton Moore," was endeavouring to beat his vessel up the Channel. One of the directions was to put the ship about. These directions began at the bottom of the page, and the incipient sailor, with his guide-book in hand, places himself on the quarter-deck, and hawls out, in an authoritative tone, "About ship, there."—"Ay, ay, sir."—"Put down the helm—let go the jib sheet." Now came the time to turn over the page; unluckily, in his hurry, the novice in seaman lore turned over two pages,

and nothing doubting of the accuracy of the order, in lusty tones shouted, "Let go the anchor."—The refusal of the lists by G. N. OXENHAM and A. J. STEPHENS, Esquires (as the country newspapers carefully describe them), by way of preliminary to the making out of correct lists, was about as german to the matter, and about as wise, as was the letting go the anchor by the ignorant sailor, in the midst of the business of putting the ship about.

But, in sober sadness, what is to be done? In the present case the remedy is not difficult. To rectify the evil, in the present administration of justice, will, I fear, prove no easy task; in the instance before us, however, the curative process is not at all difficult or doubtful. The first thing to be done is to simplify the qualification, and make the mere fact of being rated all that is needed to give a man the title of voting. The revision of the lists, in that case, would merely be the comparing the voting list with the rate-books of the parishes; and this, in the second place, need not be done by legal and learned gentlemen. In the case of boroughs it ought to be a responsible person elected by the Municipal voters—say the Mayor, or the Auditor of the Municipal accounts—it makes little difference which. The officer, whoever he be, ought to be subject to annual election. In the counties the choice is somewhat more difficult, as nothing can be more thoroughly ill-regulated than everything relating to county government. If, however, the county were separated into districts, and the Mayor of the principal town in the district were made the revising officer, there would be neither danger nor difficulty.

This is a simple but effectual remedy, and one that must be adopted eventually; but I must say that I have little expectation of seeing it in force by the aid of the present rulers of this country. The education of public men in England is so faulty and mischievous, that they are totally incapable of carrying their contemplations beyond the immediate sphere in which they move. They can see the effect of institutions with which they are connected, but they cannot be made to appreciate the vital importance of those petty affairs which compel the mass of the People daily to



perform some business connected with the public or social well-being. The attention, therefore, of our leading men is directed rather to the effects and symptoms of evils than to the evils themselves. We are daily becoming in our opinions, and even in our institutions, more Democratic, but no care is taken systematically to employ the people in the business of Government, and, by employing, educating them. A Democratic, like every other Government, must be carried on by men, and the more highly educated these men may be, the more efficient will the Government become. But the People must be habituated to the government of themselves. They must not simply *will* to have the government of their own affairs in their own hands, but they must also understand the means by which this Government is to be carried on. But the chief business of Government is not performed by the so-called Government of the nation, nor in the metropolis. The grand matters, those most influencing the happiness of the

People, ought in reality to be transacted in parish vestries, or in the small government of townships. But in England care has been taken in the case of vestries, to let the People have as little power as possible, and in the counties, the People in reality have no power at all. Until we accustom the People, however, in the mass to consider the social business as one important item in every man's business, we may have Democratic Government in name, but not in substance — not in efficiency. These observations have been suggested by encountering the difficulty above mentioned, respecting the choice of the county revising officer. In looking into the Government of England, the source of evil will almost always be found to exist somewhere in County Government, and until we carry our reforms far beyond the towns, until England is divided into small districts, and the distinction between town and county is destroyed, we shall never possess anything approaching to good Government.

J. A. ROEBUCK.

## SOBRIETY OF THE WORKING CLASS — THE GIN PALACE FALLACY.

It is related that a sapient member of a certain scientific body, once proposed the following momentous subject for inquiry—"What is the reason that a fish, suddenly deprived of life, immediately increases in weight?" Night after night was the society occupied in discussing the probable and possible cause of this important scientific fact. The ingenuity displayed by the most acute among the members was the theme of universal admiration. The society rose in public estimation. The eyes of scientific Europe were turned towards them. Still a decision seemed afar off. At length arose a wily Scotchman, who had hitherto remained a mere silent observer. As he was known to be somewhat acute, yet sober-minded, silence waited on his words. They were few in number, but their effect was electrical—"Gentlemen," he merely said, "'a doote the fac.'" At once a new light seemed to break in upon the men of science. They stared upon each other in open-mouthed amazement. A fish was procured,

weighed, killed (in some scientific manner no doubt), and weighed again; when, lo! the Scotchman's suspicion was verified. The innocent fish had been scientifically murdered only to prove his relentless slayers a pack of ninnies.

But what has all this to do with Gin Palaces? Have patience, reader; wait a little, and you shall see.

During the Session of 1834, an equally curious inquirer submitted to the Collective Wisdom of the nation an equally curious subject for inquiry, namely, the cause of the increase of drunkenness among the working classes of the community. As among the men of science, so in the legislative body great was the discussion which arose. Almost every speaker, following the short-sighted, narrow-minded mover, assumed the existence of the fact, and attempted to account for it according to certain crude and ill-digested notions, either previously conceived or suddenly formed. There never, perhaps, was a question on which such disgraceful ignorance of the condition and habits

of the people was displayed by those who pretend to call themselves the People's representatives, as on Mr BUCKINGHAM's motion. The result was, that the House would not decide the question at once, but appointed a Committee to account for an assumed fact, which five minutes' search among the "accounts and papers" printed by order of the House, would at once have disproved.

To work the Committee went, hearing evidence as to the cause or causes of the supposed fact. Never before were such volumes of cant poured forth in so short a time. Witness after witness pathetically lamented the fallen condition of all below him. At length, one witness came forward who gave a new turn to the inquiry. This witness was Mr FRANCIS PLACE. Like the Scotchman in our tale, he effectually set the sapient Committee-men gaping at each other. He did not simply "doubt their fact"—he set himself to disprove it. He showed that drunkenness had not only not increased, but that its marked, its well defined decrease was the most important item in the general improvement of the great body of the people.

The trustworthiness of Mr PLACE's evidence no reasonable person can doubt. During the whole of his useful life he has been occupied in observing the condition of the Working Classes, and in noting every fact illustrative of that condition which came within his cognizance. The result is, that not another man in the kingdom was so thoroughly competent to give information on the subject, about which Mr BUCKINGHAM thought fit to demand inquiry.

Mr PLACE's evidence\* goes to show two important points: first, that although drunkenness was formerly the most conspicuous and prevailing vice of the Working Classes, it is so no longer; and, secondly, that although drunkenness was the most conspicuous vice, it never was so to the extent which writers and talkers have commonly represented.

Although the change which has been gradually going on may not be apparent

\* The reader may refer to a tract of Mr PLACE's, published last year, entitled "Improvements of the Working People: Drunkenness—Education." C. Fox, Paternoster row. 1834.

to the common observer during its progress, it is quite impossible to compare two periods at some distance apart, without being forcibly struck with the contrast. Fifty years ago all classes drank to excess. A gentleman who invited half-a-dozen friends to dinner, thought he had not done his duty if he allowed them to go home sober. Is this the case now? The drinking feats of the previous night formed, not many years since, the fashionable topic of the morning's conversation. Is intoxication now the boast of young men of fashion? When drunkenness was deemed a manly pursuit by the rich, it is not to be supposed that the poor deemed it disreputable.

Within the last week or ten days a return has been printed, which, on comparison with former returns, affords a most irrefragable proof of the accuracy of Mr PLACE's views; I mean the account of the consumption, &c., of British and Foreign Spirits in the United Kingdom during the year 1834.

From this return, and from that of 1833, I make the following comparative statement;—

1833 British spirits,	21,874,455	gallons.
Foreign ditto	4,879,967	
	<hr/>	
	26,754,422	
1834 British ditto	15,986,914	
Foreign ditto	4,775,513	
	<hr/>	
	20,762,427	
	<hr/>	
Decrease . .	5,991,995	

Instead of a decrease of upwards of one-fifth, had there been a moderate increase, it would not have warranted the inference that drunkenness had increased. Let it not be forgotten that population is continually increasing; and that from the cheapness of food, that increase has most likely been of late years accelerated. In 1742, when the population was not half what it is at present, the quantity of spirits distilled reached 19,000,000 of gallons; yet in the face of this extraordinary decline, we hear a set of canting hypocrites reiterating their absurd statements about the lamentable increase of drunkenness.

Statistics are dull things, but I must still detain the reader while I point out another feature in the return, namely,

that it is chiefly in British spirits consumed in England, that the falling off has taken place. The quantity of British spirits consumed in England was in

1833 . 7,177,304 gallons  
1834 . 4,557,253

Decrease 2,620,051

Being a falling off of upwards of one-third. Foreign spirits, on the other hand, have only declined in consumption about a *forty-eighth* part. Now the Working Classes are consumers of British spirits, that is to say, of gin, and not of foreign spirits: it is among them, therefore, that a great moral revolution has been effected.

There is another piece of statistics which strengthens the conclusion drawn from the above statement, namely, the drunken cases brought before the police. I have no account for last year, so that the reader must be contented with the return for 1832 and 1833. It is as follows:—

	MALES.	FEMALES.	BOTH.
1832 ..	20,304	12,332	32,636
1833 ..	18,268	11,612	29,880
Decrease	2,036	720	2,756

Of these numbers, how few belong to the Working Class! In the first place, they are *cases*,\* and not *individuals*. One individual will frequently be brought up night after night, and even several times during the same night. The females are all of the most degraded class, and perhaps nearly an equal number of the males are equally degraded. These Mr PLACE calls the "miscreant outcast population," and they make up nearly the whole number. A further deduction must be made for "respectable people" returning, in a state of intoxication, from a party or a "jollification;"† and it will be seen at once, that of the 30,000 drunken cases brought before the police, a very small number only can be furnished by the Working Class.

Now, then, for the Gin Palaces. What says the Drunken Committee? Why,—“That among the immediate causes of the increased prevalence of this vice among the humbler classes of society, may be mentioned the increased

number and force of the temptation placed in their daily path by the different establishment of places at which intoxicating drinks are sold,” &c. \* \* In other words, the Gin Palace is to blame. Now assuming, for the present purpose, that which has been disproved, it would be much more rational to infer that the increasing demand gave the impulse to the supply; in other words, that Drunkenness was the cause of Gin Palaces, and not their effect.

The great cause of drunkenness is a hopeless state of misery and poverty, combined with excessive ignorance. Wherever ignorance and poverty, which are generally intimately linked, have been in course of progressive removal, drunkenness has progressively declined. The increased intelligence of the people is the principal reason why less spirit was drunk in 1834 than in 1742, and why the decrease of consumption in one year alone has amounted to the enormous proportion of one-fifth.

The declining demand for spirits may serve to account, and not unreasonably, for the splendour,—the plate-glass, lacquer, and French polish of—the Gin Palace. The number of Gin Shops remaining the same, at the same time that the number of drinkers declined, the effects of competition would of course begin to manifest themselves. The keepers of these shops would begin to turn in their minds the means of attracting to their shops more than their average share of custom. Among such means the costly decoration of the shop, for the purpose of allurements, would not be forgotten. It was under such circumstances that the Palace system commenced. Publican after publican was compelled to embellish expensively or lose his trade. Thus arose the modern Gin Palace.

If it be true, as the drunken Committee stated, that Gin shops have increased in numbers, I can only say that the publicans must be prepared to suffer all the consequences of overtrading. The trade has materially diminished, so that the publicans will “starve on the subdivision.” So much for the Gin Palace fallacy and the Drunken Committee; the next Committee for which Mr BUCKINGHAM should move, should certainly be to inquire into the increase of cant.

\* See Mr PLACE'S Pamphlet, p.22.

† *Ibid.*

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# DEMOCRACY IN AMERICA.

By J. A. ROEBUCK, M.P.

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## CHARACTER AND SUFFERINGS OF THE IRISH CLERGY.

By H. S. CHAPMAN.

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## THE LONDON REVIEW AND THE IRISH CHURCH QUESTION.

By J. A. R.

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EDITED BY

# J. A. ROEBUCK, M.P.

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[PRICE THREE HALFPENCE.]

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## DEMOCRACY IN AMERICA.

SOME time since the French Government despatched Commissioners to the United States of America, to inquire into the state of Prison Discipline in that country. One of these Commissioners, M. DE TOCQUEVILLE, extending his researches beyond the immediate subject referred to him, was led to reflect upon the condition and prospects of Democracy in America. His opinions on this important inquiry he has published, and on his work there has just appeared, in the *London Re-*

*view*, an article distinguished by views profound, comprehensive, original, and impartial. Few could treat the subject of Democracy, and its future destinies, with ability equal to that of the Reviewer; and his intentions are evidently as benevolent as his spirit is searching and philosophical. If, then, I venture to differ from him, I do so with doubt and hesitation. It is only by long and frequent consideration that I can bring myself to believe that he is in error.

M. DE TOCQUEVILLE and his Re-

viewer both seem to believe the question between Aristocracy and Democracy in reality settled in Europe as well as America.

“ America,” says the Reviewer, “ is usually cited by the two great parties which divide Europe, as an argument for or against Democracy. Democrats have sought to prove by it, that we ought to be Democrats; Aristocrats, that we should cleave to Aristocracy, and withstand the Democratic spirit.

“ It is not towards deciding this question that M. DE TOCQUEVILLE has sought to contribute, by laying before the European world the results of his study of America. He considers it as already irrevocably decided.”

\* \* \* \* \*

“ M. DE TOCQUEVILLE is unable to imagine that a progress which has continued with uninterrupted steadiness for so many centuries, can be stayed now. He assumes that it will continue until all artificial inequalities shall have disappeared from among mankind; those inequalities only remaining which are the natural and inevitable effects of the protection of property. This appears to him a tremendous fact, pregnant with every conceivable possibility of evil, but also with immense possibilities of good; leaving, in fact, only the alternative of Democracy or Despotism; and, unless the one be practicable, the other, he is deliberately convinced, will be our lot.” —P. 87.

M. DE TOCQUEVILLE, however, believes in the success of Democracy, and expects, upon the whole, that it will eventually be triumphant; but he endeavours to point out the dangers that lie in her path, and seeks to warn the friends of popular government from those rocks on which Democracy may eventually be wrecked.

My present purpose is to remark upon one of the dangers which M. DE TOCQUEVILLE has thus signalized, and

I do so because the Reviewer also deems it one of extraordinary importance.

“ The substitution of Delegation for Representation is, therefore, the one and only danger of Democracy. What is the amount of this danger?”

The evil, in the opinion of the Reviewer, is a great one, and he labours assiduously to convince his readers of the necessity for watching carefully, in order to stave off the mischief of delegation.

For my own part, I am one of those “ who do not take so serious a view of this perversion of the true idea of Democracy as we (the Reviewer) do.” I cannot but believe that it is simply a bugbear, and as a question of practical politics of no consequence whatever.

Let us, in the outset, endeavour to understand distinctly what is intended by Delegation as distinguished from Representation.

The Reviewer clearly does not mean by Representation that the People should elect a Representative, and take no notice whatever of his conduct. They are in some degree, to some extent, to watch him, ay, and to judge him too. Well, then, to what extent are they to judge him? The Reviewer answers, to the same extent, and in the same way, that you adopt with your Physician. I reply, that this is by no means a satisfactory explanation, and that the analogy is incomplete and incorrect.

A. B. is elected by the inhabitants of a given district. Say that the acts of A. B. during one Session are five. He voted, for example—

1st. On a Bill regulating the extent of the Elective Franchise.

Are the People to judge of this vote? I say, yes. Will the Reviewer say no?

2d. He votes against taking Votes by Ballot.

Are the People to judge of this vote? I say, yes. Will the Reviewer say no?

3d. He votes for a Bill by which the right of Primogeniture is established.

Are the People to judge of this vote? Again I say, yes. Will the Reviewer say no?

4th. He votes for a Bill by which the Courts of Justice are regulated, so that causes are determined only twice a year.

Are the People to judge of this vote? I say, yes. Will the Reviewer say no?

5th. He votes against making a code.

Are the People to judge of this vote? I say, yes. Will the Reviewer say no?

But if the People are to judge in these five cases, where can we draw the line, and say to the People, you must now go no further? The matters I have selected relate to organic changes in the Constitution; they relate also to the whole descent of property, the administration of justice, and the mode of framing the laws;—all intricate and difficult subjects, the conclusions respecting which, to use the words of the Reviewer, are, or ought to be, “the result of a concatenation of propositions, the very first steps of which no one who has not gone through a course of study is prepared to concede.” I allow this; but this is a difficulty we cannot get over, and we certainly ought not to attempt to avoid it, by persuading the People to give up their judgment implicitly to any man or set of men. In the case of the physician, the great item of sinister interest is wholly, or almost wholly, absent. At every moment of a Representative’s life he has a strong interest to delude and cheat the People. It is idle for us to attempt to deny this. The power of a Legislator in the best regulated State must be enormous: power to serve his own ends; and his own ends will be served, unless the People watch him narrowly. Watching him narrowly means scanning all his acts, and, to the best of their judgment, deciding on them. It is the duty of the People to acquire such knowledge as shall enable

them to judge accurately respecting the conduct of their rulers; until they do acquire this knowledge, they will not be well governed, and he surely does not serve the People’s cause, who endeavours to inculcate a doctrine leading to ignorance and idleness. If I go to a physician even, I exercise my judgment respecting his proceedings. I have in his case a more rapid test than any I can find in that of a Legislator. Does he cure my disease? If he do, I am satisfied; if he do not, I am not satisfied; and every man pretending to be educated, has necessarily laid down rules, even in the case of his corporal health, which he will not permit any physician to break through; and we may lay it down as incontrovertible, that the better a man is educated, the more careful and circumspect will be the conduct of his medical adviser. *Experimentum in corpore vili*, is a significant phrase, pointing out the devices of ignorance, and teaching us what we may expect from possessing the implicit confidence of ignorance.

This fear and this opinion of the Reviewer, arise from a theory which I believe to be founded in error. He believes, if I mistake not, in the advantages to be derived from an Aristocracy of intellect. I have no faith in any such Aristocracy. The best Government, in my mind, and with that I shall alone be content, is the Government of the nation. It will be as good as the national intelligence will permit, and no schemes, devices, or machinery, will make it better. I am not terrified by the so-much-dreaded fickleness and vagaries of the People; nor are my suspicions to be lulled asleep by ingenious plans for giving intellect her dominance. Wisdom is a good thing when directed by probity; you rob it of that worthy counsellor when you give it irresponsible power; and by inducing the People to have faith, you

pursue the most efficient means to this mischievous end.

To me it appears that the Reviewer also has been somewhat misled by the rapid generalization of his French adviser. M. DE TOCQUEVILLE in going to America, did as all Frenchmen do,—considered France to be Europe; and what he considered to be true as to France, he believed necessarily to be true of Europe; and as Europe is usually considered the world, he immediately concludes respecting the world at large. Many centuries have yet to pass away before Democracy will obtain, even in Europe; and when it shall have sway in Asia and Africa the

boldest political enthusiast can hardly imagine. The history of France for the last forty years is not the history of Democracy, neither are the errors of the French nation at all likely to be shared by the people of England. The people of England are educated to self-Government, and the rules that will suit them, will necessarily be unfit for a nation so little instructed in every thing that relates to politics as France. But even in France, I am willing to let Democracy be tried by the test of delegation, and believe, that the only way to govern the nation wisely, is to govern it according to the wishes of the majority.

J. A. ROEBUCK.

## CHARACTER AND SUFFERINGS OF THE IRISH CLERGY.

THE following is a copy of a letter which is stated to have been addressed by the ARCHBISHOP of TUAM to a Clergyman of the Church of England, through whom a sum of money appears to have been transmitted “for the relief of the distressed Clergy in Ireland” :—

“Palace of Tuam, Oct. 10.

“My dear Sir,—Your letter of the 6th inst. has just reached me, covering a Bank post bill for 15*l.* 13*s.* 6*d.* being the amount of a collection made in Carlisle Chapel, Lambeth, on the third centenary of the printing of the Bible in the English tongue, to be in addition to the fund for the relief of the distressed clergy in Ireland. I return you and your benevolent congregation my own best thanks, and in their name those of a most *injured*, and *persecuted*, and *destitute*, and *deserving*, and *patient* body, for this mark of sympathy in their very *reduced* state.

“I feel that I need not assure you that I receive this money in the spirit in which I know it has been sent, and that (under God) it shall be faithfully administered in the way desired by the humane contributors in this work of mercy.

“The Lord’s grace be with you. Amen.

“Your’s, my dear Sir, most faithfully,  
“POWER TUAM, &c.

“Rev. JAMES R. PAGE,

8 Portland place, Clapham road.”

Destitute, reduced—injured, perse-

cuted—deserving, patient : such are the terms made use of by the Archbishop to present to us a vivid conception of the sufferings and character of the Irish Clergy of the Established Church. The first group has reference solely to the condition of the Parsons; the second superadds the idea of that condition being produced by the malevolent agency of others; whilst the last points chiefly at the alleged exemplary humility of the Clergy under their great sufferings.

The words “destitute” and “reduced” course relate to the important matter of *pay*. Are the Irish Clergy, as a body, under-paid? Let us endeavour to ascertain. Here a very simple rule presents itself, which will enable any one to determine whether the average condition of the Irish Clergy ought or ought not to be a state of destitution. The rule is this: Take the total revenues of the Irish Church, divide by the number of Parsons, and the result will indicate what ought to be their average condi-



tion. If the sum which results from this process be sufficient to enable a man belonging to the middle ranks to bring up and respectably educate a family, then the average condition of the Irish Clergy should not certainly be deplorable.

According to authentic documents, the Irish Church Revenues amount to 1,426,587*l.* and the number of Clergymen of all ranks is 2,086, which would give an income of 684*l.* on an average to each individual. Even deducting the whole of that portion of the revenue derived from Tithes, there would still remain sufficient to give an annual income of upwards of 400*l.* to every Clergyman in Ireland. But, although the Revenues of the Irish Church be sufficient to afford competent incomes of an unnecessarily large body of Clergy, it is still most true that some of their number are distressed. How is this? The answer is simple. The division of the revenues is fraudulent. A large number of the Episcopal Priesthood are made to starve on inadequate wages, that a few Archbishops and Bishops may live in a state of Eastern pomp and magnificence. A hundred shares are scarcely sufficient to glut the inordinate appetites of some two or three of the bloated dignitaries of that corrupt Church; and I believe this very Archbishop, whose canting epistle we have just read, doth actually grasp a sum sufficient to support some three or four hundred of the

* Archbishops and Bishops	-	£220,000	
Estates, &c. of Deans and Chapters	-	250,000	
Rectors, Vicars, and perpetual Curates, namely:—			
Tithes	-	£590,450	
Glebes	-	91,137	
Minister's Money	-	25,000	
Church Fees	-	25,000	756,587
Total	-	£1,426,587	

For a full exposition of the corruption of this most corrupt church, I must refer the reader to "The Extraordinary Black Book," published by Effingham Wilson. It is perhaps the best practical commentary on the glorious Constitution now extant. No politician should be without it.

"inferior Clergy," as those meek imitators of Christ, the titled Clergy, are wont to designate their more humble brethren. It is hard indeed, to make an Archbishop believe in the test of the needle's eye.

We are now able to understand by whom the "destitute and reduced" Irish Clergy have been "injured" and "persecuted." Is it by those who demand that there should be a fair instead of a fraudulent division of the revenue, or is it by those who can permit the Working Clergy, who are frequently truly pious and exemplary men, who would receive more of public sympathy were they not intimately associated with an obnoxious impost, to rear a half-famished family on an inadequate stipend, whilst they themselves are rioting in a state of luxury utterly destructive of their own moral character, and in every sense pernicious to the community? The answer admits not of dispute or cavil, whatever distress exists among the poorer Clergy is chargeable on the proud and haughty dignitaries of the Church. These evils do not admit of remedy without the intervention of the State. As the poorer Clergy have no voice in the regulation of the temporal affairs of the Church, it would be absurd to hope for any reform without such intervention. The superfluities of the Bishop must be made to supply the wants of the famished Curate, and the lay portion of "the Church" must be permitted to derive some advantage in the shape of education from those revenues, which, belonging to the whole Church, have of late years been usurped by that portion of the Church called the Clergy.\*

I now come to a sample of the "patience" and meekness of the Irish Clergy under their sufferings. Here a single word should suffice to answer the

\* For a better explanation of this last sentence, see a Pamphlet published last week, entitled "A Church, What?"

Archbishop—RATHCORMACK. With-  
in the last few weeks, however, another  
sample of "patience" has come before the  
public. A Parson in the county of  
Limerick being unable to collect his  
tithe by ordinary means, applied to the  
Irish Government for a supply of  
bayonets to enforce payment. This  
application the Government, after some  
deliberation, refused. A Sunday News-  
paper which has lately become a great  
apologist for the Whigs, says, "this  
deliberation is proper, for the case is  
one of those where it is easier to see the  
course to be shunned than the course  
to be taken." This is an odd reason  
for deliberation; "the course to be  
shunned," was the entrusting of bayonets  
to the hands of a blood-thirsty Irish  
Parson, and if that course were "easy  
to see," it appears to me that it should  
have prompted an immediate refusal.  
However, the bayonets have been re-  
fused, and I will not now complain of  
Whig tardiness. It is to be hoped  
that the "deserving, patient, suffer-  
ing," Clergy of Ireland, will no longer  
be permitted to value a few bushels of  
tithe potatoes at the cost of the blood  
of half a score of their fellow crea-  
tures.

H. S. CHAPMAN.

POSTSCRIPT.—As an Appendix to  
the above, the case of the Reverend  
JOSHUA KING deserves to be recorded.  
This miscreant is a disgrace to any  
Christian community. Out of a feeling  
of pure malignity towards a landed  
proprietor in his neighbourhood, we find  
him occupied in destroying his game,  
by means of poisoned wheat. The  
*Morning Chronicle* has republished a  
report of the trial, from which I take  
the following extract from a letter ad-  
dressed to his brother, detailing his  
plan:—

"A man, by sprinkling a little (of the poi-

soned wheat, be it understood,) along the edge  
cops, contiguous to corn-fields, might in a fort-  
night destroy every bird on Sir T. S—y's preserves.  
But it will be time enough to try this experi-  
ment on the partridges and pheasants, after the  
spring corn is got up. I have tried the effect of  
wheat, so prepared, upon sparrows, and it suc-  
ceeds admirably, and have no doubt it would suc-  
ceed equally well upon larger birds. The poachers  
well know how to proceed with the hares, better  
than I can suggest. To annoy the tyrant is  
my determination; and if you should thro'  
\_\_\_\_\_ have an opportunity of engaging any  
idler to begin, in the course of six weeks, with  
the foxes and partridges, I shall not regard any  
expense, provided there be a fair prospect of  
complete success. Every fox that is taken  
should be sent with a label round its neck, ex-  
pressive of my compliments to Sir T. S. If a  
few dead partridges should be found, he may  
also be presented with them in a similar way,  
and must be taught, that however purse-proud  
he may be, and with all his despotism, he is as  
dependant for his comfort and amusements  
upon the forbearance of others as they are upon  
him. With kindest remembrances to all the  
family,

"I remain, yours affectionately,

"J. KING.

"To Mr G. King, Manesty lane, Liverpool."

It so happened that Sir THOMAS  
STANLEY hated the Parson as much as  
the Parson hated him. The result was,  
that he brought an untenable action; so  
the Parson escaped punishment.

We now find this pure specimen of  
a Christian divine—who, by the way,  
enjoys two livings, worth about 1,500*l.*  
a-year—attending a Conservative meet-  
ing in South Cheshire, and in a speech  
in answer to a toast, pouring forth a  
torrent of the choicest abuse against  
the present Administration. It is quite  
impossible that the body of the Clergy  
can be kept free from such wretches,  
until responsibility, by means of the  
principle of election, is introduced  
among them. The most flagrant  
immorality, the most vicious course  
of life, and even the most disgusting  
crimes, are not deemed sufficient to  
deprive a member of the Church of his  
emoluments. Can the Clergy reason-  
ably demand the respect of the People,  
if such men as Mr JOSHUA KING are  
permitted to fill the high places of the  
Church. If the parish-clerk or the sex-  
ton had been proved to have conspired

to destroy the squire's game, a very summary process would have deprived the incumbent of his office; but the Reverend Mr JOSHUA KING is per-

mitted to remain, as a sample of the impunity with which an English Parson may outrage the community.

H. S. C.

## THE LONDON REVIEW AND THE IRISH CHURCH QUESTION.

THE *London Review* is distinguished from its cotemporaries by a peculiarity, which contributes much to the ease of friendly critics. Every article is marked by a signature, and the individual writer is alone responsible for the peculiar doctrines which each article contains. The general tendency of all the speculations in the work is the same, the avowed purpose of the *Review* being to forward the march of the great political and social movement, which so eminently distinguishes the present time; but each individual writer is not bound down to all the opinions of his friends and fellow-labourers who contribute to the work. Thus while they have all a common purpose, and agree in the general principles of their moral and their political system, a certain stamp of individuality and originality marks the various papers published under the name of the *London Review*. The advantage to a friendly critic is obvious. He is not obliged at every turn to thrust in saving clauses, in favour of the work in general, while he objects to certain doctrines which it may contain. The individual responsibility of the writer renders such scrupulousness respecting the work in general unnecessary.

For my own part, when about to speak of the third number which has just appeared, I feel much relieved by this circumstance. In the general tendency of the *Review*, and in most of the leading doctrines propounded in it, I most cordially concur. None can esti-

mate more highly than myself the masterly expositions which it has already contained; yet all this notwithstanding, to some of the doctrines contained in some of the papers, I have serious objections, and I am glad to be able to state them, without it being even surmised that my remarks are directed against the *Review* itself.

The striking articles of the present number are those on the Reform of the Law, on Democracy in America, on the Past Session, and on Miss KEMBLE'S Journal. To the article on Democracy, I have already made special reference; and I cannot, while mentioning these particular papers here, do better than earnestly recommend them to the perusal of all who wish to acquire sound and comprehensive views upon the several matters to which they refer. The article on Law Reform is by one too well known and too highly esteemed, to need my humble recommendation. He has here endeavoured to let in the light of common sense and common honesty, upon the dark and dismal domain of positive law. To me, indeed, he appears to underrate the difficulties attending this reform, difficulties which, in my opinion, are inherent in the subject itself; yet if any man would find the labour light, it would be himself; and I should rejoice most heartily, if the time should ever arrive, when an instructed and provident Government endeavoured to obtain his aid in reducing the huge and undigested mass of the law to the

order and form which reason and logic require.

But the particular object I have here in view, is to notice briefly a proposal made and doctrines laid down in an article on the Church of Ireland. The article itself is written in a mild and candid manner, and is by no means a mean production, though in its stamp and character very different from, and somewhat inferior, to most of the papers which had hitherto appeared in the *Review*.

The writer of this paper objects to the *voluntary* principle in the maintenance of the clergy, and this because he believes that the religion which will thus be provided, will be a *bad* religion.

He believes this, because a preacher who depends upon the voluntary offerings of his hearers, he supposes, will pander to their prejudices, and endeavour by various mischievous means to excite them to pay. In order, then, to prevent them doing evil, he proposes that the State should maintain the clergy of all religious persuasions; in other words, he proposes to bribe the clergy into idleness.

The writer, however, objects to its being supposed that he desires to bribe the clergy into indolence; all he wishes, he says, is to keep them out of mischief, and to make them, at the same time, industrious to good. But how does he propose to do this? The steps are those long ago proposed by DAVID HUME, though the Reviewer wishes to dissent from HUME's reasoning. If not provided for by the State, and dependent on the People, it is said the clergy will mischievously excite the People, and also pander to their prejudices. The object, then, is to keep down this mischievous industry, and you propose to do it by paying the clergy by the Government. Now mark the mode in which this is expected to operate. The pay being certain with-

out the trouble of stirring up and exciting the People, the trouble will not be taken. But if the pay be certain, what motive is there for good exertion? You have made the parson harmless by making him inactive; how now do you propose to make him industrious and yet useful? The conclusion is clear; the real meaning of proposing to pay all denominations of priests, is to make them all idle, believing that their idleness is less baneful than their activity. HUME openly avowed this, and was consistent. The Reviewer repudiates one half of the conclusion, and destroys the whole force of the argument.

There is a class of political reasoners of the present day, who are ever endeavouring, by ingenious contrivances and complicated machinery, to obtain a better government than the general intelligence of the People will furnish. These reasoners are constantly in exceeding alarm respecting the excesses of the People, and are exceedingly industrious in devising checks and safeguards by which to control the mischievous tendency of the popular will. The People, say these philosophers (I take the case before us as an example), if left to themselves, will be prone to *fanaticism* and *superstition*: now fanaticism and superstition are, in our opinions, exceedingly mischievous; therefore we will frame some machinery that will counteract this evil popular tendency. I take the whole of this to be wrong at the foundation. If the People be ignorant, devise what plans, what forms you please, you will never establish a good government amongst them, unless by external force. If you have the nation alone to work upon, make what drafts, choose what persons, erect what classes, and concoct what schemes you please, you will never make a better permanent government than the People themselves, with their supposed quantum of intelligence, would create and

maintain. If the People be prone to fanaticism, you will not cure that proneness by bribing all the parsons. They will always find persons to administer to their fanatical propensities; and the potent desire for *consideration*; as in the case of VOLTAIRE's fakir, who chose to sit upon a board full of nails; *pour la consideration*, will ever be sufficient to keep up a full supply of ministers to blow the coals and excite the flame. Who will say that the fanaticism of the French, during the reign of LOUIS the Fourteenth, was less than that of their puritanical neighbours of England? or who will say that the fanaticism and superstition of the Spaniards, with their high-paid Priesthood, is less than that of the Irish, who are under the guidance of Priests depending on voluntary contributions? The Reviewer appeals to America, and speaks of their revivals, and their camp-meetings, and ascribes the fanatical mummeries of these exhibitions to the voluntary system. The cause, however, is far more deeply seated. It is inherent in the nature of man; and the love of excitement which is thus evinced, takes this form from the peculiar position of the American people. Any population, thinly scattered over a wide territory, living, for the most part, in great seclusion and in great quiet, and at the same time pious and ignorant, will ever be prone to the pleasures of fanaticism. The camp-meeting is a species of theatrical entertainment, and in Switzerland the whole business of religion may, among the rural population, be seen to be made a series of scenic representations. The Crucifixion is regularly enacted in the open air, with thousands of people for spectators, and a live man tied on the Cross. Is there anything in America beyond this? And yet this, surely, cannot be attributed to a voluntary system. The truth is, that whether the system be voluntary, or not, the

fanaticism and superstition will be the same, and dependent wholly on the degree of instruction existing among the People. The People of America are daily, with their voluntary system, becoming less fanatical, because they are daily becoming more instructed. The outrageous doings to which the Reviewer refers are now unknown in the larger towns, as well as in the more populous sections of the Union; and as the country becomes more settled and thriving, other means of pleasurable excitement are placed within the reach of the People, and the cheap and rude pleasures of fanatical exaltation are less popular and attractive. It should be remembered also, that the people of the United States, particularly of New England, are descended from extremely devout and exalted progenitors. It was to be expected, therefore, that they should, for many generations, cling to the pleasures of religious enthusiasm, and indulge in the freaks of a disordered piety.

But while, in my opinion, the results as regards fanaticism and superstition are just the same under the voluntary and the compulsory systems, there are differences which deserve especial consideration. The Reviewer agrees with Mr BENTHAM in thinking that an immense advantage would be derived by placing in every parish an instructed teacher, but does not tell us how that can be done under the system he proposes. To me it appears that far greater good would be derived from making the teacher responsible to the People, than from making him wholly independent of them. It is true that you cannot hope that these teachers will generally be greatly superior to what the intelligence of the flock desires; but they will be active, industrious, and in some, and in no inconsiderable degree, will excite the People to take an active part in scanning the conduct of

those who are appointed to teach and to guide them. Responsibility on the part of the teachers, excites the People to the labour of self-government—it contributes to the all-important habit of taking part in public or social concerns—in other words, it contributes materially to their political or social education. The business of religion is one in which even an ignorant People take interest, and might be rendered one of the most efficient means by which a

nation may be dragged from out of that apathy and stupor which render it almost impossible to rescue the great majority of the human race from degradation and misery.

My remarks, however, have extended beyond the length I intended; I will therefore bring them to an end by again recommending this able periodical to the consideration of the enlightened friends of popular government.

J. A. R.

## THE "WE" OF THE HERALD.

FINDING in the *Herald* of Thursday the 16th an erroneous statement relative to Canada, which I possessed the means of correcting, I addressed a note to the Editor, to the following purport, and as nearly as I can recollect (for I kept no copy) in the following words:—

"SIR,—In your paper of this morning (Thursday) is a paragraph relative to the state of Lower Canada, to the effect that, at a certain meeting held at Three Rivers, which you call 'The National Convention,' certain resolutions had been passed, ordering communications to be made to Messrs HUME, O'CONNELL, and other Members, and also to the Hon. D. B. VIGER, Agent of the Assembly in England, but omitting all mention of the name of Mr ROEBUCK.

"Now this statement is full of error. First: In every one of the four resolutions passed at that Meeting, Mr ROEBUCK's name appears. Second: No other name is mentioned but that of Mr ROEBUCK. Third: Mr VIGER has not been in England for twelve months at least.\*

"I mention these things to enable you to estimate the trustworthiness of

\* The Resolutions have since appeared in the *True Sun* of the 17th Oct.

the person from whom you obtain your Canadian information; and I would observe, that your statements relative to Canada are generally equally erroneous.

"I am, Sir, your obedient servant,

"H. S. CHAPMAN."

It will be at once perceived that the tone of the above letter is such as one would adopt in addressing a gentleman. It seems, however, that this tone was woefully misapplied. The first notice I had of the receipt of my note was in the following paragraph, which appeared in the *Herald* of Saturday:—

"We have received a communication from Mr H. T. Chapman, stating that we were incorrect in leaving out the name of the cracked JAR, M.P. for Bath, as one of the authenticated correspondents of the mock Convention at Trois Rivieres, in Lower Canada. Our information was gleaned from a report of one of the most respectable Journals in that noble province, upon which we still rely, but we shall have something more to say to Mr H. T. Chapman and his party, when our leisure suits us."

The above is a fair specimen of the insolent and consequential tone which the anonymous "WE" permits any obscure and insignificant person to assume with impunity. We hear constant complaints of the stigma attached to those who are connected with the anonymous Press, and of the injustice of excluding them from decent society. We know that all so connected studiously endeavour to conceal the fact. They deem

the contempt which they suffer an injustice on the part of society, and can never be made to understand that it is the result of their own conduct, in adopting, under the coward's cloak of the anonymous "WE," language which they would seldom venture openly to use.

Suppose, instead of addressing a civil note to Mr SIDNEY TAYLOR, or Mr WHITE, or Mr TARTE (for the editorship of the *Herald* has been attributed to all these persons), I had met either of them, and had said,—Sir, your statements are erroneous; such and such are the facts, and therefore your informant is untrustworthy. Suppose, further, that he had replied in language such as I have quoted; would it not have been treated as a piece of vulgar impertinence? What, then, is the difference between spoken and written words? None that I can perceive, except that

the latter being usually the result of some deliberation, should certainly bear marks of greater caution.

Perhaps it will be said that the colonial articles are left to a subordinate menial of the establishment. This I admit. Still it appears to me that a responsible editor should cast his eye over the works of his subordinates, lest they contain expressions calculated, by their utter want of common courtesy, to compromise the Editor's character as a gentleman—a character to which, I believe, most Editors aspire, however few succeed in attaining it.

I shall not at this time notice the Canadian information of the *Herald*, except to say that it is wholly derived from the Aristocratic or Tory party, and from persons connected with them. Its value, therefore, may be left to the reader to estimate.

H. S. CHAPMAN.

## THE TIMES.

THE following exquisite specimen of the mild, courteous, and *gentlemanly* nature of the *Times*' Editor cannot easily be matched:—

"There can no longer be any doubt that Lord MULGRAVE, the KING's representative in Ireland, has invited and entertained to dinner DANIEL O'CONNELL, the rancorous-mouthed ruffian, who publicly denounced HIS MAJESTY's brother as 'A MIGHTY GREAT LIAR,' and who, moreover, after speaking of the Duke of WELLINGTON, the greatest of this, or perhaps of any other age, as owing his well-earned fame to *chance*, described the illustrious victor of NAPOLEON as one whom nature had intended for a 'STUNTED CORPORAL.' Now, we beg once more to impress upon the reader this fact,—namely, that the circumstances we notice here have no reference to politics, that they are wholly beside all party considerations. We further entreat the public to recollect that they involve much higher and much more important considerations: for no state of politics, no predominance of party, let them be ever so much to one's taste and fancy, can render enduring that condition of society in which all men, from the highest to the humblest, are subjected to the foulest insults that the most brazen bully will venture to utter in the security of present and personal irresponsibility. And yet to this complexion must English society come, if the vast majority of its most influential

members do not determine to treat every man who admits O'CONNELL to his house and to his table precisely as they treat O'CONNELL himself. The members of the club called BROOKES's are they upon whom the duty of taking the first step in this matter imperatively devolves: and we have no hesitation in saying, that if they do not expel O'CONNELL, they will do more towards degrading the character of English gentlemen in the estimation of all civilized communities, whether at home or abroad, than whole centuries will undo and repair. If a majority of BROOKES's still endure so coarse a brute among them, which we cannot anticipate, we trust, at least, that the minority will secede, and, making way for the 'tail' as well as for the 'head,' communicate to the world the names of those *gentlemen* who do not consider that an inveterate habit of falsehood, the constant use of language the grossest and the most scurrilous, and a perpetual indulgence in personalities and abuse that would disgrace a drunken fish-fag, are sufficient to disqualify a man as their private and personal associate."

I will indulge in one or two words with Mr BARNES on this occasion.

Mr BARNES is the reputed Editor of the *Times* Newspaper, and is deemed responsible for what is therein contained. Now, I would ask him, if he

would be content to have the rule that he desires to put into force against Mr O'CONNELL, applied to his own case? And I would further ask him and the public, if he were willing to have such impartial justice exercised, whether the description here given of Mr O'CONNELL does not much more correctly apply to Mr BARNES? And further, whether *à fortiori* Mr BARNES ought not *instanter* to be turned out of all decent society, should he, perchance, ever happen to mix with any such?

Now, let us take the peculiarly courteous specimens of rhetoric indulged in by Mr BARNES, and apply them to himself.

First: is not Mr BARNES "a rancorous-mouthed ruffian?"—See *Times* *passim*.

Secondly: is not Mr BARNES "a brazen bully?" Does he not daily apply the whole force of the *Times*, "the Thunderer," to frighten every one whom he hates? and further, has he not shown that his nature is of the brazen description by all his late doings since his memorable ratting?

Thirdly: is not Mr BARNES shielded by his thorough "personal irresponsibi-

lity?" Let any man against whom the *Times* contains foul language, call at Printing-house square, and ask for Mr BARNES, the Editor. *Non est inventus* will be the answer. The Editor of the *Times* is like the Grand Lhama of Thibet—seen only by the Priests of his altar; the Printer's devils officiating as Priests in his case.

Fourthly: is not Mr BARNES "a coarse brute?" Reader, you need go no further than the article I have here extracted.

Fifthly: is not Mr BARNES notorious for his "inveterate habit of falsehood?"

Sixthly: does not Mr BARNES make "constant use of language the grossest and the most scurrilous?"—*Times* again *passim*.

Seventhly: is not Mr BARNES accustomed "to a perpetual indulgence in personalities and abuse that would disgrace a drunken fish-fag?"

And eighthly and lastly: are not all these things "sufficient to disqualify Mr BARNES from being the private and personal associate of any gentleman?"

We need say no more of Mr BARNES.

J. A. R.

## THE NEWSPAPER STAMP RETURN.

THE return of Newspaper Stamps made use of by the London Papers, during the two years ending June 1835, which has lately been printed by order of the House of Commons, must, by this time, be familiar to every one.

The return is divided into half-yearly periods, and consequently affords ready means of ascertaining the increase or decrease in the circulation of the principal papers.

It must be borne in mind that this return affords no test of the increase of readers, inasmuch as the Unstamped find no place in this return. Now, the circulation of the Unstamped Papers,

taken collectively, is very large; and when it is considered that it is within the period comprised by the return that the Unstamped have taken up their present important position, it would not be difficult to show that the number of newspaper readers has nearly doubled within the period of two years.

There are now published in London four unstamped broad-sheets, besides a multitude of smaller productions, partaking more or less of the newspaper character. The four papers alluded to are stated to circulate from 20,000 to 30,000 each. Taken together, their circulation exceeds 100,000 weekly. For



all the rest, including those in the pamphlet form, it is quite within the truth to say, they circulate 100,000 more. Thus we have a circulation of more than 10,000,000 annually to be added to the total of the Stamp Return.

In the face of this vast increase of supply, the Stamped Papers have not only not fallen off, as they have occasionally stated, but they have actually increased, as the following totals will show:—

Half year ending January	
1834 . . . . .	9,958,807
June 1834 . . . . .	9,793,124
	<hr/>
Total sheets . . . . .	19,751,931

Half year ending January	
1835 . . . . .	10,058,458
June 1835 . . . . .	10,513,868
	<hr/>
Total sheets . . . . .	20,572,326

Increase . . . . . 820,395

Now, this increase of Stamped Papers, in the face of the extending circulation of the Unstamped, shows that "increase of appetite doth grow by what it feeds on." The Unstamped Papers have undoubtedly helped the thirst for knowledge to develop itself. They have enabled to become readers, a very large class of persons who never could have become so without them. They are not deductions from the readers of Stamped Papers; on the contrary, if they have had any effect upon the Stamped Press, it is to provide them with more readers. A latent desire for reading developed by one class of publications, is not likely to be perpetually confined thereto.

It is true that the circulation of many of the Stamped Papers, daily and weekly, has materially fallen off; but this can be accounted for by peculiar circumstances affecting the individual paper, and having nothing to do with the general feature of the return. A few of these individual cases deserve examination.

Of these the *Times* unquestionably stands first, whether we regard the dire extent of its sufferings, or the loudness of its lamentation. The progressive semi-annual decline is as follows:—

From the first to the second	
half-year . . . . .	21,494

From the second to the third	
half-year . . . . .	150,501
From the third to the fourth	
half-year . . . . .	200,502

Total in one year and a half 372,497

It has been estimated that the *Evening Mail*, issued from the *Times* Office, circulates about 10,000 weekly. Making allowance for this, the average circulation of the *Times*, for the last six months, has been 7,353 per diem. The *Chronicle*, however, very justly remarks, that the great decrease has been progressive, commencing with the apostacy of that Paper and of its Editor. On this calculation, a circulation commencing with 9,000, and averaging 7,353, would give 5,500 as the present circulation. It is very probable that this figure is not far from the truth.

It is highly gratifying to reflect that the shocking dishonesty of this once influential journal has thus met its reward. Not only does it answer all the ends derivable from a lot of punishment, but it affords evidence of the moral feeling of the class of Newspaper readers generally. The *Times* has been loud in its complaints about the Unstamped. It has but little reason to complain. The Unstamped may possibly enjoy some of the former readers of the *Times*, but it may be safely said the *Times* of 1835 would not gain a single reader were the Unstamped swept away to-morrow. If any suffer by the Unstamped, it is the Liberal Papers.

The circulation of the *Morning Chronicle* exhibits features the very converse of those of the *Times*. Its average circulation is 5,490; and, as it has been progressively increasing, its present circulation must be much greater—probably exceeding 7,000. This is sufficiently satisfactory—for, although the backsliding of the *Chronicle* to Whiggism has been such as, in a more moral condition of the Press, would be deemed highly disgraceful, it is still a paper of considerable, though not spotless liberality.

The *Examiner* is another instance of decline, from a particular, and not a general cause. The average circulation for the year ending June 1834, was 3,690 weekly; the average for the year ending June 1835 was 3,363, showing a decrease of 327.

The very marked change which has taken place in the tone of the *Examiner*, may help to account for this. The *Examiner* once enjoyed the highest character for stern independence. Since the Whigs came into office, that character, the Paper has certainly lost. The *Examiner's* constant efforts to bolster up the policy of the Whig Ministry has excited the surprise of those who formerly had as high an opinion of Mr FONBLANQUE'S public virtue as an intelligent critic in the *London Review* (No. III, p. 273, note). It is understood that Mr FONBLANQUE is now attached to the *Chronicle*. If such be the case, the *Examiner's* altered tone should no longer excite wonder, though it may cause regret.

The decreased circulation of the *Herald* is the result of utter inanity. Not that it is worse than it ever was; but other Papers have improved, and thus the imbecility of this Paper has become more conspicuous.

The decline of the *True Sun* may perhaps be charged in part to the competition of the Unstamped Papers. The career of this Paper has been honest throughout.

Various statements have been put forward by the several Newspapers, as an index of the progress of opinion throughout the country. These statements I shall now notice.

The *Standard*, with a view to prove that Toryism is in the ascendant, makes out a table of the circulation of the Daily Papers, of which the following is a statement of the totals:—

Conservative . . . . .	4,024,502
Destructive* . . . . .	2,949,750

Majority in favour of the

Conservative Press . . . . .	1,074,752
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The *Standard* did not reflect that it is not every body who can afford the luxury of a Daily Paper, costing as it does upwards of 9*l.* a year, or nearly 3*l.* a year for an hour's perusal. The *Standard's* view was also limited in another respect: that impartial witness positively forgot the Weekly Press.

The *Sun*, however, supplies the deficiency, by furnishing a table, of which the following are the totals:—

Tory . . . . .	1,023,500
Reforming . . . . .	2,212,300

Majority in favour of the

Reforming press . . . . .	1,188,800
Taking Stamped (daily and weekly) and Unstamped together, we have:—	
Reforming . . . . .	10,062,050
Tory . . . . .	5,048,002

5,114,048

But even this gives a view of the case far too favourable to the Tories. The above statements are from the six months' return. To give the number of subscribers to a given number of Stamps, the Weekly Papers must be divided by 26, the number of weeks in six months; and the Daily Papers by 156, the number of publishing days in six months. This process will give—

Subscribers to Tory Papers,	
Daily . . . . .	25,798
Ditto Weekly . . . . .	39,365
Total . . . . .	65,163

Subscribers to Reforming Papers, Daily . . . . .	18,915
Ditto, Weekly . . . . .	85,088
Total . . . . .	104,003

Majority of Subscribers to Liberal Papers . . . . .	38,840
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In addition to these, the Unstamped collectively enjoy about 200,000 subscribers, which will make the proportion between the two antagonist principles very nearly FIVE TO ONE.

Now about Tory reaction. How is this darling theory of the Conservatives borne out? To this question the *Sun's* classification affords a satisfactory answer, in a table showing the increase and decrease of each Paper. The following totals will answer all purposes:—

Decreased circulation of	
Tory Papers . . . . .	343,497
Increased ditto . . . . .	151,132
Net decrease . . . . .	192,365

Increased circulation of Reforming Papers . . . . .	778,450
Decreased ditto . . . . .	87,000
Net increase . . . . .	691,450

\* I will not quarrel about a name.

Thus the net increase in the number of Stamps used by the Liberal Papers is more than three times that of the Tory Papers,—an additional piece of evidence, by the way, against the doctrine of the interference of the Un-

stamped with the Stamped Press, inasmuch as it the Liberal Papers alone would necessarily have felt such interference, had it existed.

H. S. CHAPMAN.

## USE OF THE BAYONET.

EVERY week we hear of some fresh outrage, arising from the practice of permitting soldiers to go armed among the People. Within the last fortnight two cases have occurred, in both of which a Private of the Scotch Fusileers was actor. The first case is as follows:—

“The man had drunk at a beer-shop, and then, refusing to pay, threw down his belt and side-arms, and left the house. Presently afterwards he returned, demanded his side-arms, and commenced a violent attack upon the landlord, for the purpose of recovering possession of them. By some means or other he succeeded in drawing the bayonet, and would have stabbed the landlord, had it not been for a policeman, who arrested his arm. Here a fearful struggle took place, and, as the bystanders feared to interfere, the policeman would have been seriously injured by the armed ruffian, had it not been for the additional assistance of two other policemen. Still he struggled, but at last was overpowered and consigned to the station-house, whence he was conveyed to his barracks by a serjeant’s party.”

The other case I shall give in the words of the principal witness:—

“Isaac Linton, private in the Scotch Fusileers, was indicted for cutting, stabbing, and wounding Joseph Trinde.

“Joseph Trinde, sworn: On the 1st of August last, about half-past six o’clock, I was passing down South Molton street, and saw the prisoner, another man, and an old gentleman, who were standing near each other; the old gentleman said to me, pointing at the soldier, ‘Look at that villain, he has knocked me down!’ I told him to give him in charge to the police; the soldier then said to the man with him, ‘Well, I have knocked the old fellow down, and if you will go and knock that one down (pointing to me) I’ll stand a pot, by —.’ The man came up instantly and knocked me down; a policeman came up, and the old gentleman called him to take charge of the soldier and his companion, but *the policeman went on and refused to interfere*; the soldier then addressed a woman who was with me, and after calling her an improper name, said, ‘If you don’t go on I’ll punch you;’ *he struck her*, and I said ‘don’t strike the woman,’ upon which he tried to strike me, but I fenced off his blows; he then challenged me to come out to fight; I told him I would not, *I was a poor cripple; he then drew his bayonet, and without any more words ran it into my side, close above the hip, with very great violence, so that he drove me against the railings of the house; the bayonet stuck in, and was stopped by the bone; the prisoner pulled it out of my side, and after wiping it across the sleeve of his coat, replaced it*

*in the sheath; he then tried to strike me as I lay on the ground, but did not reach his arms low enough; he was in the act of jumping upon me, when a butcher came up, and seizing him round the waist, threw him into the road; I called ‘murder!’ and the policeman came up.*

“The witness’s statement was further corroborated by other witnesses, when—

“The Jury returned a verdict of Guilty, and said they were of opinion that a bayonet was not a proper instrument for a soldier to wear, except when on duty.

“The Court, in consideration of the imprisonment already endured by the prisoner, sentenced him to six months’ further confinement and hard labour.”

There is a remarkable feature in the above case, which requires especial notice. It is that Policemen, Inspectors, and Justices, seem to vie with each other in screening the delinquent soldiery from punishment. In one case the Policemen refused to act; in the other the Police, instead of keeping the man in safe custody until he could be tried by a proper tribunal, delivered him over to a serjeant’s party, to be tried by a military tribunal, which only takes cognizance of offences against “the army regulations.” In the case brought before the Sessions the mildness of the punishment forms a striking contrast with the ferocious severity with which petty delinquencies are occasionally punished.

It is said that Lord HILL has issued an order against the practice under notice. If it be so, the constant occurrence of such outrages proves that the order is not enforced; in fact, as his Lordship has the power, it proves that he wants the will to enforce it.

It is not in England alone that such disgraceful scenes occur. In Canada, and in our other colonies, the Newspapers teem with accounts of similar outrages. For these outrages the remedy is simple. The soldier must not be permitted to wear his side-arms. If Lord HILL insists upon hugging the abuse, his Lordship should be dispensed with at the same time.

H. S. CHAPMAN.

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# WHIGS AND RADICALS:

LORD JOHN RUSSELL'S EXHORTATION.

By J. A. ROEBUCK, M.P.

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A LETTER TO DR CHALMERS, ON THE SUBJECT OF  
A GRANT OF PUBLIC MONEY TO THE SCOTCH  
CHURCH.

By WILLIAM ALLEN.

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POOR LAWS.—By J. A. R., &c.

EDITED BY

# J. A. ROEBUCK, M.P.

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[PRICE THREE HALFPENCE.]

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# WHIGS AND RADICALS: LORD JOHN RUSSELL'S EXHORTATION.

LORD JOHN RUSSELL is reported a few days since, in answer to an Address presented to him in the West of England, to have exhorted "the People to continue strenuous in their exertions for Reform, but warning them at the same time not to seek reforms through means of *organic changes in the Constitution*. Such changes he stated to be

dangerous, and necessarily putting into jeopardy the *Monarchy* itself."

The statements of his Lordship appear, on this occasion, to have been of two descriptions: one set having been addressed to the reason of his hearers, the second to their fears. To be strenuous in favour of Reform is a good thing; it is good also to take some

means to attain this Reform. But there are means proposed highly mischievous—mischievous to the People, and mischievous to the Monarchy. How mischievous to the People and to the Monarchy, his Lordship kindly left it to the terrors of his auditors to determine.

This preachment of Lord JOHN RUSSELL affords an admirable illustration of the difference between Whigs and Radicals. The course recommended by his Lordship is the Whig course of conduct—the sort of reasoning he employed, if reasoning it could be called, was thorough Whig reasoning;—and, as such, deserves special consideration.

His Lordship was discoursing about a given *end*, and respecting the *means* to attain that end. After the fashion of his party, he carefully shrouds the *end* in mystery, by using a vague but just now favoured phrase, to designate it: he calls it *Reform*; and having thus at starting pressed ambiguity into his service, he adroitly endeavours to terrify his hearers respecting the *means*, by aid of various prejudices which he well knew possessed the minds of the ignorant in this country.

To this *Whig* proceeding of his Lordship, I shall oppose the *Radical* counterpart, and test his oracular statements by applying to them some plain common sense.

First, then, what *end* was it that Lord JOHN RUSSELL exhorted the People to pursue? Reform. Yes; but what does Reform signify? In this case it can mean, if it mean anything, nothing beyond what is signified by the terms—good Government; that is, such a Government as shall secure to each man the produce of his own industry, and which shall procure for the nation at large, those advantages which the united powers of the People, acting through the Government, can alone attain.

So, then, it appears that the *end* proposed by his Lordship, is still a *means* to a further end. In other words, he exhorts the People to persevere in their endeavours to attain such institutions as will secure them against rapine and oppression, and which shall also advance the general interests of the People.

When we have arrived at this point of the inquiry, the question naturally arises,—what institutions will secure for us these ends? It is plain even from the exhortations of his Lordship, that our present institutions have not attained them. We are robbed, and we are oppressed. He exhorts us to take means to prevent this robbery and oppression for the future. The question again comes round, what means? Our present institutions are bad: what institutions shall we put in their stead? Hereupon his Lordship sets up a shout, and cries out, “Beware of organic changes—FOR you will thereby put the Monarchy in danger.”

But what may this phrase,—organic changes, signify? It is allowed that some changes are needed; but it is said that there is a set of changes, called organic, that will work nothing but evil.

At this point let us come to particulars.

The People have hitherto been robbed and oppressed, in consequence of having trusted to defective institutions. What institutions? Chief and purest institution of all mischief—THE PARLIAMENT. The Parliament has enabled a small body of persons to domineer over and fleece the nation; and has done this because it did not represent the nation, and was not responsible to the nation. The means by which robbery and oppression have been practised, have been bad laws. We have two things, therefore, to effect—first, the repeal of these bad laws, and, se-

condly, security against their re-enactment. The power by which this repeal is to be effected, is Parliament. In other words, the Parliament must be so composed as to desire the repeal; and not merely to desire it for the moment, in consequence of any sudden enthusiasm, or sudden fear, but in consequence of its feelings and principles being permanently that of the nation.

*Organic* changes are those which affect the constitution of this body, of the Parliament. Every man who seeks to render the Parliament identical in interest and in feeling with the nation at large, desires organic changes; every man who wishes so to frame the Parliament, as to make it by its own nature spontaneously desire to repeal the bad laws, and permanently to maintain good ones in their place—every such man desires organic changes.

We are now in a condition to perceive clearly the distinction between a Whig and Radical reformer.

There exist bad laws; and there also exist the cause or parent of these bad laws, the Parliament.

Both the Whig and the Radical acknowledge the existence of the bad laws—they both equally acknowledge that they ought to be repealed. The Whig says, "Make a noise, set up a loud cry, frighten the Parliament, and thus you will constitutionally obtain the end you desire." The Radical says, "The bad laws are but the symptoms of the disease: you cannot hope to cure the symptoms unless you go to the disease itself. The disease in this case, is the character and constitution of your law-making body. Do not then set up a shout and endeavour to frighten the Parliament into repealing simply the bad laws; go one step further—resolutely determine to have a good law-making body; reform not merely the bad laws, but the bad Parliament which makes the bad laws. You will

thus the more surely attain the one end of repealing the mischievous laws, and also the other equally important end, of permanently maintaining good ones. You will not for ever be in a state of combustion of terror and confusion—you will have trustworthy representatives, because you will have the power of summarily punishing them."

LORD JOHN RUSSELL, for example, says to the People,—“Strive strenuously for Reform.” That is, set up a great shout, make a great stir and noise, make great sacrifices at the next election—alarm the Tories by your threats and denunciations, do what you can with your present Parliament, but do not seek to change or improve it; God only knows what may be the consequence! Heaven and Earth may come together, and Monarchy be tumbled headlong from its high places!

I say, (and, for the moment, I will presume to represent the Radicals) strive for Reform—strive for the following particular Reforms, and you may hereafter feel much at your ease, as to your security from robbery and oppression.

Seek, 1st, for the vote by Ballot. This is an organic change.

Seek, 2ndly, for an extension of the suffrage to all rated householders. This is an organic change.

Seek, 3rdly, for a revision of the mode of registration. This is an organic change.

Seek, 4thly, for a Reform in the House of Lords. This is an organic change.

If the People follow the advice of the Whigs in this case, they for years will be in a state of confusion and turmoil. If they take my Radical advice, they will quickly be in perfect security and repose.

And now, my Lord JOHN RUSSELL, I should be glad to know, which of these several organic changes involves

the destruction of the Monarchy, and if it do, why it does so? All these changes tend to make the Parliament a more exact representation of the nation—not of one part or section of the nation, but more like the great community called the People of England; and are you prepared to say, that giving power to the will of this nation will bring on necessarily the destruction of the Monarchical form of Government? Are you so ill informed respecting the opinion of the People as to believe such an assertion?—and if you do not believe it, what makes you fancy that any change in the Constitution which renders the Parliament identical in feeling and opinion with the nation, will have a tendency to destroy the Monarchy? I would press my interrogatory one step further, and ask you, if you really intended what you said, and whether you were not indulging in a rhetorical flourish, which you believed likely to *tell* with your delightful auditors, or was your rhetoric, my Lord, employed on this occasion, in making a peace-offering to the Tories, by making them believe, that you were as prejudiced and as ignorant as themselves? The labour I doubt not, was in their opinion unnecessary, while the rest of the world will consider you only too successful. You may succeed in making your present supporters believe you an insincere Reformer, but you will never conciliate the favour, or gain the friendship of your opponents. The times are dangerous for trimming politicians. The People are far too instructed not to detect insincerity, and far too honest not to punish it.

It was once my fortune to witness a proceeding in humble life, which bore a strong analogy to the case before us. A farmer, travelling to the “far West” in America, from one of the Atlantic States of the Union, found, after he had journeyed several hundred miles,

that neither his horses nor his waggon were fitted for the task he had undertaken. His horses were lazy and unwilling, and his waggon was of a faulty construction, as well as somewhat crazy from age. After a long day’s travelling he put up at a tavern, worn out and almost despairing. His journey was not yet half accomplished, and the more difficult and rugged parts of the road had yet to be traversed. On finishing his supper he entered into conversation with two travellers, who, like himself, intended to pass the night at this tavern by the road-side. He stated his case to his new-found friends, enlarged upon the difficulties he had passed, dwelled upon those he yet expected to encounter, described the state of his waggon and his horses, and ended by craving the advice of his two auditors. Hereupon they all three rose, and went out to inspect his travelling apparatus; and the following colloquy ensued:—

“I guess, stranger,” said the elder of the two listeners, “that your cattle are none of the best, though they be evidently strong, and capable if they please: your waggon is of the old make, *and having seen a good deal of rough travelling, may well be expected to bear a good deal more.* Have a good heart upon it, therefore; get a good stout whip, and, as your voice is a strong one, what by shouting and whipping, I have no doubt but that you will get to your journey’s end in safety.”

The younger of the two advisers had, during this speech, looked carefully over the waggon, and appeared, by his demeanour, by no means to agree with the wise saws of his friend. His advice was asked, whereupon he said:—“Were I in your place, stranger, I would get rid of that old crazy concern entirely. The wheels are altogether of a wrong make, the axle-trees, beside, are worn out, and not over strong. The



road you have to pass is rugged, and the creeks you have to cross full of stones and mud; you must have a right good waggon, and strong and smart horses, to reach the end of your journey. Your goods, you say, are valuable, and it is a matter of great importance to you to succeed. If you do not change your waggon entirely, at least get new wheels and a new axle, and change your horses."

The farmer, fearing the trouble resulting from following this advice, got a new whip, and determined to trust to

that and his voice. By chance I heard the consequence of his determination. His waggon broke down in the middle of a rapid stream, his horses could not drag it out, his goods were spoiled, and no help was now at hand.

If we follow Lord JOHN RUSSELL'S advice, it is more than probable, spite of our shouting and whipping and driving the Houses of Lords and Commons, that our crazy state waggon may break down when there is no help at hand.

J. A. ROEBUCK.

## A LETTER TO DR CHALMERS, AND OTHER MEMBERS OF THE CHURCH OF SCOTLAND, ON THE SUBJECT OF A GRANT OF PUBLIC MONEY TO THE SCOTCH CHURCH.

SIR,

THE cause of my addressing this letter to you is a speech which you delivered before a special meeting of the General Assembly, convened for the purpose of taking into consideration the Commission issued by Government, and which seems to have been received with approbation by your brethren of the Church of Scotland. The sentiments contained in that speech deserve to be commented upon; not on account of their being your individual sentiments, but on account of their representing the sentiments of the class to which you belong. My object in writing to you is to expose to the nation a scheme which deserves universal reprobation; I trust, how small soever the share may be, yet that I may in some degree assist in causing that project to be scouted with indignation.

You and your friends have caused 66 Chapels of Ease to be built; and 65,000*l.* have been subscribed;—a considerable sum: not, however, a very large one, for your Church is supported by the

Aristocracy of Scotland. Your devout flocks, however, are unwilling to pay the hire of Ministers for these Chapels; you therefore request the nation to endow them, and to build additional places of worship. Why should the nation assist you? Because the Scots prefer the being without you to the paying for you? Are your countrymen, then, indifferent to Religion? By no means; for they have built, and now support, 800 places of worship by voluntary contributions; in which number I do not include those 66 Chapels which are built, but which the Scots *wont support*. They are only indifferent to your particular sect; therefore the Dissenters of England, Ireland, and Scotland, ought to be taxed for the want of zeal in favour of your Establishment. You have, by great exertions, got petitions in favour of this proposition signed by 180,000 persons. Men who modestly request that the burdens which they themselves ought to bear, may be borne by the nation—men, whose Pastors and whose Churches

have hardly cost them anything, now dare to desire that those who pay for their own religious teachers, should likewise contribute towards the Parsons of the wealthy and the powerful.

You were sent by your brethren as one of a Deputation to London, in order to induce the Government to consent to this scheme of pillage. The Government, who ought at once to have replied to you in the negative, determined however to issue a Commission of Inquiry; ere they granted money. This has marvellously excited your indignation. What! doubt the word of a Churchman with regard to the necessity of augmenting the establishment? What! after 66 Chapels have been built, and 65,000*l.* have been wrung from the pockets of the most notoriously penurious nation in the world—what! deny us a grant of public money? This, you state, was not the *fault of the Deputation*. I readily believe your assertion: “The Deputation (you said) made no *compromise* with the Government; and if the measure resolved upon was less favourable than a multitude of others that might be pointed out, it did not result from any *consent* and *acquiescence* on their part. The truth was; they could not get a more favourable measure. Nothing could be more distinct and definite than the first proposition the Deputation made to Government—an *immediate grant of money to all the Chapels of Ease and new Churches* that are built, or now in progress of building, throughout the country. \* \* \* \* \*

Along with this immediate grant for the endowment of the Churches already in existence, we were not only prepared fully to *acquiesce* in the propriety of issuing a Commission for the ascertaining of *all future cases* as they may arise, but we should have *rejoiced* in its adoption, and we should have considered the endowment of the Churches now in existence as a great moral experiment, by

which to test the propriety of making any further grant.”\*

First money—then inquiry, you say;—but not even then inquiry into the disputed fact—whether money ought to have been granted to you or not. Indeed, such an inquiry would then be as useless as to try if a man were guilty of the crime for which he had been executed, as the chance of extracting ill-gotten pelf from the pockets of a Churchman is much about the same with that of resuscitating a dead one. Either, you must allow, would be miraculous, whereof the loan to the Irish Clergy is proof. After the money was granted you would have then *consented* to—*ay, rejoiced* at—an inquiry whether *more* money might not be granted!!! Having tried the great moral experiment of putting one hand into one pocket of the nation, then the propriety of inserting the other might be investigated!!!

It is perfectly true, as you state, that the People of England have expended thousands in a similar manner on Churches in the Colonies.

“An honest man may take a knave’s advice,  
But idiots only will be cozen’d twice.”

We are not, I trust, such idiots as to be cozen’d by the Church of Scotland in the manner which you have recommended.

The Government could not, even if they would, have given you money; there was a party in the house violently opposed to any grant. Petitions signed by 130,000 persons have been presented against your application.† You may be well assured that the more the question is discussed, the more determined will be the opposition from the Dissenters

\* Dr Chalmers’ Speech, *Morn. Chron.* Oct. 5.

† With regard to these petitions the LORD ADVOCATE said, “They have come from a body not distinguished by any difference of doctrine and morality from members of the Church of Scotland, but from those who dissent merely on some points of Church Government.”—Debate in House of Commons, June 11: *Mirror of Parliament*.

of the United Kingdom. You are mistaken when you think that you have merely to deal with "trimming and shuffling politicians,"\* that you are only resisted by "lurking, low-minded, underlings of office,"† "hacknied practitioners in politics, unencumbered by delicacy, truth, or honour."‡ You, I find, like other godly Churchmen, can indulge in vituperation, when baffled in your attempts—and that with an energy becoming a recent convert in favor of his newly-assumed creed. You are, though you seem much annoyed at being thought so, "a simple and unexperienced man;"§ and in the simplicity of your heart, have relied too literally upon the saying, "Ask, and it shall be given to you."

Then, like the rest of your canting tribe, in addressing your brethren upon the subject of your disappointment, you appear to have—

"Turned th' outside of your eyes to white,  
Held up your affidavit hand"—

HUDIBRAS,

and poured forth abusive epithets innumerable upon the Government, the Commissioners, and all who are opposed to you.¶ All in vain. The attempts of yourself and your friends will be successfully resisted by those bold and courageous men who, at their own expence, have raised as many places of worship in the United Kingdom as those of the favoured Establishments, who have filled them with devout and eager listeners: a striking contrast to the oft-times deserted palaces of the Church. Let them, I exhort them, heap upon the table of the Lower House pe-

\* Dr CHALMERS' Speech in *Morning Chronicle*, Oct. 5.

† Ibid.

‡ Ibid.

§ Ibid.

¶ Sir JAMES GIBSON CRAIG says, in speaking of Dr CHALMERS, "There was not one abusive epithet in the English language, with the exception perhaps of thimble-riggers, which he (Dr C.) had not applied to the Government and the Commission."—*Morning Chron.* Oct. 5.

titions against a grant; and not one farthing will you get. You vituperate those who supported the measure brought forward by the Government with regard to the Irish Church. Let the majority on that measure admonish you that your hopes are vain.

The Commission, in my opinion, ought never to have been issued, for in some slight degree it seems to sanction the principle, that in certain cases money ought to be granted to you. Now, the only reason alleged for granting money is, that the poor wish to go to Church, but wont pay for religion. If the wishes of the poor are to be consulted, it is evident that those ministers ought to be provided whose tenets the poor prefer. Now, do all the poorer classes belong to the Church of Scotland? Certainly not. Though fashion brings within your pale almost all the aristocracy and wealthy classes, except those whom the still more fashionable Church of England has enticed away, do you assert, then, that all the poor who will not contribute towards the payment of their ministers, belong exclusively to the Church of Scotland? Do you assert that the poor of all the other denominations readily contribute to the support of their teachers?—that those only of the Church of Scotland are lukewarm in the faith of their ancestors? Either this is the case or it is not. If it be so, you and your brethren are to be blamed for the want of zeal and affection in your followers, and this fact would go far to prove you useless. Why, then, should more of you be hired by the nation? If the contrary be the case—if there be poor of other denominations besides those of the Scots Church, who will not contribute towards their pastors, they would have an equal right to a grant of money as yourselves. This might be an argument in favour of paying all denominations, of seizing the property

of your Church, the English, and the Irish, and applying it generally to the support of the ministers of the different creeds, as the People might elect them; but it can never be an argument in favour of a grant to an exclusive Church.

With these difficulties to contend against, I am somewhat surprised that you did not hail the Commission with joy. You are excessively enraged at not having received money; you are still more enraged at the terms of the Commission, and the persons appointed as Commissioners.

In the Commission, you say, "there were certain points of an obnoxious and questionable character, for which the deputation were not responsible. They never gave their *consent* to the inquiry into the ecclesiastical funds which might be available. And they were not consulted as to the appointment of the Commissioners, or the terms of their instructions, notwithstanding their well known anxiety for both. They gave in a paper containing what, in their opinion, ought to be these instructions; but of this no notice was taken. It was painful to speak of the policy which had been used against them, but he would deliver a plain and unvarnished tale."\*

A plain and unvarnished tale, indeed! One which, when told to the people of England, will convince them that you are as bold in your attempts at filching as the rest of your profession.

I will, however, in order to argue with you, assume as an hypothesis this position (which, however, I most strenuously assert is a false one), that there are some cases in which money ought to be taken out of the pockets of the nation, to be put into your pockets. What can those cases be? Evidently

only when it can be proved that there is not *money enough* in your pockets. First, therefore, it must be known what funds you possess; consequently, an investigation ought to be made, prior to any grant. This is so clear, that I cannot conceive any set of men objecting to it, unless they were convinced that the result of such an investigation would be against their wishes. "When reason is against men, men will be against reason." This saying will perhaps explain your conduct, and that of your brethren, as your intellectual powers are too well known and proved, for me one moment to class you with such men as Mr BUCHAN, of Kelloe.\*

In order to investigate, persons must be appointed; these persons were to determine what funds you had, and whether you ought to have more. It evidently was of the uttermost importance to you, if "reason was against you, and you were against reason," that you should have Commissioners appointed by yourselves—it was your only remaining chance. Now, the value of personal influence is well known to priests of your description — so you told your brethren:—

"One gentleman, a Member of Parliament, in *high favour* with the Cabinet, and who had *great favour* for the Church, was selected by us as a medium of communication with the Government. We suggested to him the names of several Edinburgh gentlemen, *friends of the Church*, and *friends of the existing Administration*; and besides these, we recommended —, as connected with the west of Scotland; —, on account of his patrimonial interest in

\* This gentleman, "amongst other things which caused him to distrust the Government and the Commission, could not but lament that this Protestant soil (Scotland) should be polluted by such an impious man as Mr O'CONNELL, *without one gainsaying word on the part of the Government!!*"—*Morning Chronicle*, October 5.

\* *Morning Chronicle*, Oct. 5, 1835.

the West Highlands; and —,\* for his interest in the North. We were not told that these would be appointed, but we were told that those to be appointed would be equally satisfactory; we had the strongest assurances that a fair and *friendly* Commission would be appointed. You would not say what you felt a few days afterwards, when the *Gazette* with its catalogue of names, for the most part before unknown and unheard of, or known only for their hostility to the Church, was spread before you." "You then (says Sir JAMES GIBSON CRAIG, whose undaunted conduct amongst your assembly of bigots, deserves the extremest praise) resorted to every term of reproach which the English language could furnish you against Ministers."\*

What are your objections to the Commissioners? That they were not appointed by yourself:—a valid objection in the eyes of you and your brethren, who wish to receive money; but I doubt much whether it will be one in the eyes of those who would have to pay it.

One of the Commissioners is, however, a Dissenter!!! He is opposed to the principle of any connection between Church and State!!! That is, one of the eleven Commissioners appointed to examine into the opportunities of religious worship and the means of religious instruction, not only for communicants of the Church of Scotland, but for Dissenters. One of these men belongs to a class which possesses 800 places of worship in your country, whilst the number of those belonging to the Estab-

\* I have omitted these gentlemen's names, because I can neither affirm of them *individually*, nor deny their fitness or unfitness, as I am unacquainted with them; whilst I desire to affirm generally of the class of large landed proprietors, or who have *great favour* for the Church, that they ought not to be appointed on such an inquiry.

\* Speech of Sir JAMES GIBSON CRAIG, in the *Morning Chronicle*, October 5.

lishment does not exceed 1,100. At this appointment you rave in a manner unbecoming in any man, indecent in a minister of him who was perfection in meekness and humility. But, say your brethren, "The Commission, with very few exceptions, does not contain the names of individuals known to the Church of Scotland as possessing that knowledge and experience, or *taking that interest in the spiritual affairs of the People of Scotland*, which are necessary to afford any security that the professed objects of the Commission can be fairly and fully carried into effect."\* You and your brethren seem to me to have made a mistake with regard to the objects of the Commission. The Commission is not for the purpose of giving you money; but for the purpose of inquiring whether any *ought* to be given you and how much. Perhaps even the Commission may find out that you have too much. What specific objection have you to these Commissioners, except that they have not all the honour of *being known* to you? Are you, then, acquainted with all the persons in the three Kingdoms fit for such an appointment?

You say they are *ignorant*. Ignorant of what? Of the fact, I presume, that you *ought* to receive money. Long may they continue to be so. It is this fact of which they are to be judges: you surely do not mean to assert that they are so ignorant and illiterate as to be unable to determine the statistical facts into which they are commissioned to inquire. They are not sufficiently *interested in the spiritual affairs of the People of Scotland*, you say; the language of you Churchmen is now sufficiently well known, so that I may easily render this sentence into plain English.

\* Remonstrance of the General Assembly of the Church of Scotland against the Commission for, &c.; from which remonstrance dissented (to their honour be it told) Sir James Gibson Craig, Wm. Bell, Esq., and John Whitefoord Mackenzie, Esq.—*Parliamentary Report*.

You mean, that they are not determined, whatever may be the facts, to give money to your Church, which Church you presume to term the People of Scotland, though one half of them are Dissenters or Catholics.

The nation will be convinced, by your vehement outcries, that there is something wrong in the state of your Church. Those who are conscious that all is right never fear a public investigation. You are dreadfully alarmed at the very idea of any inquiry into the manner in which you perform your duties. There is not, in the whole Commission, one word with respect either to the doctrine, worship,\* government, or discipline of the Church. You are, however, conscious that if any stray questions on these subjects were put, the answers would rebound to your discredit; you therefore feel it necessary to resolve that "it is not competent to the Commissioners to put to individual members any questions relating to the doctrine, worship, government, or discipline of the Church."† You are afraid of the comparison which might be drawn between yourselves and the Dissenters; you are alarmed lest it should tend to establish the principle which the Assembly declare would be "*subversive of this and all other Ecclesiastical Establishments; viz. that whenever religious instruction and pastoral superintendence are found to a certain extent, afforded by any sect or denomination whatsoever, Catholic or Protestant, then the services of an Established Church are not required, and may be dispensed with. [Then the services are dispensed with by the People, but it is the payment of them which you mean ought not to be dispensed with.]*" The Commission of the General Assembly publicly and solemnly protest against

whatever has such a tendency [as to prevent their being paid for unrendered services], and declare that they consider it to be the sacred duty of the Legislature to support and to protect the National Church and to secure accommodation and religious instruction to the People of Scotland, so that they may attend regularly upon divine ordinances, and may profit by the pastoral exertions and superintendence of its ministers [without in any way considering whether the People of Scotland are inclined to derive these advantages from the Church or not, or examining whether they already enjoy them from other denominations of Christians.]\* You said, "a territorial and endowed Establishment," to be paid for by the nation, would suffice; and this you thought you would have obtained, had you been able to appoint your own Commissioners from amongst those who had *great favour for the Church*, or possessed considerable territorial influence. But why did you wish to have men of large landed property in the Commission? It is said that there is a considerable debt due from them to you. You thought, perhaps, if you were to demand the payment of that debt, they might become your foes, and you would get nothing. If, however, they were the Commissioners, they would report in favour of a grant, and the nation would pay in their stead. This may explain the outcry which has been raised on account of the Commission being appointed to examine into the *available* funds of the Church. I do not affirm, of my own knowledge, that such a debt exists; my authority is Mr ROBERT WALLACE, who, in the debate on the subject of the Commission, June 11, said:—

"I have to tell the House distinctly, that a large amount of the Church pro-

\* The Commission is to enquire into the *opportunities* of religious worship, &c.

† Resolution of General Assembly.—*Morning Chronicle*, October 5.

\* Resolution of the Assembly. I have added a few words, contained between the brackets, in order to complete the sense of the passages.

perty in Scotland is still in the *hands of the Landed Interest*, who, along with their forefathers, have had the good sense not to make over, for Church purposes, more than one *twenty-fifth* part, instead of one fifth part, which they are *bound by law* to do, if it should be required for the Church. I myself hold Church tithes still unappropriated in two parishes, and I should disdain to put my hand into the public purse while I have unapplied Church property in my pocket. Will the Honourable Members\* opposite subscribe to the same rule? \* \* \* \*

I must, upon a review of all the circumstances of the case, repeat my conviction of a Commission being the proper and only competent means of making an inquiry especially into the tithes, of which *a large amount will be found where least expected*, and especially amongst the *most wealthy of the titled Aristocracy*, some of whom, *although liable*, contribute little or nothing at present to the maintenance of the Church."† These seem to me sufficient reasons for not forming the Commission of the Landed Aristocracy *known* to you and the Church. Perhaps you would say, "set a thief to catch a thief." For the wisdom and institutions of our ancestors no one has a profounder reverence than myself; I am, however, inclined to suspect the maxim was not intended by them to apply to the case of setting a thief to catch himself.

Why have neither you nor your friends, in your speeches and resolutions, once alluded to the question of these unappropriated funds? Do you think it would be easier to draw money by the aid of the Aristocracy from the pockets of the poor, than to oblige the wealthy classes to comply with the obligations under which they hold their estates? Such

is ever the conduct of your tribe—sycophants to the rich, extortioners to the poor.

One word of advice to you and your brethren ere I conclude this letter.

Churchmen, says (I think) one of our old writers, are a sort of ignorant tinkers, who, in matters of their own profession, such as is the mending and soldering of men's consciences, have made more holes than they found; nay, what makes them more unpardonable, they are ever attempting, under this pretext of their trade, to put their hands into the pockets of men's breeches. You are a Churchman, and are said to be a most potent mender and solderer. It is not, however, as a repairer of consciences that I have addressed you. I have written to you on account of the audacity with which you seek to pillage the people of this nation. Of the three corporations in this empire which are composed of Churchmen, two (the Church of England and that of Ireland) have enough to do in defending the possession of their misemployed property; and success, I trust, will not long attend their efforts. Now, in the state of public feeling with regard to these corporations, are you and your brethren wise in attempting to pillage, even under the pretext, that without the nation hiring some like unto you, men will leave their consciences unmended and unsoldered? Are you wise in making such an outcry, because you are not permitted yourselves to determine the amount of plunder which you are to receive?

That you and your brethren may fail in all these your efforts; that I may have some small share in frustrating your endeavours; that I may ever assist in unveiling you and others of the canting tribe, is the sincere and earnest prayer

Of your humble servant,

WILLIAM ALLEN.

\* Those who were in favour of a grant.

† Mirror of Parliament.

## POOR LAWS.

As much misconception exists respecting the opinions held on the subject of Poor Laws, by a very large class of Radicals, both in and out of Parliament, a few words of explanation may not be wholly without use. In stating my own opinions on this important question, I feel confident that in this particular, I represent the majority of those usually considered the ultra Liberals of the House of Commons.

In every community there will be some persons who through want or through infirmity, are unable to procure for themselves the means of subsistence; and every state has to determine these questions: 1st, Shall these infirm and poor be provided for by the law; and 2nd, If the law have to provide for them, in what way shall that provision be afforded?

Every beneficent and provident state will answer the first question in the affirmative: Those who are unable to provide for themselves, either through infirmity, or from poverty, ought to be provided for by the state;—and this for several reasons.

In the first place, humanity requires of us that we do not allow our fellow creatures to starve, if we possess the means of sustaining them. It may, however, be said, that private charity will prevent this. To this I reply, that the keeping a fellow creature from starvation, ought not to be made a matter of chance when it can be rendered a matter of certainty. And further I would remark, that any evil which could be expected to arise from giving the poor a legal provision would also follow from voluntary charity: that the evil also would be increased by the ignorance in which charitable individuals must necessarily be as to the character and real necessities of the parties claiming their benevolence. Make the provision a legal one, and

precautions may easily be taken to prevent the unworthy and the idle, from assuming the character of the infirm and involuntary poor.

But it may be said, that if you provide for all who cannot provide for themselves, you will promote idleness, and at last increase the number of paupers to such an extent, that they will eat up all the savings of the industrious.

To this objection the answer is twofold.

First: the provision for the poor is in reality a matter of necessity, *for if you do not provide for those in want, as paupers, you will have to provide for them as criminals.* Men will not starve with plenty around them. They will steal rather than die, and be maintained in the jail in place of the poor-house. As a mere matter of economy then, laying aside any higher motive, a legal provision for the poor is a matter of necessity.

Second: though it be true that there exists the danger pointed out by the objection, still it is equally true that such danger may be avoided by judicious regulations, and here we are brought to the consideration of the second inquiry, viz: in what way shall the law provide for the infirm and the destitute?

Before determining on the mode in which relief shall be afforded, it is necessary to classify the parties requiring it. These naturally fall into two divisions.

In the first division we place the old, the infirm, and children.

In the second, the healthy and able-bodied who are unable to find work, and who from this circumstance are compelled to seek for relief.

Now, it is evident that the danger of promoting idleness by providing for the aged and helpless poor, is absolutely nothing. Their state demands the



greatest consideration, and every possible alleviation of their misery should be afforded. A comfortable subsistence should be provided for them.

The case of the children is one of equal commiseration and equal safety. Besides a comfortable subsistence, a good education ought to be afforded to them. Habits of industry ought carefully to be created in them, and they should be made, by good training, eagerly to desire independence, and to consider it a duty to provide for themselves the moment they are capable of doing so.

We now come to the more difficult question of,—how ought we to provide for the able-bodied paupers?

Two dangers are before us. On the one hand, if we do not provide for them at all, we drive them to be criminals; on the other, if we provide for them too well, we create a tendency to idleness, and thus rob the industrious to maintain the idle.

The dangers themselves point out the remedy:—

1st. We must provide some provision for the destitute poor. Their condition should be such as to shut out all inducement to crime.

2nd. But the provision should not make them as comfortable as the independent labourer. They would thus always have a motive to seek the means of earning their own subsistence, and the dangerous tendency to idleness would be effectually counteracted.

Such, then, is the rule which wisdom and true beneficence point out, and such is the sort of provision which I propose to afford the destitute.

To the aged, infirm, and to children, I would afford not merely a healthy, but also a comfortable subsistence; I would gratify as far as possible every innocent desire of these helpless and wretched fellow creatures; I would seek to the utmost to alleviate the misery of their

lot; and to the children I would give an education that would make them industrious and honest.

To the able-bodied poor I would afford a relief that should preclude the possibility of starvation. They should have a sufficiency of wholesome food, warm clothing, and comfortable lodging; but this their lot should not be so pleasant as would be that of an independent labourer, while it should have no tendency to drive them to dishonest courses.

And here I would pause, and ask, what in this statement is there revolting or absurd? What in it, can the warmest and most enthusiastic philanthropist see, which deserves vituperation? There are indeed some so-called philanthropists, who, in their solicitude for the pauper, forget the rest of the community—who, in their zeal to make the poor who cannot get work comfortable and happy, utterly erase from their recollections the situation of the independent labourer. No one can deny that it is desirable that every one should provide for himself—that none should be dependant either on public or private charity; if so, it must be evident that we should be especially careful not to adopt any mode of proceeding which holds out a temptation to the industrious to cease from their industry—to the independent to hold cheap their independence. But is it not clear that you do create this temptation the moment that you make the condition of the pauper receiving charity, more comfortable than that of the independent labourer, who supports himself? Is there no compassion for the hard-working and industrious labourer? Is all this divine quality reserved for him who demands our alms? That is strange benevolence that would render all mankind miserable!

Look at the case, item by item; let us picture to ourselves the situation of

the independent labourer and the pauper. Supposing two labouring men, each with a wife and four children;—one of these unluckily is thrown out of work, and is obliged to ask for relief. While an independent labourer, he worked nearly twelve hours a-day, and his food, though abundant, was seldom composed of meat;—say that he could afford beef once a week, and that, for the most part, what animal food he tasted was bacon. Suppose also that beer with him was a rare luxury; that he indulged in it never beyond once a week. Suppose also that, though he can afford his wife a little tea, his children live chiefly on bread and potatoes. When times were hard, he has often had a slice of bread and an onion for his dinner, and consoled himself with the hope that better days were at hand.

He goes into the workhouse; on a sudden, in consequence of the turmoil created by some benevolent but ignorant friend of the pauper, he and his whole family are treated daily with as much meat as they can eat, plenty of beer, tea, and no work. But all this time this man's companion, who still has work, labours on, and has no more than the hard fare I have described. Now, I ask, what motive has the pauper ever to leave his condition of a pauper? And I also would like much to know whether the labourer that is still independent has not every possible inducement to leave his work, and follow the footsteps of his neighbour?—in other words, to leave his hard fare and his industry, and live in idleness and plenty?

Hereupon a shout is raised by the pauper's friend, and we are loudly asked if poverty be a crime; and if not, why it should be punished? Poverty, I answer, is no crime; neither do I seek to

punish it. In making laws, however, it is necessary for us to look at distant as well as immediate consequences; and while, in the name of the State, we afford subsistence to those who cannot provide it for themselves, it behoves us to be watchful lest our charity lead to mischief. If a beggar accost me in the street, and demand of me charity, my first impulse is to relieve the distress which I fancy I see before me: but if I look up, I may chance to see a board, carried about the streets at the expense of benevolent individuals, bidding me not to give alms in the streets. Why is this advice given? Because begging has become a trade, and we are far more likely to be giving to thieves than to deserving poor by affording indiscriminate alms in the streets. A wise man, therefore, checks the first impulse; he refuses the charity demanded of him. Is he cruel because he does so? Is he hard-hearted because he refuses to obey the first impulse, and yields to the voice of reason? Every man will say that he has acted not merely wisely, but really benevolently. Thus the State must also listen to reason. The first impulse with us all may be, and probably is, to relieve every distress; but we find that this leads to dangerous consequences. All will, in the end, be alike miserable, if, by our misguiding benevolence, we foster indolence, and the long train of evils which indolence brings with it. Rules like these may appear rigid; they will in the end, however, be found to be the dictates of true benevolence, and they who practise them better deserving the name of philanthropists than he who, by his careless, hasty, and ignorant benevolence, under the name of charity, promotes idleness and vice.

J. A. R.

## A TITHE CASE.

THE best, that is the most practical advocates for the abolition of Tithes are, most assuredly, the Parsons themselves. The obnoxious manner in which they usually prosecute their claims, and their cupidity about insignificant trifles will, in a short time, render the impost impossible to collect. Then will the Parsons themselves become the noisiest abolitionists. We shall be favoured with vivid pictures of their distresses and sufferings, and of their meekness and humiliation under their afflictions. The haughty tone and bearing of the proud oppressor will be changed for the mean and abject demeanour of the lowly beggar. There will be a studious concealment of past sins, and, as among the Irish Clergy, we shall be reminded only of present woes.

The following characteristic case has been recently exposed by a provincial Newspaper:—

“Some time since a poor cottager, residing at Ripon, who is described by the local papers as a man of remarkable industry and strictness of conduct, declined to compound with the Dean and Chapter for a tithe of milk, preferring to pay in kind. Accordingly the poor tailor—for such is his trade—is taken at his word, and the following amiable epistle is conveyed to him;—

“Ripon, 25th September.

“Sir,—As you wish the tithe of milk due to the Dean and Chapter to be taken in kind, rather than to pay any composition for, or estimated value of the same, I am directed to inform you, that it will be taken in kind accordingly; reckoning the evening's meal of Saturday, the 26th day of September instant, as the first, so that the tenth evening's and the tenth morning's meal (entire) will be due, namely, on the evening of the 6th; and you will please to send me notice at what place, and at what hour, it will be ready to be taken away.

“I am, Sir, your obedient servant,

“ROBERT ROBINSON, Agent, &c.

“To Mr. Wm. Darnborough, Tailor, Ripon.”

Now, there cannot be a doubt but that these reverend, godly men have a legal right to deprive the poor tailor's ten children of their breakfast and supper, perhaps of their whole food, every tenth day. It may, however, still be doubted whether the proceeding be either humane or wise. The Parsons are accustomed on all occasions to mix up every act of theirs with the idea of religion. If their conduct be objected to, they are accustomed to raise up a shout that “the Church is in danger,” and to assume that religion is covertly attacked through their sacred persons. Repeated acts of oppression, such as we see constantly recorded, will, in all probability, prove disastrous to the body corporate of Churchmen; but to argue thence that religion is in danger, does not appear to me so just or reasonable.

I remember once at school an unfortunate usher, who taught the little boys cyphering, happened to render himself obnoxious by unnecessary severity. He was accordingly *boned*; that is, he was assailed with all sorts of missiles—traps, bats, inkstands, old shoes, candlesticks, in short, with anything that came to hand, till he was compelled to retreat, and from motives of prudence, was never thrust upon the boys again. Now, will any body pretend to argue from the expulsion of this poor insignificant creature, that “arithmetic was in danger?” To be sure not. Its promulgation was rendered more certain by the employment of a more amiable teacher. Well, then, the Parsons' cry is equally absurd. Religion is as safe as the rule of three, or compound division, and the sooner we begin to check the evil doings of religion's ministers the better.

As for the poor tailor of Ripon, it would add much to his comfort were he to set out the tithe of each days' produce.

H. S. C.

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# PROGRESS OF DEMOCRACY.

By ROBERT HAMMERSLEY.

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## THE LONDON REVIEW AND THE PERIODICAL PRESS.

By J. A. ROEBUCK, M.P.

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By H. S. CHAPMAN.

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By H. S. C.

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EDITED BY

# J. A. ROEBUCK, M.P.

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[PRICE THREE HALFPENCE.]

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### PROGRESS OF DEMOCRACY.

“SHALL we overturn the Peers?” is the title of the opening article in this month’s number of the great Tory periodical, *Blackwood’s Magazine*. The question put by Mr ROEBUCK was—“Of what use is the House of Lords?” Since then only ten weeks have elapsed; and during that time the nation has responded to the Radical question in such a manner, that even the “tip-top”

Tory Magazine opens with the strong language, “Shall we overturn the Peers?”

This is, indeed, a vital question for a Tory; and the writer of the article, fully sensible of the fact, has brought forward, to support the negative, a jumble at which every well-informed man of the productive classes will heartily laugh. For the amusement of those

who have not access to the book, I shall give an abstract of the article, with a suitable comment.

It begins with a Radical proposition, that "Every individual, or body of men who enjoy unlimited power, are liable to abuse it." [The writer should have said, are *sure* to abuse it.] "The whole theory of Representative or Constitutional Monarchy is founded upon the experience of the impossibility of entrusting *unrestrained* authority to any man or body of men, and the necessity of perpetually providing, in the watchful *superintendence* of the People, a barrier against undue encroachments of the depositaries of power."

Here is a plain and full admission of a great Radical principle, that the members of any government, with unrestrained authority in their hands, will abuse it; and that the only way to prevent abuse, is for the People to *superintend* the acts of the Government. Observe, the People, from "necessity," must *superintend*, not look idly on, not make disregarded calls for redress; they must *superintend*, and of course must retain or obtain the necessary power for *superintendence*. Why, it may be asked, does this Tory writer set out with such an admission? I will tell you: He knows you will concur in the admission, and having started you with him, he hopes to lead you slyly into his path. For he immediately takes a step away from the truth, and calls Radicals "Revolutionists;" and then, taking a greater stride into falsehood, he says that they want a Government consisting solely of an unrestrained House of Commons; and he asserts that the Radicals call this the "*ne plus ultra* of social regeneration." Is not this Tory nonsense really puerile and laughable? No, no, the Radicals know very well what they want: they want the House of Commons to be actually responsible, and the House of Lords also, if they

have one at all, to be also responsible to the People,—in order that the People may exert their "*watchful superintendence*."

*Blackwood* gallops on—supposing he has got his reader fully under weigh, and takes his course at once to Toryism. "In proportion," says he, "as the Democratic party has acquired influence in the State [Government], its pretensions have become more exorbitant, and its enterprises more audacious." First, Democracy got Catholic Emancipation; "no sooner was it conceded" than it cried out for Parliamentary Reform. Democracy obtained Parliamentary Reform, "upon the solemn engagement that it was to be a final measure;" "no sooner was this great victory gained, than Corporation Reform—in other words, a democratic constitution of all the boroughs, was carried through." And then, merely because the Irish Church Reform was defeated by the Lords, "a loud outcry was raised for the abolition or modification of the Upper House." All which, he says, is to be used "as platforms from whence to direct their [the Liberals'] attacks against all that remains of the Constitution." Catholic Emancipation, with Parliamentary and Corporate Reforms, are among these "exorbitant pretensions;" while attacks on the remains of the Constitution are the "audacious enterprises." It is really one of the most absurd things in this world to be eternally talking about the Constitution. The Constitution! Where is it—Who has seen it? Who can tell us which way it will be twisted next? If indeed there be a Constitution, bring it forth, exhibit it to us, let us see it, let us know when it was made, how it was made, and *who made it*. Translate this Tory scribbling into plain English, and read it thus:—Any further correction of gross and misery-producing abuses are "audacious enterprises"

on the part of the People to serve themselves, which, be it understood, the Peers forbid.

The "use of the House of Lords," or the answer to Mr ROEBUCK's question, is next given by our Magazine Tory. "It is hereditary descent which tempers the rigour and checks the selfishness of absolute power." Very well; but as there is no longer *absolute power* in any branch of the Government, "hereditary descent" is no longer required for this purpose. But, say this defender of the Peers, and he is, perhaps, a distinguished Lord, "durability in the connexion between the Governors and the Governed, is the great bond which unites together the higher [Aristocratic] and lower [productive] classes, and checks the iniquity of the former." By "durability" here, he means perpetuity of the same titles, &c., and life-continuance of the same men, having the same powers as Governors. This unchangeableness of the Governors, or the existence of hereditary Peers, he says, is the bond of union between the Aristocratic and productive classes. I do not know that I fully comprehend the learned Theban at this point; he seems as if he intended to say, that the "Governed" or "Lower Classes," that is, the People at large, would have no respect or regard for their "Governors," unless these were "durable" Governors by "hereditary descent." Then, too, this strange sort of bond "checks the iniquity of the higher classes." This is what this Tory writer says; we Radicals think, nevertheless, that the Aristocratic and democratic classes are not much united, and that the "iniquity of the former" has not only been wholly unchecked by hereditary descent, but has all along been promoted. Until some one takes the trouble to prove that these classes are "united together," and the "iniquity" of the

Aristocrats is kept in check by the existence of hereditary descent, or hereditary legislation, this great argument in favour of the Peers availeth not. The writer in Blackwood, having quacked the virtues of this wonderful bond, cries out triumphantly, "but this lasting and durable bond is totally wanting with democratic leaders" [between them and the People], that is, between the elected and the electors.

Then comes the old pretence against elected Representatives, "that rotation in office, so dear to popular jealousy, precludes the possibility of forming permanent plans for the amelioration of the State" [nation.] Fifteen million of Englishmen across the Atlantic form a nation in which rotation in office has contributed to permanent and successful plans for political and social ameliorations, beyond those of all other nations. Even here in Great Britain, who are they,—the Peers, or the elected Commons, even as they have been and are elected—that have formed plans for political amelioration? Why, it is for opposing plans of amelioration by the Commons that the question of overturning the Peers has been forced upon our consideration.

After making out his case for the Peers, the Tory writer treats us with a tirade against Reformers. He then becomes vehement upon the subject of revolutions, and tells us, that "all revolutions are carried through their last stages by the low, the base, the sordid." As, for example, by Washington, Franklin, Jefferson, Adams, Rush, Hancock, and the host of similar Englishmen, who carried through the revolution of 1776, that gave them a new patronymic—Americans.

The champion of the Peers, growing more and more heated, repeats Mr ROEBUCK's question "Of what use is the House of Lords?" "In reply," says he, "we ask, of what use is the House of

Commons?" He, generous Tory, does not wish to lay his finger on the Commons; but he prefers greatly an "Oligarchy" to a popular government. "If we are to have but one assembly," he cries, "give us that of Aristocrats." That is natural enough. Until 1832, the Commons' House was the servant of the Peers; all was purely Aristocratic, and the Tories were glorious; he affirms that it was the control of the popular assembly, which has "produced all former liberty." Here the champion's passion fairly blazes forth, and he flourishes about the first French revolution, and the long Parliament of England, almost to the end of his article.

His passion having put the Tory champion off his guard, he forgets the proposition with which he begins the article; he declares that none but "shallow politicians look to public opinion" as a "barrier" or "check" to encroaching authority. "Democratic majorities," says he, "never can be restrained by popular opinion: as well might it be hoped that the public opinion of thieves will check theft." Witness the Anglo-Americans; witness the growing control of public opinion, even, recent as it is in this country, over the House of Commons; see the great good which these Anglo-Americans have obtained, and the growing good which the Radicals are obtaining for the people here, solely by the direction of public opinion. These are the things that disturb the Tories; these are the things that make them rave in *Blackwood*; these are the things that produce Carlton Clubs and Orange Associations, and send high-flying Aristocrats to Kalish.

Next comes advice by the writer of this article to the Tory Peers, which, doubtless, was concocted at that very assembly of the arch-enemies of mankind.

The Peers are told that if further Reforms are demanded, they must be firm in opposing them. The Peers are told that they "now possess the means of making a very different stand" from that in the times of Charles I, "their talents, energy, dignity, patriotism, which stand forth on the national theatre, in proud and striking contrast to the vulgarity, selfishness, fawning on the multitude, and want of information, which are so conspicuous among the Democratic party." The Peers are told, now for the second time in this same Magazine, that the yeomanry and strong men of the country will fight for with them; and that the "Papists, Dissenters, Insolvents, scum of great cities, dregs of manufacturing wealth, and drunkards," will alone make up the Democratic ranks. The Peers are told that "these classes are a more formidable body, in point of numbers, at the polls; but in moral and physical strength, they constitute only a fraction of the nation," and could "soon be crushed by the aroused indignation of the better [meaning Aristocratic] classes." The Peers are told "to be *Constitutional*; to reject or modify all Bills sent up to them from the Commons; and to do this invariably with every Bill which has a *tendency* to increase the already overcharged Democratic parts of the *Constitution*." The Peers are told to "stick to the *Constitution* as it is, *with all its present faults*, with scrupulous fidelity." The Peers are told to "prepare Bills practically beneficial, but with no Democratic tendency;" that is to say, to "originate" in their own house "Sir ROBERT PEEL'S measures." There spoke the wisdom of Professor WILSON. Alas! poor man, he cannot see what every body but a blind Tory sees and acknowledges—that the time is come when no Bill can become law, unless it has a "DEMOCRATIC TENDENCY."

ROBERT HAMMERSLEY.



## THE LONDON REVIEW AND THE PERIODICAL PRESS.

PEOPLE are at length gathering courage enough to speak out respecting the Periodical Press. The true estimate of the writers by whom it is conducted is now continually laid before the public, and it will not be long before they and their anonymous criticisms will be properly appreciated. The following observations [in the last number of the *London Review*, tell the truth in a straightforward manner, and deserve very general and very attentive consideration.

“The newspaper critics have exhibited, with a discreditable frankness, the cause of their anger with Mrs Butler. Their severity is exercised by way of almost avowed retaliation for her disrespect to themselves. She has affronted them collectively; and has learnt to her cost how staunch they can be in defence of their ‘order.’ She expresses a general dislike of the writers in newspapers, whom she calls the ‘press-gang,’—says she makes it a rule never to be introduced to one of the body—wonders at the position they occupy in America, with a wonder by no means akin to approbation, and declares her decided preference for the English custom of not admitting gentlemen of the press into good society.

“The expression of a participation in these feelings of contempt for a class of men, whose doubtful position in society in many respects greatly resembles that occupied by her own profession, comes certainly in not the best taste from an actress. But we can hardly wonder at contemptuous indignation bursting forth in the writings of one who had experienced so large a share of the infamous calumnies and venal praises of the newspapers, or blame her for shrinking from personal intercourse with a class of men, whom she has had peculiar reasons for viewing with all the distrust and aversion with which they are generally regarded in English society. For, furiously as the gentlemen of the press have resented Mrs Butler’s account of their social position in this country, it is perfectly, obviously, and therefore most

offensively correct. That those, who are regularly connected with the newspaper press, are for the most part excluded from what is, in the widest extension of the term, called good society; or that, if admitted into good company, they are very rarely admitted on a footing of equality, is a lamentable truth, familiar to every body who has any knowledge of the world. No one can regret the state of things more than ourselves. That a class of men, of which many possess the acquirements, and entertain the feelings, which the most liberal education can give, and who collectively wield so vast a power over the public mind, should be placed in a social position so irritating to generous dispositions, so utterly disproportioned to their political importance, excluded from the enjoyments of polished society, and removed equally out of the reach of its softening influences, and of responsibility to its good opinion, appears to us a national misfortune. But instead of impugning a notoriously correct statement, or wreaking their vengeance on those who frankly express what all the world thinks, the writers in newspapers would act wisely if they would profit by the unwelcome information, and merit a higher and more comfortable position. For the fault of their ill-treatment is not so much the world’s as theirs. As literary men, to be sure, they occupy no higher rank than that which the vulgar insolence of our aristocracy of money allots in the present day to the whole class of authors; and the sin of submitting to such an inferiority is that of the common disregard of the whole class for its own dignity. But that *they* are placed at the bottom of the whole class, that *their* measure of contempt is embittered by aversion, is the effect of their peculiar delinquencies. The causes are obvious. How can men help shunning contact with men who have the power of inflicting secret injury; and who are known to be in the habit of using that power against the members of society; who, to gratify the rage of parties, or the odious envy of the vulgar, expose to ridicule the follies, and even the misfortunes of individuals;

and who, under the shelter of anonymous writing, evade all responsibility to injured personal honour, or the outraged opinion of the world? Society treats the gentlemen of the press much as folks used to behave to witches. It dreads their secret malice and irresistible power, and pays them off for great injuries by petty spite and contemptuous exclusion. Nor can it respect them more than it likes them. How is it possible to respect men, who display so frequent a disregard for morality or moral approbation; who, with the power of directing public opinion, are so rarely above a vile subserviency to the prejudices and passions of their readers; and who, dependent on the will of persons having no higher object in view than the success of a pecuniary speculation, so often change their opinions, in order to keep the favour or increase the dividends of their employers? How can society respect men who show so little respect for themselves and for each other; who, when their gains are threatened, can talk, it is true, in a lofty tone about 'the high character of the press of this country for talent and integrity; but who in general are occupied in bandying with each other the lowest slang of the pot-houses, or imputations of gross dishonesty and dense ignorance? Society treats the writers in newspapers as its fears prompt, and as their conduct and their own estimate of themselves in some degree justify.

"Its unfavourable opinion aggravates the mischief, of which it is the first place the effect. Men of birth, refinement, and sensitive pride, will not enter into an occupation which lowers their social position; and if any such engage in it, the illicit connexion is carefully kept secret. The newspaper press is thus degraded from the rank of a liberal profession: the employment, and the class engaged in it, sink; and the conduct of our journals falls too much into the hands of men of obscure birth, imperfect education, blunt feelings, and coarse manners, who are accustomed to a low position in society, and are contented to be excluded from a circle in which they have never been used to move. The exceptions to these statements, in favour of the merits of individuals, are very many; for we believe,

that of the writers in our newspapers, a large part are actuated by higher feelings, and free from the vices incidental to their occupation. Some, but far fewer exceptions, are to be made in favour of individuals whose honour, consistency, information, ability, and taste, have been so evident, and so generally acknowledged, as to keep them free from being confounded in the common aversion to their profession. But, unhappily, neither class is sufficiently numerous to give a tone to the whole body, or to raise its character; and, as the influence of the newspaper seems to have been most abused in those instances in which it has been greatest, the worst position in society has generally been occupied by those who had the greatest political power."

Upon these remarks I desire to make a few observations.

I would request the reader to observe that the Reviewer asserts what I asserted long since, and for the saying which the Newspaper Press has been as virulent towards me as towards Mrs BUTLER; viz. "*that the gentlemen of the Press are not admitted into good society.*" This statement was exceedingly offensive to persons who are ever striving after the name and condition of gentlemen, and who on all occasions most ostentatiously assume the character, however little deserving of it. The truth of the assertion rendered it doubly painful, and the gentlemen of the Press smarted severely under the blow, while they were raving loudly that they cared nothing about it.

Self-defence is the reason of this exclusion. The writers in the Newspapers are amenable to no opinion; they are morally and legally irresponsible. Wielding the sort of power they do, no one who at all regards his peace and security would admit them to familiarity or confidence, for they would betray both, and remain unpunished in spite of their gross immorality. With men in such a position, society could pursue but one of two courses—it could either condemn all anonymous writing, and

thus subject the writers of the Periodical Press, like the rest of mankind, to the dominion of public opinion; or it could drive them utterly beyond the bounds of civilized society. Society, unfortunately, has chosen the least efficient and most mischievous of the two courses open to it. They have made outcasts of these writers, in place of compelling them to yield obedience to the received morality of the day.

This is the correct description of the class, though it may not perhaps correctly apply to every one comprised in it. The Reviewer says, "The exceptions to these statements are very many." I do not agree with him. The exceptions appear to me to be lamentably few; and, in my opinion, it would be difficult to find half-a-dozen persons who habitually, and for their livelihood, write in the Periodical Press, "who are free from the vices incidental to their occupation." Let the Reviewer take a list of our daily and weekly London Newspapers, and let him point me out *one* that is not in the constant habit of sacrificing truth to caprice, to party, or to money. From the *judicious Globe* to the filthy *Age*, they all do this; and though the vices of some Papers are more glaring and disgusting than of others, yet are they all of the same leaven, and, to a certain degree, tainted with the same corruption.

The writers of the Newspaper Press are precisely in the position of spies and informers, and have the vices of their position. They are, moreover, irresponsible, and irresponsibility produces in their case what it produces in all others, viz. an utter disregard of morality. Every one who knows anything of human nature must know, that if you expose a set of men to constant and powerful temptations to vice, and at the same time render them wholly free from all chance of punishment, you inevitably render the class vicious. The rule holds

good on all occasions, whether it be applied to irresponsible governors of mankind, to irresponsible slaveholders, or to the irresponsible purveyors to the public appetite for news. To suit his own convenience, taste, or whim, the ruler oppresses and pillages his people, the slave-master flogs his slaves, and the Newspaper writer lies. They are all three the creatures of a fatal necessity, and, to use a grammatical analogy, *are vicious by position*.

The Reviewer observes, that in France the Newspaper writers hold a very different position. True; and in France newspaper writing is, in fact, not anonymous. The leaders of the political parties do not disdain to write openly in the newspapers; nor do they, by so doing, forfeit their rank in society. In England, unfortunately, the anonymous licence, combined with the social ban upon the writers, has thrown this important class of writing into the hands of the ignorant, the vulgar, and the vicious. No gentleman, no honest man, likes to be seen in such company; and if, from any reason, he be induced to contribute anything to a newspaper, he carefully conceals his name, and shuns publicity as he would shun being seen in a brothel.

The evils of this state of things are enormous; but I cannot sympathize with the Reviewer in his lamentations concerning the generous dispositions and honourable feelings of the excluded writers. They are properly excluded, and properly punished: if the system were changed to-morrow, the individuals so long engaged in this most filthy business would still deserve exclusion, and would still suffer it. We may blame the law which creates and punishes smuggling, but we do not consider smugglers honest men. So we may lament the state of things which has produced, and which maintains a body of writers like those of the Peri-

odical Press; but we are not to extend our sympathy to the immoral crew which an unwise system has created. If this system were altered, the writers would be changed also, and the writing; and the *new* writers would take that position in society which persons exercising so important a function ought to hold. But the tribe that now revel in the pleasures of malevolence, personal and private slander, in backbiting and wholesale falsehood, would be deprived of their ill-employed and mischievous means of livelihood. They would have to seek honest occupations, or starve; and both sides of the alternative would, to such people, be equally painful.

One of the most painful effects of this mischievous system, is the humiliating subserviency of the world generally to the hidden and obscure conductors of the Periodical Press. You may say what you think of any other class with impunity,\* but no sooner do you presume to hazard an opinion respecting the Press, than a hue and cry is raised, and every epithet of abuse supplied by the language is used to designate your

\* I saw a curious instance of deference to the Press some days since. In some verses laughing at the Orangemen of Ireland, all the names of persons were given at full length, including those of most of the Orange Lords; *the only name put in blank was that of a Newspaper Editor.*

presumptuous proceeding. This abuse most people dread; and, as you always give the wall to a chimney-sweeper, you are excessively polite and fair-spoken towards the Press. This subserviency extends to all classes of persons connected with the Press: editors, reporters, penny-a-line men, printers' devils, are all dangerous people, and no one dares to speak ill of them. In the House of Commons I am daily in the habit of hearing the private opinions of members respecting reporters and editors; the thorough dishonesty, both of the one class and the other, is spoken of in round terms, yet no one of those who thus smart under the immorality of these newspaper gentry, dares publicly avow his opinion. The very men who will state boldly, and with perfect sincerity, their opinions of every other class in the country, who will disparage Lords and Commons, clergy, magistrates, and lawyers—who, in short, will dare to say what they think of every other body, will shrink from such an avowal with regard to the Newspaper Press. It is to be hoped that this childish terror will disappear. The abuse of the Press really does no harm, and no one with a grain of sense need heed the rabid nonsense of an obscure, ignorant, vulgar, and dishonest scribbler.

J. A. ROEBUCK.

## THE ORANGE EXPOSURE.

“WHEN rogues fall out, then will honest men get their due.” Within the last fortnight there has been a desperate “fall-out” among the Orangemen of England. An important disclosure has been made, which will most likely lead to others; and those who always claimed to be the very pink of loyalty and all Christian virtues, are likely to be proved to be the greatest scoundrels now unhanged.

The facts are these;—LORD KENYON,

as Deputy Grand Master of England and Wales, lately thought fit to excommunicate no less than thirty-two Deputy Grand Masters of the counties of Yorkshire and Derbyshire. The alleged offence of the excommunicated was, that at a meeting of Orangemen, convened by themselves, “they had passed resolutions most unwarrantable and disgraceful to themselves as Orangemen, reflecting on the conduct of their *illus-*

*trious, high-principled, and inflexible* Grand Master, and making declarations inconsistent with the duty of every faithful Orangeman."

To this vague accusation Mr HAYWOOD, one of the expelled, has replied in a letter of considerable length. From this letter the *real offence* appears to be, that the expelled refused to participate in an Orange conspiracy to depose the present Monarch, and place upon the Throne that *illustrious, high-principled, and inflexible* personage, ERNEST Duke of CUMBERLAND. The following is the pith of Mr HAYWOOD's accusation:—

"Now, my Lord, as exposition seems to be the order of the day, I should wish to ask your Lordship a few questions on the subject. Did not his Royal Highness, as Grand Master, and your Lordship, as Deputy Grand Master, know what your missionary, Col. FAIRMAN, had done on his first tour in 1832?—or rather, did he not act under his Royal Highness's and your Lordship's directions, and was he not under those directions instructed to sound the brethren how they would be disposed, in the event of the King, WILLIAM IV., being deposed, which was not improbable, on account of his sanctioning the Reform of Parliament; and if so, it would become the duty of every Orangeman to support his R. H., who would then, in all probability, be called to the throne?"

Now, reader, before having perused the above extract, could you have conceived it possible that such madness existed as these same Orangemen have exhibited? At the very moment they were contemplating the deposing of King WILLIAM the Fourth, it is capable of being demonstrated that he was the most popular Monarch the world ever knew. The cause of that popularity, too, was the conduct which the Orangemen conceived would lead to his being deposed. So it would, no-doubt, could Orangemen and Tories have had their way. Never before was such ignorance of the People displayed. Just before, and for some time after, the passing of the Reform Act, the KING was literally idolized by the People. He lived in their understandings, and therefore in their hearts; and even now that the Monarch has been weak enough to nou-

rish in his bosom the serpent that would sting him, the People desire no change. They perceive the negative position to which the selfishness of the Aristocracy has reduced the Monarch. They perceive with joy and exultation that the Aristocracy, in stripping the Monarch of the power of doing good to his People, against the will of an evil-doing House of Commons, deprived him at the same time of the power of doing evil when a good-doing House of Commons shall be obtained. The People feel secure that neither Whig nor Tory dare to extend the Prerogative of the Crown. For the most selfish of purposes the Monarch has been reduced to the condition of King Log in the fable, and the People, taking warning of the silly frogs, are too knowing to desire a King Stork.

But if these stupid Tories displayed ignorance of popular opinion in supposing that the People could be induced to rebel against a popular Monarch, that ignorance is magnified tenfold when the person for whom we are to rebel is taken into the account. The Duke of CUMBERLAND! Is there a man in the whole world more detested, more abhorred, than this Duke? No words—except such as are unfit for the reader's eye—would be adequate to express the ineffable disgust which the People feel towards him. The very women in the streets would stone the illustrious personage to death, could they possibly gain access to him. And yet it is for him that the People are expected to depose their King, and set aside the succession of an amiable and engaging female, who is believed by the People to possess moral qualities deserving their love.

One thing is certain—the matter cannot stop here. Mr HAYWOOD must be called upon to substantiate his statement, or suffer the legal consequences of bearing false witness against his

neighbour. If the charge be true, it must be known to thousands of the Orange fraternity, including, of course, the thirty-two expelled Grand Masters and the Chief Officers of the dissolved London Lodges. The matter is of too serious a nature to bear being delayed till the next Session. It should be investigated at once. If an unfortunate clod-pole be accused of a conspiracy

against my Lord's pheasants, a rural Magistrate's warrant overtakes him before the news of his accusation has time to reach him. Lord KENYON, Col. FAIRMAN, and others, are accused of high-treason, and yet they are still at large. Strange contrast this between the Peasant and the Peer!

H. S. CHAPMAN.

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## PRELIMINARY REFORMS. — BEING A SUMMARY OF THE PRINCIPLES ADVOCATED IN THESE PAMPHLETS.

WHEN only a few of the Political Pamphlets had been published, but when it was well understood that their publication would be continued, a hope was expressed to me by an intelligent friend, "That Mr ROEBUCK and his friends would take occasion, from time to time, to explain to the public the precise nature of the progressive reforms which the Ultra-Liberal party, in and out of the House of Commons, desired to bring about."

I replied that I had no doubt but that such would be the case: that in the course of a reasonable time the views of the Ultra-Reformers would, as far as a few individuals can express the views of a body, be fully expounded; especially on all Reforms affecting the Constitution.

"But," said my friend, "that is not precisely what I want. Reforms affecting the Constitution of Parliament will be discussed, not in their logical order, but rather as they happen to engage the public mind. Moreover, they will be mixed up with other questions—such, for instance, as the Dorchester Labourers and the Amusements of the Aristocracy—questions of paramount importance, I grant, but, still, somewhat interrupting the chain which I desire to see unbroken. . . . In short,"

continued my friend, "I should wish the view presented in one article."

There would be some difficulty, said I, and more disadvantage, in this, inasmuch as each branch of Reform is of sufficient importance to demand an article by itself. The Ballot, for instance, should be continually illustrated. It would not be sufficient, merely to glance at it in a general outline of a scheme of Reform, but it should be recurred to over and over again, whenever an event occurred to illustrate its necessity.

"To all this," rejoined my friend, "I fully subscribe. I shall be extremely glad to see each question worked out to its extremest consequences, but still I wish to see a general outline. I do not undervalue a county map, with its hills, its high roads, its rivulets, and its country-seats, because I desire to possess a good general map of England, or even of the world. If I desire to gain an accurate conception of a country, I apply to a general map. There I see its relation to other countries, together with its broader features. With the general conception thus generated in my mind, I apply to a map of the country itself. There I am made acquainted with its more minute details."

I replied, that his illustration was both apposite and forcible, and that if it were

deemed not advisable to commence with the outline he desired, it would certainly be of service to present to the reader a recapitulatory sketch, inasmuch as the great evil incidental to a sketch, namely, vagueness and inadequacy of conception, might be avoided by reference to the detailed treatises previously published.

In conformity, then, with the above plan, I propose not only to indicate what has been detailed in the several Pamphlets already published, but also to fill up the outline where breaks occur. By adopting this course, we shall be reminded of what still remains to be discussed connected with the great question of Radical Reform.

The object of Reform is to obtain good government; meaning by good government, that which secures to the great body of the People the greatest aggregate of happiness. This end of all our efforts it has not been deemed necessary to recur to on all occasions. We are not now on the mere threshold of Political Science. We are advanced to a position to assume the *end* to be attained by Government as a *means*. On this point few can now be found to differ: it is about the *means* that difference of opinion exists.

1. Of the several instruments of government, by far the most important in its effects upon the happiness of the community is the body in which the power of making laws resides—in other words, the Parliament. The Parliament consists of the House of Lords and the House of Commons. Over the former the People at present have no controul. The latter they do in some sort influence.

It is scarcely necessary to prove that an elected body represents the wishes and opinions of those by whom it is chosen. When the House of Commons was chosen for the most part by the Peers and their families, it represented

the Peers and their families. When under the operation of the Reform Act—"The New Constitution"—it was chosen by the middle class, it represented, and still continues to represent, the middle class. When at some future, and I trust not very distant, period, it shall be chosen by the great body of the People, it will then represent the People: at present the industrious and orderly classes are not represented.

If it be true that the welfare of the whole community and not that of any portion thereof, be the proper end of government; if it be also true, that a representative body will promote the interests of the class by which it is chosen, it follows, that good government cannot be attained but by an extension of the suffrage to the great body of the People. On this question no distinct article has been written, though the necessity of an extension of the suffrage has been shown in several of the Pamphlets; indeed, it may be said scarcely ever to have been lost sight of. It may be sufficient to refer to the articles entitled "Democracy in America," "Whigs and Radicals," and "A Short Review of a Long Session," for what has been said on this head.

2. Supposing, now, that the right of suffrage be extended, say, to all householders, it must be clear that if the class out of which the electors are permitted to choose be limited, it may amount to the same thing as a limited suffrage. The Aristocratic Legislator can throw the powers of governing into the hands of the rich in either of two ways. He may confer the power of choosing on rich electors only; or he may throw open the elective franchise, and at the same time render all but the rich class ineligible, by means of a property qualification. This subject has not been worked out in any one of the Pamphlets hitherto

published. The reader may, however, consider it as a debt owing to him, which our friend WILLIAM ALLEN has promised to discharge.

3. Supposing the franchise to be extended to the great body of householders, and that they be not limited in their choice by means of a property qualification, the next object to be attained is, that the elector be secured in the exercise of his rights free from all control. A great portion of the people are more or less dependent upon the wealthier classes. The tenant is, to a certain extent, dependent on his landlord, the workman upon his employer, the tradesman upon his customer. If the exercise of the franchise by the dependent class, contrary to the known wishes of the class on whom they depend, be followed by evil in any shape—loss of custom or employment, for instance—we may be sure that the dependent class will vote, not according to their own opinions and wishes, but in accordance with the wishes of those who have the power of inflicting evil upon them.

That this state of things exists in England to a most grievous extent, is a matter of common notoriety. For it there is only one remedy: the vote must be taken in secret by means of the Ballot. The necessity of this mode of taking votes has been urged and insisted upon in several articles. In the very first PAMPHLET published (*Postscript to the Pamphlet on the Means of Conveying Information to the People*) it was discussed indirectly, in the form of strictures on the conduct of certain traitors to the principle. In two other articles, namely, "The American Ballot Box," and "House of Commons' Fallacies on Ballot in America," some fallacies hitherto, it is believed, untouched by writers on the subject, were answered, and the question will be found fre-

quently recurred to whenever the case under discussion seemed to demand it.\*

4. In the state of our political knowledge a few years since, almost any man would have said that the above measures would prove all-sufficient in securing the genuineness of the return. The Reform Bill Whigs of 1832 discovered a new plan of excluding the people from any important share in election, by rendering the whole business of giving a vote too troublesome to permit them to exercise it except on extraordinary occasions. This was effected by means of a complicated and difficult system of registration, which, joined with the heavy expense of elections, would have shut the doors of the House of Commons to all but the wealthy, even had the suffrage been made universal. The evils of the system of Registration have been exposed in the articles entitled "New Method of Disfranchising Electors," "Legal Wisdom of the Revising Barristers," "Whigs and Radicals," and also in other places; and the expensiveness of Elections has been condemned in "A Short Review of a Long Session," in which article the evils of the system of Registration were also glanced at.

5. With all these improvements, however, if the distribution of members according to population and territory be unequal, there will be great danger of class representation. That the three or four inhabitants of Old Sarum returned two members while Manchester returned none, would have been an evil, even had those few electors not been controlled by an Aristocratic borough proprietor. The evil of unequal representation still exists in spite of Schedule A; to equalize it by means of a new division of the country, should engage the attention of every thorough Re-

\* See also "A Short Review of a Long Session," "A Rotten Borough for Sale," "Whigs and Radicals."



former. This subject has not as yet been discussed in any one of the PAMPHLETS.

The above measures are all that seem necessary to secure a genuine return of members to the House of Commons. Still this is but half the business. A genuine return is of but little use, provided matters be so ordered that no security exists that members will continue to advocate the same views which they expressed on the hustings.

This security is to be found in the practice of electing a House of Commons only for a limited time. If—to suppose an extreme case—the members of the House of Commons were chosen for life, all the contrivances for securing a genuine return would be useless. The members would pursue their own sinister interests, and those of their class, without fear of any evil consequences occurring to themselves. They would feel themselves in a situation to laugh at their constituents the moment their seat was secured. What is true with regard to a seat for life, is true in a minor degree with regard to a seat for seven years. The average expectation of life between the ages of forty and sixty only just exceeds fifteen years, so that the security for good conduct must be weak indeed, when the period of service averages half the life of a large portion of the members. We may be pretty sure that a Parliament elected for so long a period will riot in misrule, in spite of a system of election well calculated to secure a genuine return. Even under the present faulty system of election, with short Parliaments, should we have had so many flagrant violations of a sacred pledge? Would not the HOBHOUSES, the ORDS, and the JOHNSTONES, have bethought them of the revolving period of election? and would not the fear of losing the valued seat have kept them honest, in spite of the natural obliquity of their moral cha-

acter? With these views, the Ultra-Liberals contend for a reduction of the duration of Parliaments to a period which seems to have been agreed upon by common consent, namely, three years. Whether this be found short enough remains to be seen; under any circumstances it would be a great improvement.\*

The question of Short Parliaments is advocated in conjunction with a fixed day of election, and of the meeting and rising of Parliaments, in the PAMPHLET entitled "A Short Review of a Long Session," pp. 3—4.

But all these constitutional reforms, all-important and all-efficient as they may seem, would be of little avail, if the people be kept in ignorance of the doings of their representatives. It is quite clear that a very small portion of the people, even of London, could know anything of the proceedings of Parliament, if the only source of knowledge were the narrow gallery of the House of Commons. To the millions scattered throughout the land the Press is the only means of information; accordingly, the perfect freedom of the Press—freedom from restriction or tax of any kind—has been advocated with more earnestness than any other question of reform. While the Newspaper Stamp remains, a knowledge of the acts of the representatives can only reach a

\* I take this opportunity of stating that my own private opinion is in favour of annual Parliaments. The advocates for triennial Parliaments keep in view that, by the exercise of the Royal prerogative, *triennial* would be reduced to biennial Parliaments. If this be avowed, why not make the time two years, and abolish the exercise of the Royal, or more properly speaking, the *Ministerial* prerogative? (See "A Short Review of a Long Session.") Some people have talked of quinquennial Parliaments; this is pure nonsense. The average duration of Parliaments is now only four years and a few months. Any reduction, therefore, down to that period, would be wholly inoperative. The arguments against annual Parliaments I do not think tenable, but it would be neither fair nor wise to treat them in a note. I therefore content myself at present, with simply enunciating my opinion.

small portion of the constituents. As the question has been so fully treated, I shall not dwell upon it, but content myself by referring to what has been published in the foregoing PAMPHLETS, for evidence of the importance which Ultra-Liberals attach to this reform. The titles of the articles will generally guide the reader. I think it necessary, however, to refer especially to the PAMPHLETS on "The Means of Conveying Information to the People," and "The Dorchester Labourers," for some striking illustrations of the subject.

We are now enabled to say what reforms the Ultra-Liberal deems necessary to render the House of Commons an efficient instrument of good Government. To secure the genuineness and efficiency of the return, he demands—

1. An extension of the Suffrage to all occupants.

2. An abolition of property qualification.

3. Secrecy of Suffrage, by means of the Ballot.

4. The abolition of the present complicated system of Registration, and the reduction of the expenses of elections; and

5. A more equal distribution of members, according to population and territory.

To render the good which he conceives would be attained by the above means permanent, he demands—

6. That the duration of Parliaments be shortened; and

7. That the Tax on Knowledge be abolished.

With these preliminary reforms he would be content, as far as the constitution of the House of Commons is concerned.

It must not be supposed that the Reforms above specified, are set down in the order of their importance. Of the whole six measures, the Ultra-Liberal deems the Ballot of the

greatest moment. The present limited franchise, joined with the Ballot, would be far preferable to an extension of the suffrage without the Ballot. Indeed many sincere Reformers consider an extension of the suffrage without the protection of the Ballot, a measure fraught with evil to the dependent classes of the community, which none of the anticipated advantages are likely to compensate. The principle of the Reformers, however, should be to take all they can get, without caring for the order. It can scarcely happen that the establishment of one sound reform, will not facilitate the introduction of another.

8. Suppose now, that we have gotten a House of Commons to our mind, have we obtained all that is necessary to the making of good laws? Most assuredly we have not. Under the English practice, the concurrence of a second body is necessary to the making of a law. This body is hereditary, and not Representative. Moreover, it unfortunately possesses interests diametrically opposed to those of the community at large. Hence, agreement and harmony between the two legislative bodies is out of the question. So long as a majority of the House of Commons was nominated by the Peers and their families, disagreement seldom took place. The moment the People acquired influence in the construction of the House of Commons, agreement between the two branches ceased. We hear loud complaints of the obstructiveness of the Lords. If the House of Commons really represented the People, this obstructiveness would become more strikingly apparent. In that case, want of harmony between the two Houses would be a fair test of the efficiency of the Commons.

The subject of the vicious Constitution of the House of Lords has been fully discussed in the preceding Pam-

phlet. Those entitled "What is the use of the House of Lords?" and "The Evils of the House of Lords" probed the subject to the bottom. Of the soundness of the principles laid down in these two Pamphlets, illustrations are afforded in the articles entitled, "Matchless Constitution" "The Peers and the People" "Wholesale obstructiveness of the Lords," &c. and the subject is again lightly touched upon in the article entitled "Whigs and Radicals."

The time has scarcely arrived for the full discussion of the mode of remedying the evils attending two hostile legislative bodies. During the next Session of Parliament, I fully anticipate that it will occupy a large share of public attention. The measures already announced have been noticed in a Postscript to the article on the "Wholesale obstructiveness of the Lords." In the discussion of the remedies we shall, I have no doubt, have ample illustration of the difference between "Whigs and Radicals." The only Radical remedies are abolition, election by the People, or depriving the Lords of their *veto*.

9. Besides the concurrence of the Lords, the sanction of the Monarch is necessary to the completion of a law. Where so many evils of a more striking character have thrust themselves upon public notice, the Royal Prerogative has not excited much of the attention of the Ultra-Liberals. According to the present theory, the Royal assent is a mere form necessary to give validity to a law, after it has passed both branches of the Legislature. The power of withholding the Royal assent is not allowed to exist. This is the Aristocratic theory, invented when the Aristocracy were omnipotent both in the House of Lords and in the Commons. It was designed to render the Monarch the creature of the Aristocracy. It will

henceforward be the People's protection. In the event of the two branches of the Legislature being made more democratic in their character, it would become the interest of the Aristocracy to overturn their theory. They would, I have no doubt, attempt to give the Monarch a *veto*, if the People be blind enough to permit them. This, it will then become the duty of the Liberals to resist. The footing on which it would in that case be desirable to place the Royal Prerogative, is stated in the article entitled "Compensation to the Borough Town Clerks—Royal Prerogative."

Such are the Reforms which would render the several branches of the Legislature an efficient instrument of good government, in all such matters as the general Legislature is competent to take cognizance of.

10. It must be borne in mind, however, that the community at large comprises several smaller communities. These smaller communities, inhabiting cities and towns, require some sort of rules for the regulation of their local affairs. These rules the general Legislature is scarcely competent to frame. The Imperial Parliament, for instance, cannot take cognizance of the gutters and lamp-posts of the city of York, yet it is expedient that such paltry matters be cared for by some competent authority. Hence the necessity of Municipal Corporations.

The principles on which Municipal Corporations should be based, will be found in "A Letter to the Electors of Bath on Municipal Corporation Reform," and in the article entitled "The Peers and the People."

From a perusal of these two Pamphlets, the reader will perceive that most of the principles applicable to the General Legislature are good also as applied to Local Legislatures. If this be agreed to, it follows that much yet re-

mains to be done to render our Municipal Institutions an efficient instrument of good local government.

Such are the Reforms which I have called preliminary. I have called them so because, though great in themselves, it is for the sake of other Reforms that we covet them. The Ultra-Reformers will accept of no "final measures." If they ask for a better law-making body, it is because they want better laws. The Reforms they desire are such as affect the welfare of every member of the community. They desire the destruction of monopolies; they wish for cheap justice; they call loudly for an efficient Magis-

tracy; and it is for the purpose of obtaining these and similar ends that they ask for the Reforms which I have indicated. It is true that some of the minor Reforms might have been procured with our old and clumsy instruments. But it would have been a fortunate accident, rather than a happy contrivance.

Some few Reforms, not preliminary, have been discussed in the Pamphlets already published. The object of this recapitulation, however, is merely to answer the question of my intelligent friend, mentioned in the first part of this article.

H. S. CHAPMAN.

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# PROSPECTS

OF

## THE COMING SESSION:

VIEWS OF THE RADICAL PARTY.

By J. A. ROEBUCK, M.P.

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## PROSPECTS OF THE COMING SESSION: VIEWS OF THE RADICAL PARTY.

In little more than two months the Parliament will meet again, to take into consideration the affairs of the People; and the struggle that has in semblance been foregone for a short time, will recommence. The People throughout this struggle, if they desire success, must always act on the offensive; so soon as they gain one advantage they must advance to another attack; they must allow their opponents no breathing time—none for conspiracy, none for ma-

chination. They must press upon the enemy rapidly, and with undeviating steadfastness. Once permit the contest to become a defensive one on their side, and the Liberal cause will be in great, perhaps in irretrievable danger. We have gained much already, but the fight is not yet over: more still remains to be accomplished: and now, when about again to take the field, we naturally inquire what points ought we to attack, and what course ought we to pursue?

Before we can satisfactorily answer these questions, we must have before our minds the precise state of the contest, and the condition and temper of the various parties engaged in it.

The object we have in view is to establish a National Government, that is, a thoroughly popular one. We seek to take away *all* power from every sect and party, as such, and to confer the supreme direction of affairs upon the People. This is our end.

At present a small section of the People have enormous and undue power: this section is thus constituted an Aristocracy. While this power remains in their hands, our object of a national Government cannot be attained.

The abuses created and maintained by this hitherto governing body, have roused the People from a long sleep of ages; and increased knowledge fortunately has come to guide and assist their efforts, in putting down the pestilent faction which has for centuries *misruled* them. In this attempt, little more than begun, one or two striking advantages have already been gained by the People; but there is unfortunately a tendency greatly to overrate these successes, and apathy is almost the certain result of every partial improvement in our condition. If, however, we carefully scan the real situation of the Aristocracy and the People, we shall perceive that great indeed is the distance yet to be crossed before we can possibly say that we have arrived at the object of our wishes, viz. the complete destruction of all party power, and the establishment of a truly popular Government.

Till within the last few years, the Aristocracy possessed all the power of the nation. None not of their class or tribe partook of any share thereof. We were slaves, governed by a widely extended, a deeply ramified Aristocracy.

In saying that the Aristocracy possessed *all* the powers of the nation, I do not exaggerate; I pass not by one hair's breadth the limits of the truth. The whole power of making laws was theirs. They administered the laws, either directly in their own persons as county magistrates, or by their tools and puppets, the judges of Westminster Hall. The internal government of the counties and towns was wholly theirs also. They used the national ecclesiastical property and the clerical functions as an instrument of dominion; the army and navy served the same purpose. The law, the church, and the army and navy were all also employed as a means of pecuniary advantage, and the People were well fleeced though badly governed. Such in 1830 was the actual condition of this country.

Since 1830 we have succeeded in partially diminishing the power of the Aristocracy to make laws. Our success, however, was in this exceedingly imperfect, and has been exceedingly exaggerated. Of the two assemblies who alone have the power of legislation, one is still entirely in the hands of the Aristocratic party; and the other contains only a minority of representatives chosen by the People. It would be evil policy on our parts to hide this fact from ourselves. We can gain nothing by self-delusion, while our enemies profit by every mistake we fall into as to the relative position and power of ourselves and them. I feel, then, that I am but performing an imperative duty, by insisting on the fact that the People—that is, the nation—has not yet deprived the Aristocracy of the power of making laws even in the House of Commons; and that a majority, a very large majority of that body, have interests in common and sympathize intimately with the exclusive or Aristocratic class; and that the wishes of the nation are habitually by the House of Com-

mons sacrificed to the feelings and interests of this dominant faction.

It may be asked of me, when I make this declaration, have we gained nothing by the Reform Bill? If, as you say, the majority of the House of Commons still be really of the Aristocratic party, how comes it that many of their acts have been of a popular character, and have differed widely from that of all preceding Parliaments?

I answer to this statement, first, that it is incorrect to say that many popular laws have been passed by the Reformed House of Commons; and, secondly, that if such had been the case, the explanation of the phenomenon is not to be found in the change made in the *majority* of the House, but must be sought as well in the excited state of the popular mind, as in the increased strength of the popular *minority* of the Commons.

In the first place, let me ask, what have been the popular acts of the Reformed House of Commons? The sole answer that can be given to me is, the Corporation Reform Bill. Of the extent of this Reform I shall have something to say immediately; in the meanwhile, let me ask, have the Commons improved the administration of justice? have they shown any greater desire to make justice cheap and easy of access, than was manifested by the House of Commons under the management of Sir R. PEEL? It should be remembered also, that an Unreformed House of Commons repealed the Test and Corporation Acts, granted Catholic Emancipation, and passed the Reform Bill. Now what has been done for the Dissenters or the Catholics by the Reformed House? and what has that House done to improve the composition of itself? Ireland is still under the dominion of the same laws as before; the spirit which prevails in her Government may be differ-

ent, but the laws are the same. That spirit is an emanation from the popular mind—the laws are the laws of the Parliament. We should remember that as regards the composition of the House of Commons, BALLOT has been refused; an improved plan of Registration has been refused; the repeal of the Rate-paying Clauses of the Reform Bill has been refused; the abolition of a Property Qualification in Members has been refused; Triennial Parliaments have been refused. The situation of the Dissenters is precisely what the Unreformed Parliament left it; of the Catholics the same; Tithe is still levied by law in Ireland, and justice is unknown to her People. Nothing has been done in England to improve the present horrible system of the administration of the law; the discipline of our prisons is the same as before; the Army is still an enormous and an useless burthen; the Navy the same; and the Corn Laws still remain a monument of Aristocratic folly and cupidity: in short, I vainly look in the acts of the Reformed House of Commons for any manifestations of a Reformed spirit. I see, indeed, acts performed under terror of the People, which conduce to the People's welfare; but any proof of there being amongst the majority of the House of Commons an increased popular feeling, I vainly look for; I see no pretence, even, of solicitude for the People's welfare, except just in those cases in which the People themselves have thrust the consideration of their ills upon an unwilling body of Legislators. There has been no advance beyond the public; no spontaneous inquiry into grievances, no voluntary seeking after remedies. The House goes only when driven; it does not guide, but follows. It does not represent the People; but, when severely coerced, sometimes obeys them. Herein the character of the Reformed resembles that of the Unreformed Parliament;

it sometimes does good upon compulsion.

Nevertheless, although the actual and present power of making laws is still, with very little diminution, in the hands that formerly held it, the Reform Bill was an advantage gained for the popular cause. It, in the first place, introduced the fashion of change; it acknowledged error to exist, where error was hitherto asserted to be wholly unknown; it directed the popular mind to the right point of attack; and it erected the Radical into a Parliamentary party. The popular minority is a growing power; it is a powerful engine which the People can wield at will, and with which they will eventually beat down the Aristocracy.

If we now pass to the consideration of the other powers used by the Aristocracy for their own purposes, we shall find therein even a yet smaller diminution of their influence. The Ecclesiastical power is wholly unimpaired, and completely in their possession. No change, no reform, has been wrought in this den of iniquity—neither in Ireland nor England—and in Scotland attempts have been made to render it more mischievous than formerly.

All the original power of the Aristocracy in the administration of the law—a formidable, a terrible power—is still theirs in all its pristine vigour and banefulness. No Reform has even yet touched upon the great strong-hold of Aristocratic dominion, viz. their influence and power in the counties. But while that remains as it is, good government, and the fruits thereof, must be unknown to a majority of the English People.

The Law, the Army, and the Navy, are also uninjured instruments of dominion in the hands of the Aristocracy. To every purpose of influence and patronage they all remain precisely where the Reform Bill left them; and viewing

them also as instruments of government, they are as mischievous and burdensome as formerly.

So, then, it appears that little has really been done to diminish, to check or control the power of the party that, for the last century and a half, has ruled in England. That powerful Aristocracy which the Revolution of 1688 definitively established, and for which that change in the Government laid broad and solid foundations, still remains in almost all its original strength and efficiency; and they are grossly deceived who believe that Reform has nearly reached that turn which reason and justice demand for it. The work has indeed been begun, but all the really efficient parts of it have yet to be accomplished. We have not yet performed one tithe of the task which consists in pulling down, and we have not yet applied our hands to the business of building up. Let no man, then, who pretends to be a Reformer, fancy or say that our labour is over, and repose allowable.

But you have wholly passed over one great inroad on the Aristocratic dominion made by the popular party. The old dominion so long exercised in corporate towns is wholly uprooted, and to that extent surely great and permanent advantage has been obtained.

That much has been done to break up the old forms of power in the corporate towns I allow; that anything permanent has been done to prevent the re-establishment of Aristocratic rule therein, under new forms, I utterly deny. The corporate constituencies will prove far too narrow to maintain popular control; while the intricacy, trouble, and difficulty of making out a claim to be a corporate voter, will be found to be so enormous as to diminish materially and fatally the numbers of the municipal constituencies. Moreover, the powers of these bodies are so



undefined, and, where defined, so circumscribed, that little good, either in the way of checking Aristocratic rule, or establishing efficient municipal governments, can reasonably be hoped for from them. Here, just as in the case of the Parliamentary Reform, many of the old dens of corruption have been rooted out, but no efficient security has been taken to prevent the establishment of new ones, equally powerful and equally mischievous; and in both cases, if further and more efficient checks be not adopted, we shall soon need a second edition of the Parliamentary and Municipal Corporation Reform Bills.

Such, then, is the actual condition of Aristocratic dominion in England. Now let us turn our thoughts to the consideration of the several parties by whom this dominion is to be defended and assailed. We shall then be able, not merely to state exactly what is needed by the People, but also how far, and in what way their wishes are likely to be accomplished.

First, then, comes the Tory party,—the open, unyielding supporters of the old Aristocratic dominion. These men are the avowed enemies of popular government; their is no doubt or mystery about their intentions or their principles. When the Aristocratic power was supreme, and wholly without control, they deemed the Constitution, as they called it, perfect; every change which goes to diminish or endanger this supremacy they deem mischievous. Change of every sort they hate, and will oppose. The power which they hold to prevent change is enormous. In the House of Lords they are paramount; in the present House of Commons they are the most numerous of the three parties which compose that House; at Court they also reign supreme; so that, as far as constituted authority is concerned, they would appear wholly impregnable. However, as

there is fortunately something more mighty yet, even than constituted authority, we shall find them thus impregnable only in appearance.

Next comes the Whig party. The intentions and purposes of this body of politicians are far more doubtful and indefinite than those of their long-established rivals—the Tories. The Whigs admit that some change in the present Government is necessary; but to what extent this change must go, and on what principles it is to be effected, they unfortunately always leave carefully wrapt up in mystery. Practically, the change they desire is evident enough—just sufficient to keep the Tories out of place and the Whigs in it. This is their object; one sufficiently definite and precise. But as it is impossible, by any rule, to determine what may eventually be needed to keep the Tories permanently out of office, and to effect that other Whig object, desired with equal ardour—viz., permanently to keep the Whigs in—the conduct of these politicians is necessarily determined by passing events, is squared to suit the times, is vacillating, inconsistent, contradictory, and wholly undirected by any guiding principle. We may, nevertheless, determine pretty accurately the course they will pursue; and may be able, at all times, to anticipate the line of policy they will adopt in every ascertained and determined set of circumstances. So long as the Tory party remain obstinately determined to grasp at the whole power, and all the good things, of the State, to the utter exclusion of the Whigs, so long will the Whigs endeavour to stir up and excite the People against Tory rule. *Why* the People should dislike Tory rule will never be accurately stated by them, lest the People should perceive that Tory rule is evil because it is *Aristocratic*. Now, against Aristocratic rule the Whigs have no desire to excite

the People. They seek merely to make the People hate the party which has so long held this dominion, not to hate the dominion itself—because, when it is transferred from Tory to Whig hands, it will at once be transformed from evil into good. Every reform, therefore, which will be proposed by the Whigs will be inadequate for the purposes of the People, while it will serve the turn of its proposers. They will do nothing completely; every measure of theirs will be inconsistent in its parts, inadequate in its scope—a piece of botching and patchwork, devised to suit the exigency of the moment, framed with just so much forethought as is needed to scare off an existing and pressing difficulty, and no more. All that they will do will, in a few years, have to be redone; and all their vaunted *finality* measures will be permanent only as illustrations of the weakness or the insincerity of their proposers.

The power of the Whigs is far inferior to that either of the Tories or the Radicals. In the House of Lords their influence is wholly overborne by the Tories; while in the Commons, the smallness of their numbers renders them entirely dependant on the Radical section of that House. Excluded by the Tories, they have thrown themselves for support upon persons differing widely in views, principles, and interests; and by professions of liberality have been enabled to possess themselves of the chief powers of the State. The Radicals—not wishing power for themselves, but good government for the people—forego the place to which their numbers and powers entitle them, well knowing that the Whigs would lend them no support, would form no alliance, if they (the Whigs) were not to gain office by the coalition. Moved by the spirit which governs the Whigs, the Radicals would desert them at once, and the Tories would come into office.

The Whigs would rather see the Tories in power than the Radicals; and thus, though they borrow aid from the latter to maintain office for themselves, they would go over to the Tory ranks, to a man, were the Radicals to insist upon taking the lead in the Government. The Whigs, then, retain office by the sufferance, as well as by the aid of, their present allies; and it should ever be remembered, that Tory dominion is warded off solely by the forbearance of the Radicals, not by the patriotism of the Whigs.

As popular opinions gather strength, the situation of the Whig party will become more and more precarious. The inevitable consequence of the present tendency of opinions is to give to the Radicals, even with the present defective constitution of the House, a majority in the Commons. So soon as this Radical majority is obtained, the government must be placed in their hands; the Whigs will then go over to the Tories, and parties will be divided by one broad line of distinction. Aristocracy and Democracy will be fairly arrayed against each other; no middle party will exist, and no middle course will be pursued. The Whigs will no longer be Aristocratic place-hunters, maintained by Democratic supporters, but must join the one party or the other, and be content with that subordinate position befitting their power and their intellect.

We now come to the real and formidable opponents of Aristocratic dominion, viz. the Radical party.

I have already stated, in general terms, the intentions and the principles of the Radical or Democratic party. It is necessary, however, if we desire accurately to appreciate their present power, to scan somewhat more minutely the various sections of which it is composed.

One broad and very important distinction, is that between the Radicals of

Great Britain and those of Ireland. Hitherto these two bodies have acted in concert; but the time seems fast approaching when, if care be not taken, they will pursue different ends, and act independently of each other.

To an Irish Liberal nothing is so hideous as Orange domination. The evils brought upon the mass of the population in Ireland, by the mere existence of a Tory Government, can only be properly appreciated by those who have suffered the infliction of Orange rulers. The terror of this Orange dominion naturally overbears in the minds of the Irish Liberals all other fears. Their first great end is to ward off from their country this dreadful infliction; and they feel that their only hope of doing so at present is, by adhering to the Whigs. The late sudden irruption of the Tories into power excited extraordinary alarm in the minds of the Irish leaders. They fancied two years since, that the Reform Bill had stricken down the Tory party for ever; they were therefore led by this fancied security to express with great asperity their feelings against the Whigs. Suddenly made to see that their old and dreaded enemy still retained great and dangerous power, they seek to ally themselves to the Whigs, in the hope of excluding the far more dreadful and hated Orangeman. While this terror remains the Whigs will have no keener, no more thorough thick-and-thin supporters than the Liberals of Ireland; and this out-and-out support of Whig measures will induce the English Radicals to confound the Irish and the Whigs together. It is to be hoped, however, that the true interests of the English and the Irish will eventually guide the councils of both. The English must exercise forbearance towards their Irish brethren, and not too hastily judge and condemn a conduct which results from a dire necessity, to them unknown.

And the Irish should bear in mind that they alone are not sufficient to maintain the Whigs in office. Deserted by the English Radicals, they and the Whigs united must succumb to the Tories; so that the staving off of Orange domination depends as much upon the Radicals as the Whigs, and the Irish Liberals should be careful not to excite, by an unscrupulous support of their present Whig allies, distrust and jealousy in that party which must eventually rule in England.

The English and Scottish Radical body is composed of somewhat heterogeneous materials; but the great leading interests of all being nearly identical, we may reasonably hope that harmony will continue among them. They may, as politicians, differ respecting the mode of governing a nation under a Democratic Government, but they all agree in believing a Democratic Government indispensable. To this end, then, let them direct their efforts, and unite until they have attained the instrument they desire, before they attempt to reconcile their differences respecting the mode of employing it.

For some time to come the Democratic party must be in a minority in the House of Commons. While such is the case we must be content with the partial Reforms which we may wring from the fears of one section of the Aristocracy, and the hopes of the other. But, while we accept these half-measures, we ought, by no consideration, be led to compromise one of the great principles which make the difference between our political creed and that of our opponents. As our power is a growing power, as its growth depends upon the increasing intelligence of the People, and as what the People really and earnestly desire will eventually be granted, it behoves us, on all occasions and upon every measure, to state, broadly and completely, the *whole* of

what the People ought to demand. Let it be ever so certain that we cannot, at the present moment, attain a title of what we ought to seek, still we ought to set out the whole of our demands. By this means we give to the People a definite and useful object of hope, and we show them the true end to which their endeavours ought to be directed. By this means, also, we avoid all inconsistency; all paltering, wavering, uncertain, and unworthy conduct. We make no pretence of being satisfied when we have obtained only half of what we desire, and we prevent all accusations of treachery or unfair dealing.

This rule, if steadily adhered to, would lead to important practical results, and would hasten the progress of reform beyond our most sanguine expectations. The political education of the public would be carried on with a rapidity at present wholly unknown, and a strength and efficiency given to public opinion, which would render it irresistible.

If, for example, the Radical leaders of the House of Commons were at once to demand—

1. The establishment of what they conceive to be a perfect system of representation.

2. Also, the establishment of what they conceive to be a perfect system of administering the law.

3. The adoption of what they believe to be a perfect system of administering the Government.

Remark, now, what would be the result, as respects these important subjects.

A perfect system of representation would embrace, among other matters, the following:—

1. The extent of the constituency.

2. The mode and incidents of registration.

3. The division of the districts.

4. The numbers of the representative body.

5. The qualification of members.

6. The mode of election, and therein of Ballot.

7. The time for which the representative body should be elected, and the manner of its dissolution.

Now, if some means were adopted by which a system embracing all these particulars could be framed, agreed to by the leading Radicals of the House, and published as their ultimatum, a very short time would elapse before it became the ultimatum of the People also. Could such a plan be propounded in this manner—be formally stated in the House of Commons, and published to the world, more would be done for the Liberal cause in one session, than will be effected during a dozen sessions by the detached and peaceable efforts of the Radical members, after the existing fashion of proceeding. The same results would follow in the important matter of the administration of justice, from pursuing the same course. We should quickly have the People understanding—

1. The mode in which the courts of justice ought to be distributed over the country.

2. What ought to be the times and mode of administering justice.

3. What ought to be the manner adopted of electing and dismissing judges, &c.

Statements embracing topics of this description, would really convey instruction to the People, and supersede the useless war of words, that now occupies the time of the House, and tries the patience of the nation. Mere personal and party politics would soon be treated with contempt, and personal invective and wrangling be utterly abolished.

If in the coming session the Radicals of the House of Commons could combine, and direct their efforts to ends like these, they would well deserve the gratitude and admiration of their countrymen.

J. A. ROEBUCK.

## MR N. GOLDSMID AND MR JOHN BLACK, THE EDITOR OF THE MORNING CHRONICLE:

Mr N. GOLDSMID was lately pleased to talk Toryism much to the discomposure, it seems, of the conductors of the *Morning Chronicle*. He railed after Tory fashion at what the conductors of that journal admired, and thereby he incurred their serious displeasure. That Mr GOLDSMID talked nonsense I can from old experience very well understand; but that for talking nonsense he should have been assailed after the brutal manner in which the *Morning Chronicle* editor and scribes have assailed him, I am by no means prepared to admit. Mr GOLDSMID has a right to form what political opinions he pleases, and having formed, he is justified in openly avowing them. He has done so. Thinking his opinions foolish, I have no hesitation in saying that I think so; believing that he has talked nonsense, I also state that I believe so—but here it appears to me good sense, and good feeling, bid me stop. Whether Mr GOLDSMID be a converted Jew has nothing to do with his political opinions. He may be a bigot Christian; be it so—that also has nothing to do with his political opinions, and I should hardly deem it in accordance with my estimation of *Liberal* doctrines, to use a vulgar prejudice respecting the Hebrew nation, against a political opponent. Indeed, indeed, Mr BLACK, there are things which Mr GOLDSMID might say and do on this occasion that would make the blow recoil with fatal violence on some heads, and it behoves us all to be wary and scrupulous as to the mode in which we seek to guide popular and vulgar odium. Not long since, to have called a man a Catholic would have subjected him to horrible persecution; until very lately Unitarians were a proscribed sect—and even now, they who conscientiously doubt respecting the truths of

revelation are outcasts from society. Happily we are gradually learning to be tolerant, to bear with opposite opinions on all subjects; but this desirable frame of mind is being formed but slowly, and the curse of prejudice and vain passion still disturbs the judgments of the People, and turns their minds from truth, and honesty, and mildness. Is it not a painful thing to find one who has set himself up for a Liberal teacher, doing his utmost to arrest the progress of improvement here, by listing into his service, to serve a petty and disgraceful malice, some of the most mischievous and degrading passions of our nature? The *Morning Chronicle* tells us that Mr GOLDSMID is a converted Jew. Why is this piece of information given us? To call into action the strong prejudice that still exists among Christians against the Jews. Mr GOLDSMID is a Tory;—therefore, says the *Chronicle*, I dislike him. But it so happens that he is a converted Jew; I can by stating this, make the vulgar dislike him also. As for myself, says the Liberal and tolerant editor of the *Chronicle*, I care not whether he be Jew or Christian—but to serve my turn, I will call him a Jew, and make the ignorant, the prejudiced, and the vulgar join in my cry against him. This is base, utterly disgraceful, and if Mr BLACK have any shame left, is a proceeding of which he must now heartily repent.

But it appears that Mr GOLDSMID is an intolerant Christian, as well as a converted Jew; and in order to punish him for his intolerance, the *Morning Chronicle* uses the weapons of intolerance. Mr GOLDSMID desires to exclude the Jews from Parliament—the editor of the *Morning Chronicle* assumes the credit of Liberality, and desires to admit them. Now mark the consistency

of the newspaper editor:—he does his utmost to continue and strengthen the prejudice which alone excludes the Jews. In one breath he says, I am the friend of toleration and of the Jews; in the next, he points the finger of scorn against a man because he was born of a Jew, and endeavours to make the public hate him for the same reason!

The baseness of this proceeding does not stop here.

The *Morning Chronicle* conductor inserts a letter pretending to be a history of Mr GOLDSMID. This letter, Mr GOLDSMID says, contains false and malignant statements, and desires thereupon to know the name of the writer. He writes a private note to the editor of the *Chronicle* to this effect. The editor coolly replies, that he requests Mr GOLDSMID to point out the specific falsehood of the letter. Thereupon, Mr GOLDSMID very properly answers, that is not the point: I assert that the statement you have inserted is false, and I desire to know the author. He was quite justified in this. Mr GOLDSMID did not desire to erect the editor of the *Morning Chronicle* into an umpire or judge between him and the writer of the letter—but he desired to know who that writer was, in order to settle with him the question of falsehood and malignancy. His request is refused because he does not point out the falsehoods of which he complains. The *Chronicle* then publishes the correspondence.

The first thing that must strike every one is, that the correspondence is between N. GOLDSMID, Esq. and — Esq. Now who is — Esq.? We are to suppose the editor of the *Morning Chronicle*; but why not state his name? He has taken upon himself the responsibility, whatever it be, of publishing the letter against Mr GOLDSMID. In order to give weight to that responsibility, it is requisite for the public to

know the man. Who is he? What is he? What is his character? Can we believe his statement on his bare word? What is that word worth? Again, who and what is he? These are the questions which men naturally ask, and the first thing that meets their eyes is — Esq.

Now — Esq. must understand that Mr GOLDSMID has the following courses before him—

1. To beat — Esq.; to drub him soundly.

2. To call out — Esq., and endeavour to shoot him.

3. To prosecute — Esq., and try what the law will do.

4. To content himself with saying that — Esq. has published lies, and be contented with this.

Now calling — Esq. Mr JOHN BLACK, it is evident that Mr GOLDSMID has little chance of gaining anything by trying to beat the said JOHN BLACK, he being a strong, lusty, hard-headed, and hard-fisted north-countryman, and Mr GOLDSMID being a slender, and by no means a strong person.

In the second place, the said JOHN BLACK is a philosopher, and I feel confident that to fight duels for the *Chronicle* is not in his bond; and I suspect that the proprietor has not hired a regular fighting man for the concern. So that Mr GOLDSMID's chance of getting at that mysterious — Esq. in this way is hopeless.

Mr BLACK himself, who has so often and so forcibly written against our law of libel, and the evils of our code of procedure, would hardly recommend Mr GOLDSMID to stand the hazards of the law.

So that Mr GOLDSMID has no other course to pursue than to publish the *Chronicle* as a disseminator of lies, and be content

It may be said that he may do more—he may prove the *Chronicle* to have

lied. But is not this a hard case? Because a man chooses to hold opinions in politics, adverse to those of the conductors of a paper, he is to be dragged out of his privacy—his whole pedigree is to be placed before the public, and every vile and vulgar prejudice is to be brought to bear upon him for doing what he had a fair right to do! What has the world to do with the name of Mr GOLDSMID's father? What is his private history to us? His own character is unimpeachable, and by that surely every man ought to stand and fall. Would Mr BLACK like us to enter into his private life and arrangements, and to drag them before the world? What would he say, if in answer to the question, who is the editor of the *Morning Chronicle*? a history of his private life appeared, holding it out to the world only as it has been? Would he deem such a proceeding a worthy one, or one at all agreeable to his own feelings? If not, why has he allowed this letter to be inserted respecting Mr GOLDSMID?

One word, however, respecting an

assertion in the account given respecting Mr GOLDSMID. It is said that he has written foul libels against Mr O'CONNELL in the *Times*, under the signature of *Detector*. I have not seen these letters—nor have I any means of knowing whether Mr GOLDSMID wrote them; but he certainly owes to his own character to give this assertion a formal denial. He complains of an anonymous attack—it is but just that he should free himself from the imputation of having thrown the first stone—of having lent himself to further party ends, and the vile means of which he now complains. If he be *Detector*, he well deserves the treatment he has received, though they who have inflicted it, are as guilty still as he. His unworthy conduct (I speak always hypothetically) does not justify theirs; if he have been an anonymous slanderer, that is no reason why any one should imitate him. The thief who robs a thief, is still a thief, though we do not sympathise for the one rogue who has been swindled by the other. J. A. R.

## RAILROADS AND RAILROAD PROJECTS—MR GOULBURN'S ANATHEMA.

THE Right Honourable HENRY GOULBURN, at an anti-railroad Meeting of Sussex landowners, has made common cause with the jackasses and other beasts of draught and burthen, by declaring his animosity against *all* Railroads, as interfering with existing rights. It is true he only mentioned the rights of the park and pleasure-ground owners, they being the only interested individuals present; but there cannot be a doubt, when the Right Honourable Gentleman's sympathetic and benevolent disposition is considered, that he kept in "his mind's eye" the prospective sufferings

of the long-eared and other monopolists of the road.

The Right Honourable HENRY GOULBURN is what philosophers define "a rational animal." What a pity the asses, and the horses, and the dogs who earn an honest livelihood by dragging dogs' meat along "common roads," are not rational also! They might then imitate the Right Honourable Gentleman, and declare their decided disapproval of all such innovations.

If the Right Honourable Gentleman had raised his voice against the present mania for Railroad projects, as being

likely to lead to consequences fraught with ruin to all who have embarked therein—excepting, of course, a few cunning rogues who know how to make dupes of their weaker neighbours—tiny though his voice be, he would have deserved the thanks of the community. But this he did not do. He made no attempt to separate the grain from the chaff. He included all Railroads and Railroad schemes, present and prospective, wise and unwise, possible and impossible, in one sweeping anathema. This course obviously precluded any regard to the merits of individual cases. There was, in fact, no pretension to such discrimination. The only feature taken into view was the interest, or rather the whim, of those through whose grounds Railroads do or may pass.

Such are the views of a man who would fain be considered a statesman. They are the selfish and narrow views of a class—views wholly wanting in that general regard for the interests of a whole community, which we are entitled to expect from one who aspires to influence the destinies of his fellow-men.

A Railroad is a good thing; but, like all other good things, it may be purchased too dearly. A good thing in pushing aside a thing less good, certainly produces some individual suffering, inasmuch as the owners of the latter have, perhaps, a large stock thereof on hand, which becomes useless or unsaleable. This is an evil incidental to all improvement, but it is no reason why there should not be improvement. If, for instance, the existing interests of wig-makers had been consulted, Mr BARR's famous patent light-spring wigs would long since have been sup-

pressed as a nuisance. According to Mr GOULBURN's rule, the general comfort of the bald-headed would have been set aside to suit the convenience of the holders of Bob wigs. In like manner, the obvious interest which the mass of the People have in a cheap and expeditious means of transport would yield, in the Right Honourable Gentleman's estimation, to the interest of those who profit in the present clumsy locomotive contrivances. He would care nothing for the practical *halving* of distances, for the opening of markets to distant places, and the augmentation of the sources of supply to extensive markets, or for the vast civilizing influence of constant inter-communication. All these advantages, and many more which scarcely require enumeration, would be made to succumb to the class interests of the owners of light post coaches and horses, and, above all, to the interest of the owners of the land that grows the corn, that feeds the horses, that are likely to be superseded by the cheaper power—Steam.

But a Railroad and a Railroad project are two very different things. Men embark their capital in a Railroad, because they think it likely to afford them at least the ordinary profits. Even if they be disappointed, there is at all events the advantage to the public which the Railroad cannot but afford. A Railroad project, on the other hand, may be formed without the slightest real intention of ever carrying it into effect, but merely as a vehicle for speculation. There are now, I believe, two projects for Railroads from London to Brighton. There is nothing to prevent projects for half a dozen more. It is obvious, however,



that the legislature will not grant a charter to all, and it is probable that it will grant a charter only to one; hence, all the rest would fall to the ground, and all the money expended in applying for charters, in paying solicitors, secretaries, and office rents, and so forth, would be irretrievably lost. This is not all the evil. Such is the present mania in favour of Railroad stock, that any project meets with immediate subscribers. It is not inquired whether the Legislature is likely to sanction the project, still less whether it is likely to pay if so sanctioned. It is simply asked whether it is "likely to take," that is, whether the almost universal *prestige* in favour of Railroads will cause the shares of the project in question to come out at a premium. If this be the impression, the speculator A subscribes at once, and pays his deposit. Not that he intends to embark capital therein, he has probably no capital to embark; not that he even intends to pay up a single instalment, but because he hopes to sell to B at an advance on his deposit. B, too, comes in on the same terms. He happened to be too late to get his name down on the original subscription list, but is anxious to possess himself of shares before they rise to the height which he feels sure they will attain. He accordingly becomes A's purchaser, and only parts with them to C when his own cupidity is satisfied.

Besides the persons who speculate in projects, knowing them to be such, a vast number of persons are always unfortunately inveigled into the business, merely by being told that it is "a capital investment," that it is "sure to pay,"

and so forth. These persons not being constantly in the market have no opportunity of escaping with the first turn of the tide, as the mere time-speculator has. The speculator is ever on the spot, ready to take advantage of the maxim, "The first loss is best," whilst the small capitalist, who had availed himself of the "capital investment," is finally compelled to bear the loss. In his hands, in fact, the bubble bursts.

This most unwholesome state of things exists, at the present moment, to a most alarming extent. There are before the public a vast number of Railroad projects, a large majority of which will probably never receive the sanction of Parliament. Even for those which appear practical and judicious, charters cannot be obtained for years to come. Many of these are at a considerable premium, which, under the most sanguine calculation, is far from being warranted. Yet buyers are to be found every day, who have no idea of holding beyond the time at which profit can be realized.

There is no doubt but that great profits must have been realized by speculators in some of these projects. These profits have been drawn from the present holders, who, in their turn, expect to realize from somebody else. Scarcely any of these holders have any idea of realizing profit from the Railroad itself. Many of them are perfectly aware that somebody must ultimately be left in the lurch. When it will happen no one pretends—no one is desirous, to foretell. If the day could be named, however distant it might be, it would affect the price, and this is what it is no one's interest to do. All that each in-

dividual has to see to it, that he himself be not the scape-goat; and such is the overweening opinion that most men have of their own prudence, that it would be difficult to find a man who does not deem himself sufficiently knowing to get out *just in time*.

Everybody must remember the disastrous period of 1825-6—the panic, as it is called. In 1824-5 the overtrading mania was universal. There was scarcely an article to be found in the prices current that did not advance. The start was no doubt given by a positive scarcity in the supply of some important articles; at last, it extended to articles neither the supply of, nor demand for which exhibited any feature to justify advance. Brokers were even accustomed to look through the published prices current to ascertain what had not advanced; and when they discovered an article which had been overlooked, it was straightway dragged from its obscurity and made the object of speculation.\* One of the features of this speculative period was the vast number of projected joint stock companies. Some of these projected companies were absurd in the extreme, yet none were so absurd that they did not find immediate encouragement. Few of the speculators in those projects had the most distant idea of a permanent investment. They perceived plainly enough that there was a prevailing mania; but each individual flattered himself he was exempt from its influence, and could take advantage of it. How many were, finally, left in the lurch—how

few, in fact, escaped, I need not remind the reader.

The mania is now, fortunately, confined to Railroads, and to such undertakings as would necessarily receive an impetus from any increase in the number of Railroads. Still it has already proceeded to an extent to ensure considerable loss, at some period or other. It is to be hoped that the period is not very far distant. The sooner the public come to their senses the better. When a decline commences, the Press will be ready enough to account for it, and to show that the previous advance was not warranted by any of the existing circumstances. The duty of a public journalist, however, should extend beyond this. He should point out errors before they have made great progress, and endeavour to mitigate, if he cannot wholly remove, the evil consequences. In the present instance, individual cases should be examined, and the fragile foundation on which they are based should be pointed out. In this way an immense amount of suffering might be effectually prevented.

Another evil attending such a mania is, that really wise projects share for a while the odium which is so justly due to the majority. For some time subsequent to the bursting of the bubble—and burst it must—it will be difficult to induce people to embark in any undertaking of the kind. Hence the progress of improvement will be checked. Landowners' pleasure grounds will not be damaged; poor people will not be enabled to ride so fast as rich; and the Right Honourable Henry Goulburn will for a time be satisfied. His satisfaction will, however, be but short. The time must come when we shall be able to go to Brighton in a couple of hours, for four or five shillings, in spite of the long speeches of the Sussex landowners.

H. S. CHAPMAN.

\* Tooke on the Currency.

## THE NEWSPAPER STAMP RETURN—POSTSCRIPT TO A FORMER ARTICLE.

It will be remembered that in my observations on the Newspaper Stamp Return and upon the comments of the Press thereon, I showed that neither the return nor the several commentators gave any idea of the proportion between Liberal and Conservative subscribers, inasmuch as it required 156 daily and 26 weekly stamps in the half-yearly return to every single subscriber. Dividing the return on this principle, and adding the unstamped, I showed that the Liberal were to the Conservative subscribers as FIVE TO ONE.

A friend has since pointed out to me that even this enormous proportion is far within the truth. His argument, which appears to me conclusive—the fact being well known—is as follows:—

“In your article on the Newspaper Stamp Return, you show successfully that none of the estimates give any conception of the vast number of Liberal, compared with Conservative Newspaper buyers. When you come to fix the proportion, however, you fall into error from the neglect of one single most important fact, which I am sure

you will acknowledge the moment I name it. It is that Conservatives, including most of the very wealthiest individuals in the community, frequently take two or more papers; whilst the Liberals, being less wealthy, take only one, which is moreover lent from hand to hand. Thus, if you speak of ‘Subscribers,’ you must make a large correction in favour of the Liberals, and if you were to take ‘Readers’ into the account, the argument would be wonderfully enhanced.”

I think it will at once be seen that my friend is right. The middle and industrious classes are compelled to economize in newspapers, as well as in everything else. A, who can afford a Sunday paper, lends it to B who cannot; it is then dispatched to C in the country, who, in like manner, accommodates D. I myself know more than one instance where two individuals join. Conservative subscribers may sometimes resort to this expedient, but they certainly do so much less frequently than those of opposite politics.

H. S. C.

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\* \* \* *The Letter of James Turner is unavoidably postponed to next week.*

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LIBELLOUS FALLACY OF THE EDINBURGH  
REVIEW.

By H. S. CHAPMAN.

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DECAY OF WHIGISM—PUBLIC OPINION IN BATH—  
THE RECENT DINNER.

By H. S. C.

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THE WHIG CREED—LORD JOHN RUSSELL AND  
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FACTORY WORKERS AND HAND-LOOM WEAVERS:  
TEN HOURS BILL.

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EDITED BY

**J. A. ROEBUCK, M.P.**

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THE PEOPLE ARE NOT TO BLAME: LIBELLOUS  
FALLACY OF THE EDINBURGH REVIEW.

THE last number of the *Edinburgh Review* contains an article entitled "Last Session of Parliament—House of Lords," devoted entirely to Whig glorification.

The object of the article is to show, *first*, what a very virtuous set of persons the Whigs are; *second*, how very shocking it would be if the Tories should regain possession of the Government;

and *third*, how much the People were to blame at the Election of 1834 for not returning a larger number of said Whigs to the House of Commons. In addition to this principal object of the *Review*, there are some nine or ten pages of fiddle-faddle about the Lords, which, being far behind the present state of public knowledge on the sub-

ject, may be allowed to pass without further notice.

The chief object I have in view, is to show that the People are not to blame for the result of the last Elections. However virtuous we may deem the Whigs—however great may be the evils of a Tory Administration—the decline of that virtuous party and the near approach of the Tories to power are events chargeable, not as the Reviewer says, upon the “apathy” of the People, but upon the Whigs’ own Reform Bill, followed up by their subsequent selfish conduct; and upon nothing else.

The preamble of the Reform Bill tells us, among other things, “that it is expedient to extend the elective franchise,” &c. Preambles do not usually give reasons, but if the reader will turn to the Whig speeches at the time, he will find that the necessity of popular controul, as a means of securing good government, is perpetually kept in sight, as a reason for the preamble’s assumption of the expediency. Now the whole of the Reform Act gives the lie both to its own preamble and to the speeches of the time. Its machinery is devised to throw insuperable difficulty in the way of the exercise of the elective franchise; and it is a known fact, that the People cannot return members of their choice to Parliament, except at an enormous sacrifice, which nought but the supreme selfishness of a Whig could expect them lightly to incur.

I will first bring up against the Whig Reviewer the system of Registration. The striking features of the system were explained, with admirable force and clearness, by Colonel NAPIER, in his powerful and energetic speech at the Bath dinner; and as the whole passage is replete with instruction, I quote it entire:—

“I stand before you a disfranchised man. I am not permitted to have a vote in the election of a representative, who is to pass laws which I am, never-

theless, bound to obey; and inasmuch, I am a slave. Gentlemen, I have been disfranchised, not for any crime I have committed—not for any negligence—not because I did not prize the right of voting. No; I fulfilled every condition the law imposed, and my qualification is good. I voted at the first contested election after the Reform Bill. I was carried down from a sick bed to the hustings, to vote for that venerable champion of Reform, Colonel GORE LANGTON; and I do not mention this as a merit, but to show you that I really prized this right. I did not know Colonel LANGTON personally, but I knew his public character, and now I cannot vote for him because an overseer has forgot to put—not my name, but his own, to a paper purporting to be a list of voters, and I am, therefore, disfranchised by the Revising Barristers. Gentlemen, about 50,000*l.* has been paid to these Revising Barristers, and for what? Has any one ever heard of their seeking out coy, reluctant, or ignorant voters, encouraging them or instructing them how to assert their rights? They are, therefore, paid 50,000*l.* to curtail the franchises of the People; and it might be well to consider if there is any necessity or any wisdom in paying this sum, when, to use a Tory phrase, ‘an unwashed artizan’ can do the trick without any cost at all. (*Loud cheering.*) Trace the system a little further. Plato defined man to be an unplumed biped, and an overseer might, merely for illustration of the argument, be defined a *bribeable* biped; and then comes the Carlton Club, with plenty of money (that’s the great object), like a thief in the night, and bribes these bipeds, until all the Liberal counties are disfranchised; and if the Liberal interest should also make up a purse, they might bribe too, till all the Tory counties were disfranchised; and so, under the Reform Bill, we should arrive at the happy state of having no voters at all. (*Laughter.*) What manner of law, what manner of Reform is this, which punishes the innocent for the guilty—Reform which goes to the destruction of all votes? Shall it be said that this is an extreme case? It is not more extreme than the absurdity it is intended to expose. But is it an extreme case? Why, in East Somerset

alone twenty-eight parishes have been already disfranchised in this manner—I do not mean by bribery, but by the negligence of the overseers.

“ But I am told that in England there is no wrong without a remedy, and that I have my remedy—that I may sue the overseer, and if I can prove to a judge and jury that the offence was wilful, I may recover 500*l.*, that is, I may sell my birthright for a mess of pottage; that I may ruin myself and my children by the expense of an unsuccessful suit; or I may ruin a poor ignorant man by the expense of a successful suit; and when I have performed this notable exploit—when I have sent the father to the gaol door, and his children to the workhouse—I may have the conscientious satisfaction of discovering that no election will take place, and that the man has done me no injury at all. Again I ask what manner of law, what manner of Reform is this? ”

Very little need be added to the above vivid and faithful picture, to prove that the People are not to blame for the result of the elections. I would merely point out that the foolish manner in which the Whigs have managed the appointment of the Revising Barristers, has served to enhance all the evils of which the Whig Reviewer complains.

Want of confidence in the People almost amounting to fear, united with the most bitter hatred of the Radicals, have been long conspiring to drive the Whigs fairly into the arms of the Tories. In every department of State we find, we still find crowds of Tory undertakings. Every measure is so managed as not to give too great offence to the old opponents of the aristocratic Whigs. Conciliation of the Tories occurs, I do verily believe, a hundred times for every once that we witness conciliation of the People. Is it strange that the appointment of the revising barristers should have proceeded in the same spirit? No. The Whigs did not even venture to name their own men, under the fear, I

have no doubt, that a liberal construction of the act might go somewhat beyond Whig desires, and tell in favour of the hated Radicals. They therefore left the appointment in the hands of the Tory Judges, relying sufficiently on the state of opinion in the country, to feel tolerably secure that there was sufficient hatred of Tory rule, to give them, the Whigs, a place-securing majority; and now that they find that majority insufficient to make them independent of the Radicals on the one hand, or secure from the consequence of the treacherous defection of their own selfish partisans, on the other, they instruct their organ, the *Edinburgh Review*, to revile the People for not having endured oppression and tyranny in every possible form, for the purpose of enabling them to hold their darling places without fear of disturbance.

But the system of Registration is not the only feature of the Reform Act which gives the lie to the Preamble. Its great sin of omission far outweighs all its other defects. I need not say that I allude to the omission of the Ballot. I need not enumerate the evils which the People have endured from the want of its protection. Every body knows them—almost every dependant person has felt them. I would merely mention that the last Devonshire election brought all these evils under Lord JOHN RUSSELL's observation, and yet he went into the House of Commons, and led forward his slavish troop of partisans to reject the remedy. I am sorry I have not at hand Sir WILLIAM MOLESWORTH's speech at the Devon dinner. He pointed out to the Whig Lord the enormous sacrifices which the liberal yeomanry had made in voting for his Lordship against the commands of their Tory landlords, and he appealed to his Lordship to give his aid in the House to the only means of remedying the

evil. Of this great evil, no attempt was made to deny the existence, and yet Lord JOHN RUSSELL was deaf to Sir WILLIAM MOLESWORTH'S appeal. Have the Whigs any claim upon the People's gratitude? I say, no. They selfishly demand of the People sacrifices which they possess the means of preventing; which means they have hitherto neglected to employ, merely because they foresaw that so doing might interfere with their domination as an Aristocracy. Tory competition for the governing power, was, and is in fact, less odious to them than popular control, be that control ever so slight and imperfect.

I think I have said quite enough to show that the People would not have been to blame, had the Whigs been left in a minority in the very first division of the session.

Now for a specimen of Whig logic. The Reviewer tells us that "one thing is quite certain—that from the one (that is, the Tory party) the country never gained anything but by compulsion; whilst from the other (that is, the Whigs), almost every thing has been obtained which they had the power to give." \* A few pages forward, forgetting he had just asserted that the Whig Ministry never possessed power to give reforms, he tells us that in 1833, "all the measures of Reform were

backed by majorities of four or five to one." Again, "In 1832, 1833, and 1834, they (the Lords) were quite aware that nearly as many of the Commons would have taken part against them, in the event of a collision, as upon any of the contested measures; in other words, that they would not have had the support of above one in six of the representatives of the People."

I believe that the Reviewer has exaggerated the Whig majority in 1832, 1833, and 1834, little thinking it would tell against his own arguments. This much, however, is quite clear, that the Whigs had quite sufficient power to give much of what we now want; and the Lords, according to the Reviewer's own showing, were then in a state of mind unfavourable to what has since been called collision. Why, then, did the Whigs neglect to carry out the Reform Bill to those consequences which the People of right anticipated? Why was the doctrine of *finality* invented? Why did not the Whig Ministry, and the Whig House of Commons, claiming to represent the People, act for and with the People, and defy the Lords in their lair? The answer is simple. They have betrayed the People; they desire not Reform; their sole object is to hold power against a rival section of the Aristocracy.

\* No. 125, page 185.

H. S. CHAPMAN.

## DECAY OF WHIGISM—PUBLIC OPINION IN BATH— THE RECENT DINNER.

THE state of political opinion in the city of Bath, as exhibited at the late Dinner, is precisely what it is desirable should prevail throughout the country. Whigism is there utterly extinct. As a class, the moderate Reformers do not exist. Every man is either a Radical or a Conservative. This I take to be the natural consequence of increased

intelligence on the principles of Government.

The gradual decline of *juste milieu* Whigism is, without doubt, more or less apparent in every town in the kingdom, but it is in Bath that the feature hath made itself most conspicuous.

Whigism is certainly a most palpable anomaly. The powers of Government



must reside in the hands either of the majority or of the minority. If I believe that the functions of Government should be exercised by persons under the complete control of the majority, I am an advocate for Democracy; in plain English, I am a Radical. If, on the other hand, I believe that political power should continue, as it is now, in the hands of the wealthier minority, I am an advocate for Aristocracy—in modern parlance, I am a Conservative.

In England those who advocate the continuance of power in the hands of the few, divide themselves into two classes—Whigs and Tories. These two sections of the Aristocracy differ from each other chiefly in the degree in which they are disposed to compromise. The Tories have only recently shown any disposition to yield to public opinion. Sir ROBERT PEEL was the first Tory who professed a willingness to “reform all proved abuses.” The Whigs, on the other hand, have long made compromising their rule of action.

Naturalists tell us that the she tiger, when pursued by the hunters, at first attempts to escape with all her cubs. Being hard pressed, however, she drops first one and then, if necessary, another, under the impression that her pursuers, being engaged in securing the abandoned cub, will permit her to escape with the rest. The policy of the Whigs is precisely that of the she tiger. They give up one thing only to secure the rest. The only difference in the cases is, that the Whigs, unlike the poor tigress, give up that to which they have no legitimate right.

A careful investigation of the principles of Government—an examination of what we are really contending for, must inevitably lead to the conviction, that the struggle is between the Aristocracy and the People—between the many and the few. So long as the choice lies between a Whig and Tory

Administration, there may be good reason for preferring the former. Still there can be no reason for blinding ourselves to the fact, that it is but a choice of evils—that, choosé as we may, we are still under the domination of an Aristocracy, and that it is the duty of all who believe that an extension of Democratic influence is the only security for good Government, to reject the arch imposition of the Whigs—that they are the representatives of the People.\*

The Bath Dinner affords ample evidence, that the intelligent electors of that city have made the investigation, and have come to the conclusion I have described. Whigism is there, I repeat, utterly extinct, and Toryism is reduced to an impotent minority.

As the Bath Dinner was a most imposing scene, I shall take leave to describe at least its leading political features.

In the first place, the number of Electors present exceeded seven hundred. The long tables were calculated for seven hundred people. When that number of tickets had been sold, the Committee very prudently determined to refuse all other applications. By accident, however, some thirty more tickets were disposed of. Still an immense number were disappointed. Adding the Committee, there were not less than seven hundred and fifty Electors present.

Now let us inquire how matters stood at the last Election. Colonel DAUBENY was the Tory Candidate. Every one who knows Bath must be aware that the Toryism which there prevails is of a very intense—a very ultra species. Even those who have no personal acquaintance with the city may easily convince themselves that it must be so. Yet this

\* I pray the reader to reperuse the PAMPHLET entitled “Prospects of the Coming Session—Views of the Radical Party.” It fully exposes the pretensions of the Whigs.

party, who never spare expense or trouble to carry their point; who, from long practice, are well organized, and who, on the occasion in question, made more than their ordinary exertions to place their Candidate at the top of the poll, were, with all those exertions, able to obtain only seven hundred and six votes. This was the whole force of the Conservatives at the late Election. That portion of the Liberal Electors who could attend the Bath Dinner, far out-numbered them. In what position is Toryism in Bath? Most assuredly in a minority.

Let us next look at the tone of political feeling which prevailed at the Bath dinner. What was the character of the speeches delivered? Was there one single sentence uttered that could be interpreted into an approach to *juste milieu* Whigism? No, reader, not one. Search through the speeches of the Chairman, Mr HUNT, of Colonel NAPIER, of Mr ROEBUCK, of Mr HUME, as reported in the *Whig Chronicle*, and you will find nothing but the plainest enunciation, in various forms, of the proposition, that Democratic influence is the only security for good government. Having thus noted what was said, mark well how these Radical, or, if you please, Democratic, sentiments were received. When Colonel NAPIER enumerated the various Reforms which were necessary to make the Reform Act not a mere dead letter, was there a single manifestation of dissent?—or were his sentiments received even with coldness? No. His every word was hailed with absolute enthusiasm. When Mr ROEBUCK denounced the House of Lords, as at present constituted, as “a nuisance,” and added, “that like all nuisances it should, to use a legal phrase, be abated,” was there even a doubt as to the truth of the propositions? No. Not a single whisper was heard against his words; they were received with a

cheering burst of unanimous assent. Again, when the Orange exposure was mentioned, and Mr HUME was pointed at and named as the originator of the inquiry which led to that exposure, was there aught in the reception of that tried Reformer which could give a Conservative, whether Whig or Tory, the slightest ground for hope? Most certainly there was not. The reception of the Honourable Member was such as to give joy to every lover of his country.

On two occasions only was there the slightest indication of dissent. I will relate them, and then leave it to the reader to judge whether Whig or Tory hath any cause for exultation thereat.

The first was, where the toast “The Duke of SUSSEX and the Royal Family,” was drunk. This toast was received with cheers, mingled with an universal cry of “No CUMBERLAND.”

The next occasion was where Colonel NAPIER named the Duke of WELLINGTON as a Peer of whom he should always speak with respect. The feeling of dissent was, however, only momentary. It was soon changed for an expression of generous sympathy with the high-principled, gallant speaker; and when he recommended the People to say, “Duke of WELLINGTON, conqueror in Spain, conqueror in Portugal, conqueror in France, conqueror in India, conqueror at Waterloo, you shall not be conqueror in England,” the loud and protracted applause which followed must have been cheering indeed to all those who can appreciate a generous emotion. Sincerely do I hope it will meet the Duke of WELLINGTON’S eye. It will show him that though the People of England may know how to do honour to his great talent, that, however much they may admire—nay, even venerate his military character, they never will submit to be governed in conformity with the political principles which he professes and upholds.

Now then, reader, what is your opinion of the state of Whigism in Bath? Am I not right in saying that it is utterly extinct; that every man is either a Radical or a Tory; that, happily, the Radicals form the immense majority; and lastly, that the Radicalism of Bath is of the intense, and not of the lukewarm kind? I cannot for a moment doubt your answer.

But this is not all. In the spacious galleries erected around the building were five hundred of the wives and daughters of the men of Bath, who evinced their sympathy for all that was said and done by the waving of handkerchiefs, and, above all, by their cheering smiles. It is generally supposed that the influence of women is rather in favour of Conservatism than against it. This I doubt. I suspect the opinion to have been formed on an observation of the Conservative portion of society only. A more enlarged field of observation would, I believe, warrant a very different conclusion. The wife of an Aristocratic semi-liberal Member of Parliament might, perhaps, still be found to cry on her exclusion from the Lansdowne House parties, in consequence of her husband's semi-liberal vote, and to urge him "to continue to vote always with Ministers;" and yet it may, nevertheless, be true that a majority of England's daughters, as well as of England's sons, hold political principles not inconsistent with the aggregate happiness of the community. So, at all events, it is in Bath. Whigs! let this feature in the state of public opinion sink deep into your inmost souls.

The division of the People of Bath into the two extremes did not always prevail. At the first election after the passing of the Reform Act, in 1832, Whigism did venture to rear its head. It found, however, but a weak personification in one of the HOBHOUSE family. At that time Toryism had been cowed

by a succession of events, beginning with the Parisian three days, and ending with the Reform Act. The ultra section of the Aristocracy, therefore, did not venture to put forward a candidate of their own; their support they gave to the Whig, with a view, of course, to exclude their common enemy the Radical. With all the lights of the Reform Bill's glory shining upon the Whigs, its authors, it is not wonderful that that party's Representative on the Bath hustings should get some of the votes of the Reformers. That light, however, has since been quenched by the subsequent conduct of the Whigs; and at the last Election in 1834, all who were not thorough Reformers—Radicals, in short—enlisted, as I have before said, under the Tory banner of Colonel DAUBENY. The battle between the Aristocracy and the People was then gained by a majority of THREE to TWO, and the result of the Bath dinner shows that public opinion hath made a great stride since that period.

If only fifty cities and boroughs in the Empire exhibited the same wholesome state of opinion as the city of Bath, the People of England would not long have to complain of bad government. The result would be—not a feeble, but a strong minority representing the People. The manner in which this minority, backed by the People, would urge on—would enforce successive reforms, was shown in the article on "The Prospects of the coming Session." It is hoped a perusal of that article will carry conviction to the minds of all Constituencies consisting of an ascertained majority in favour of "Liberal Principles," that it is their duty to weigh well the sort of Reform offered for their approval on the hustings, and to reject the equivocal kind called "Whigism" and accept only that which has for its object the complete control of the People over both

branches of the Legislature, and, by means of the guardianship of the public purse, over every department of government. The nucleus of such a party exists already, as the article in question shows, in the House of Commons. It rests mainly with the body of electors to give it consequence and strength.

H. S. CHAPMAN.

P.S. It may not be uninteresting to the reader to run his eye over a slight sketch of the material or visible, as well as the political features of the Bath dinner.

To accommodate so large a body of People, it may easily be imagined, no room could be found. A spacious Riding school was therefore engaged, and fitted up for the occasion. The area of the building was, to appearance, about the size of a large metropolitan parish Church. Stretching along nearly the whole length of the building, were seven tables, each capable of affording seats to one hundred People. At the further extremity of the room was a raised platform, on which was placed the *cross table* where sat the Chairman, the Committee, and the guests, all facing the assembled multitude. The galleries, capable of accommodating three or four, or perhaps five deep, extended round the sides and one end of the building much like the galleries of a Church. These, as I have already stated, were devoted exclusively to ladies. The decorations were tasteful in the extreme. The roof of the building was covered with lengths of

glazed calico arranged thus: Blue in the centre, and then white—crimson—white—yellow to the right and left. Suspended from the roof were two rows, each consisting of ten gas-light devices. Each device contained from 50 to 60 burners. Besides these, there were stars at each end of the building, together with two appropriate transparencies over the cross-table.

The fronts of the galleries were divided into compartments, whereon appeared the names of the Representatives and of other Liberal members, and the whole was decorated with festoons, and wreaths of green leaves and artificial flowers, arranged with great elegance.

The reader may now picture to himself the brilliant effect of this combination of pleasing sights—the multitude of happy faces below, the galleries filled with well dressed females—many of them beautiful, and all cheerful, which is beautiful—the bright colouring of the decorations and of the dresses; all illuminated by the light of some two thousand gas lights, but tempered and softened by the combined effects of atmosphere, and different degrees of distance, and he will have before his mind's eye a tolerable conception of the scene. If the reader have seen a picture of TURNER'S, with all its brilliancy of light and colour, his conception of the *coup d'œil* of the Bath dinner will be materially heightened.

H. S. C.

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## THE WHIG CREED—LORD JOHN RUSSELL AND THE BRISTOL DINNER.

LAST week the Whigs of Bristol gave Lord JOHN RUSSELL a dinner, upon the occasion of their presenting to him a piece of silver plate, purchased by sixpenny

subscriptions. Four hundred persons were present. The apartment was decorated with artificial flowers, a transparency representing Fame bearing a

crown of laurels, and "a handsome star, with the initial R in the centre." Every thing was showy; in short, it was what the *Chronicle* calls "a grand dinner." And I am perfectly sure, that nothing could be more instinctively correct than their typical decorations. The canvas Fame, holding forth a laurel crown in her hand, is aptly symbolical of Whig statesmen—holding out mystical promises, which, when examined, prove to be delusions; and the star with the "initial R," doth signify, that Lord JOHN RUSSELL is a most twinkling genius, whose radiations at this grand dinner it is my present purpose to examine.

The speech of Lord JOHN RUSSELL opens with the worn-out nothings about want of words for gratitude—conscience—approbation of countrymen, &c. He then tells his auditors that "he has the satisfaction to think he has not obtained the honour (of the dinner and plate) by his subserviency to temporary opinions, or by his flattering the prejudices, either religious or political, of any class of the community." Never was there a purer Whig sentence than this; here he insinuates, (otherwise there is not one particle of sense in what he says) that the Radical principles which he opposes are temporary opinions, and, of course, erroneous; while he denies that he has flattered both the religious and political prejudices of the Aristocratic class, which he actually does in this very speech. The opinions in favour of Freedom of the Press, Vote by Ballot, Extension of Suffrage, and Shortening of Parliaments, he will find, however, somewhat more permanent than those slyly introduced provisions of his, which cramped and perverted the operation of the Reform Bill, and to which he pertinaciously holds, thus removing at least half of its "Democratic tendency."

After talking a great deal about his motives, and the honour paid him at Bristol, he boldly exonerates the Whigs before the GREY Administration, from the blame of promising and not performing. "Mr FOX," says Lord JOHN, "and others of his political principles, never held the reins of Government with the means of carrying their principles into effect, the Tories always driving them from office, as soon as they began to show what their principles led to." In 1780 was held the great convention in favour of Parliamentary Reform, and of other Democratic tendencies. Fox professed almost open Democracy; the popular party made him their leader, and in 1782 he betrayed them by a vile coalition with Lord NORTH. FOX and all Whigs won or lost office solely by that unprincipled political gambling between them and the Tories, which Radicalism seeks to terminate for ever.

Our lordly speaker then gives a very long and laudatory history of the GREY Administration; bestowing on his hearers some account of Parliamentary Reform—quite an eloquent notice of Slave Emancipation and the Poor Laws—a view of Lord GREY's foreign policy, of the East India Charter, and that of the Bank—and the information that "the simple grandeur of Lord ALTHORP's character" was above intriguing Earl GREY out of office, if Lord ALTHORP had not loved "Earl GREY's fame, as he did, above all things."

Then come the MELBOURNE Administration and Municipal Reform. "It was," says Lord JOHN, "our opinion that if we were to have any freedom in our institutions, it was impossible to allow self-elected corporations any longer to exist. It seemed to us necessary that these bodies should be subjected to vigilant popular control." What is the great difference between the interests of the People involved in

Municipal Government and in Parliamentary Government, that makes vigilant popular control necessary for one and not for the other? Will Lord JOHN explain this at some future dinner? The fact is simply this: that the People have viewed that portion of their concerns controlled by corporations, in a common-sense, correct manner, while those interests which have been mismanaged by Parliament have had mixed with their consideration, a thousand mystifications; such, for example, as glory of the country—Constitution—Church and State—Prerogatives of the Crown—Independent powers of the separate estates of the realm—powers of the Government, &c. Men are now, however, rapidly becoming tired of their mental slavery in this matter; in a very few years more every honest and thinking man will demand actual, direct responsibility, in all who legislate about their lives, labour, and fortunes.

“I!” thus speaks the present leader of the House of Commons—“I have introduced measures of a popular kind, in the full confidence that *the People might be trusted with the powers I proposed to vest in them.*” Read this, Englishmen. Lord JOHN RUSSELL says you may be trusted with the powers he proposed to vest in you. Know, then, that your Lords and Masters (and they *are* your Lords and your Masters) are the fountains of all political power, and that they, your Masters, are the proper judges to know when, and how much, and in what manner, you are to be trusted with the management of your own concerns! Yes; your Aristocratic Masters VEST you with “bit-by-bit” powers, “few and far between,” as they happen to have confidence that you may be trusted. Good God! how can a nation of men such as this, continue, year after year, to be curbed in their actions, drained of their earnings, cajoled, deceived, and insulted by a set of drivelling de-

scendants from the loins of ignorant and blood-stained ancestors? There are many sorts of slavery; few of the body, many of the mind. But the slavery of the People to an Aristocracy, when the People are far superior to the Aristocracy physically and mentally, is a thing so monstrous, that if Great Britain did not exist to exemplify it, mankind would treat the absurdity as an utter impossibility. The dullest men now see why it was Lord JOHN RUSSELL narrowed the suffrage of the Reform Bill—he had not “full confidence that the People might be trusted” in selecting a majority of the Commons; nor will he trust those whom the registration lottery allows a chance of voting, with the liberty of using the Ballot, or the full liberty of printing and reading: these the Aristocracy have “vested in” the rich.

Having finished his glorifying retrospection of Whig Administration, Lord JOHN speaks of Ireland, which, he says, “has been long under our rule; in some respects,” he continues, “we have fulfilled our duties to her; but in others, I must say, we have criminally neglected them.” He “proposes to amend the moral evils” of our neglect—“a perverted sense of right and wrong” in the Irish, by “teaching them the great principles of religion;” and, as proof of the correctness of this proposition, or, perhaps, as an apology for it, he “contends that this is only acting on the principles of the Bishops—that it is the duty of the State [Government] to take care that religious and moral instruction be given to the People.”

What a silly quibble is this! Lord JOHN RUSSELL knows that the Bishops uttered this principle in a Whiggish sense only, and that their real principles were but too successful in keeping the People ignorant in every way. The Bishops always opposed the education of the People; they were venomous in

their opposition to the Lancasterian Schools, and when they ascertained that these Schools could not be put down, priest-like they set up those mockeries called National Schools,\* to counteract what was good, and to keep the popular mind as long and as much as possible in ignorant slavery to them. In the very same way the London University provoked them to set up the priestly King's College.

But Lord JOHN continues as to the funds for Irish education coming from the Anglo-Irish Church Establishment. He says his notion is, that where there are flocks to be taught, the Parsons should receive pay—where there are no flocks, there should be no Parsons and no pay; and that Lord STANLEY's notion is, that, flock or no flock, Parsons should be paid. After all, these two Lords do not differ very widely; they are both the fast friends of Episcopalian Priestcraft, while one is tolerant, and the other intolerant of Catholic Priestcraft.

Lord JOHN next defends himself successfully against the charge of O'Connell's dictation upon the subject of the Irish Church; and very distinctly gives Mr HUME the credit for having originated the present partial project of good, by his motion in 1824, that the Irish Church should be maintained with fewer persons and at less cost. This motion Lord JOHN supported. In the discussion of the tithe question in 1832, Lord JOHN said that "it was necessary to reduce the Irish Church, even for its own stability." In 1833 he stated, "that the state [nation] had a full right to dispose of the revenues of the Church." In 1834 he stated,

\* I am acquainted with a child of ten years of age, who has been at a school in Lambeth, under the control of the churchmen of the parish, for three years, and she is still unable to read or write. She is an intelligent child too.—H. S. C.

in the discussion of the tithe question, "that the Church ought to be reduced, and that a part of its revenues should be applied to the general instruction of the People." This proves the charge of dictation to be false, but the proof was unnecessary; for the Tories no more believed the charge true when they made it, than sensible men believe that Whigs or Tories care anything for religious establishments, except as they put money into aristocratic pockets, and political power into aristocratic hands. And when one considers the whole priestcraft affair, of the "Connexion of Church and State," in a nation such as this now is, it is impossible not to lament the gullibility of man.

But Lord JOHN is not satisfied with mere defence—he attacks his enemies, and asserts "that the DUKE OF WELLINGTON and Sir ROBERT PEEL opposed reason, defied and resisted argument, and yielded and succumbed to force; while we [the GREY and MELBOURNE Administrations] have opposed ourselves most successfully and decidedly to force, and yielded and succumbed to reason." Lord JOHN in saying that the GREY and MELBOURNE Administrations opposed themselves to force, thus puts Lord GREY at issue with himself, who in 1797 said in the House of Commons:—"I do not scruple to assert, that from this House I have no hopes of Parliamentary Reform. This House will never Reform itself, or destroy the corruption by which it is upheld, by any other means than those of the resolutions of the People acting upon the prudence [the fears of the members] of the House." And in saying that these Administrations yielded to reason, he thus acknowledges the great truth that the public meetings of the People and the proceedings in their Unions during the discussions on the Reform Bill,

were reasonable. But perhaps there never existed in any country a faction more practised and bare-faced in empty bragging than that of the Whigs of England, and this sample places Lord JOHN high above all his compeers; the laurel should have been cut out of the canvas, and he should have been forthwith crowned the prince of the braggarts. Whigs and Tories alike, have ever opposed the true welfare of the nation, of the great body of People; they have opposed with all their might everything calculated to develop properly the human character, and to diffuse general prosperity and happiness. And these two Aristocratic factions have yielded only when they were forced to yield. The sole difference between them on this point is, that the Tories are bold enemies of the People, the Whigs crafty ones, who succumb to less force, and little by little. Look, for example, at the Corn Laws, which tax the People 18 million, and this too against reason, urged in unanswerable arguments. And then there are the taxes on Knowledge; for the continuance of which, Lord JOHN RUSSELL'S own Chancellor admitted there was no pretext left but that of the revenue. Now it has been positively demonstrated, over and over, until every boy understands it, that the revenue would not be lessened one penny by the Repeal of the Stamp Duty on Newspapers; yet does this Whig Administration promise, shuffle, and evade, while they still continue this vilest of Aristocratic devices to oppress the People. Are not the People at this moment forcing--yea, forcing this bragging Administration to yield this duty? Is not the Stamped Press almost ready to join in the rebellion against it, because the government can no longer contend successfully on this point with the weakest portion of the community? The Tories

refuse outright to repeal this duty; the Whigs acknowledge it is a vile tax, bad in every sense; they promise to take it off, and then they shuffle and break their promise. The "simple-grandeur man," Lord ALTHORP, promised, positively and unequivocally; the present Chancellor, Mr SPRING RICE, promised, last spring, in his peculiar way; but the red mark still remains, the witness of Whig faithlessness and Aristocratic cowardice.

The Noble speaker, after bragging of his "good fortune in having been intrusted with the proposal for the abolition of those disgraceful statutes—the Test and Corporation Acts," declares that "he will be happy, in the next Parliament, if he can be the means of remedying any of the yet remaining grievances of the Dissenters." This, and the Irish Church question, are the only prospective subjects he has touched; we know, then, what to expect from the Whigs.

Lord JOHN repeats his own expression, quoted to him in the Address, that he was "pledged to the *Constitution* of the country, in all its branches, by feeling, by opinion, and by duty." He then adds, "I made the declaration, from the belief that the *Constitution* has within itself power sufficient for the ultimate remedy of any disorders with which it may be affected." This is a remarkably pure specimen of that Parliamentary nonsense—that utter verbiage which fills half the speeches of our Aristocratic House of Commons. Now, there is no such entity as a British *Constitution*, and no one pretends to tell what it is. But let us suppose, for the sake of argument, that there really is a *Constitution*,—how can it be affected with disorders? Those who legislate by its provisions might create disorders in various interests of society, and the provisions of a *Constitution* might bestow power to



remedy this bad legislation; or a Constitution might contain provisions that worked ill, and have within itself other provisions by which the bad parts might be changed for better. But a *Constitution* for the government of a country is not an animal, to have disorders, and be cured by the *vis medicatrix naturæ*; a Constitution is simply a set of fundamental laws, by which all others are to be made. If you apply the word *disorders* to it, it can only signify that some of the fundamental laws are bad; and to remedy these, good ones must be substituted in their place. According to Lord JOHN'S words, the British Constitution is some mighty and mysterious animal, affected with disorders, but having power within

itself to remedy them, without physic. The peculiarities of the English character have been personified, and called John Bull; I recommend the Rhinoceros to H. B. when he desires to bring Lord JOHN'S British Constitution into his caricatures. Does this Minister imagine he can put back the current now setting against the House of Peers? If so, he is fit for St George's Fields.

The Address to his Lordship was long, verbose, fulsome, and unintelligible; yet it contained one expression that deserves quotation. In allusion to supporting the Members of the Administration, it says, "But, my Lord, they will not expect from us what we cannot yield—a blind confidence."

ROBERTS HAMMERSLEY.

## FACTORY WORKERS AND HAND-LOOM WEAVERS: TEN HOURS' BILL.

I WAS pleased at seeing in the *Manchester Advertiser*, Mr JAMES TURNER'S reply to my letter, as follows:

"TO FRANCIS PLACE, Esq.

"MY DEAR SIR,—I ought to have answered your excellent letter before this time, but having been from home for some time I have not had an opportunity. I have read some parts of it with very great pleasure, but there are some things in it to which I cannot agree. We have asked Parliament for a law to protect those who cannot protect themselves; we have asked for a law to protect the children of the poor from being worked longer than a convicted felon, or only two hours a day longer than the adult negro slave. Our children at present are not allowed any time for recreation or instruction, unless they must have it after eight o'clock in the evening, or before half-past five in the morning: we have asked for an effective law to secure to them these advantages, and that is all we have asked for; and you turn round and tell me in your letter that Parliament ought not to grant it. Where am I to learn that the Parliament ought not to protect the poor and needy against the oppressor (but I must not call names); where am I to learn that Parliament ought not to protect those who cannot by any possibility protect themselves? Is there such a Parliament as this in happy England? If so, the sooner we are without one the better, and let us return to the days of barbarism and despotism, which would be much preferable to such a system.

"You tell me in your letter that you never saw a Cotton Factory; I knew that very well,

by some expressions you used in your letter. 'Tis true much has been told to you; 'tis true you have paid a great deal of attention to the condition of the Working Classes: perhaps I should not be saying too much, were I to say no man in England has paid as much attention to their actual condition as you have done, but you 'have never seen the inside of a Cotton Factory.' Then, Sir, you have not seen the young children turned into these places at seven years of age, at half-past five in the morning (they are not suffered to be one minute too late), and kept there till seven in the evening, besides the time it takes in going and returning, and this at the very best regulated mills in the town, and in a room artificially heated, sometimes as high as 84 degrees of heat. I have seen these things: you have never seen the children in the same neighbourhood, who did not work in Factories, to be as tall and as heavy at ten years of age, as the children who worked in Factories at twelve years, thus making a difference of two years in their constitutions, when several hundreds had been measured and weighed together; you have not seen the numbers of children who work in Factories, brought up with very little education. Hear what Mr Braidley says of them; I believe there is not a man in Manchester who is better acquainted with them than he is, having been connected for many years with the Sunday schools in this town, and having paid particular attention to the children; he says (and I believe he is within the limits)—'There is not one-half of the children who are employed in the Factories who attend any Sunday school, nor are there one out of every ten who attend any night school.'

"Now, Sir, you may talk about the march of improvement as long as you please; you may talk about the People being wiser than they used to be; of these things I will not say one word; I tell you the facts—form what comment you please upon them; I defy any man in England to disprove them. You have not seen these things; I have; and because I have seen them and felt them, I wish for Parliament to interfere and protect the poor and helpless. They have interfered for the poor blacks (would to God our children were black). They have interfered for the poor horse; he is not to be overloaded nor overdriven; they do interfere for any body but human beings.

"But you will tell me, nay, you do tell me, to do it ourselves by a combination. Had you ever seen the inside of a cotton-factory, and been acquainted with all its internal movements, and all the movements connected with it, you would have known it was as impossible as for the working people to say to the sun, 'Stand thou still.' If such a union or combination could be established, Government would be the first to put it down hither, as they did at Lyons, or as they did by the Dorchester labourers; and if they have no law sufficient to do so, they can pass an Irish Coercion Bill in a very few days; we know them of old, and we have no wish to fall into their hands. The Working Classes are not in a condition to form such a combination; they are not sufficiently instructed in those things which would tend to their happiness. Before they do this, they must have mutual improvement societies established among them; they must have persons lecturing to them; they must be formed into unions or societies, and hold evening meetings among themselves; they must begin to study what will make them comfortable while working at their daily toil; they must have their moral and social duties laid before them in a proper manner; they must be taught to know and feel that there is more real enjoyment in pursuing moral philosophy than sitting in a tap-room and wrangling with one another about horse-races. Those are things they must learn before they are in a condition to form such a combination as you speak of; but these things they never can learn while our youths are confined so long as they are, and for this reason I wish Parliament to interfere.—I hope you will excuse my plainness, and believe me your sincere friend,

"JAMES TURNER.

"Ardwick, 28th October, 1835."

On the matters contained in this letter I will make some observations in due time, before which I hope to see the remarks in print of many other workmen.

Mr TURNER has very judiciously brought prominently forward the principal point—the TEN HOURS BILL.

The *Ten Hours Bill* is a plain practical subject, and we shall probably be able to do most service to the Working People by making it the particular ob-

ject of our investigation, and by considering, for the *present*, all the other parts of the question relating to Factory Workers and Hand-loom Weavers as subordinate, and reserved for separate examination, when the merits of the *Ten Hours Bill* have been thoroughly investigated.

My friend JAMES TURNER, as well as a considerable number of Working Men who have from time to time taken part in their own concerns, know well enough that I have no personal, no sinister interest of any sort to bias me, no reason whatever for interfering in their concerns, beyond a desire to do them service. His letter to me is in a corresponding spirit with my own, a kind, conciliatory spirit, which will, I hope, be felt by every honest, sensible Workman, in the discussion of, *to them*, this most important question.

I have before me a letter, published in the *Twopenny Dispatch*, written by JOSEPH BRAMWELL, of Preston. In this letter I am sorry to observe indications of an unamiable feeling; it shall not, however, on that account, be passed over by me, but shall have due attention paid to its contents.

I have also, from the *Manchester Advertiser*, certain Resolutions, and an Address from a Meeting of Delegates held in Manchester, signed P. GRANT, Secretary. The Address does great credit to the Workmen; its temper is good throughout, mild, but energetic. It gives excellent advice respecting the conduct which should on all occasions be observed by every Working Man, and that, too, whether the object sought to be accomplished be one likely to be either serviceable or injurious to them. It is their duty to themselves, and to one another, steadily to persevere in whatever they may undertake, so long as they honestly believe that what they profess is true, and consequently likely to be useful to them. That they think

the *Ten Hours Bill* will be useful to themselves, and not injurious to others, no reasonable man, who has attended to their proceedings among themselves, and their evidence before Committees of the House of Commons, can have any doubt.

The following are the Resolutions and Address alluded to:—

#### “THE FACTORY QUESTION.

“At a Meeting of Delegates held in Manchester, at which there were delegates present from the following places:—Bradford (Yorkshire), Preston, Chorley, Macclesfield, Bury, Oldham, Ashton, and Manchester, it was resolved:—

“1. That this Meeting will not recognise and support any bill for the regulation of mills and factories, that does not limit the hours of working to ten hours per day for five days in the week, and eight hours on the Saturday.

“2. That this Meeting protests against any alteration in the bill as regards the age of children and young persons—that is, that they be protected up to twenty-one years; and that, for the sake of the suffering children employed in the factories, every means be adopted to bring the ten hours' clause into operation in two years at furthest, by reducing the time of labour for such children and young persons' half an hour per day every six months, after the passing of the act, till it comes to ten hours.

“3. That each delegate, on his return, endeavour to raise subscriptions for the purpose of forwarding Mr HINDLEY'S bill through Parliament, and that such subscriptions be called the 'factory child's rent.'

“4. That each committee now in existence form local committees in their immediate neighbourhoods, to act in conjunction with them.

“5. That the Manchester committee be appointed the central committee, where all communications may be addressed; and that JAMES TURNER be appointed Corresponding Secretary.

“6. That each district forward to Manchester, within one month from October 17th, twopence for each paying member; and at such places where there are no regular subscribers, they send one-half of all moneys collected.

“7. That Messrs FIELDEN Brothers be appointed grand treasurers.

“8. That an address of condolence from this Meeting be sent to Mrs M. T. SADLER.

“9. That the Manchester committee be appointed to revise the bill of Mr HINDLEY, and forward it as revised to the various committees for their approval and amendments, before it is considered finished; and that they be requested to introduce such holidays as they may think proper.

“The following address was adopted by the meeting:—

“Friends and Fellow-Labourers,—In presenting to your notice the above resolutions, we beg most respectfully to call your serious attention to the all-important question of Factory Labour; and in doing so, permit us to remind you that the future weal or woe of this measure *entirely rests in our own hands*; it only remains for us to say whether or not a really useful and practical Ten Hour Bill be carried through

both Houses of Parliament. Mr HINDLEY has now come forward, himself a very extensive millowner, and declares that nothing on his part shall be wanting to insure success, and that nothing but our own indifference and apathy can stay the passing of the long looked for and much required measure of protection for ourselves and our children. Be up, then, and working. Let not another session pass without doing something to forward this good cause, and let our motto be—'Unity and determination.' Let all jealousies, if there be any, be buried in oblivion, and with one simultaneous movement, let us burst asunder the chains by which we are bound. Let no one depend upon another to accomplish the task, but let every one act as if success or defeat entirely depended upon his own exertions. Provoke no enemies, but seek to conciliate all. Invoke no opposition, but wherever it arises or exists, meet it with bold front, leave no means untried to overturn it, and by temperance and perseverance, convince our opponents that our cause is a good one, and that justice for ourselves, and mercy for our little ones, is all that we ask for, and that with nothing less we shall ever be satisfied. Let fathers and mothers remember that the future destinies of the fondling offspring of their bosoms, hangs upon the success of this question. Let ministers of the gospel, and disseminators of knowledge, remember that their exertions are, to a great extent, rendered nugatory and useless by the excessive toil and protracted labour to which the juvenile population of this unhappy country are subject; and let masters and capitalists never forget, that it is their interest to be surrounded by a wise, contented, temperate, and, consequently, a diligent and industrious workpeople.

“Signed on behalf of the Meeting,

“P. GRANT, Secretary.”

I have a letter, also, taken from *Cleave's Police Gazette*, signed “CHAS. COLE, Weaver.” I have some doubt that this letter was written by a journeyman weaver, and that the name appended to it is fictitious. Its style is much more like the off-hand writing of a man used to Newspaper work, than to that of weaving. I shall, however, be much pleased to find that the signature is real, and I desire to make the acquaintance of CHARLES COLE.

There was a very long article in the *Weekly Dispatch* Sunday Newspaper, on the subject. It appears as if written by two persons, one much younger than the other. The spirit of the paper is altogether bad, and can do nothing but mischief. The style of the latter half of it is flippant, mean, loose, and abusive. There is no name to it, and it deserves no further notice.

All the papers which have appeared in print, so far as I have any knowledge of them, are cheering proofs of the great advance in right thinking of the better

informed among the Working People. They show that using invectives, calling of names, personal abuse, and the imputation of bad motives to those who differ in opinion, are no longer thought useful to their cause, and are no longer used. They prove, too, a great advance in the body of the People, who are quite as much disposed to attend to reason as they were formerly to loose assertions, abusive epithets, and language more calculated to excite bad passions than to guide their understandings.

This advance in right reasoning, and dependence thereon, shows the elevation the Working People are gradually attaining, proofs of the increase of self-respect which is gradually progressing among them, than which no one step they can take is of more importance.

It will be recollected by many Workmen in various parts of the Kingdom, that about ten years ago there was much discussion respecting a law to regulate wages and fix the minimum, which was not conducted in the same good temper and decency of language which now prevails. At that time many clever Working Men took part in the dispute, in which I also had my share. I have now before me considerably more than a hundred names of Workmen from Scotland, and the North and West of England, who came to London as Delegates on matters relating to their condition, which, from time to time, were before Parliament, and with whom I have had personal intercourse. Among these are many clever men, very capable of taking part in the present controversy, and whose duty, it seems to me, it is to take part therein, on either the one side or the other, of the great question, the *Ten Hours Bill*. The number of such men is continually increasing, and they know that there are Newspapers enough in which the letters they may write may be inserted, free of expense; and they also know that the Editors of most of these Papers will send me a copy of such of their Papers

as may contain any letters relating to the subject, or they can, by a halfpenny subscription, buy them and forward them to me. I earnestly invite them to exert themselves to show the advantages and disadvantages of the *Ten Hours Bill*:

1. Its advantages and disadvantages to the Working People.
2. The same to the Master Manufacturers.
3. The same to the Public.
4. The practicability, as it may appear to the writers, of obtaining the Bill.

And I beg to assure them, that if I shall become convinced that it would be for the advantage of the Working People *generally*, and, consequently, such a Bill as a wise Legislature ought to pass, they shall have the whole of my time and my best exertions to promote their object, as some among them will recollect they have had for months together on former occasions.

FRANCIS PLACE.

Brompton, 17th Nov. 1835.

PS. I have received Mr TURNER'S Letter, dated the 13th November, inclosing the proof of a very long Letter addressed to me by an Operative Spinner, and the assurance that the "writer durst not put his name to it, as it would subject him to the loss of his employment."

It is really lamentable that a man who is able to write so excellent a Letter should be placed under such circumstances. It seems to me that the writer does not take a sufficiently large view of the nature of machinery, and has misconceived one expression in my letter to JAMES TURNER; I, however, thank him heartily, and will endeavour to do him justice in the way Mr TURNER requests.

F. P.

Mansion house, November 9, 1835.

MEMORANDUMS of my  
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By LORD WINCHESTER.

In the Year MDCCCXXXV.

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# DESPOTISM

OF

## THE FRENCH KING:

OPINIONS OF REPUBLICANISM IN FRANCE.

By J. A. ROEBUCK, M.P.

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WHIG APPOINTMENTS TO OFFICE: LORD AYLMER  
EX-GOVERNOR OF CANADA.

By H. S. CHAPMAN.

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NOTE ON "THE GLOBE."—By J. A. R.

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THE ORANGE PLOT.

By H. S. C.

EDITED BY

# J. A. ROEBUCK, M.P.

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[PRICE TWOPENCE.]

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## DESPOTISM OF THE FRENCH KING: OPINIONS OF REPUBLICANISM IN FRANCE.

THE English public are at this moment exceedingly ignorant both as respects the state of political feeling existing among the people of France, and the many atrocious attempts that are daily being made by LOUIS PHILIPPE to keep that feeling down. All that the public generally ever hear of what is going on in France is gathered from imperfect extracts from a few Newspapers. These convey but a very incor-

rect conception of the remarkable fermentation that exists in France on all great political and social questions, and are not at all calculated to give strangers any the slightest idea of the outrages that are daily practised by the present KING against all rules, both of morality and law. There has been much talk of late in the English newspapers respecting the tyranny, the out-spoken tyranny of the Russian Emperor; but

the wily, and even yet more atrocious cruelties of the double-faced despot that now curses France with his rule, are passed over in comparative silence. The feeling that Englishmen entertain respecting their fortunes and their conduct has an amazing effect upon the minds of our generous and sensitive neighbours. Any one, therefore, who would place before the people of England anything like a correct description of the present sufferings of France, would render that nation no inconsiderable service. It is not enough that we have a vague idea that an unjust despotism is exercised over them; we should be made almost to see and feel the individual cruelties that are being committed, and be enabled to compare, by individual cases, the relative condition of the two nations. Such an accurate and specific understanding of the state of France, however, cannot be acquired at once, or by one effort. The picture must be painted stroke by stroke, and the general effect must at length be wrought out by a laboured description of minute and individual details.

In the hope of contributing, in some measure, to this effect, I am about to give the reader a description of one case of the despotism of LOUIS PHILIPPE. The instance is not one of outrageous cruelty. No horrid barbarity was exercised towards the persons accused; but it exhibits, in a very remarkable manner, many important particulars:—1st, the extraordinary audacity of the French authorities; 2nd, the utter absence of anything like a regular and legal form of judicial proceeding; 3rd, the painful personal insecurity of every Frenchman at all distinguished from his fellow citizens; and 4th, the very remarkable and unsettled state in which the minds of the political leaders of the Republican party now are, on the great leading questions of social and political life.

The case to which I allude is that of M. ARMAND CARREL, one of the most, perhaps I may correctly say—the most, distinguished political writer now in France. It appears that, upon the attempt of Fieschi in July last to assassinate Louis Philippe, the French authorities, after their accustomed fashion, made a general sweep, and arrested everybody whom they at all disliked. So distinguished a person, one so obnoxious to them as M. CARREL, was not likely, in such case, to be omitted. He was seized the day after the attempt, as a person suspected of what the French authorities call *complicité morale*, which, if we can find a word in English for so curious a description of crime, may perhaps be called being *morally accessory* to the attempt,—the convenient nature of which offence is, that it cannot by possibility be defined, and may therefore be used against anybody.

To seize M. CARREL was not enough. He was only *suspected of being suspected* (another curious description of persons under the French law). Being thus suspected of being suspected, they seized his papers also, in the hopes of finding therein something which might justify this suspicion of suspicion. M. CARREL was kept eight days in prison, and was twice interrogated on his *moral participation* (*participation morale*) in the attempt of Fieschi.

Now to make an English reader feel the atrocity of this proceeding, let us suppose a parallel case in England. Some time since a mad sailor threw a stone at the KING at Ascot, and struck him on the head. Suppose that upon this, the Ministry, without further ado, had arrested all the Editors of all the obnoxious Newspapers of the time—had kept them eight days in prison, and entered their houses and taken away their private papers—does any Englishman believe that the Ministers themselves

would have been three days at liberty? Do we not feel certain that they would at once have been sent to prison and severely punished for so gross a violation of the law? How different, then, must be the state of France, in which the Ministry can not only be guilty of this atrocity with perfect impunity, but also persuade the Chambers to pass a law suppressing the Newspaper Press! M. CARREL is the Editor of the *National*, a paper that is in opposition to the Government, but which is also distinguished for its moderation, and for the extraordinary talent and honour with which it is conducted. A Newspaper in Paris is a very different thing from a Newspaper in London. In Paris the writers are all, for the most part, well known; they are persons who take the lead in political affairs, and the paper is the organ of a party in the State, and is not, as with us, the anonymous screen of a set of obscure and wholly unimportant persons. Thus M. CARREL was well known and highly respected; he was, indeed, almost deemed the head of the Democratic party in France, and it was well understood, that he could have had no more participation in the attempt of FIESCHI, than he could have had with the taking of the Bastille, which occurred before he was born. For what purpose then, it may be asked, was he seized, and indignity so uselessly cast upon him? No person can understand why he was thus treated who does not know the view that French politicians very generally take of the attributes of a Government. They generally sum up these attributes in one word—FORCE; with them every Government must have force, that is, must have the power of doing what it pleases; must not be shackled by the forms and the tardiness of legal process, but must be able to proceed directly to all its ends in the shortest possible way. The end the Ministers had in view with M.

CARREL was, if possible, to find something against him. In a well-ordered State, they would be obliged to wait until M. CARREL had done something which would have legally subjected him to animadversion; but in France, where good Government is really unknown, the Ministry, in their haste to fasten upon a disagreeable opponent, careless of forms and of law, seize him and put him into prison. This is called a manifestation of force; and is greatly applauded by those who do not see, that such force is wholly incompatible with that personal security, which is absolutely needed for the quiet even of the Government itself. Where the person of every man is thus insecure, the State itself is in hourly jeopardy—plots and attempts against the Government must be hourly concerting, and in self defence all good men become conspirators. The Government of France will to their cost soon discover the truth of this assertion, and will one day rue the hour in which force became the god of their idolatry.

Among the papers seized belonging to M. CARREL, was one which he has since published, and which he suspects incited his enemies to keep him in prison, and to subject him to interrogation. This paper was certainly a remarkable document, though by no means such as to justify harsh or even illiberal conduct towards its author. It is more likely to excite wonder in England than in France; the sort of speculations to which it refers being far more common with our neighbours than with us. Yet here in England the very questions to which this paper relates, are every day being more and more forced upon our attention; and it behoves all wise politicians to be prepared for their discussion, and for acting in the emergencies which the discussion of such topics must necessarily create. The paper of which I am now

speaking, was written under the following circumstances:—

For these two years last past associations have existed in Paris and all over France, whose avowed object was to collect subscriptions for the maintenance of Republican Papers, to found new ones when wanted, and to pay the fines imposed upon such Papers as were condemned by the tribunals. These associations were called associations for the common defence of the liberty of the Press.

In the year 1833 there existed also in Paris another Association, called the Society of the Rights of Man. This society towards the end of that year published an exposition of its principles and intentions. The Committee which acted for and represented the Society of the Rights of Man, addressed in November 1833, the central Committee of the Association for the common defence of the Press, and prayed them to declare publicly their agreement with the principles lately set forth by the Society of the Rights of Man.

M. CARREL was requested to frame the answer to this demand. He says himself, "I rarely joined the meetings, or took part in the labours of the Committee for the defence of the liberty of the Press. I nevertheless accepted the difficult task of expressing, in a report upon the declaration of principles of the Society of the Rights of Man, the sentiments which this writing had created in my mind, and which I believed to be shared by the majority of the members of the Committee.

"The work that I composed for this purpose, and which remained among my papers, because I did not then wish to publish it, is one of those seized at my house on the 29th of July last: Ought I to believe, that it was after reading this paper, that the authorities kept me in prison eight days, and in-

terrogated me twice respecting the *moral participation* which I might have had in the attempt of the 28th of July?"

After having given a list of his papers seized, he makes the following observation. "This is all they could find after a search of my papers, which lasted from three o'clock in the morning to seven, as well at my own house as at the office of the *National*."

Fancy in England a man's house entered at three o'clock in the morning, his papers seized and carried to the Minister and himself sent to prison. London I suspect would have been too hot for the Minister, so soon as this atrocity had been made known the next day to the public.

The paper thus seized, viz., the report which I have just described, is that which M. CARREL has published in consequence of the seizure; and this report, as an illustration of the present state of feeling in France amongst one and an important class of politicians on questions affecting the frame-work of society, I will now shortly describe.

The Society of the Rights of Man had imprudently, according to the judgment of many persons, adopted as the expression of its opinion, a report presented to the National Convention by Robespierre, in the year 1793. This adoption was imprudent on account of the feeling everywhere prevalent against the very name of ROBESPIERRE, and of the ignorance which reigns everywhere, as to the actual views and intentions of that extraordinary person. The Society of the Rights of Man chose to be guided by the opinions expressed by ROBESPIERRE, without having reference to the horrid deeds of which he had been guilty. They fancied this exposition of principles correct, and therefore did not hesitate to say so, even though they execrated



the means used by ROBESPIERRE to put them into execution. In order to shew what the views of ROBESPIERRE and his party really were, and thereby to explain what the Society of the Rights of Man sought to obtain, M. CARREL gives a short but exceedingly instructive account of the progress and general consequences of the French Revolution. This history ought to interest the People of this county at the present moment, not because there is any danger of the terrors of that Revolution being re-enacted here, but because the objects sought to be attained by the parties then acting, are the very objects for which political parties are striving at the present day; and the very difficulties which checked and eventually completely thwarted their endeavours lie in our path, and must be overcome by us, before we can say, that we have attained the real objects of Reform.

When the French Revolution broke out, the nation was legally divided into three orders, 1st, the Clergy; 2d, the Noblesse; 3rd, the *Tiers Etat*. This division however, says M. CARREL, was not the division justified by the actual facts of the case. "The nation," he says, "was really divided into those who were privileged by birth, viz., the nobles, the privileged *parvenus*, viz., the bourgeois,—and lastly the *proletaires*, or working classes of the town and country, and this last division composed the immense majority of the nation."

The powers of the Clergy and of the Nobility were really destroyed in opinion previous to the year 1789, and the struggle that occurred upon the breaking out of the revolution of that year, was merely a short and ineffectual resistance to the legal establishment of a long reigning opinion. The Bourgeois and the Working Classes joined together and put down the Clergy and the Nobles. This was not a very difficult

affair. But so soon as these enemies were off the field the real difficulties attendant on the revolution began to appear.

When the despotism of the Monarch was destroyed, when the Clergy were deprived of their exorbitant wealth and unjust privileges, when the Nobles were placed before the law in the same situation as the remaining citizens, and when a Constitution was framed placing the sovereign power in the hands of an Elective Assembly, it appeared to the *Proletaires*, or Working Classes, that the revolution had done every thing for the Bourgeoisie, and nothing for the Working Classes. It had placed the Bourgeois on a level with the Noble, it had created for him a political existence, and insured him security and peace from the laws. But it had created a new distinction in society. Hitherto Noble and not Noble had divided the nation, but now the division was between *rich* and *poor*. The *rich* had every thing—the *poor* nothing. M. CARREL thus forcibly describes the situation of the various classes of the community:—

"The Noble, in abdicating his privileges, and receiving in exchange the rights of a citizen, could say, 'If my neighbour the lawyer or the merchant, can make himself my equal, and dispute with me a post to be obtained by election, my chateau will have as much influence as his estate; my intelligence is equal to his; and I have more knowledge of politics than he; I shall still have the command of the Army, and I shall still be the Ambassador and the first Minister of my country.' It was not a LAFAYETTE, a LAROCHEFOUCAULT-LIANCOURT, or a D'ARGENON, who had these thoughts; but there were side by side with them among the distinguished revolutionary reputations of the day, the TALLEYRANDS, MONTMORENCYS, VAUBLANCS, LAMETHS, PASTORETS, and we should say a MI-

RABEAU—if MIRABEAU could have told the Monarch any thing beyond his passions, and if his genius had not remained a national glory.

“The Bourgeois possessed of education, even if without a fortune, perhaps might have thought and said, ‘I shall be able to sustain the political contest both with the Noble and the man of large estate; I have not capital, but I can find credit; and I shall be able to find men who will lend me money, on the ground of my intelligence, and the plain chances of my success. I will reproach the Noble with his ancient insolence; I will talk to the rich man of the usury by which he has become rich; I shall obtain the suffrages of the People because I am of the People, and because I alone can speak the language that the People love to hear.’ The Bourgeois like BAILLY, PETIÖN, ROLAND, did not make these calculations, but how many names, which it makes us melancholy to recall—names famous in the Constituent Assembly, in the Legislature, and in the National Convention—manifested plainly the true Bourgeois selfishness, and mingled from a spirit of intrigue in all the events of this first revolutionary epoch!

“As to the proletaire, the working man, branded by the Constitution with the name of *inactive citizen* (*citoyen in actif*), having no credit, which would enable him to borrow, in order to establish himself, or to enjoy anything beyond his daily gains, having no education to compete with the noble or the bourgeois—no near chance of inspiring the legislative body with a desire to make laws which should guard the poor and impose duties on the rich—he was obliged to carry his hopes beyond the principles and axioms of the Constitution of 1791. He could but smile at the idea of a Government which took away from the classes already rich the power of becoming

more so; he desired an order of things which should give his children a gratuitous education, and which would make them intellectually the equals of the noble and the bourgeois, who had received their education from the same teacher.

“Thus, in 1789, the *tiers état* unanimously demanded religious liberty against the clergy, civil liberty against the nobles and the monarch, the liberty of the Press and a Representative Government against absolute power, political and civil equality against all the privileged classes of the old political and social order of things. But in 1791, at the time when the Constitution was definitively passed and proclaimed, the bourgeoisie alone held on to the principles of 1789, and alone found it their interest to do so. The People had lost their hopes, and saw in the theories of those men of Constitutions and balanced powers nothing but deception, and they then reasoned after the following fashion:—‘What is the use to us of the Liberty of the Press? The ancient privileged People will also use it, and with more success than we can do? Of what use is the national representation to us, since Aristocrats in disguise will get into it, while we are excluded from it? What good does it do us, to say that the nation is sovereign, since we at the same time are called the inactive nation (*nation passive*), the nation which pays, works, suffers, and obeys? There are just as many poor now as before the revolution, and there are the same number of rich. Before any one can enjoy the advantage of all this liberty that they pretend to give us, he must be rich. This is a representation against, and not for us.’

“Such was the language of the poor under the Constituent Assembly, and even under the Convention. So the majority of the Convention was not more po-

pular in 1793, than the majority of the Constituent Assembly in 1791. In 1793 the majority of the Convention, let them say what they will, represented the interests of the bourgeoisie, and in the year 3 of the Republic, acknowledged and maintained the same principles of civil, political, and religious liberty,—the same conditions of equality and social competition as the Constituent. The ideas and the interests of the Democracy had as yet found no organs and no representatives except in the Press, the clubs, and the commune of Paris, when ROBESPIERRE and St JUST presented to the Convention their doctrines of absolute equality, and their accusations, hardly disguised, against the principles of liberty established in 1789.”

In the whole of this statement of the opinions and feelings of the Working Classes of France at that remarkable period, there is seen a curious coincidence with the feelings and opinions of the Working Classes of England at the present time. A revolution has lately been effected among us, very similar to that effected by the Constituent Assembly in 1789. Power has been taken from a few hundred persons, and placed in the hands of the bourgeoisie, while little or nothing has been done to give political power to the large mass of the nation—the Working Classes. This revolution, too, has been effected by the same coalition which effected that of France in 1789, viz. an alliance between the bourgeoisie and the Working Classes; and the discontent which pervaded the Working Classes in 1791, now pervades the Working Classes of England. The discontent arises from the same causes, and many of the plans that were at that period suggested for the amelioration of the condition of the Working Classes of France, are now being propounded by the

friends and leaders of the Working Classes of England.

The friends of the Working Classes in France, both in 1791, 1793, and at the present time, assume that any reformation that can be proposed in the political relations of the People, will of necessity be insufficient to procure for the large majority of the nation, viz. the Labouring portion, abundance and happiness—they say, therefore, that changes and reforms must be carried into the social system, as the misery which now affects so large a number of mankind, results almost wholly from defects that exist in the social system.

This it appears was the doctrine propounded by ROBESPIERRE and St JUST to the National Convention, and both ROBESPIERRE and St JUST were so thoroughly convinced of the inefficiency of any form of Representative Government, however Democratic, for working out the social amelioration they desired, that they determined themselves to effect it by means of a Dictatorship. They determined, also, as but too many had done before them, and have done since, that the end sanctified the means; so they resolved summarily to get rid of every obstacle which might meet them in their work. The reign of terror was the result. On this M. CARREL thus remarks:—

“Morality, indeed, desires that we should not allow a fellow-creature to die of hunger or disease, while we are giving ourselves up to pleasure, and indulging in good living. But the same morality forbids, in the very first place, one brother to kill another for a difference of opinion. To establish fraternity, by the proscription of every one who should be marked out as selfish, to pursue a humane purpose by extermination, is a moral contradiction, which may, perhaps, be explained in

ROBESPIERRE and ST JUST, by [their extraordinary and unheard-of position, but everything which is to be explained is not thereby rendered bearable.”

The great difficulty, however, which was thus pointed out, still subsists. Is it possible, by any united effort on the part of mankind, and by any regulations or laws, to do away with the evils that arise to the majority of [mankind by the distinction between *rich* and *poor*? That there must be rich, and must be poor, to the end of time, appears (at least to me) inevitable. That this circumstance is attended also with many beneficial consequences, seems to me equally certain. But I cannot shut my eyes to the fact, that hitherto an overwhelming balance of evil has resulted from the distinction, and I earnestly inquire if there be no means by which these evils may be prevented, while the benefits that have hitherto been derived from the existence of a rich class may yet accrue to the People. Any one who reads the writings chiefly addressed to the Working Classes will see that this question now agitates every portion of that numerous section of the community. It will also be evident that much, if not all of the misery that exists in consequence of poverty, is laid at the door of faulty political arrangements—that generally it is believed by the Working Classes, and by those who guide them, that permanent laws may be made, which shall ameliorate the condition of all the Labouring Classes, and also permanently maintain them in a state of comfort. For myself, I confess I have not this faith in political powers. I believe, indeed, that indirectly much may be done by law permanently to better the condition of the mass of the population. Everything which shall prevent waste, everything which provides for the equal distribution of property, everything which tends

to instruct the People, and improve their morals and their habits, must have a powerful tendency to better their condition permanently. But the law can only contribute to some of these ends indirectly, and the ends themselves are but indirect means to the great end of which we are speaking. The chief of these means is *education*. The law may powerfully contribute to the improvement of education, and may thus exercise an almost unbounded influence upon the well-being of the People. This, however, only indirectly affects the distribution of wealth among the People, and to this sort of influence, it would seem to me, law must be confined.

The Report of M. CARREL, which I have so largely quoted from, comes nearly to the same conclusion. But while it does so, it also plainly acknowledges the evil to exist which the Society of the Rights of Man insisted on. M. CARREL is too profound a politician not to perceive that by far the most important distinction which now exists among mankind, and the accuracy with which he describes the difficulties resulting from it, the moderation of his tone towards those differing from him, his thorough candour and impartiality to all parties and sects, are equally remarkable and equally worthy of admiration; yet this is the man whom the French Government have selected from his fellow-citizens, in order to insult and to injure him. That the Members of this Government, from the highest to the lowest, may quickly receive that reward which they so long have deserved, is the earnest wish of one who sincerely detests them.

J. A. ROEBUCK.

Note.—The work of M. CARREL, of which I have here given a description, is entitled “*Extrait du dossier d'un Prévenu de complicité morale dans l'attentat du 28 Juillet.*”

## WHIG APPOINTMENTS TO OFFICE: LORD AYLMER EX-GOVERNOR OF CANADA.

THE official appointments made by the Whigs have frequently been the subject of severe but just animadversion. Although, in conducting the business of Government, the Ministry must constantly have felt the inconvenience arising from the unwilling, and therefore incomplete cooperation of the Tories in office; yet no sooner does an important post become vacant, than it is immediately filled by one of these canker-worms.

But few of the administrative functions of Government are exercised by persons of liberality—even of that extremely moderate and equivocal kind which would dispose them favourably towards their Whig masters. The officials are decidedly Conservative. It is their every-day boast. They make no attempt to conceal it; and when their Whig masters meet with a temporary reverse in the political struggle for place, their exultation knows no bounds. Not only is their whole power (and for this purpose it is dangerously great) exerted to thwart the designs of Ministers, but by their sinister influence with the Court, the Ministry could and would be turned out at once but for the “disinterested support” (these are Lord JOHN RUSSELL’S very words) of the Radical party.

This marked preference of the Whigs in favour of those whom they are perpetually endeavouring to persuade us are the people’s greatest foes, may appear strange to those who have not been led to contemplate wherein it is that Whigs and Tories differ, or—and this, reader, is much more to the purpose—wherein they agree. Those who have read the articles ‘Whigs and Radicals,’ ‘Decay of Whigism,’ ‘Prospects of the Coming Session,’ and some others,

will have no difficulty in solving the riddle. The Whigs are merely a section of an Aristocracy, opposed by education, prejudice, and especially by interest, to the great mass of the People. There is nothing they so much dread as the growing intelligence and power of the People, as subversive of the undue political power of the Aristocracy. Hence they would rather endure the constant competition of the other section of the Aristocracy, for place and power, than hold office by means of popularity bought by popular measures. Hatred of their “disinterested supporters” is one, and a very natural consequence of this dread of the People. Surrounding themselves with a phalanx of Tory underlings, as a defence against the People, is another consequence. The two rival factions of the Aristocracy are, in fact, like shears—

Which, tho’ so keen,  
Ne’er cut themselves,  
But what’s between.

Some of the Morning Papers of last week contained a statement to the effect that Lord AYLMER, the ex-Governor of Canada, is to go to Ireland as Commander-in-Chief. I hope it will turn out that this report is untrue. To fill so important a post, in a country distracted as Ireland is, a more unfit person than Lord AYLMER could scarcely have been selected. His Lordship has already been tried in Canada, a country circumstanced in some—though, fortunately, not in all respects like Ireland, and a review of his conduct there will at once show how perfectly untrustworthy he is to fill a post requiring unusual forbearance and judgment.

Ireland has been long under the domination of a faction separated from the mass of the People by religious prejudice and hatred. Canada has also

been ruled by a faction separated from the mass of the People by a difference of language. These two factions have found sympathy in the Imperial Government—the one by a similarity of religion, the other by a similarity of language. They have, consequently, received the support of the Government in all their oppressions; and in both countries, I am sorry to say, they have not been few. In Canada the oppressions of the dominant faction have been so gross, that a majority of the British-speaking population have made common cause with their French-speaking fellow subjects: the consequence is, that the dominant faction is on the wane, and if the present Commissioners act with justice and firmness, it will shortly sink into utter insignificance.

In like manner, the conduct of the Orange party of Ireland has served to estrange from them a large number of Protestants. Hence the dominant faction is there daily losing power, and for the peace of Ireland, it is to be hoped will shortly be annihilated.

Now, reader, this Lord AYLMER invariably supported the dominant faction in Canada, and thereby goaded the people of that country nearly to a state of open revolt. A Tory himself, he was appointed by the Tories, to administer an essentially Tory system, and he acquitted himself in a manner to call down the execrations of the people over whom he ruled. Complaint after complaint of his oppressive and partial administration was forwarded to the Imperial Government, till at length Lord GLENELG was compelled to admit that Lord AYLMER was quite incapable of carrying on the Government of Canada, and he was recalled, having been virtually driven from the country by the outcries of an insulted people; and yet it is this very man, disgraced by their own condemnation, that the Whigs are about

to exalt to the command of the forces in Ireland.

When Lord AYLMER first assumed the government of Canada, he began with what is called “conciliation”—it should be called cajolery. This same “conciliation” was a new rule in the art of governing colonies, invented by a Committee of the House of Commons on Canadian affairs in 1828. High-handed Toryism had utterly failed under the Earl of DALHOUSIE, and this was hit upon as a substitute.

The haughty tyranny of Lord DALHOUSIE did much to forward the political education of the Canadian People. Before his Administration, oppression and insult, though common enough, were confined to the leading People who came in contact with the Government. Sir JAMES CRAIG, for instance, sent a party of armed soldiers and threw one or two Judges into prison. Lord DALHOUSIE went further: with the short-sightedness of passionate impulse he carried his tyranny to the peasant's door. He dismissed the country Magistracy and Officers of Militia, for alleged political offences, and immediately the People were aroused. To such an extent did their animosity towards Lord DALHOUSIE's Government extend, that they actually hanged his Lordship in effigy, with every mark of ignominy and contempt, on the public parade ground, in sight of the assembled Militia at the annual inspection. The result of his Lordship's increasing unpopularity was, that he was recalled, and it was subsequently admitted in the House of Commons, by Lord HOWICK, that his Lordship's Government had been most disastrous. On his return the disgraced ex-Governor was rewarded with the chief command in India. But he was rewarded by Tories, for faithfully executing a Tory system, and not, as it is said Lord AYLMER is about to be, for

acting on principles which his Whig masters pretend to condemn.

After Lord DALHOUSIE had been expelled from Canada, by the force of popular opinion—for this, reader, is the true rationale of his recal—Sir JAMES KEMPT was sent out, with instructions to adopt “a conciliatory line of policy towards the Canadians.” Accordingly Sir JAMES KEMPT, who is emphatically a courtier, invited the leading Canadians to come about him, behaved towards them with bland urbanity, talked of his good intentions, and, fortunately for his reputation, beat a retreat before the first-fruits of those “good intentions” were due. Sir JAMES’S whole tone and bearing formed so great a contrast with that of his predecessor, that he acquired considerable popularity, and it was not until his dispatches came to light that it became evident he had played the hypocrite, when, of course, his popularity ceased.

Lord AYLMER came next. Like Sir JAMES KEMPT, he began with “conciliatory” speeches. In his first speech—and a silly thing it was—to the Assembly, he told them “that the first question he asked himself when he arose in the morning\* was, ‘What can I do for the benefit of the Canadians?’” These excellent intentions, however, were but too soon lost sight of.

I have already said that the Administration of this pet of the Whigs was marked by a blind support of the dominant faction of the Colony. The distinguishing characteristic of this faction is, a bitter animosity towards the mass of the People, in which feeling Lord AYLMER largely partook. I shall now add a few details:—

\* The good-humoured Canadians, like their witty ancestors, must have their joke even at the lash uplifted to scourge them. In a song on their political grievances, AYLMER’S declaration is thus alluded to—

“S’il ne pense aux Patriots  
Que lorsqu’il met ses culottes.”

&c. &c.

In 1832 there was a contested Election for the City of Montreal. There had been for some days occasional disturbance about the poll, but nothing greater than was often to be seen in England on similar occasions, before the Reform Bill shortened the duration of Elections, and so divided the mob into insignificant portions. Still the Tory magistracy saw enough to call in the assistance of the troops, and, in the afternoon of the 21st of May, called in the *Canadian Calendar* “the day of blood,” the People were fired upon, and three Canadians were killed. Subsequently, the officers and troops who killed the people were publicly thanked by this same Tory lord. Englishmen! is this man fit to command the troops in Ireland, now that the Whigs profess to desire to heal the bleeding wounds of that country?

But this is not all. According to a statute of Lower Canada, juries are to be chosen from the several parishes forming a certain circuit about the cities, called an *arrondissement*. This regulation, if obeyed, must of necessity provide an impartial jury. Unhappily, however, the sheriff is an officer appointed by the Crown—in other words, he is one of the Colonial Tory faction. In pricking for a jury, it so happened that he hit upon persons belonging to one parish only, called La Chine, inhabited chiefly by persons attached to the dominant faction. Reader, was not this very strange? I would allow you to prick for a jury one thousand times a day for a dozen years, and still you would not be so successful as the Canadian sheriff. Of course, he did not pack the jury—to say he did so would be libellous. However, having by great good luck, or by some other circumstance which does not appear, got a jury to his mind, you will not be surprised to learn that the slayers of the people were acquitted.

The magistrate who granted his war-

rant for the apprehension of the officer who commanded the troops, a respected and most respectable citizen named ROY, who is now a member of the Canadian House of Commons, was by Lord AYLMER struck from the list of magistrates. Irishmen! learn from this what you have to expect from Lord Viscount AYLMER, should the power of shooting you be placed in his hands.

The troops in Canada have always exhibited the utmost hatred of the People. Collisions between soldiers and private individuals are far from unfrequent. On these occasions the soldiers invariably resort to their bayonets. The evidence given before the Orange Committee explains this state of feeling on the part of the troops. In every regiment Orange Lodges have been encouraged. There is one in the regiment (the 15th foot) which fired on the People on the memorable *jour de sang*, the 21st of May. The People on whom they fired were Catholics—chiefly Irishmen and French-speaking British subjects. On another occasion—that of a horse-race, the soldiers went out to the course armed (as in England) with bayonets. A quarrel ensued, and a poor Canadian, named Barbean, was stabbed in the spine. He lingered for awhile, and died. A Committee of the Canadian House of Commons investigated the matter, reported thereon, and prayed Lord AYLMER to offer a reward for the apprehension of the murderer. His Lordship took no notice of the request, but, as if in derision of the People and their Representatives, he shortly after offered a reward of 100*l.* for the apprehension of the supposed incendiary of a paltry barn. Again, I ask, is this the man whom the People of Ireland have a right to expect of the Whig Government as a Commander-in-Chief?

The above are a few of the most

striking of Lord AYLMER's acts as a military chief: were I to go at length into his Lordship's civil doings, I should tire the reader. This I have no intention of doing. I shall therefore only add as much as will fully illustrate the culpable fondness of the Whigs for the appointment of Tories to the high places of the land, this being a point which I conceive every man who takes an interest in the government of his country, should fully understand.

Contempt for the popular branch of the Legislature and for the People, is a necessary consequence of a connexion with the dominant faction. Let the reader test this proposition by the case of Ireland, and he will soon admit its truth with regard to Canada.

In 1834, Lord AYLMER, at the instance, no doubt, of the persons by whom he was surrounded, appointed a person named GALE, one of the *puisé* judges. This man had been an active partisan of Lord DALHOUSIE'S. He came home in 1827, to give evidence before the Committee of the House of Commons; and so palpable was his animosity towards the People, that it was understood he was marked at the Colonial office as a person unfit for office. Under these circumstances it was stated in the House of Commons, on the 9th of March last, by Mr SPRING RICE, that the appointment of Judge GALE had not been sanctioned, and that Lord AYLMER had been instructed accordingly. Now, I pray the reader to mark the sequel, as it still further illustrates the unfitness of Lord AYLMER for the confidence of the Whigs. Mr RICE'S instructions to Lord AYLMER were never obeyed. Mr GALE continues to exercise the functions of judge to this very moment. For this I think I can account. No sooner had Mr RICE forwarded his instructions, than the Ministry were dismissed. The instructions were most



likely sent by the Government conveyance, by which letters take three or four weeks longer to reach Canada, than by the New York packets. Hence the dismissal of the Ministry was known by the way of New York, some time previous to the receipt of Mr RICE's dispatch, and the Tory lord, we may suppose, did not scruple to disobey the orders of his fallen Whig masters. I beg here to state that all this depends upon the correctness of Mr RICE's statement in the House on the 9th of March. If I wrong Lord AYLMER in this matter, it is Mr RICE's fault, not mine.

The undisguised manner in which the newspapers virtually obedient to the will of Lord AYLMER abused the present Ministry, ought to pique them against so improper an appointment, even if they be not guided by principle. *The Quebec Mercury*, the Editor and Proprietor of which is official printer, an office held at the pleasure of the Crown (*i. e.* of the Governor) declared

that Lord AYLMER would not accept of the office of Commander of the Forces in Ireland, if offered, *at least not under the present Ministry*. Let us hope the Ministry will take his Lordship at his creature's word; the more especially, as to do honour to an individual who has just been recalled from the Government of one of our provinces for marked incompetence, and under an accusation of mal-administration, is certainly an insult to the People, to conciliate whom the Ministry have just appointed a most expensive commission.

The appointment of such a man to the chief command in Ireland, would be but little in conformity with the spirit which has recently animated the administration of affairs in that country. The Horse Guards may perhaps persist in recommending the appointment, but it is the obvious duty of the Ministry to advise his Majesty to disallow it.

H. S. CHAPMAN.

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### NOTE ON THE "GLOBE."

THE *Globe*, when remarking on the proceeding which took place at Bath, and on some observations made by me in a Pamphlet entitled 'Prospects of the Coming Session,' fancies that it has convicted me of an inconsistency. I think, however, I can show the writer in question that there was no necessary inconsistency in what I wrote and said, and I suspect if he will apply to those friends of his most conversant with parties in the House of Commons, they will confirm my description of the relative strength of Tories, Whigs, and Radicals.

I stated that when I went into Parliament, in 1833, I found a small mi-

nority only, really friends of the People, and sometime afterwards I stated that the Radicals were a more powerful party than the Whigs; and this the writer in the *Globe* calls inconsistent.

The last Election, as is well known, increased the number of the Radical, while it materially diminished that of the Whig party. These two parties combined, nevertheless, form a majority of the House. Still, either of them separately would form a small minority; and in 1833 the Radicals did form a very small minority; they still are a small minority of the whole House, though they are greater in number than the

Whigs. This is quite according to Cocker, and wants no very great stretch of mathematical acquirements to find out.

As respects the other animadversions of the writer, I have no fault to find. He thinks me wrong in opinion, and says so; but while so saying, he maintains that courtesy, and nothing but fair courtesy too, which so many of his contemporaries wholly lay aside when speaking of persons from whom they differ. Had

the writers of the Periodical Press always maintained this proper demeanour, my attacks upon them would not have been called for, and would not have been made. As it is, I perceive, that truth adds piquancy to my strictures, and that those who are extremely apathetic as respects the feelings of others, are amazingly sensitive respecting themselves. So much the better: obdurate roguery is the worst of all.

J. A. R.

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## THE ORANGE PLOT.

THE statement made by Mr HAYWARD, an ex-Grand Master of an Orange Lodge, relative to the treasonable designs of the Orange party for the purpose of setting aside the succession of the present line, and placing the Duke of CUMBERLAND on the Throne, must be quite fresh in the reader's recollection.

Colonel FAIRMAN, one of the accused, has applied to the Court of King's Bench for a rule for a Criminal information against the said HAYWARD for libel, so that the matter will be thoroughly sifted in a Court of Law, in spite of the culpable neglect of the Ministry, who although ready enough to prosecute where a poor Dorchester Labourer is concerned, have too much regard for the feelings of persons in exalted places to do anything likely to damage an Aristocratic reputation.

It is scarcely to be credited that Mr HAYWARD has no foundation for what he has written. No man would accuse another lightly of so grave a crime. The fear of punishment, one would suppose, would restrain any man possessed of a grain of sense from adopting so mad a course. However, as foolish people do exist, it is possible, though

not very probable, that the accused may gain the day; in which case they will have abundant cause to rejoice that an untenable accusation has been made, as they will take advantage of their innocence of one accusation to persuade the public that all accusations against them are unfounded.

\* A great writer on the art of reasoning warns us against attempting to prove too much. A refuted argument, says he, ought in fairness to go for nothing, instead of which it is made to tell as an argument against the person who employed it. This, I have no doubt, the Orangemen will attempt to do, if, contrary to what now appears probable, Colonel FAIRMAN should prevail against Mr HAYWARD. Thus they will, if the public permit themselves to be deceived by the fallacy, be enabled to count the advantage at least, twice and we shall hear of nothing but the spotless purity of the illustrious Grand Master, and the diabolical conspiracy to rob him of his fair fame.

The reader must remember, however, that there are two folio volumes of evidence, and two carefully drawn reports,

\* Dr WHATELEY—Elements of Logic.

which Colonel FAIRMAN's criminal information does not and cannot touch. In this evidence there is quite enough to show that the boasted loyalty of the Orangemen hath no existence in fact; that there is, moreover, strong ground for suspecting the existence of designs of the character specified by Mr HAYWARD. There is enough to show that the Institution of Orangeism is dangerous to freedom. It is also proved that the spotless DUKE is utterly destitute of that distinguishing characteristic of a man of honour—a scrupulous regard for truth.

If the investigation should take the turn which I have supposed possible, it will be the duty of the Press to guard against the fallacy I have mentioned. An enumeration of the matters brought to light by Mr HUME's Committee, must be again placed before the public, when it will be seen how much will remain even should Mr HAYWARD's accusation fall to the ground.

H. S. C.

#### TO CORRESPONDENTS.

LETTERS are occasionally sent to the Office in Tavistock street, suggesting subjects to be treated of, and occasionally indicating the order in which the writers conceive subjects should be attended to. In these communications great difference of opinion is manifested, a circumstance which will serve to show that, after all, the decision must of necessity rest with the Editor.

The communications, in a great majority of cases friendly, are, however, the writers may be assured, carefully considered, though, for obvious reasons, the suggestions may for a time be apparently neglected.

One or two important subjects have recently been suggested, but it must be evident everything cannot be done at once. Still, if Correspondents and Readers will take the trouble to look over the Table of Contents, they will find a tolerably extensive field has been already gone over.

Anonymous communications, intended for insertion, are also occasionally sent. These cannot, under any circumstances, be attended to. All communications not intended to be inserted will be left with the Publisher.

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"There are, amongst the lawyers, some dirty-souled creatures, who neither know the law, nor wish to know the law, nor ever intended to know the law; but who assumed the costume for the sole purpose of being able to plunder the people."—Vide "The MONSTERS." Cobbett's Register, vol. 82, p. 772.

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# ENGLAND, A STEP-MOTHER TO HER SOLDIERS.

By J. A. ROEBUCK, M.P.

## SIGNS OF THE TIMES.

By J. A. R.

TORYPHOBIA.—By H. S. CHAPMAN.

EDITED BY

# J. A. ROEBUCK, M.P.

[PRICE TWOPENCE.]

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## ENGLAND, A STEP-MOTHER TO HER SOLDIERS.

THE English soldier, if we are to judge of him from the descriptions of those who know him best, ought to be noble, and daring, and generous,—bold in action, evincing unflinching fortitude and patience under suffering and fatigue, and mild and merciful as he is courageous and hardy. “A soldier,” said one who is a pattern of what a soldier ought to be, “should learn to think and feel as his fellow-citizens think and feel; he should know whether he is a rational soldier, fighting to uphold free institutions, or whether he is a mere murderer, hired to slay and to be slain. He should know and love liberty, for that nerves the soul to noble daring; and he should hate oppression, that he may not acquire that ferocity of heart which degrades the gallant, high-minded, national soldier, to the blood-stained mercenary. If a soldier does

not know and love the blessings of free institutions—if he does not know and love the social happiness springing from equal and just laws, how, in God’s name, is he to fight as the soldier of a free nation ought to fight? Will it be contended that his pay alone will support his ardour amidst all the toils and privations of war? What if that should fail? What if the soldier’s shilling should not be forthcoming at the appointed day? Must England then fall? Must her military glory, that lamp, that light of ages and of nations, sink and be quenched, because the golden ointment which should have fed the flame, has run short for a moment? Oh, gentlemen, such never was, such never will be, the character of the British soldier! How many hundreds of these brave, these gallant-hearted men, have I seen toiling, struggling against want, fatigue,

cold, wounds, against all the horrors of war; and only those who have seen war as I have seen it, could tell what those horrors were; but I have seen British soldiers, hundreds of them—seen them striving, bearing up with indomitable courage under all its miseries, until nature being quite exhausted, they had dropped and died on the spot. Died, but not with weak lamentations, not with any wailing; no, but with the soul-stirring exclamation, that it was no matter, because they died for the glory of England! And shall such men be denied the right of knowing what it is they so fight, so endure, and so perish for! What of England was it they remembered and loved so dearly in their last moments? Was it the soil, the dirt they had trodden under their feet? No; it was England, free England! England, the home of their fathers! their own home! That England, whose free institutions had nurtured them up in moral dignity and manly pride, and which they knew would protect their children in their just rights, after they themselves were gone. This it was which made it a country to them in the burning sense of the word—which made them endure to the last gasp for her safety; and this it is, gentlemen, which will make free men victorious, in the long run, over mercenaries and slaves. The mercenary may be as good on the field of battle—he may even be better, for he may be more skilful, but he cannot endure like the free man. Despotism can make him fight, because it can give him the choice between an honourable death on the field, or an ignominious one on the scaffold, but it cannot keep up his heart. Money will not repay him for his sufferings; he has no ulterior object, his spirit flags, and he is defeated; while the free man, who has an ulterior object, endures and is victorious.”—*Speech of Colonel Napier at Bath, Nov. 11.*

This is what Englishmen should wish to see English soldiers: and everything we do for and respecting them should have a tendency to render the soldier such as their gallant historian here describes him.

The authorities, however, who rule over the destinies of our Army, would seem to be guided by views and principles wholly opposed to these; and if their conduct is to be considered as the effect of forethought and consideration, we have a right to say, that to degrade the soldier, to separate him from his fellow citizens, to deprive him of the feelings of a citizen, to render him the mere slave of discipline, wholly unaided or governed by reason, to make him brutal, ferocious, hostile to his brethren, and, above all, to make him an obedient machine, is the chief, grand object of the rulers of the British Army. It may be said—it undoubtedly will be said, that whatever may be the result of the regulations by which the army is governed, the *intentions* of the framers were not thus guided by systematic depravity. It is strange, nevertheless, that all their doings are connected and regular, and tending steadfastly to one end; that end, the one I have here described.

Supposing them wickedly inclined, and guided by a mischievous sagacity as to means, their conduct would not have differed from their present proceedings. Had they desired and intended to degrade and brutalize the soldier, to make him the enemy of his fellow citizens, and a mere machine under their own control, the regulations of the Army would be the present regulations. This is strange; some persons may term it a curious coincidence. I deem it so curious, that I cannot believe it otherwise than intended: the more so, as to frame these means to a bad end required not a very high degree of intelligence;—a little practical

sagacity, combined with mischievous intentions, was quite sufficient for this unworthy task.

In order to keep the soldier as separate as possible from the citizen, all means are taken to render the intercourse between them difficult and painful to both parties; and where it is found impossible to keep them apart, means are adopted to make these temporary meetings scenes of riot and quarreling.

If you bring two men together, and place one in a position conspicuously superior to the other, you lay the best foundation for ill-will. If the parties are rude and uneducated, the superiority on the one side will be evinced in a contemptuous and insolent bearing; and will be resented on the other with violence and invective. This is what has been carefully effected, by allowing the private soldiers to mingle, armed, with the unarmed citizens. By the law of England it is made an offence to carry any deadly weapon. The law compels the citizen to confide for his safety in the majesty of the law. Surrounding the person of the citizen with this sort of sanctity, it becomes almost a matter of religion to respect it; his very defencelessness is his greatest security; and thus, while we provide for his personal safety, we elevate and ennoble his mind. That sense of security, sanctioned and provided by the majesty of the law, of itself leads the mind to peace; teaches it to know and to feel that there is a power superior to brute violence, quenches the rude desire for personal revenge, and induces a habit of confidence in the justice and good opinion of mankind, rather than upon any physical strength, or any violent means of warding off insult or injury.

This confidence in, and obedience to the very name of the law, peculiarly distinguishes the People of England.

A constable, armed only with his staff of office, is obeyed among us in cases which, among other nations, require an armed soldiery to enforce the law; and thus, while we are as courageous a people as any on the face of the earth, we are not sanguinary, or even violent. It appears, however, that this wise and sufficient defence, though ample for the citizen, is not deemed enough for the soldier. He is thought to be in so much danger when he walks about amongst an unarmed and peculiarly peaceable people, as to require the defence of his bayonet to keep him free from injury. It is evident that this is a pretence. It cannot be—all men see that it is not the real reason for keeping the soldier armed while off duty. The real reason is evident. It is desired to draw a distinction between the soldier and the citizen, and to promote to the uttermost ill-will and suspicion between them. The bayonet is effectual to this end. Sobriety, unfortunately, is not the virtue of an English soldier; and when drunk, he makes but too ready an application of the deadly weapon at his side. The citizens naturally resent this—they learn to dislike and shun those who can inflict deadly wounds at will, and thus a line becomes drawn between the soldiers and the people.

But to separate the Soldier from the People would not, of itself, be sufficient for the ends of those who rule the Army. Being completely separated from their fellow-citizens, they must become thoroughly subservient to their rulers. Subservient they would not be, if governed by any principle but that of fear, or led on by any notion of honour or glory. For the private soldier, therefore, in the English Army, there is practically no promotion, and his offences, for the most part, are visited with the degrading punishment of the lash. The soldier of France—the merest private soldier—is a gentle-

man. The first Marshal of France cannot hold his honour dearer than does the most obscure private of the Army. He is kept in the path of duty by no fear of the degradation of the lash. He is not an animal to be goaded to his work, but a man of high spirit, led by his sentiments to share in honourable toil. But sentiment in a British soldier would be treated by his superiors with contempt and scorn. The nearer a brute, an obedient brute, they can make him, the better; and nothing but the civilization and intelligence by which he is surrounded has saved him from utter degradation. Spite of this saving and healthy influence, much brutality, much painful degradation may yet be seen among the soldiers of our Army; and the people of this country are daily tortured with accounts of the savage conduct of the men, and the still more savage and brutalizing conduct of the authorities. Take up a newspaper, and how often do you find a paragraph headed—"ANOTHER BAYONET OUTRAGE?"

The immoral effects of such proceedings, and of the description of them, is not, however, to be compared with those resulting from the too frequent details of flogging the soldiers. We can form no adequate conception of the mischief already produced by this degrading punishment, unless we make inquiry into details shocking both to our humanity and our reason. This inquiry, however painful, must be made, and the People must not merely be disgusted,—they must be *horrified* with the knowledge of the atrocities that are committed. It is of the highest importance to all of us that our Army should be an intelligent, moral, and honourable body of men. We want gallant and noble defenders of their country, not brute and blood-stained mercenaries. It is the duty, then, and interest of every one to protect the

soldier from insult and from degradation.

What, then, will the reader say to the following tragic history? Does not his blood run cold as he reads the horrid tale?—and is he not filled with shame, and sorrow, and indignation, while he hears the naked ghastly narrative of England's atrocities towards her gallant soldiers?

#### CORONER'S INQUEST.

ALLEGED DEATH OF A SOLDIER BY FLOGGING.—Yesterday an inquest was held at the Marine Barracks, Woolwich, before Mr CARTER, on the body of THOMAS RAMSAY, a private in the Royal Marines, who died in the Military Hospital on Sunday last. Seventeen of the most respectable inhabitants of Woolwich were summoned on the Jury.

The Coroner, after swearing in the Jury, addressed them, and said that they were called together upon a very serious and important inquiry, touching the death of a soldier in the Marines, which had created considerable excitement in the public mind; but they must dismiss from their minds every prejudice that might have been occasioned by the rumours which had gone abroad. He understood, from the informations conveyed by Colonel M'CLEVERTY to the constable of the parish, that the deceased had been tried by court-martial, and sentenced to receive 150 lashes, that is, 1350 lashes, in fact, each stroke inflicting nine wounds. The immediate cause of his death was said to be locked-jaw, caused by some slight injury.

Mr BURT, the Foreman of the Jury, said it was not important to receive the Coroner's opinion.

The CORONER replied, certainly not as a *dictum*. Their object was to inquire whether the punishment had been legally inflicted at the order of a proper tribunal. They were not to be guided by their private feelings. If it appeared further that the punishment was administered without the necessary caution, the surgeon would probably have to answer for it.

The JURY requested that before they went to view the body they should have a surgeon appointed to accompany them,



and one who was not connected with the military.

The JURY, having appointed Dr TURNER, of Woolwich, to assist them, went to view the body, which was lying in the Military Hospital. It was laid on the back, but the Jury ordered it to be turned over, when the back presented an appearance that drew forth an universal burst of horror from the jurors. It was deeply excoriated, and was incrustated with matter and blood. The Foreman measured with a rule the extent of the wound, which extended from the tip of one shoulder to the other. The left arm was also marked with the lash in five places. The Jury waited for Dr TURNER about half an hour, when it was announced that he declined attending. On the return of the Jury to the inquest-room, the Coroner said they could not decide without the evidence of a surgeon, and called upon Messrs WRIGHT and SMITH, who were present, to provide one. They immediately sent for Dr HALIFAX, a physician, and Mr BUTLER, a surgeon, but neither of the gentlemen was at home. In the meantime the examination of the witnesses proceeded.

DAVID BUCHANAN, a private of the regiment employed at the dispensary as a dresser, was first examined: He stated that about three weeks ago the deceased came to the hospital, after receiving punishment; Mr HUNTER, the surgeon, and Mr BILLINGS, the assistant, were both present, and ordered witness to apply the usual remedy, which was wadding to the deceased's back, and to put him to bed; witness saw him from day to day until he died; at first he seemed to do well; Dr PARKINS also attended the deceased, who eventually had a locked-jaw; the deceased had been in the hospital three times during the last twelve months; he was there about seven weeks ago, labouring under a slight attack of syphilis; he was as well attended as his conduct deserved.

The witness was called upon to explain the last sentence: He said that the deceased made use of obscene and abusive language to his nurse, and on one occasion, when witness gave him his medicine, he threw it under the bed; he was very irritable.

At this stage of the proceedings all

other witnesses were ordered to retire at the request of the Jury.

BUCHANAN examined by the Foreman and other Jurors: Other patients had been cured since the deceased was admitted to the hospital; never heard him complain of his punishment; he could speak after he was seized with locked-jaw.

By the CORONER: Patients came into the hospital after receiving 400 lashes; the deceased did not appear to be more severely suffering than others; no flesh was cut out of his back.

A soldier in the crowd here murmured, "He tells a lie."

The CORONER cautioned all persons, whether soldiers or not, against making any observation, or speaking to the Jury.

MR WILLIAM BILLINGS, assistant-surgeon, deposed that he saw the prisoner when he came to the hospital, and examined the back, which was a little contused from the number of lashes he had received, but it was not worse than others he had seen; the wounds, as was customary, were dressed with wadding only; he appeared to suffer much, but made no complaint; witness attended him afterwards, as did also Drs PARKINS and Mr HUNTER; at first he got better; when the wadding was removed ulceration had taken place, and everything that was necessary was done; a change took place on the fourth day, and the injured parts sloughed off; the deceased was then in a state of feverish excitement, and three days before his death was seized with locked-jaw; the punishment was the exciting cause, and the locked-jaw the proximate or immediate cause of death; another exciting cause was his irritability; the jaw was locked so close that a knife could scarcely be introduced; he could speak so as to be understood; the wounds were occasioned by the lashes; witness had been twenty-five years in the division, and never before knew of a locked-jaw proceeding from flogging; there were no symptoms before it took place; had seen men take 300 lashes.

By the JURY: There was no flesh cut out of his back, upon which there might have been as many as 950 lashes, as the cat had nine cords; the skin was broken, and he bled freely; the

deceased had been in the hospital before; witness could not say whether he was in a fit state to receive the punishment; cannot recollect what course of medicine was prescribed when the deceased was in the hospital before; could not recollect whether any patients had complained of the lowness of their diet; the deceased was not bled until symptoms of locked-jaw appeared, when 16 oz. of blood were taken from him three different times.

The CORONER then suggested that before they went further, one point, viz. the legality of the Court-Martial, ought to be settled.

On referring to the Act for regulating his MAJESTY'S Royal Marines, passed last session, the CORONER observed that it was necessary that the minutes of the Court-Martial should be confirmed by the Commandant before put into execution, and that there must be five Commissioners to make a Court.

Adjutant BATHURST, being sworn, verified the minutes, and stated that he read them to the battalion to which the prisoner belonged, and produced the warrant ordering the punishment signed by the Commandant. The punishment was given in the presence of the whole battalion. From the regimental book it appeared that he had been imprisoned seven days before the flogging, but he did not receive all the lashes, being released by the surgeon when 16 remained to be given.

The CORONER then observed, that as the Court-Martial seemed to have been legally constituted, there could be no difficulty in calling Colonel M'CLEVERTY.

Col. ROBERT M'CLEVERTY examined: Had full power to order a Court-Martial, and had done so in this instance, but was not present at it; Capt. STEWART was the President; witness approved the Court-Martial, and the signatures to the minutes were those of himself and Capt. STEWART; witness sanctioned the whole proceeding, and was present at the execution of the sentence; the deceased was taken down at the order of the surgeon, but he did not appear much exhausted or severely punished, but witness had no power to dispute the surgeon's order, and did not ask the reason of it.

JOHN COURSE, Drum-Major of the regiment, was present at the punishment, which took place in the rear of the barracks, and counted the lashes; the deceased received a hundred and thirty four, and four men were employed in flogging him.

The witness here produced five or six cats, which were inspected by the JURY. They were formed of strong cord, each lash knotted. Those produced were still stained with blood, though they had been washed; and the JURY generally remarked, that from their appearance they had done a great deal of service.

SANDERSON, one of the Drummers, a man about 45, examined: The deceased dropped his head and fainted while I was flogging him; we don't separate the lashes only at first! I have flogged men hundreds of times. The witness pointed out one of the cats which he had used, and said, "*I always uses that when I gets it, because it swings better than some; I know it by the knot at the handle, and a place where I can fit my finger well to hold it tight.*"

The business-like way in which this witness spoke, excited expressions of disgust amongst the Jury.

Sergeant-Major CHAPMAN was examined: Witness was present at the punishment of the deceased, and checked the Drum-Major in counting the lashes; he received 134; could not recollect what number of drummers flogged the deceased; the flogging was the same as usual, and the man did not suffer more than others, and did not faint.

Mr WM. JAMES HUNTER, surgeon to the regiment, saw the back of the deceased when he came to the hospital. It was slightly lacerated and bleeding.

By the FOREMAN: Did not see the deceased prior to the punishment; on the 19th witness was sent for at ten o'clock at night, and found him labouring under pain in the chest and abdomen, and fever; he had complained of tooth-ache in the morning, but refused to have the tooth extracted; tetanus followed, and the symptoms increased until he died; witness attributed his death to his violent temper preventing his recovery.

FOREMAN: Would he have died if he had not been flogged?—The Witness

said he was unable to answer the question.

CORONER: Was it the cause of his death?—The Witness could not say.

MR HENRY PARKINS, surgeon to the regiment, saw the deceased punished; and ordered him to be taken down when he had received 130 lashes; two days after his punishment he was so well as to wish to be let out to walk about, which was not allowed.

MR BUTLER, surgeon, had examined the body, but could not account for the death of the deceased by the external appearance, which presented some marks of violence; could not ascertain by a *post mortem* examination whether the deceased had locked-jaw.

The JURY then retired, and after deliberating about ten minutes, returned the following verdict:—"That THOMAS RAMSAY came by his death in consequence of a locked-jaw, arising from the punishment received in pursuance of the sentence of a court-martial held upon him." (Cries of "Bravo!") A person who used this ejaculation was expelled.

The inquest lasted nine hours.

—*Morning Chronicle*, Nov. 28.

Painful though it be, we must dwell a moment upon this ghastly spectacle. A man killed by this slow torture is of itself an event sufficiently appalling; but this is as nothing when compared with the horrible effects of this punishment, as exhibited by the drummer SANDERSON. Here we see a human being, by constant employment in a brutalizing service, degraded to a hardened carelessness and ferocity absolutely horrible. The man evidently delights in the torture he inflicts:—"I always uses that when I gets it (viz. the cat), because it swings better than some; I know it by the knot in the handle, and a place where I can fit my finger well to hold it tight." Would any one believe that this unfortunate wretch was speaking of inflicting cruel torture on his brother soldier? \* Fancy this man,

\* The Parliament last Session passed a law against cruelty to animals. Were a man to flog his horse as England flogs her soldiers, he

thus hardened in cruelty, in an enemy's country, and conceive what would result if he found a defenceless woman within his power. Suppose such a man to enter a peasant's hut—to see there the young and beautiful daughter of the peasant—suppose him to look on her with brute lust, and the father and the mother unarmed opposing him—would not such a man slay the father and the mother, in order that he might pollute the child? But is this the warfare that England seeks to wage? Are such the deeds of glory that we wish to have recorded? Happily for us we have never known the horrors of war; but, nevertheless, we cannot be ignorant of the miseries that war inflicts—atrocities that human nature shudders at, have been committed by soldiers bearing the colours of England—atrocities over which the historian willingly draws the veil, but which the moralist is bound to drag to light. Any soldier who was present at the ever-memorable storming of Badajoz, will acknowledge that the horrors of the storm were as nothing when compared with the horrors of the sack. And by whom were these horrors perpetrated? *By British soldiers.* By men using the name and authority of England for their deeds—and who are supposed to have shed a glory and honour upon their country. Would humane and civilized soldiers have been guilty of this barbarity? However maddened by the gallant resistance of the French, would civilized soldiers have wreaked their fury and their vengeance on the helpless Spaniards, and women and children, too, whom in name they came to succour? Is it not our bounden duty to avert the possibility of such deeds? And can we suppose that we have done so, while we allow a punishment to exist which produces hardness of heart? Would not the law which would incur the penalty of a severe but just law. We are merciful to our animals—cruel to our soldiers. Why did not Mr. PEARCE in mercy include soldiers under the word "animal?"

ened brutality, such as this wretched drummer exhibited? Think ye, that *he* would feel compassion—that *he* would smother his anger, and make the hour of victory the hour of mercy? May the daughters of England never be exposed to cruelty such as England has inflicted on other nations! Great has been our guilt: let us hope we may never receive retribution. In order, however, not again to deserve it, let us set ourselves seriously to work, in order to rescue the soldiers of England from degradation, and compel the Parliament, by the raised voice of the nation,

to put down and utterly abolish this frightful and brutal punishment.

J. A. ROEBUCK.

\* \* I do not mean by this to say that all that is evil in the character of the British soldier has been produced by this punishment. But I do mean to say that it is one cause, and a very powerful cause, towards that evil; and that if we desire to elevate the soldier's character, we must abolish flogging. It will be said that the French soldiers, who are not subjected to this punishment, have been quite as cruel and brutal as the English.—True. I allow it. But it is not proved by this assertion that the English soldier would not be less brutal were he no longer subjected to it. I do not expect every good to result from the abolition of flogging, but I do confidently expect some, and that a great good.

## SIGNS OF THE TIMES.

WE daily experience the mischiefs resulting from the imperfections of the Reform Bill: Reports are constantly circulated, and as constantly believed, that the present Ministry is in hourly jeopardy of dissolution, and we are threatened in no obscure terms with a Tory Ministry. Doubt and uncertainty reign in all men's minds as to the future. That security in the Government, which is absolutely necessary for the ordinary peace of society, is nowhere known: and advance in all that is connected with the permanent improvement of mankind is precluded, by the constant turmoil and confusion ever attendant on a weak and unsettled Government. Our situation is analogous to that of the early settlers in the woods of America. The great business of the colonist was to clear and improve the land, and to provide for himself and his family the means of subsistence: but from these necessary labours he was daily disturbed by the incursions of marauding Indians. He could not bend his mind to his business, because he was obliged to be ever on the alert

against his insidious and cruel foes of the forest. He was only half a farmer, as well as half a soldier. His advance was slow, and almost imperceptible, and his life was one continued scene of harassing doubt and dread. So it is with us: Our business in life is to provide for ourselves the means of subsistence, and to forward, each according to his ability, the advance of science and of art. But from these necessary vocations we are daily hurried to the defence of our political existence. The marauding Tories threaten us with invasion, and excite trouble, doubt, and confusion throughout the empire. At the present moment we learn from the Ministerial papers, that a dismissal of the Ministry is said to be in contemplation, and another Tory irruption after the fashion of last November, is by the Tories themselves predicted with great assurance. It is true that the chief Ministerial paper, the *Morning Chronicle*, combats this statement. In a long and laboured article they last Saturday attempted to demonstrate the *folly* of such an attempt. But this surely is a strange

way, according to the principles of the *Chronicle*, of disproving the truth of the assertion that a change of Ministry is intended. Are we not taught to believe that folly is inherent in Toryism? Is it not proved by experience that they (the Tories) are utterly careless of the ordinary dictates of prudence, and headlong and precipitate in their career after power and money? They lose nothing by rash attempts to disturb the existing Government. Of the People's opinion they are unmindful: the court and they are one; so that a throw at this political hazard they seek rather than dread. Suppose them to fail, what then? Is the situation of the Tories at this moment worse or better than before the last attempt made by the Duke of WELLINGTON to reinstate the Tories? I should answer, better. It is true the Municipal Reform Bill has been passed. But that would have been passed even had that attempt not been made, and probably a far more efficient measure would have been attained by aid of the last House of Commons. What would the Tories lose by another attempt? Nothing. The Whigs would be harassed, their power would infallibly be diminished by another dissolution, and the chances of Tory success are by no means contemptible. Look at the present House of Commons. The *Chronicle* says that it will not insist upon the fact of the House of Commons being hostile to the Tories. It is wise in thus abstaining, for I do not believe that the House of Commons is so hostile.

As the House is now composed, if Sir ROBERT PEEL could place himself in his position of last February, he would have a majority, in place of being in a minority, of nine. The Ministerial party lost by the elections — they lost by the Election Committees — they have lost nearly all the chance elections that have taken

place since the general election. Four or five would have been enough to turn the scale in February last, and more than four or five have been gained by the Tories. Who, then, shall say that the present House of Commons would refuse to act with Sir ROBERT PEEL, in case the KING should again choose him for his Minister? One thing is quite evident, he could not be weaker than the present Ministers; and were the Tories once made to understand that the Whig Irish Tithe Bill is but mere parchment, and utterly useless as a law, they might defeat the Whigs on every measure that could be brought before the House.

Whose fault is this?—I answer 'tis the fault of the Whigs. The supporters of the Ministry will, doubtless, be angry with me, and assert that I am betraying the Liberal cause, by thus exposing the weakness of the Whigs. This is an idle imputation, and results only from their imbecility.

Do the supporters of the Ministry believe that the enemy does not thoroughly understand the present position of the House of Commons? Do they believe that votes have not been accurately counted, and the gains and losses duly estimated? Do they believe that the gains of

- Inverness-shire,
- Devonshire,
- Drogheda,
- Canterbury,
- Oldham,
- Cork (County),
- Devizes,\*

\* The following is a List of the changes that have taken place during the Session, showing the Whig loss and gain; the mark \* indicating no change of political principle. The statement is taken from DEACON'S 'Analysis of the Proceedings of the Session of 1835,' a very useful book, published by Simpkin and Marshall:—

Places.	Old Members.	New Members.
Ayrshire . . .	Oswald . . .	Dunlop . . . *
Belfast . . .	Mc Cance . . .	Dunbar . . . *
Cambridge . . .	Manners Sutton Law . . .	Loss]
Canterbury . . .	Villiers . . .	Lushington . Loss]

and others, are not appreciated? And if our enemies see all these things, why should we not speak of them? That they do see them—that they do boast of them, and that they count on them, we all know; it is like children, then, in us; to attempt to hide the evil by shutting our eyes upon it.

For my part, I wish the People to perceive the evil; I wish them to know in what it consists. The Reform Bill, and a *high degree of excitement*, gave the Liberal party a majority in the House of Commons. Every day is diminishing that majority, and, through the imperfections of the Reform Bill, the Tories have been enabled to win back their way into the House of Commons, and will soon be able to seize upon the reins of government. The *Morning Chronicle*, and other Whig Papers, may shut their own eyes, and attempt to blind ours; but this fact is evident, that in ordinary and calm times it will be almost impossible for the

Liberals to maintain a majority in the Commons. I do not mean to say that as time goes on the Liberal power will not increase: I think it will; but this increase will be made by the growing feeling out of doors, and will result in spite of the existing election law, and not by aid of it. We shall find on some fine day that the Tories are safely seated in office. The Liberals will be outvoted in the Commons, and then will come fermentation among the People: another Reform Bill time—in fact, another revolution; and by the aid of this high excitement, the Tories may again be frightened from power. But I ask the People of England—again and again it ought to be asked of them—do they intend to allow this state of things to continue? Are they content to gain the results of good Government only by revolution?—by an excitement always dangerous, always costly, and therefore mischievous? Do they not desire to obtain the results of good Government peaceably—to live daily quietly under a good Government; not to be ever, by threats and excitement, forcing a bad Government to be for a time a good one? If they desire this steady good—this peaceful and healthy rule, they should set about obtaining it in a business-like manner. Let them go to the root of the evil, and *radically* get rid of the mischief.

What, then, is the evil? Every day points it out to us. The Representation of the People is faulty. The intent even of the Reform Bill, imperfect as that intent was, has not been carried out. The system of registration and the rate-paying clauses, disfranchise above a third of the constituency. Look at the Elections. No one believes; however they may speak, that the People have really changed their opinions. But without the excitement of a General Election, almost in every instance the Liberal party have been the losers. The

Carlou	Vigors	Bruen	Loss
	Raphael	Kavenagh	Loss
Cashel	Perrin	Wolfe	*
Cork (County)	F. O'Connor	Longfield	Loss
Cork (City)	Baldwin	Chatterton	Gain
	D. Callaghan	Leycester	Gain
Devon (South)	Lord J. Russell	Parker	Loss
Drogheda	O'Dwyer	Plunkett	Loss
Essex (North)	Baring	Elwes	*
Inverness-shire	Grant (Glenelg)	Chisholm	Loss
Ipswich	Dundas	Morrison	Gain
	Kelly	Wason	Gain
Hull	Carruthers	Thompson	Gain
Nottingham	Lord Lumley	Knight	Loss
Oldham	Cobbet	Lees	Loss
Poole	Byng	Byng	*
Staffordshire	Lytleton	Goodricke	Loss
Stroud	Fox	Russell, Lord J.	*
Tiverton	Kennedy	Palmerston	*
Waterford	Power	Stuart	Loss
Windsor	Beauvoir	Elley	Loss

Since the above Book was published:—

Derizes	Locke	Estcourt	Loss
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It should be observed that every vote lost to one party and gained by the other affects the majority by two. There are 14 votes lost to the Whigs, making a deduction of 28 from their majority; and a gain of 5 making an addition of 10 thereto. Their loss by changes in the Representation are thus shown to be 18. Some of the stars, it is believed, are placed rather too favourably to the case of the Whigs; besides which the waverers, who always go with the party in power, have nothing to do with this statement.

enormous influence of a small quantity of wealth—small, as compared with the wealth of the community, when in masses, cannot be withstood under the present regulations. A very few rich Tories in a small town, under the present difficult system of Registration, can, by careful management, easily disfranchise the greater part of the poorer voters opposed to them, and the mischievous and ridiculous strictness respecting payment of rates, renders still more certain and efficient the means of this disfranchisement. Added to this, the influence of the few rich in controuling the opinions of the tradesmen in a country town, is enormous, and cannot be counteracted by anything but the Ballot. But the Ballot and an improved system of Registration, together with a repeal of the Rate-paying Clauses, have all been refused by the Whigs, and in their retributive justice, has cast the first, the evil consequences of this unjust as well as impolitic repeal. The Radical Members are generally returned by the constituencies of large towns. These constituencies, from their numbers and superior intelligence, are less affected by the imperfections of the Reform Bill, than are the smaller constituencies of the towns, and the subservient constituencies of the counties, who have hitherto returned the Whigs. The consequence—the immediate consequence—of the working of the Reform Bill, has been a wholesale expulsion of the Whigs from Parliament, and a very few years will suffice to drive the small remnant of that once powerful Whig majority out of the House altogether. The eternal glorification respecting that magnificent measure of Reform which Lord GREY carried, will then, I hope, cease; and our ears be no longer offended by the loud self-laudations with which the Whigs so often afflict the patient, and somewhat too good-natured People of England.

It is said that the Tories are elated by their recent victory at Devizes; and they have good reason to be so. The late Mr LOCKE was an exceedingly Liberal Whig; in his place is now seated an Ultra-Tory. Moreover, this result is an earnest of what we may expect in all towns situated as Devizes is. The registration there has brought in a Tory; and this may be considered no bad specimen of what it will effect elsewhere. Mr LOCKE evidently was returned by *local* influence: so is Mr ESTCOURT. *Local* interest is almost certain to be against the People (Mr LOCKE's case was a rare exception); for the powerful gentry are almost universally Tories. The tradespeople *dare* not oppose them. It is to be hoped that Lord JOHN RUSSELL will learn the necessity for the Ballot, before all the Whig Boroughs have been won by the Tories.

Much good is expected to result to the Liberal cause from the coming Municipal elections. I have great doubts as to these sanguine expectations. In some of the large towns the triumph of the Liberals may be complete; but in the smaller places, where the tradespeople dare not possess an independent opinion, they will blindly follow their Tory masters. Here again is an instance of the blindness of the Whigs! Here they would insist, as in the Reform Bill, upon having rate-paying clauses, and also a three-years' rating. What has been the result? The constituency for the Municipal is smaller than that for the Parliamentary elections. The Whigs call themselves statesmen; they pretend to act upon great acquired knowledge; and are always laying much stress upon statistics. Twice have they been grossly in error in their expectations founded on statistics. The present Parliamentary constituency is far less than what they stated it would be; and the Municipal constituency, which they expressly de-

clared they sought to make more numerous than the Parliamentary one, has greatly fallen short of it. After this, may we hope that they will be less braggart of their practical knowledge, and of their statesman-like acumen? The result was predicted to them during the discussions on both measures, and on both occasions. They treated the warning with contempt. They will reach the reward of their obstinacy and

blindness by being ousted from power by the very weapons they themselves have forged, and by which they hoped to win, and to maintain a permanent dominion in the councils of his MAJESTY. The old proverb, that "fools even learn wisdom by experience," is daily shown to be false. Wise men are made wiser by experience; fools are fools still, in spite of it.

J. A. R.

## TORYPHOBIA.

THE grand expedient on which the present Ministry seem to rely, as a means of keeping a balance of public opinion in their favour, is, the excitement of what may be called Toryphobia, or a dread of the return of the Tories to power. They depend for their continued tenure of place, not so much on their own superior merits—though on that head their organs are by no means silent—as on the palpable demerits of their ancient adversaries.

From the small numerical force of the Whigs, and their consequent dependance upon the Ultra-Liberal party, whom they bitterly hate, the smallest indication of movement among the Tories is sufficient to throw them into an ecstasy of fear. This is not to be wondered at. United with the Ultra-Liberals against their rivals,—the Tory section of the Aristocracy, their majority has never exceeded about thirty or forty. It has been only when united with their Tory competitors for power, against their common enemy, on such popular questions as the Ballot, that they have been able to prevail by majorities sufficiently large to impart a feeling of security, and consequent ease, to ministerial breasts.

The alarm which thus perpetually,

and, I may add, very naturally besets the Ministry, they are of course very desirous of imparting to the country at large. Accordingly we are every now and then treated with an article with this especial object in view.

It is not long since I had occasion to notice the labours of the *Edinburgh Review* to this end. A quarterly review, however, is but a poor instrument for innoculating a people with a moral disease; so the task has since either been assigned to, or has been voluntarily taken up by the daily advocate of Ministerial principles, the *Morning Chronicle*.

In the number of that paper dated Saturday, the 28th of November, is an article of unusual length—of length proportionate to the magnitude of Whig fears—on the rumour of another dissolution. Of this supposed dissolution the present Ministry are not to be the authors. "On the part of the Government, no such intention is alleged (by the said report) to exist;" but by several pointed allusions to the Tory "high priestess in the temples of Windsor and Brighton," to the "idolatrix," &c., the reader is left to infer that the Tories contemplate a similar *coup d'etat* to that of November, 1834,



by which the Whigs found themselves for a short time out of the saddle. What has generated this alarm on the part of the Ministry and their organs does not appear. "We cannot," says the *Chronicle*, "expose the sources of our information; but there is a regular stir amongst the Tory candidates and agents, and their leaders are busy everywhere in spreading confidential reports that opportunity and time are the only questions with respect to the overthrow of the administration. Sir ROBERT PEEL may be of another opinion; but even in his speech at Tamworth he told his audience their time was not yet distant; and his confidential friends are the most confident prophets of an approaching change."

The evils, then, which the Reformers are to be prepared for are, a Dissolution, united with a return of the Tories to place. Let us look these evils fully in the face, and perhaps we may be able to mark some of their causes and consequences.

So long as the Tories cannot command a majority in the House of Commons, it is clear they can only do as much evil as the Whigs will permit them to do. The time for a permanent junction of the Whigs with the Tories, for the purpose of doing evil, is not yet come; so that the danger which we have to apprehend from a dissolution, depends upon a majority of Tories being returned to the House of Commons.

If the information which the *Morning Chronicle* was at such pains to give the public, during the progress of the revision of the lists, was correct—and, as far as the evidence permits an opinion, I cannot doubt it—we have really not much cause for alarm on the score of a Tory majority with a new House of Commons. The greatest Reform majority in the present House of Commons was 37. Generally the ministerial majorities ranged from 28 to 31.

This majority must be now much diminished. If the Registration be as stated, in favour of Reform, what fear can the Ministerialists have of a dissolution, beyond the inconvenience of the contest to the People? This inconvenience is itself a great evil, and shall be presently noticed; but it is not the evil which the Whigs apprehend.

But, after all, the Tories may, notwithstanding the apparently favourable Registration, obtain a small majority by those means which they are known to put into operation on such occasions. Admitted. But who left them those means? Who joined the Tories in excluding the Ballot?—The Whigs. Who left Elections so expensive, that the rich alone dare on ordinary occasions to embark in them?—The Whigs. Who made the proof of the possession of the franchise so difficult and tedious, that none but the leisured classes can fulfil the conditions of the franchise?—Who but the Whigs? And now that the consequences of all this are likely to tell against themselves, the public are to be frightened into more sacrifices in their favour.

The short Administration of the Tories certainly did more good than harm to the cause of the People in the House of Commons. It did good in two ways: it strengthened the ultra-Liberal party very materially, and it unfolded to the public the real position of the Whigs. It proved to the country, and to the Whigs themselves, their utter dependence on the popular party. These are the sources of the excessive soreness of the Whigs, and of their terror of a dissolution. They are aware how completely they have forfeited the good-will of the country, and they fear a repetition of the features presented by the elections of 1834, in a more marked degree.

The Ballot is the question, of all others, which distinguishes the ultra-

Liberal from the Whig. Among those who zealously advocate the Ballot, there may be many shades of opinion, but they must all agree in desiring an efficient popular control. In the last Parliament the Members favourable to the Ballot did not exceed 120 (only 108 voted; in the present Parliament they number at least 160, being an increase of the popular party by one-third. Now the Whigs are fully aware of the progressive character of public opinion—especially in political affairs; and they consequently perceive that every succeeding election must strengthen the ultra-Liberals at their expense.

It would certainly be desirable that Tories instead of Whigs should make way for ultra-Liberals, but the Whigs have sown the seeds of their own destruction in their own Reform Bill. Matters were so ordered that only a limited number of Reform constituencies were instituted. These were enough for the Whigs at the time; but, as opinion is progressive, Whigs will no longer suit some of these constituencies, and they will be compelled to give way to more decided Reformers. After the Reform Bill had been so strenuously fought for and won, it does not appear that its object was kept very clearly in view by the electors. Various were the degrees of Reform embraced by the word—from full Democratic influence, dwindling down to something not far removed from Toryism. This vague conception of Reform is, however, gradually giving place to clearer and better defined ideas. Of this feature, an account of the Bath Dinner was lately given as an instance. That intelligent and sternly honest body of men clearly perceive that Reform has for its object the destruction of Aristocratic domination, and the extension of popular influence; and this they have no hope of obtaining from the Whigs.

A majority of the constituencies are certainly in favour of Reform of some sort. There is also abundant evidence to show that they have advanced in a knowledge of what Reform really should be, since 1832. This increased knowledge should be brought especially to bear upon the important business of election in the event of a dissolution. Taking the Ballot as the real test of a thorough Reformer—and no man is a thorough and sincere Reformer without being favourable to it—it should be deemed the first duty of the Electoral body not merely to extort an unwilling pledge in its favour, but to elect men who really desire an increase of popular control, and who advocate the Ballot as a means to that end.

If constituencies would strictly adhere to such a rule, the beneficial consequences would be far from equivocal. There would be a very strong minority in the House in favour of popular measures—the People's real Representatives. This minority, firmly supported by the People, would be enabled to enforce much that is valuable in legislation. Its duty would be to persevere in bringing forward popular measures. These would, at first, be rejected. Never mind—bring them in again and again, and at last they would be carried. Every step thus gained would smooth the way for another step. It was in this way that the Combination Laws were repealed; the Test Acts and the laws against the Catholics fell before the same perseverance, even in a Tory House of Commons, and a still more Tory House of Lords; and lastly, the Reform Bill itself was carried, in spite of difficulties almost insurmountable. With such a minority as the present Reform constituencies are competent to place in the House, it is difficult to say what valuable results might not be effected.

One of the consequences of a deter-

mination on the part of the electors to choose only thorough Reformers would be, that some of the Whigs would be driven into the arms of the Tories. The pliant Lord PALMERSTON, who has managed to find his principles adapt themselves to those of every ministry, from that of Mr PERCIVAL down to the present, would be compelled to go back to his proper position, namely, the ultra-Tory ranks. Mr THOMAS SPRING RICE is another of the same class. He became a Liberal only when he found his old friends going down in the world; and he must go back to them again if they will forgive his past transgressions, and receive him once more into favour. Of the more Liberal Whigs—a small class, by the way—some will no doubt embrace the popular views, and swell the ranks of the popular minority.

If the electoral bodies could be brought thus to act, we should see the House of Commons divided into two great parties, the Tory or Aristocratic party, and the popular or Democratic party. The disguises which party now casts around every measure would cease. The measures of the Tories would be framed with a view to the perpetuation of aristocratic privileges, or to the prevention of everything which should interfere therewith. The measures of the Liberals, on the other hand, would be framed with a view to the destruction of such privileges, and to the extension of the power of the People. It is not impossible that aristocratic pretensions might sometimes be relaxed. The Tory party might then (as now) deem it expedient to yield to the wishes of the People; but the struggle would cease to be, as it is now, between moderate and ultra-aristocratic measures; it would be between Tory measures of some kind—and the more moderate the better—and popular, or democratic measures.

If these views be correct, no great alarm need be entertained by the public concerning the return of the Tories to power. With a House of Commons such as the present constituencies are capable of returning, the Tories are not likely to be able to effect much harm, and the generation of a powerful minority favourable to the views of the People is, in itself, an object worthy of some sacrifices to attain.

If the public were really deeply indebted to the present Administration for a large number of important measures, such as the People had demanded, there would be some good reasons why sacrifices ought to be made to keep them in power; but when it is considered that the ink of the Reform Act was scarcely dry before the doctrine of *finality* was invented for the purpose of rendering the measure barren of results, the Ministerial party must not be surprised to learn that the public have long viewed them with distrust, and are consequently indifferent to their retention of place.

The difference between Whig promises and Whig acts, and the magniloquence of their boastings, is beyond all former precedent. There was, when they first attained to place, nothing they would not accomplish. The slave was to be free. The People were to be rendered intelligent and happy by a series of practical Reforms, which a short time was to develop. Latterly, the party has become much more cautious in its promises. They are never heard, in fact, but when habitual prudence gives way to alarm. In a moment of panic we are told of the mighty things that are in preparation. "The Government," says the *Chronicle*, "have to act their part as well as the public, and, we have every confidence, are preparing for it. The Irish Tithe Bill *without abatement*—the Irish Municipal Reform, and the other Bills sent up late in the

Session and rejected by the House of Lords, and above all, real and substantial relief to the Dissenters, &c."

The difference between the boastful promises and the acts of the Ministry, remind me of the story of a French showman, which I will endeavour to put into mother English for the reader's especial amusement and instruction:—

"Walk up, Ladies and Gentlemen," said the showman, "and behold the wonderful serpent which you here see depicted on the canvas—the largest and most terrific serpent ever exhibited in this country. The charge is only one penny, Ladies and Gentlemen, to see this frightful serpent! Ladies and Gentlemen, walk in! walk in! You need not be afraid, Ladies, he can't get out of his cage. Walk in! Walk in!"

At length the showman's eloquence, aided by the portrait of the large and terrific serpent displayed without, fills the booth, when he again addresses his attentive hearers:—

"Ladies and Gentlemen,—Before I show you this terrific serpent, whereof I have just spoken, I must explain a circumstance which hath lately happened. Either from a change of climate, or from the consequence of a long and tedious voyage, or perhaps through the effects of our glorious but appalling 'three days,' this immense serpent, of which I have been speaking, has been reduced to the miserable condition which I am now about to exhibit." Hereupon the showman produces a little snake in a bottle, to the great admiration and amazement of his open-mouthed audience.

The Whigs promise us measures great as the rascally showman's "enormous serpent," but when we actually get the measures, we find them dwindled to the dimensions of the shrivelled snake in the phial.

Of late the Ministry and their friends have been extremely cautious of making promises. The future is treated in the

most delicate and tender manner. It is hollow ground abounding with pitfalls, calculated to entrap Whig reputations. The People are constantly reminded of the past, as proof of the vast debt of gratitude which is due to the authors of what the said authors intended should be a final, and therefore a fruitless measure. Lord JOHN RUSSELL'S speech at Bristol was precisely of this character. He carefully abstained from giving much information as to what the Ministry intended to do. He dwelt only on the past. He told his audience how vast was the field of Reform which the Ministry had gone over—how many matters had engaged their consideration; with all of which the eaters of the Bristol dinner seemed vastly satisfied. A friend of mine compared the Bristol speech to the boast of a barber, who, when applied to cut effectually a shock head of hair, should merely clip an inconceivable fraction of an inch off each and every hair, and then exclaim to the complaining owner of the unrelieved head—"Sir, your hair is admirably cut; I have touched every hair, I have not neglected my duty: no, not I, I have not left a single hair untouched." In like manner, Lord JOHN did not leave a subject untouched, but as far as benefit is concerned, the public are much in the condition of the gentleman of the shock head.

H. S. CHAPMAN.

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# A LETTER

FROM

GEO. SINCLAIR, ESQ., M.P., TO MR ROEBUCK,  
WITH REPLY AND REMARKS,

By J. A. ROEBUCK, M.P.

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## THE ENGLISH IN AMERICA.

By J. A. R.

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## INJUSTICE TO PRISONERS.

By H. S. C.—&c. &c.

EDITED BY

# J. A. ROEBUCK, M.P.

[PRICE TWOPENCE.]

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### A LETTER FROM GEO. SINCLAIR, ESQ., M.P., TO MR ROEBUCK.

“ Countess of Dysart’s, Ham House,  
“ Dec. 3, 1835.

“ ‘ I am not mad, but speak forth the words  
of truth and soberness.’—*Acts*, xxvii, 26.

“ SIR,—I lately perceived, in one of  
the newspapers, an extract from a pub-  
lication of yours, in which it is asserted  
that I am ‘ *quite crazy*.’ In offering a  
few remarks, suggested by that ex-  
pression, I trust that I shall give you  
no just cause of complaint, on the score  
either of personality or recrimination.  
It has long been a fixed rule with me,  
neither to claim nor to concede what is  
usually denominated ‘ satisfaction.’ I  
cheerfully admit that any man who  
takes any part, however humble, in

public life, must expect that his conduct  
will be jealously scrutinised, and his  
motives often misunderstood; and al-  
though few individuals have of late  
been more frequently misrepresented  
and maligned, I endeavour to pursue  
the even tenour of my way, and ‘ exer-  
cise myself to have a conscience void  
of offence toward God and toward  
men.’

“ There are various kinds of folly or  
madness, one of which is that of adopt-  
ing preposterous means for the attain-  
ment of a specific end. Now, the  
political objects which I have in view,  
are—1. The defence and extension of  
the Protestant faith, as embodied in

the creeds and standards of our national Churches. 2. The preservation of these two admirable institutions, in the full and undiminished integrity of their rights and revenues, as being the faithful depositaries and best safeguards of Christian truth. 3. To maintain inviolate the privileges of the House of Lords, as intimately interwoven with the very essence of the Constitution. 4. To redress every grievance of which Dissenters, with any justice, complain, and introduce into our ecclesiastical and civil polity every amelioration conducive to their usefulness, and compatible with their existence. For the accomplishment of these great purposes, I have deemed it my duty to co-operate with some of the ablest, most virtuous, and most enlightened statesmen of the day—men whose talents and attainments you deride or depreciate, but on whose merits a very different opinion, (entirely in unison with mine) has been pronounced by the bulk of those amongst their contemporaries, whose judgment will have the greatest influence in directing that of posterity. In the wisdom and integrity of Sir ROBERT PEEL and Lord STANLEY, I concur with a great majority of the most pious and intelligent amongst their countrymen, in reposing the utmost confidence; and if a Government should be happily formed under their auspices, every object which I have in view would be realized, and every essential and practicable measure adopted for consolidating our national institutions, removing every admitted blemish, and, at the same time, vigorously guarding them against the aggressions of the anarchist or the infidel. It does appear to me, that there is 'method in this madness,' and that I am acting on the principles best calculated to effect the objects which I have most at heart.

"But now, Sir, allow me to ask whe-

ther the same maxim can be justly predicated concerning yourself and those with whom you act? I address you in the spirit of perfect good-humour, and I have a far greater respect for the candour and plain-dealing of those honest Radicals who have avowed and definite purposes in view, than for the crooked and vacillating system of other politicians, whose doctrines are 'fashioned to the varying hour,' and who, after acquiring office under one banner, are willing to hoist the enemy's colours for the purpose of retaining it. What a contrast is exhibited between the manly and uncompromising columns of the *Examiner*,\* equally distinguished by

\* Mr SINCLAIR fancies he sees a "contrast" which does not exist. However, "manly and uncompromising" the opinions of the *Examiner* might formerly have been, these peculiarities have ceased to exist, and with them that exhibition of talent and ability which gave them force. From a conceited notion of personal influence, the effect of the dereliction of principle on the part of the Editor of the *Examiner* is not yet felt by himself though admitted and seen by the friends of those principles which he formerly assisted in supporting. The sources of his praise and censure have been poisoned. This dereliction of principle—this "fashioning to the varying hour"—on the part of the *Examiner*, the ultra-Liberals have for some time perceived with deep regret, and it has recently attracted the attention of a Tory writer—Mr DE QUINCEY, the English opium eater—who has been permitted to insert his view of the state of parties in *Tait's Magazine*. He writes as follows:—"Take, for instance, the *Examiner* newspaper. Two things I used to admire in that journal—its extraordinary talent, and its integrity. This latter quality I am now compelled to doubt—or, at least, I see that it is capable of descending to political tricks, and to what is commonly felt to be a mode of intriguing—when I find him affecting a confidence in Whigs, and an exultation in their restoration to power, which his whole public existence proves that he cannot really entertain. It is convenient to dissemble at this moment; and he does so. But, formerly, I gave himself and his party credit for as little choosing as, in fact, they needed to dissemble. To him, I know that the difference between Whigs and Tories is as the difference between aristocratic anti-reformers, who disguise their principles, and who do not disguise them."

It has been stated again and again, and without contradiction, that Mr Fonblanque has been for some time a paid writer in the *Chronicle*. This explains the feature which both Tory and Liberal now perceive.

No man can serve two masters. If Mr Fon-

the talent and consistency with which it is conducted, and the shuffling equivocations of certain Ministerial mercenaries, who heap their daily invectives upon such as contend that 'the Church is in danger,' merely because 'the crib is in danger,' in consequence of the outcry so justly raised against their employers! But, Sir, I venture to contend that you are not taking the best means for the attainment of your objects, which, I need scarcely say, are extremely different from mine. You and your friends have identified yourselves as completely with the ultra-Whig Ministers, as I have cooperated with their opponents. But what progress are you making? What wishes of yours have been realized? Much has been promised,\* but where is, and where will be the performance? It is scarcely possible to repress a smile, when one reflects how completely you have been outwitted and cajoled. Besides the entire exclusion of the Radical confederates from every office—an exclusion which, be assured, is intended to be perpetual and without exception—you may rest satisfied that no measure will ever become the law of the land which does not, in all its principles, and in all its details, receive the sanction and approval of Lord STANLEY and Sir R. PEEL. Your allies will, doubtless, indulge, or rather hoodwink you, by permitting a few bills to pass through the House of Commons by a small and decreasing majority; but the House of Lords have learnt the secret of their own strength, and the utter impotence of their enemies to control or overrule them. Their foes are like the giants who

guarded the approaches to enchanted castles in fabled story, and brandished enormous clubs, which threatened death and destruction to every presumptuous invader, but whose weapons dropped at once from their hands when any valorous knight-errant set their menaces and their flourishes at defiance. The House of Lords, by a system of concession, only lowered themselves in public estimation, and encouraged the opposite faction to more daring and more extensive encroachments.\* But by setting at nought the reiterated bravadoes which were intended to appal them from the discharge of their duty, they have regained that high position from which, I trust, they will never descend. After all the 'high swelling words,' repeated in the House of Commons *usque ad nauseam*, on the presentation of petitions from day to day, the House of Lords saw the Ministers of the Crown lying prostrate at their feet, and you, Sir, with all your Radical coadjutors, licking the dust before them, and receiving, with humility and thankfulness, such a Municipal Reform Bill as they, in the exercise of their unfettered discretion, deemed it expedient to pass. And thus it will be, and ought to be, with every subsequent legislative measure:—

“—— take it,  
We're all submissive—what you'd have it,  
make it.”

“You will tell me that there are notices on the books of motions for a Reform of the House of Lords—and so there are. I had the satisfaction of contributing, by a question which I put towards the close of the Session, to facilitate, or rather necessitate, their

\* There is a discrepancy between this and a former part of Mr SINCLAIR's letter. He here speaks of the present Governments "extensive encroachments" being successfully resisted by the Lords, though he has previously said they have only "promised." In using the term, "opposite faction," Mr SINCLAIR, perhaps unknowingly, calls his darling House of Lords "a faction," a term which the People will not certainly gainsay.—H. S. C.

blanque could have made the *Chronicle* a "daily *Examiner*," I do not hesitate to say, the public would have been enormous gainers; but it must be evident to all that the *Examiner* hath of late become a mere "weekly *Chronicle*," and the Liberal party and the People have therefore lost a most able and efficient advocate.—H. S. C.

insertion: But will any of these threatened motions be brought on? Oh no! The Radical Cerberuses will all be silenced, and that, too, without either the possession or the prospect of a sop. For fear of dividing the 'Liberals,' they will vote black to be white, and exhibit in succession, like accommodating chameleons, any tint which may suit the purpose of the day. And herein, if I may use the word without offence, consists *their* 'craze.' They are quite certain that none of their objects can be attained without an 'organic change' in the Constitution of the House of Lords, and yet they unite themselves with the very politicians who deprecate such an innovation, and who are just as willing to avail themselves of Conservative aid against the propositions of the Radicals, as they were to force their own return to office, by enlisting from your camp auxiliaries against the Conservatives. Thus, even if you screw up your independence to the sticking point, you will see your proposition for Reforming the House of Lords rejected by an overwhelming majority; and this result will be an additional though superfluous incentive to that enlightened and respected Assembly, to set at naught your powerless threats, and discharge, with unflinching courage, their duty to their country and their God.

"It was, I must confess, my opinion—an opinion, for entertaining which I may perhaps be justly denominated 'crazy'—that a complete junction had really taken place at Lichfield House between the Radical and *ultra*-Whig parties; that they were united *for better and for worse*; and that they were determined to co-operate cordially in effecting that Reform in the House of Lords without which none of those measures *can* be carried, which both parties profess to have in view. I now see that I was mistaken, and so pro-

bably were *you*: though I daresay we contemplate the results with very different feelings.

"I have only further to apologize for having troubled you with so prolix a communication, which, if you are still publishing a series of letters, you will perhaps do me the justice to insert, and the favour to animadvert upon. The existence of the Ultra-Whig party is entirely dependant upon the forbearance and assistance of their Radical confederates. If the latter should secede, the whole ministerial army will fall to pieces. The more moderate will enlist under the Conservative banner; the others will range themselves under Radical colours; and the Machiavelian tactics of modern *juste-milieu-ism* will thus terminate in discomfiture and annihilation.

"I remain, Sir,

"Your very obedient Servant,

"GEORGE SINCLAIR."

Christchurch, Dec. 5, 1835.

"SIR,—I have to acknowledge the receipt of your letter of the 3d instant, which shall be published as you desire, and with remarks. I have ordered a copy to be sent to you on the day of publication.

"Permit me, in the meantime, to state, that your newspaper information, according to custom, was incorrect, the precise words in question being, 'Mr SINCLAIR seems crazy.' Allow me, also, to say a few words in explanation of the intent or meaning of the term 'crazy,' as used by me. I do so, I assure you, with no intention of giving offence, or of hurting you or wounding you. The term, was, perhaps, somewhat unceremoniously applied; but I hope you will believe that I used it without ill-will, or any ill-natured intention.

"I believed 'you (and your letter confirms me in my belief) to be acting under the influence of a religious excite-



ment, somewhat exceeding the bounds of ordinary religious feeling. This excitement, it appeared to me, blinded your judgment on worldly matters, and rendered you incapable of weighing conflicting evidence on political questions, when at all mixed up with religion. This, according to ordinary parlance, I termed, somewhat jocosely, being 'crazy.' We say of a person much in love, that he is 'crazy' about his mistress, meaning thereby, that his passion is so intense as to blind his judgment, and to render him incapable of forming any correct decision on matters wherein the lady is concerned. I, fancying you in a similar state of exaltation, or excitement, on all religious-political subjects, and wishing to mark why and to what extent I deemed your judgment of no weight, said, 'Mr SINCLAIR seems crazy.' This excitement, which, to me, appears mere hallucination, by you, and many others, may be considered a piety, only somewhat more fervid than usual, and just so much the more worthy as it goes beyond the bounds of common sense. You may believe it, like that which was to the Greeks foolishness, the very highest wisdom, and may fancy me in a bad way, because I consider this sort of exaltation much akin to craziness. Be it so. All I desire is, that the world should distinctly know in what our difference of opinion consists; and this difference I have endeavoured to explain in the remarks annexed to your letter.

"As to your remark concerning the asking 'satisfaction,' I beg to assure you that you cannot look upon the practice with more contempt than I do. It is clear that truth can in no way be aided by this sort of appeal; nor can honour, about which talk is made on such occasions, be at all protected by manifesting a willingness to shoot and to be shot at. If a man be accused of asserting an un-

truth, how does he disprove the assertion by shooting at his accuser? Accusations of disgrace or dishonour are not to be disposed of by a show of this sham courage. Ferocity is not truth—it is not honour. It may gain a license for dishonour, but never serves as a protection for the honest and high-minded. Such is my opinion on this head. But still, we are not by threats of this species of assassination, to be robbed of our right of judging and openly giving sentence upon public men. As the world now thinks and feels, a refusal to afford this satisfaction is but too quickly interpreted into evidence of cowardice, and the opinions of a man wanting courage are held of no weight or worth. It is therefore the interest of the unworthy, if possible, when they cannot silence by threats, slander, or vituperation, to endeavour to fasten upon their opponents the imputation of cowardice. To maintain, therefore, one's right to state opinions openly, and also to vindicate for those opinions their due value and importance, a man may, without blame, yield to a prejudice and custom, which he thinks contemptible, and not refuse that 'satisfaction' which he knows cannot protect his own honour, and which he sees does not yield any safeguard to that of his opponent.

"I must claim your indulgence for these remarks, and beg to subscribe myself,

"Your obedient servant,

"J. A. ROEBUCK.

"GEO. SINCLAIR, Esq. M.P."

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#### REMARKS.

Mr SINCLAIR states his first *political* object to be, "the *defence* and *extension* of the Protestant faith, as embodied in the *creeds* and standards of our national *Churches*." On this object I have two sets of remarks to make—

1. The *defence* and *extension* of a

*faith* is not a legitimate *political* object. Such an object is not sanctioned by unassisted human reason, and is wholly at variance with the authority of the founder of Christianity.

The emphatic declaration, "my kingdom is not of this world," tells us plainly that Christianity is intended to need, to seek no aid of earthly power—while the equally significant statement of "render unto CÆSAR the things that are CÆSAR'S; unto GOD, the things that are GOD'S," marks that a heathen Prince or ruler, a heathen and Jewish Priesthood *established* by law, were not deemed obstacles to the due *extension* of Christianity. The weapons by which Christianity is to be defended and *extended* are not carnal weapons. Her success ought to be the result of spiritual not temporal power.

If we use temporal power to extend a faith, we hold out to the adoption of that faith, inducements beyond the truth of the doctrines sought to be inculcated. We thus pervert the minds of men, promote hypocrisy, and sanction persecution. If it be just to use power in the enforcement of an opinion to *any* extent, then is it just to employ it to *every* extent, and the Inquisition of the Catholics of Spain is thus supported by the Presbyterian of Scotland. SWIFT, it would seem, was not far wrong, when he said that JACK wonderfully resembled PETER.

If among varying and conflicting creeds the Legislature support one, it persecutes the rest. I use the right word when I say—*persecutes* the rest. The Legislature, by supporting the Protestant faith in Ireland, persecutes the Catholics of that country; by supporting the State Protestant Church in England, it persecutes the Dissenters of England. All persecution is not included in the application of a thumb-screw, or burning at the stake. There may be, there daily is, bitter persecu-

tion in the supercilious contumely of the favoured sect—in the insolent and beggarly demand of money from the unwilling, to support the favoured clergy—in the exclusion of the despised sects from places of honour, profit, and education. Is it not persecution to exclude the son of a Dissenter from our national Universities? And if this persecution be allowed and deemed just, why should we not at once coerce the Dissenters, apply the thumb-screw, and prepare the faggot and stake? If, for truth's sake, we may fleece and exclude, for truth's sake, also, we may surely torture and slay: and the more so, as by the faggot and the thumb-screw we may, as in Spain and Portugal, wholly put down dissent, which, in our eyes, is error.

MR SINCLAIR, by calling the extension and maintenance of the established creeds a political object, means thereby to say that he would have the Legislature employ power to attain it. He means that in Scotland he would give peculiar privileges to the believers in the established *Presbyterian* creed; in England, and I suppose in Ireland, to the believers in the established *Episcopal* creed. He means that he would not allow these two creeds to depend unaided on their own inherent truth, but would enforce that supposed truth by Legislative penalties and Legislative rewards. But what should we say to that legislator who should gravely hold out punishments and rewards in favour of a peculiar *mathematic* creed?—who should regularly organize and pay a body of professors to support, or, according to Mr SINCLAIR'S language, to defend and extend one peculiar *mathematic* doctrine? Should we not say that truth would be likely to suffer by such a plan? And, moreover, what should we say if the same legislator hired and paid two separate sets of *mathematic* teachers, one for England,

and one for Scotland, and commanded the one set to preach one mathematic doctrine in England, and the other to preach another and opposing doctrine in Scotland? Should we not in this case say that the legislator was utterly careless respecting mathematic truth?

2. This last question leads me to the second set of remarks, which I would make on this professed political object of our pious legislator.

It is evident that religious truth is a matter of no moment in the eyes of Mr SINCLAIR. What he favours is the Protestant *creeds*—not *the* or *a* Protestant *creed*, but Protestant *creeds*, as by law established. We have two National Churches: the one an *Episcopal* Church, the other a Presbyterian Church, holding different opinions on the doctrine of *predestination*, and the peculiar notions of *election* and *grace* founded thereon. But it appears that Mr SINCLAIR is for supporting and extending *both* these National Churches. He is for extending *opposite* creeds, and opposite discipline or church government. In Scotland he is for supporting one sort of Protestant truth, in England another; so far there is no difficulty. Episcopacy is error on the north of the border—Presbyterianism is error on the south. So far we go smoothly—but what is to be done in the case of Ireland? Is Episcopacy alone to find favour with the Legislature in Ireland? or are we to aid the extension and defence of the Scots' doctrine also? But if we are to aid both, though opposite and contradictory, why may we not aid also a third, viz. Catholicism? If we are to favour Church of Englandism in England, and Presbyterianism in Scotland, because *convenient*, why not, for the same potent reason, favour Catholicism in Ireland? This surely would be amazingly *convenient*; and as it is clear that religious *truth* is not the matter of Mr SIN-

CLAIR's regard, why [should he not stretch his liberality a little further, and give peace to England and to Ireland, by this his own doctrine of convenience?

Mr SINCLAIR will assuredly not assert that the difference between these two sorts of Protestantism are inconsiderable; as by so doing, he would shew not merely that he was careless of religious truth, but also that he was wholly ignorant of religious doctrines. The difference, in point of creed, between the Scotch and English Churches, is practically more important than the difference between the Church of England and Catholicism; the real practical consequences from the doctrine of predestination, as regards moral conduct, being of infinitely higher moment than anything that can be deduced from the difficult questions connected with transubstantiation and the real presence. On the other hand, the Church Government of the Scots differs far more widely from our Episcopal Establishment, than does the latter from the Roman hierarchy. Yet by some curious mental process (I will not call it reasoning) Mr SINCLAIR brings himself to be a staunch friend to the two differing creeds and discipline of England and Scotland, as by law established, and also to dread, with something like the terror of a child, the Roman Catholic creed and discipline. He, however, cannot speak in stronger terms of dislike of the Roman Catholic faith, than do stout Presbyterians of our Episcopal abominations; and I take it, that the sturdy Presbyterian ancestors of the Scots considered alliance with our prelatical Church, as in no degree less dangerous and detestable, than a consorting with the scarlet lady of Rome. If Mr SINCLAIR need to learn what was thought of Prelacy by our own ancestors, let him turn to MILTON's tract of "Reasons of Church

Government urged against Prelacy;" and there in the splendid peroration to that magnificent argument, he may see the extent of the hostility formerly existing between Prelacy and Presbyterianism; and may, perhaps, since he has learned to face without trembling the dangers and corruptions of our bloated and unchristian Church government, learn to view without alarm the terrors of Popish influence.

From a consideration of the ends Mr SINCLAIR has in view, I turn to his taunts respecting the manner in which the Radicals have been outwitted by the Whigs—to his glorification as to Tory prospects, and his apparent confidence in the stability and firmness of the House of Lords.

He thinks that the Radicals have been outwitted, because they have not got into place. This marks the nature of Mr SINCLAIR's political morality, and the real objects that he believes a politician ought to have in view. He thinks that to have forwarded what we consider the cause of good Government we ought to hold as nothing, because we personally have not acquired profit and power—that for the same reason we ought to mourn, spite of the daily advance of all our political opinions, and the hourly strengthening of the popular or democratic influence in the Government—that we ought to hold as nothing, the short gain to the dominion of the House of Lords in popular opinion, the partial improvement of our Municipal Institutions, and the daily rapidly increasing intelligence of the People. All these things, which we, in our folly, deem cheering and satisfactory, we ought in the opinion of this pious legislator to despise because we have no share in the loaves and fishes.—Mr SINCLAIR will, however, permit me to say, that place and profit are not the objects for which we have been sent to Parliament. We have been sent by

the People,—sent to watch over the People's interest, and not to seek after our own personal advancement. As servants of the People, our purposes are obtained when we have secured good Government, and our reward is reaped when the People approve of our endeavours. Speaking of myself, I think I may safely say, that I was not chosen Representative of Bath in order that I might obtain a place in the Cabinet, but that I might contribute by my vote and by my voice, to the beating down of the power of the Aristocracy, to the establishment of a responsible Government, both general and municipal, to the establishment of civil laws and of an effective and cheap system of legal administration: I should suppose the People of Bath would not deem me to have lost my aim if I should aid in the attainment of these objects, and finally see them accomplished; and none but a party politician of the old stamp would fancy me to have failed because I was rewarded only by the applause and the gratitude of my constituents. Mr SINCLAIR prophesies, upon the influence of I know not what inspiration, that we the Radicals are for ever to be excluded from office; and at the same time he foretells that Sir ROBERT PEEL and Lord STANLEY are sure to have the reins of Government: and then he informs us, what we might very easily have guessed when we had learned his expectations, that he has listed under the joint banners of Sir ROBERT and Lord STANLEY. Mr SINCLAIR has sanguine expectations; and as it is said that they who hope are happier than they who attain the objects of their wishes, I suppose that I am not predicting ill fortune to him, when I say, that I suspect he will long be an expectant.

What are these glorious prospects for Toryism about which the Honour-

able Member is so exultant? They all seem to be expressed in one phrase: The Lords are to be firm hereafter.—That is, after having been successively driven from their post on the Test and Corporation Acts—after having been compelled to give up their opinions on the Roman Catholic question—after having been fairly frightened out of their house on the question of the Reform Bill, and forced whether they liked it or not, to receive that unpalatable measure—after finding it impossible to maintain a Tory Ministry—after having been driven to give up their darling Corporations—after all these ignominious defeats, ignominious because the battle was ignominious—after all their truckling and yielding, they are suddenly to become valiant, and make a stand. What has infused into them this sudden valour? It is impossible to discover, unless we suppose that they have plucked up courage on hearing of the defection to their ranks of the once Liberal Member for Caithness, who has lately brought to them an armoury of tropes and metaphors, much spiritual unction, a strong affection to two opposing creeds, and a puerile terror of Mr O'CONNELL much akin to their own. If such be the cause of this new resolution, no wonder that Mr SINCLAIR is elate!

But we are threatened by Mr SINCLAIR with Sir ROBERT PEEL and Lord STANLEY: no measure, it appears, not sanctioned by them in all its principles and all its details, will become the law of the land. As respects Sir ROBERT PEEL, at least, this is no very terrible denunciation, for it is difficult to say what he will not sanction. Oh! exclaims the supporter of the Church, he will never sanction the principle of the famous 147th clause. Are we quite sure of this? Was not the Right Hon. Baronet once just as vehement in his opposition to Catholic claims? And

did not his gentle nature yield—not upon compulsion—oh no! not compulsion—but upon the same sort of persuasion under the influence of which a boy takes off his coat to be flogged? He yielded; and he has yielded also respecting the Dissenters; and who knows to what extent this his pliant spirit may carry him? As for Lord STANLEY, the attempt to frighten us with him is too ridiculous; therefore I pass it by.

But has no measure passed that was opposed by Sir ROBERT PEEL? Does Mr SINCLAIR remember the Reform Bill? If on that most important of all political questions Sir ROBERT was opposed, and successfully, who will say that he is never again to suffer defeat? I believe, indeed, that he will not again so decidedly oppose the popular feeling as he did on that memorable occasion, and that he will attempt to shape his course to suit popular favour. He will not succeed, however. He will ever lag behind the public, and yield; when by so doing he will gain neither power nor popularity.

The popular opinion at the present time is tending, with a rapidity hitherto unknown, towards Democracy. They who confine their view wholly to the interior of the House of Commons can know but little of what the People think and feel; and politicians of this class are always liable to extraordinary surprises. They think the House of Commons is the world; when suddenly a noise is heard from without, and terror and confusion seize all within. Then comes concession; up to the moment of abject concession there is nothing heard but braggart confidence, and insolent contempt of the People.

This state of easy, happy security seems to possess Mr SINCLAIR respecting the House of Lords. He predicts (he is fond of prophecy) that no motion will be made in the next session respect-

ing a Reform of that hereditary House of Legislators. And moreover, threatens us, if we venture to prove his prophecy false, with a contemptible minority.

As regards his prophecy, I do assure him that, provided I am alive, I will certainly prove that his inspiration, when he made it, was not of the right sort. I shall press my motion.

But we shall all be in a miserable minority! And what then? Has not every great truth been put into a miserable minority? Suppose the Roman Senate to have been divided respecting Christianity during the reign of Nero, would not the friend of Christian truth have been in a miserable minority? In the early years of HENRY VIII, would the Reformation have found anything but a miserable minority in the House of Commons? A few years ago, were not the friends of the Catholics, of the Dissenters, of Reform in Parliament, of economy, all left in miserable minorities? But in all these separate cases, as time went on, and the People became convinced, has not victory followed defeat? So, in the case of the House of Lords, we well know that we shall be left in a minority; but wait a few years (and but a few years are needed in these times for great changes), and we shall see the People compelling a majority in the Commons to vote down the power of the Lords. The common sense of mankind is becoming daily more adverse to this institution of hereditary Legislators. In all departments of Government we must have responsibility, and the People will not much longer submit to Aristocratic domination. We shall put down the Lords spite of the aid rendered to

them by their new ally, Mr GEORGE SINCLAIR.

J. A. ROEBUCK.

POSTSCRIPT.—As the proof sheets of the foregoing papers passed through my hands, I have ventured to add two notes, where Mr SINCLAIR's expressions seemed to me to demand it.

It is satisfactory that men of all parties seem to perceive the character and position of the Whigs. Making due allowance for the peculiar opinions of a Tory, there is but little in the Tory estimate of the Whigs that a Liberal need cavil at. Mr SINCLAIR exults that the Whigs have betrayed the People with promises. Mr DE QUINCEY, the Tory writer, quoted in the note at page 2, calls them "Aristocratic anti-Reformers, who disguise their principles."

The concluding paragraph of Mr SINCLAIR's letter prophesies that the Whigs are now in gradual process of extinction, that "the more moderate will enlist under the Conservative banner; the others will range themselves under the Radical colours; and the Machiavelian tactics of modern *juste-milieu-ism* will thus terminate in discomfiture and annihilation."

No zealous Liberal will care how soon this last of Mr SINCLAIR's prophecies is realized. In Mr ROEBUCK's remarks will be found an enumeration of some of the important reforms obtained from an Aristocratic Government by a strong minority, backed by the voice of the People. The People have certainly to fear nothing from some of the events for which Mr SINCLAIR hopes.

H. S. C.

## THE ENGLISH IN AMERICA.

THE Americans, when called upon to judge of English manners, are placed in a position more favourable than that of the English, who wish to form some opinion of American habits. We here in England are obliged to decide upon the sayings of travellers. The Americans are not reduced to this necessity, but may judge for themselves; since representatives of the *élite* of English society cross the Atlantic, and exhibit to the wondering eyes of our American brethren, the amenity and matchless graces of Aristocratic bearing. The following extract from an American Paper well illustrates the peculiar advantages thus accruing to the People of the United States:—

“All men are born free and equal.”  
*Declaration of Independence.*

The following Police Report, giving an account of the just and creditable manner in which the Marquis of Waterford, Lord John Beresford, and some other sprigs of nobility, were treated by an upright Republican Magistrate in New York, affords a practical commentary on the above text, as well as a practical proof of the soundness of American institutions. Let the old country people peruse it, and compare it with the sort of justice they were used to at home.

### POLICE OFFICE, PARK.

AN IGNOBLE TERMINATION OF A NOBLE SPREE.—The public were some weeks since advised, through the press, of the arrival, at Boston, of a yacht, belonging to the Marquess of Waterford, in which its noble owner and others of the British nobility were passengers. The arrival of these distinguished visitors in this city was also duly announced, and the hospitalities of our citizens were not slow in being tendered them. Yesterday, the Marquess of Waterford, Hon. John Beresford, Lord Rosslyn, and Colonel Dundas, dined with one of our most estimable citizens, and bore evidence on leaving, we are informed, of his usual unbounded cheer.

The exhilaration of spirit imbibed by the guests incited in them predilections for a “spree;” and sundry unfortunate wayfarers who haplessly came in the way of their midnight migration homeward, received, probably for the first time in their life, striking testimonials of a nobleman’s passion. Passing down Washington street, near Morris, they attacked, unmercifully beat, and nearly denuded an in-offensive passer by. Two street lamps that had the presumption to stand by order of the Mayor and Corporation, were next assailed and demolished, as was also a neighbouring window which, lacking a shutter, exposed its nakedness to their heroic canes, stones, and

other missiles. About this time a plain Republican watchman, named William Carter, found himself suddenly in contact with these noble revellers, and undertook to arrest the progress of their demolitions, and the chivalrous enactors.

This plebeian interference did not appear to sit well on the noble stomachs of the gentlemen, and they gave tokens of their dissatisfaction by a copious discharge of hard names, angry oaths, and peltings with their fists—at the same time putting the offending Charley in the knowledge *who it was* he was interfering with. The unsophisticated watchman, however, had never received instructions to spare Lords or Marquises of any kind whom he found trespassing, and giving an alarm rap,\* two others of the same school came to his assistance; but before they arrived he had not only suffered much in body, but also in mind, by reason of the comparative nakedness to which the affray had reduced him. When his comrades came, they made a simultaneous charge on the Marquis, the Lord, the Colonel, and the Honourable, and compelled them to fly. The latter, springing into a boat, converted the oars into bludgeons, and resumed the contest; but the watchmen proved too many for them, and they were conducted, prisoners of war fairly captured, to the watch-house.

When the Police office opened this morning, four silly-looking young fellows, somewhat the worse for the night’s debauch and encounter, were placed before the bar, and the Marquis of Waterford, Lord John Beresford, Lord Rosslyn, and Colonel Dundas, of the Royal Guards, answered to their names. The magistrate, Justice Hopson, straightway informed them of the offences of which they stood charged, which they in no very mild terms denied, and made some high toned remarks which rather served to put the magistrate on his “reserved rights.” He soon made out a commitment for them, and they were escorted to Bridewell by some fifteen or twenty watchmen. Here the ill brooked degradation led them into a squabble with the keeper, in which the noble Marquis was floored, as was also one of his companions. Here they remained several hours; but were finally liberated through the interference of his Honor the Mayor and the British Consul, after paying Carter the watchman twenty dollars, for injuries received, and listening to a most cutting rebuke from the magistrate.—*N. Y. Times, Oct. 5.*

Conceive the outcry that would have been raised throughout England, had some young hot-headed bloods from Virginia, arrived in a yacht under American colours at Cowes; and there on some fine night having become tipsy, had exhibited the ruffian propensities of Republicans, by levelling watchmen,

\* The watchmen of New York pass an alarm by two or three strokes on the pavement, with the stick with which they are armed. The sound is easily recognised from all others.

and tearing down lamp-posts. The *Quarterly Review* would have contained an article on it, from the pen of Mr CROKER. The *Standard* would have dealt in wise saws respecting the brutalizing effects of Republican Institutions. The *John Bull* would have whined out some lamentations respecting the absence of a State Church, and the *Age* would have talked morality. One and all would have found an argument in such doings, against a Government responsible to the People.

I do not intend to follow such an example; I shall make no attempt to prove that this drunken riot was the effect of our Church establishment—nor endeavour to shew that it could be traced to the graduated hierarchy, to the unequally, but still over-paid Church Ministry, to the pension list, nor even to the existence of a House of Lords. But I would draw from the relation a moral, nevertheless. Would the gentry of England wish the people of America to form an opinion of their whole class by the conduct of the obstreperous persons who figure in this police report? Would they conceive that justice had been done to them by any hasty generalization upon evidence so exceedingly imperfect? Assuredly they would have good reason to complain of our American neighbours if they had fallen into such an error. But, on the other hand, are we not daily guilty of the same mistake? Do we not, from single particulars which cannot justify any conclusion, draw the widest inferences, all prejudicial to the American character? And is not every stripling who spends a few weeks in running through the various States of the Union, deemed a judge, from whose decision there should be no appeal when he decides against *the Yankees*? It would not, indeed, surprise me to find, some day hence, these very wor-

thies, who thus unworthily figure as the representatives of the English Aristocracy, giving opinions, *ex cathedra*, upon American manners and institutions. Hurt at the unceremonious treatment they received, and considering their uncomfortable night's lodging all owing to the Republican nature of the Government, they will probably speak bitterly hereafter respecting the Americans. A gentleman who has taken a yacht to America, and sailed to various parts of the Union, and perhaps travelled through much of the interior, is necessarily, in the eyes of his admiring friends, an authority; and should he delight in abusing the American people, all his abuse will be taken for gospel. Some years since, three young gentlemen (I think three was the number) of high rank, and eventually destined to become English Legislators, determined to visit the United States and Canada. They also necessarily became *American* authorities. Every one fancied that these travellers must have learned much respecting the countries they visited; and implicit confidence in fashionable circles was yielded to all which it might please them to utter on American manners. One of them has been put to the test. His acquired knowledge of the people whom he visited, of their laws, their feelings and their manners, has been tried, and its exact worth accurately ascertained. Lord STANLEY was one of these inquiring travellers—one of these great American authorities—whose word was law, and opinion a rule in all American questions. Chance made him Colonial Minister, and he nearly succeeded, with the immense fund of knowledge gained by his peregrinations, in severing the connexion which exists between England and Canada. He seemed to have learned nothing, except the means of effectually insulting the People whom he saw; he became apt



only in the business of creating a quarrel.

We ought, therefore, to be exceedingly cautious how we put faith in the hasty judgments of hurried and prejudiced travellers; and should shun all temptation to judge of a whole nation by partial evidence or individual in-

stances. I should no more think of estimating the character and manners of the English Aristocracy by the story I have extracted from the 'New York Times,' than of judging the American People by the chance company to be found in a steam-boat.

J. A. R.

## INJUSTICE TO PRISONERS.

THE following letter, addressed to the Sheriffs of London and Middlesex, by Mr HUME, in his capacity of Foreman of the Grand Jury, exposes a piece of flagrant injustice towards persons detained on suspicion of crimes, but against whom no bills had been found by the Grand Jury:—

“ TO THE SHERIFFS OF LONDON AND MIDDLESEX.

“ Bryanston square, Nov. 28, 1835.

“ GENTLEMEN,

“ The Gentlemen who were on the Grand Jury desire me to express my thanks for the offer you made to accompany them through the gaol of Newgate, which they have visited, and received from Mr NEWMAN all necessary attention.

“ We were informed that the prisoners, against whom no bills were found on the 23d inst. and subsequent days, were all in gaol at the time of our visit; and I was requested to submit to you, who have custody of the prisoners, whether it is either just or legal to detain in prison for days, or even hours, persons against whom the Grand Jury have returned no bill. The laws ought surely to be the same for rich and poor, yet we were informed that the Messrs BAYLIS, against whom a bill had been found, but who had been tried and acquitted, had been discharged, whilst other prisoners who had also been tried and acquitted, were still in prison.

“ We saw Captain MARSH, of the Cecil sloop, against whom no bill had been found, in prison, and ignorant of the result of the prosecution; whilst

Captain FAIRBAIRN, of the Monarch, who had been tried, had been discharged. We therefore hope that it is only necessary to point out these anomalies to you, to induce you to apply for authority in the proper quarter, to prevent, for the future, such irregularities and evident injustice.

“ We submit to you, also, the necessity of having the prisoners, both tried and untried, better separated and classified than they now are; and it appears to us to be in your power to enforce the 'Silence system' in each yard, and in each ward, by which the danger of contamination from the more guilty might, in some degree, be prevented.

“ We were sorry to see so few of the youths, and none of the girls, under the schoolmaster. I have the honour to be, Gentlemen, your obedient servant,

(Signed) “ JOSEPH HUME.

“ To Messrs LAINSON and SALOMONS, Sheriffs.”

That which may be called the universal object of imprisonment is safe custody. To this object, which is inseparable from the idea of imprisonment, two others are, in certain cases, added, namely, punishment and reformation.

In the case of persons detained on suspicion of having committed crime, of course all idea of these last-named objects should be excluded. “ Persons in prison, before trial,” says Mr Mill, “ are persons of whom nothing is certainly known but that they are unfortunate.” They are, therefore entitled to

all the benevolence which is due to the unfortunate.

Detention is of itself an evil, but it is an evil which is absolutely necessary for the preservation of society. Still it should be as light,—as little aggravated as possible. Among the circumstances aggravating the evil of imprisonment, duration is no inconsiderable item. Supposing detention to be unaccompanied by any collateral inconveniences, the moment it is carried further than is necessary to attain its especial object, it becomes punishment, and is therefore oppressive and unjust.

The cases brought to light by the Grand Jury were of this character. The persons were detained under accusation. Before a preliminary tribunal the evidence adduced was not sufficient to warrant an accusation in form, or a trial. In other words, no bill was found. In strict justice, the doors of the prison should have flown open to the accused. They should not have been detained one moment after the decision of the Grand Jury; yet the Grand Jury, in performing their last duty of visiting the gaol, after all the business of the court had been gone through, found many of the unfortunate persons who had been accused without sufficient evidence, still in custody.

The fate of these persons, “of whom nothing had ever been certainly known but that they were unfortunate,” was worse than that of those against whom stronger grounds of suspicion had existed. Some of those against whom there was sufficient evidence to find a bill were sent to trial, and being acquitted, were permitted to depart in peace. But even here there was partiality, and therefore injustice. Though some had been discharged, others had been kept in prison; so that the public will be at a loss to divine

the rule by which the conduct of the sheriff’s deputies is governed.

From the long interval which is allowed to elapse between the sittings of the courts of criminal jurisdiction, a person erroneously accused of crime at an early period of the vacation, may suffer a more severe punishment than the convicted offender. This is an abuse in our judicial system which can only be remedied by a more frequent sitting of the courts. Indeed, the hall of justice should never be closed. The moment it is so closed, it becomes a negative instrument of injustice.

The abuses which Mr HUME’s letter points out, there is every reason to believe are not of recent growth. They ought to have come under the observation of former Grand Juries. Moreover, there is reason to suspect they are not confined to the great Metropolitan gaol. The bad state of our prisons has long been notorious, and as it is quite time that the present Administration should give some evidence of a desire for practical improvement, the state of our prisons would be by no means a bad subject to begin upon.

It is not surprising that people are constantly asking what the Ministry have done that is practically useful. The production of one or two important measures per session, which are afterwards submitted to the tender mercies of the Lords, and rendered almost nugatory, seems to be all that we are permitted to expect from a Reform Ministry; and the numerous practical reforms that they might carry without difficulty, as involving no Aristocratic objection, they sluggishly neglect. All we are led to expect next session, is the removal of some of the disabilities which the Dissenters still suffer. Really if the Ministry take things thus leisurely, the growth of new evils will far outstrip the removal of the old.

In noticing the unjust detention of

prisoners, the *Chronicle* suggests a remedy which, we fear, the sufferers are not very likely to be able to take advantage of. "It seems at first to us," says the *Chronicle*, "that every prisoner detained in confinement after the Grand Jury has declared him innocent, might seek for damages against the sheriff or gaoler who detains him." This, I fear, will afford but poor consolation to the persons usually confined in Newgate. It may do, perhaps, for Captain FAIRBAIRN, of the *Monarch* steam ship, or for Captain MARSH, of the *Cecil* sloop, but for nine-tenths of the persons to whom Mr HUME's benevolent letter is

applicable, such a course would be of no avail. A pennyless victim of injustice to sue a rich sheriff for damages Admirable, indeed, must be the *Chronicle's* conception of English law!

It is a fortunate circumstance that Mr HUME's letter has been brought before the Common Council. That body has already acted on some of its suggestions, and will, I understand, not permit the subject to drop. If they do find a remedy for the principal evil I have noticed, I trust it will be of a more practical character than a suit for damages with all its terrors.

H. S. C.

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## WHIG APPOINTMENTS TO OFFICE—LORD AYLMER.

ON a former occasion, I noticed the vicious propensity of the Whigs to appoint their political opponents to office, and I gave as an instance the appointment of Lord AYLMER as Commander-in-Chief in Ireland. If a statement which appeared a few days since in a Morning paper be true, his Lordship has given Ministers a capital hole to creep out of, or, to speak more correctly, a means of counteracting the Horse Guards, in this important matter.

The statement to which I allude was to the effect that, "a difficulty had arisen in the appointment of Lord AYLMER as Commander-in-Chief in Ireland, in consequence of his demanding a British Peerage as a condition of his acceptance of the office."

To understand this demand of Lord AYLMER, it must be remembered that he has but just returned from a Colonial Government, in which he failed most signally. His conduct in Canada drove the People nearly to a state of open revolt. The representatives of the People formally complained of his

tyrannical conduct; and, as I before stated, the Government were compelled to recall him, simply because he had shown himself incapable of governing any longer.

The great object of Lord AYLMER is, of course, to get some expression of approval from Government, however indirect that approval be. By means of the same interest which thrust him on the people of Canada, he is now sent to command the troops in Ireland. This, however, is not enough for Lord AYLMER. He knows that the public are aware that the Horse Guards' authority is still in Tory hands, and although the Ministers culpably connive at the acts of that department, those acts are not considered by the nation as emanating from, or as being positively sanctioned by the Government. Hence, Lord AYLMER feels that something more is required to free him from the stigma which attaches to his name, as an unsuccessful because odious Colonial Governor.

Will the Whigs give the sanction

which Lord AYLMER hopes for, by bestowing on his Lordship a British Peerage? I trust not. Such a sanction would be a deliberate insult to the people of Canada, who have complained of his Lordship's ill conduct, and a bad omen to the people of Ireland; whilst the refusal of the Peerage would show that, although Ministers dare not interfere with, still they do not approve of, the conduct of the Horse-Guards, in making the appointment.

I do not, however, believe the refusal of the Peerage would really get rid of the

obnoxious appointment. Lord AYLMER was, before he went to Canada, a very poor Lord, and now that he is returned he is far from a rich one. The Chief Command in Ireland, is a matter about which a gentleman in his Lordship's circumstances should not be "more nice than wise." His Lordship will therefore, without doubt, pocket the affront of a refusal, waive his demand, and command the bayonets in Ireland, though I trust to a better end than he did in Canada.

H. S. C.

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# CHEAP LAW.

By T. F.

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HINTS ADDRESSED TO THE YOUNG MEN OF GREAT  
BRITAIN, ON THE PROGRESS OF POLITICAL  
OPINION.

BY ROBERTS HAMMERSLEY.

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SHOULD POLITICS INFLUENCE MUNICIPAL  
ELECTIONS ?

By H. S. C.

EDITED BY

J. A. ROEBUCK, M.P.

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[PRICE TWOPENCE.]

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## CHEAP LAW.

THE necessity of altering the jurisdiction of the Courts of Law in this country, and of establishing or changing the jurisdiction of Local Courts, has been urged on many occasions, by able and intelligent men, for upwards of two centuries. The House of Lords, however, presents an almost insuperable obstacle to any change. It appears to have the deepest abhorrence of cheap Law. Those who have witnessed the judicial proceedings in which the Lords engage can feel no wonder at the feelings that influence them. After tolerating, year after year, the mockery of appeals, it is impossible they can be anxious to remedy any of the evils,

great as they are, connected with the present system of legal jurisdiction.

When Lord LYNDHURST opposed the creation of Local Courts, he used this argument:—

“People are very generally accustomed to say, referring to the expense of legal proceedings, that it is a monstrous thing to be obliged to go to a Court of Justice for the recovery of a small sum, at the risk of incurring, comparatively, enormous costs. Now to argue the subject thus, is to look at it in a very confined and partial point of view. *One great object of the Law is, to prevent litigation,* and the law has, *therefore,* in this country, been laid down

so precise and so certain, that a man, in a great majority of instances, is enabled to know and ascertain his rights without litigation."

If it is meant to be affirmed that the Law should be precise and distinct in order to avoid any doubt respecting it, and that appeals to the Judge should, by the distinct expression of the Law, be rendered needless, the statement of Lord LYNDHURST is intelligible. But then this is the reason why the Law should be made distinct, and is not the object of the Law. Distinctness of expression is needed to avoid doubts, and it is desirable to avoid doubts, in order to prevent litigation, or, in other words, in order that those who require the assistance of Law should not be exposed to expence, while they seek to interpret its meaning. If the object of the Law was merely to prevent litigation, the shortest mode of effecting it would be to close the Courts, and thus litigation would be prevented by making an appeal to the Law impossible!

It is a narrow view that includes the expense connected with the administration of justice! So thinks Lord Lyndhurst: and his opinion will be assented to by those who gain in consequence of the Legislature not having endeavoured to make the access to the Courts of Law cheap, and consequently easy. Expense prevents litigation, and the object of the Law, we are told, is to prevent litigation. Thus litigation is prevented, not by the Law being distinct, but by the expense which an appeal to the Law imposes. Admirable contrivance! A contrivance which he who makes the Law would not avow, but which he, whose duty it is to interpret the Law, does not hesitate to applaud. An injustice is done, or supposed to be done—the moral consequence of any hindrance which prevents the demand for redress is the same, whether an injury is done, or supposed only to

have been done—the damage may be estimated in money, but the value of legal interference must, in nine hundred and ninety-nine cases out of a thousand, be of more value than any pecuniary consideration. The mode of seeking redress may sometimes exhibit a litigious spirit, but is redress, therefore, to be refused, unless at a great cost? If a wrongdoer be rich, protection is to be extended to his misconduct, lest many persons may complain of the injuries have been done them, and thus increase the business of Courts of Law!

But the Law of England is precise and distinct! If this be really so, how can litigation prevail to any extent? Men are litigious, because the Law may be made an instrument of vexation from the doubts it is supposed to excite. If it be distinct and clear, a judge can feel no hesitation in enunciating the will of the lawgiver, and nothing could be gained by an appeal to him. When, indeed, we urge the advantage of Local Courts, because the Law is not so difficult to interpret as rules of practice are difficult to follow, we are told of the multitude of conflicting decisions that might occur, and the uncertainty they would produce. When it is suggested that this evil might be checked, we are told that the Law is so precise and distinct, that appeals to a Court of Law can only be made in order to harass and to vex some poor defendant. But the precision of the Law would prevent any harass and vexation; and if being precise it now produces either, it must evidently arise from the expense connected with the administration of the Law, and not from any defects in the Law itself. Now the object of Local Courts is not the amendment of the Law, but the improvement of its administration, in order to check that harass and annoyance which the present system encourages. The precision of

the Laws, so far from being, as Lord LYNDBURST represents it, a reason against the establishment of Local Courts, should operate very strongly in their favour.

But great as are the evils which the present system creates, there are evils, it is said, which the patronage of new Courts would create far outbalancing those which are sought to be remedied. The law, in the opinion of Lord LYNDBURST, ought to continue expensive, and its administration to be the cause of gross injustice, because the patronage of the Crown would be increased! The influence of the Crown, though the patronage it possessed was once regarded with just jealousy, as it was considered to exist to great extent for merely corrupt objects. But would it be wise to abolish necessary offices, because unnecessary offices exist?—or to refuse to establish a new office, if duties that ought to be discharged cannot be well discharged by existing officers? The Tories have become alarmed lest Ministerial influence should increase. The moment when popular control over the acts of the Government has become strong, and the responsibility of public servants has enormously increased, the abuse of the powers of the Government is to be a bugbear to prevent the utility of the Government, by a better distribution of its powers, from being extended. When there was reason to be jealous of Ministerial patronage, who so ready as the Tories to condemn suspicions of its abuse? When jealousy may sleep, the fear of the abuse of public patronage is to deter us from improving the means of Government!

But to what extent would the Local Courts extend the patronage of the

Crown? The superior officers of most of the Courts of Request in the kingdom, are now appointed by the Crown, and it is not proposed that Local Courts should be much more numerous than Courts of Requests. If danger could arise from appointments of this kind, it would be greatest when the office is not sufficiently important constantly to attract public attention to its proceedings. Make the Local Judge a responsible person, impose on him duties of an important kind, and the difficulty of abusing the appointment will be great.

Let every other objection, however, to Local Courts be answered, one, the popularity of which is much relied on, is sure to be urged—"What, increase the taxes of the county for new salaries? Surely you do not consider the expense of your new judges, and how will you pay them." But the expense of the new judges and the best mode of paying them, have been considered. There are fees payable to courts now in existence which, added to the fees the new court might take, would amply provide for the salaries proposed to be given. The Courts of Requests in different parts of the country, produce very handsome incomes to the officers connected with them, while their duties are exceedingly slight. Let the business of these Courts be thrown on the new Courts, and we at once secure a provision for new officers without the necessity for additional taxation. How far this is practicable, the following Table will shew. It is made up from a return moved for by Mr ROEBUCK, and shows the receipts of officers of some of the principal Courts of Requests in England.

1830.	Barrister.	Clerk or Clerks.	Sergeants or Beadles.	Days the Court sat.
Ashton-under-Lyne . . .	...	£ 398	£ 136	17
§ Bath . . . . .	£ 611	469	280	51
Birmingham . . . .	...	802	810	51
Boston . . . . .	...	295	145	26
Bristol . . . . .	563	485	149	46
Broseley . . . . .	...	303	96	26
Greenwich . . . . .	...	1,884	...	...
Hales Owen . . . . .	...	735	413	26
Halifax . . . . .	...	300	...	57
Kingston-upon-Hull . .	...	673	198	41
Liverpool . . . . .	...	1,724	...	108
‡ Manchester . . . . .	646	940	442	26
Rochester . . . . .	...	213	64	12
Stockport, 1834 . . .	...	369	135	26

§ The fifth section of the Act regulating the Court of Requests at Bath, provides, "that in case the Assistant Barrister is removed, shall resign, or die, or be ill, or *unavoidably absent in the exercise of his profession*, or at assizes, quarter sessions, or in attendance under any commission named in any Act of Parliament, the Commissioners may hold the Court without him; but that if any action shall come before them in his absence for any sum exceeding five pounds, it is to be deferred until he can attend." Could the Legislature more effectually have endeavoured to injure the character of the Court than by such an enactment as this?

‡ The Clerks at Manchester are the *Honourable* F. G. Molyneux, of Arlington street, London, and A. N. E. Mosley, Esq., of Barnaston House, near Derby. As might be expected, they act by deputies.

The income produced from the fees of the Courts named in the above list would, at first, appear to be unaccountably small, when compared with those of some Courts established in towns, the population of which is small. But the reason of the difference is, that the amount of the debt the Court can adjudicate on, is not in all the Courts the same. Some can only entertain suits for 5*l*; some can hear cases respecting debts for 15*l*. In some instances, also, the jurisdiction of the Court extends to the hundreds in the neighbourhood of the town in which the Court sits; in others, it is confined to the limits of some borough. Still, however, as these Courts scarcely sit more than fifty days in the year, the incomes received are large, and, it must be remembered, are received from fees paid upon small sums of money. If the powers of the Courts were transferred to a Court of more extensive jurisdiction, it is evident that the amount of the fees that would be received would constitute a fund sufficient to discharge all the heaviest expenses that could properly be incurred.

There is, however, one Court that I have not mentioned in the above list,

which shows, in a remarkable manner, the amount of fees a Court of extensive jurisdiction would receive. In Sheffield the Judge of the Small Debt Court received, in 1830, no less a sum than 2,326*l*; and the Bailiff of the same Court received 1,056*l*. The Judge is Mr HUGH PARKER, who is, I believe, a banker in Sheffield. He sits only five hours in each week, and the business he performs requires but little labour. Yet his income is actually larger than that paid to the Judges of the Supreme Courts of Scotland, who are compelled to apply themselves to public business nearly every day in the year. He has a larger salary than a Local Judge of the greatest ability should be paid, though the public might claim to be entitled to his services during every day in the year. But the Legislature has not simply made Mr PARKER's office a lucrative one—it has actually given the patronage of it to the Duke of NORFOLK! To whom can the Duke of NORFOLK be responsible? Thus it is that the Lords have taken care to secure their private interests, even in the constitution of the Courts of Law. In the neighbourhood of Sheffield there is also another Local Court, that of



Eccleston ; and the Act that regulates it has secured the patronage to the Earl of FITZWILLIAM. At a future day the country will perhaps be called upon to compensate these noblemen for taking from them a power which a Legislature, careful of public interests, would never have sanctioned.

It is necessary, however, that attention should continually be drawn to the subject of Cheap Law. The interests that are arrayed against any change are powerful—bound together by the strongest ties—and determined to prevent any alteration. The Ministry are lukewarm on the subject, and the People's Representatives are generally indifferent to the evils of the present system. It is from without, then, that opinion must influence—it is not from within the Houses of Parliament that the demand for new Courts and improved legal jurisdiction will effectually be made. For two centuries efforts have from time to time been made to establish Local Courts ; and every step that has been gained has proved their utility and importance.

The reader may not be displeased to see an account of one of the earliest attempts to improve local jurisdictions ; I give an extract from a work written by JOHN COOK, the Solicitor-General of the High Court of Parliament at the trial of CHARLES I. It was his fate to be a Law-reformer ; and he states that he was, in consequence, exposed to a more severe professional persecution than any man had suffered. He went over to Ireland with IRETON, as Chief-Justice of one of the provinces in that country, and appears to have greatly exerted himself in rendering the law accessible to the poorest of the population. His reform relating to the administration of testators' estates was very important. In reading the following passage from Cook, it should be remembered that the period of the

Commonwealth was remarkable for its legal reforms. COOK was among the ablest of those who endeavoured to effect the changes that were then made in the Law. He was an eloquent and instructed man : but having, upon the Restoration, been betrayed by Sir — COOTE, he was brought to England and executed at Charing Cross for high treason. His reputation was tainted in the opinion of those who affected to be loyal, and his writings, which possess great merit, have been forgotten.

“ My Lord Deputy (who is a blessed instrument, and indefatigable in the works of holiness and righteousness), for the great ease and safety of the People, hath altered the Provincial Courts into County Courts, that whereas, before, the People travelled forty or fifty miles, now their differences are ended at home, in the nature of Assizes or Sittings. And the Honourable the Commissioners of Parliament, promoting the true liberties and freedom of the People, have given great ease to them in taking away some needless offices, and in matters of fees, there being seldom twenty shillings spent in a cause by all parties, unless it be in counsels' fees, which are ascertained, and but very small in comparison. I do not, in the twenty shillings, include the charge of witnesses—which yet is very small, not going out of their own county—but the fees usual, which are allowed to the officers, jury, clerks, and attorneys (for the Court hath not any), every man pleading his own cause, which I observe to be a very good way for discovering the truth.

“ The form and method of proceedings hath not, by me, been altered in any point considerable ; but, indeed, the original constitution of the Court seems to me to be excellent in four particulars.

“ The first process of the Court hath ever been a summons, in the nature of

a *subpœna*; then an attachment, or distress of the defendant's goods, not restraining his person but for matter of contempt, or upon very just and reasonable cause.

“ Secondly, it is a mixed Court, and the Bill may contain both law and equity, whereby half the suits in the province are ended or prevented, but hath no cognizance of pleas real concerning land.

“ Thirdly, the cause is heard and ended as soon as it is ripe for hearing; indeed, herein is some alteration, for, whereas, formerly there were but two or three sittings in a year, the justices and practisers attending the Upper Courts at Dublin in the term time, and so causes depended long, now (having no other business to do), we end the business so soon as it is prepared for a hearing, which some—how justly, let wise men judge—have censured to be an innovation and precipitous justice, and must as carefully be avoided as falling from a rock. But that is to hear and determine before both parties are ready, or had convenient time so to be; otherwise, when a cause is ripe for sentence, why should not the Court put in the sickle? A speedy trial is the plaintiff's joy, and just judgment delayed may prove worse than an unrighteous sentence speedily pronounced.

“ Fourthly, there is a great difference between the proceedings in England and the ancient course of this Court in the payment of debts. For debts are paid by instalments, as the defendants are able to pay them. A most excellent and admirable composition of a Court. For the case of poor Ireland stands thus:—The poor English who, through God's mercy, saved their lives, but lost their estates by the rebels, begin now, blessed be God, to return to their possessions—and the protected Irish make a hard shift to live, paying great contributions—and many a poor

man hath got a plough, five or six cows, forty or fifty sheep, all worth about fifty pounds; this poor man pays for horne and corn, and begins to grow warm in his business, but comes an action of debt, like an armed man, upon him, for fifty or a hundred pound, contracted before, or for his necessary subsistence during the Rebellion. The plaintiff having long been out of his money, is very stomach-full—blame him not for his long fasting;—and prosecutes with all rigour. Judgment cannot be denied him. An execution against goods as in other Courts, issues of course, and what follows? The goods are sold at under-rates, at 25*l.* or 30*l.*,—for who will buy his neighbour's goods so taken from him will be sure of a good penny-worth. And the fees and charges of the execution are so great, that the debt, if it were but 50*l.* is not half paid, and for the remainder, the defendant is taken in execution, when he starves to death, and his wife and poor children beg from door to door, unless relieved by the parish. But by the course of *this* Court, the defendant comes in, and prays an instalment, and a jury of indifferent and impartial neighbours instal the debt to be paid by several gales, and days of payment, as the defendant shall be thought able; and if the jury—who certainly are the proper judges in such cases, for it may be their own the next day—finds any fraud, deceit or violence, the defendant is imprisoned, as he well deserves. By which means—it is an observation to me very admirable—though the People be extremely indigent, there not being scarce a tenth part of the money here, that there is in England, debts are, I believe, ten times better paid here than in England. For of 500*l.* or 600*l.* debts that have been *here* owed, some one county scarce knows ten of them but are paid or secured, whereas,

if the reins of the Law had been let loose here, as in other Courts, in all probability there had never been ten debts of an hundred satisfied, for not one defendant in twenty hath so much money by him; and if either his person be restrained or his little flock taken away, his friends leave him, and so misery quickly finds him. But give him time, he works like a mole to keep himself or his goods from arrest—one friend—like one hand—helps another; he recovers some other debts due to him, and in a short space becomes a noun substantive. I could instance in many that had actions brought against them of 2000*l.* or 3000*l.* value. It would pity a man to see more load laid on, as if they would be pressed to death, yet by this way of instalment, the man having a breathing time, agrees first with one, then with another, and in a short space grows into as good credit as any of his neigh-

bours. The contrary practice of not installing debts as men are able to pay, hath been the ruin of many families that might have flourished to this day. And by this means the contribution to the army is paid, and agriculture increased with many families. All would be quickly ruined if the farmers should be unstocked by such executions.

“The practice of this Court hath likewise formerly been very profitable and easy to the People in matter of Executorship and Administration, as to end twenty suits upon one Bill filed against an Executor or Administrator. The creditors are all called, and every man’s part proportioned according to the conscionable share of the debt, and not the whole estate swept away upon a dormant judgment, to the defrauding of many poor creditors—with some other equitable practices too long for an epistle.”

T. F.

## HINTS ADDRESSED TO THE YOUNG MEN OF GREAT BRITAIN, ON THE PROGRESS OF POLITICAL OPINION.

IN every nation throughout Europe the domination of Aristocracy is giving way before the onward march of Democracy. Everywhere men begin to set themselves against the political perversions and wasteful misrule of the few;—that few who arrogantly claim to sway society because their fathers have been participators in despotism. But it is here, in Great Britain, that Democracy has made the largest strides; it is here that Democracy is still pressing forward with a vigour and rapidity that no resistance can withstand, however that resistance may be directed by those

blind men who dream over ancient records instead of reasoning upon the plain matters of fact around them.

The last two periods of five years in this country have deducted more from Aristocracy, and added more to Democracy, than the whole of the two preceding centuries have done, although those centuries are characterized by the advance of civilization and reason; and every succeeding period of five years will be marked with such transfers of power to a far greater extent.

There is but one imaginable way of arresting the movement, which is, to

annihilate the Press, to destroy all machinery, and to sink every vessel fit for commerce. When this is done, Democracy may be arrested; but not before.

Aristocracy will continue to struggle against the inevitable surrender of its old usurpations; but while its desperation, and consequent denunciations grow, as they will, stronger and stronger, its power of resistance will soon dwindle down to impotent Parliamentary protests.

It is of little importance how many may resolve that Aristocracy shall continue in this country,—still it must pass rapidly away; for, while men pursue their individual interests, think about the means of arriving at them, and communicate their thoughts to each other through the countless channels now opened, Democracy must of necessity advance with a constantly increasing impetus.

Democracy is not the result of speculation; it is not something to come and go, as praise or blame may cause it to be liked or disliked; it is the simple, necessary result of a nation's developing her mental and physical resources to a very great extent, as Great Britain is now doing. This fact has just been manifested by the passage of the Corporation Reform Act. Imperfect as it is, this Act is by far the most Democratic measure ever passed by the British Parliament. So evidently, indeed, did discussion show forth its Democratic character, that Lord MELBOURNE was forced, in order to support the Bill, to declare in the House of Peers, that Democracy was not only necessary for local Government, but that we had arrived at a period of intelligence, when it was inevitable.\* Now, what man, or what association, or what class of men, had taken steps to procure for this bill

a Democratic character?—None whatever. Many days previous to its introduction in the Commons' House, the Ministers had not an article of the Bill written; and what is more, Lord JOHN RUSSELL did not fully comprehend the Bill, or foresee its tendencies when he presented it. The Ministers were compelled to take some great popular step; Corporation Reform had been loudly demanded, and they adopted a draft of a Bill, with which an accident furnished them, cutting down, according to their notions, its Democratic tendencies, as much as they thought the intelligence and wants of the town population would permit. Ministers gave as little as possible, but they knew that the population of the towns would be highly dissatisfied with less control over their own affairs than the Bill gave them;—hence its Democratic character. As it has been with this, so will it be with other necessary or Democratic measures. For all measures are Democratic which allow men to manage their own affairs—all are Aristocratic which give to a few men the power of controlling the actions, the business, and the purses of the rest of the community.

Young men of Great Britain, look around you; observe well the development of mind connected with every interest in society; observe the acuteness of calculations and reasoning in business, and the untiring activity with which men pursue their interests; observe, too, how readily and efficiently men combine, when this is requisite for their interests. Then reflect how absurd it would be to expect that this intelligent and busy people could go back to a state of ignorance and comparative inactivity, to suit the country to an Aristocracy, now that an Aristocracy is no longer suitable to the country. Yes, reflect well upon this subject; and when you have done so, review those plans

\* This is also the opinion, or rather the conviction of M. DE TOCQUEVILLE, the author of "Democracy in America."

for the future which you all have more or less distinctly formed.

Young men are apt to dwell upon certain parts of history, and to wish they had lived in bygone days, to have been partakers of the great deeds they admire. But the past comes to us in false colours, dressed up and painted by imagination and superstition. There is little recorded in the past that, when properly viewed, reason or humanity can approve. We live now in days a thousand times fuller of opportunities to do great deeds, justly so termed; to aid in developing man's true character, to aid in rendering him in every way the intelligent, the virtuous, the happy, and happiness-conferring being which, under all obstacles, he is ever prone to be.

Past struggles have been, in almost every instance, the low contests of barbarism and semi-barbarism, or the mad and demoniac ones of superstition. It is true that *liberty* and *freedom*, *God* and *religion*, were in men's mouths; but this did not make barbarism and superstition the less productive of human misery. The present struggle, in which you may participate in great deeds, rightly so called, is of a higher character; it is between political virtue and political vice, between upshooting knowledge and old incrustated ignorance, between principles that seek the happiness of all—the misery of none, and principles that look only to the licence and luxury of the few, at the cost of the misery of the many; between young and honest Democracy, and old, libertine, debased and debasing Aristocracy.

And in this struggle you have not only the opportunity of sharing in great deeds, but the certainty of receiving all merited reward. Happily the days have passed, but hardly passed, when almost everything that could tempt youthful ambition was in the gift of Aristocracy; political distinction, wealth, fame, all

were dispensed by Aristocracy, for services to the Aristocracy. In 1832, however, there began to dawn, though dimly, a new era in this respect. Political distinction, at least, must henceforth come from other hands—the hands of the People. Those of you who are at all believers in Aristocratically-written History, do not be startled. Aristocracy has told you many falsehoods of Democracy, spoken repeatedly of what Democracy has done, and slanderously of what Democracy will do. But recollect that Democracy, limited or unlimited, never did exist till after the year 1776, when it was established by Englishmen in North America. God grant that the whole world may be as prosperous and happy as the Anglo-Americans.

By the way, British Aristocracy tried to crush Democracy after it was established in America, and failing in the effort, tried to make Englishmen detest it; and failing again, they, in their political references, seem utterly to forget that young and flourishing England, whose identity with us is shown even in her navy, which sails in proud equality of excellence with our own.

In former days, during the high domineering reign of Aristocracy in this country, tradesmen, literary men, professional men, politicians—all looked up in slavish hope to the gold-filching fingers of our titled masters; and oh! how painfully debasing must have been the dependance of a man of talents on the smile, perhaps, of an ignorant animal, with “a coat of arms, a motto, and a name.” But still worse was, and is now, the inward condition of “those who have risen from the ranks of the People, and been adopted into the Aristocracy.” What a debased and craven thing is an *adopted Aristocrat*, and most of all, he who receives a title! Let us view him a moment.

Born Aristocrats grow up in certain

beliefs of their caste—absurd enough, it is true—but which seem to them indisputable as the truths of religion. Their associations are all of one colour; recollections of childhood, of youthful manhood, are all in harmony with their arrogant position in maturer years. Not so with an adopted Aristocrat. His early thoughts and habits are all of a different hue; his opinions and feelings are all to be changed. Recollections of his boyhood, of his young and innocent days, come but to mortify his pride. What to all other men, the Democrat and Aristocrat, “is sweet as water to the parched lip,” is to the adopted Aristocrat bitter as black gall. Every tie, however pure, however sacred, is broken or loosened; he is an unnatural thing, striving perpetually to tear from his breast that which all the rest of the world cherishes with the fondest memory.

But to show how low, how servile, how ineffably mean, they become, adopted Aristocrats are, in many places, ashamed of their best friends, of their nearest relations, and even of their mothers. Think but for a moment of a man being ashamed of his own mother—of her of whom he is! I could curse the avoicer of his mother as the vilest reptile on earth, if I did not know that such a wretch is ever doubly cursed, with the contempt of the Aristocrats he serves, and with the gnawings of his own cowardly thoughts; and if, too, I did not reflect that all such vileness is the natural fruit of the existence of an Aristocracy in any country.

The adopted Aristocrat relies, before others, on the reflected consequence of his Aristocratic association; before Aristocrats themselves he, having repudiated Democracy, has nothing to rely upon but subserviency to his superiors, and thus becomes a slave—downcast, truckling, and miserable, while he hy-

pocritically wears the smiles of apparent happiness. His days are filled with degrading hopes and fears of social and political dependancy; his nights bring him tormenting retrospections, that burn his cheeks with almost maddening shame. What would he not give in those bitter moments, had he remained an honest Democrat? who has nothing to be ashamed of before the world or alone, relying upon his own intrinsic qualities, borrowing no dastardly aid from other men, standing erect, respecting himself and commanding respect from Aristocrats themselves—Aristocrats, whose titles he despises, whose arrogance he contemns, and whose immoralities and miserable hypocrisies he pities.

Happily, I say, the days have passed when Aristocracy had its uncurbed course; the young man of ability may now aspire to distinction without degradation: by every step he takes he may increase his own happiness and independence of character, while he contributes to the happiness and elevation of all around him. For as Aristocracy offers direct encouragement to extrinsic qualities, and thus debases the human character, Democracy offers direct encouragement to intrinsic excellence, and thus develops and elevates it.

What a field for permanent and honest distinction is now opening for the young men of Great Britain! Every untitled young man, with a spark of sympathy for the cause of human happiness, or with the slightest desire for his own elevation, should mix himself in the present political struggle, and manfully aid in gaining the great and peaceful victory of Democracy over Aristocracy. This every one may do, to various extents, in many ways; few persons, indeed, have any conception how much may be done by any man who resolves to exert himself in honest

sincerity, even the humblest and most diffident. Listen to the admission of DE LOLME, that great apologist for British Aristocracy and Parliamentary corruption.

He admits "It is not fortune, it is nature, that has made the essential differences between men: and whatever appellation a small number of persons [the Aristocrats], who speak without sufficient reflection, may affix to the general body of their fellow creatures, the whole difference between the Statesman, and many a man from among what they call the dregs of the People, often lies in the rough outside of the latter; *a disguise which may fall off on the first occasion*: and more than once has it happened, that from the middle of a multitude in appearance contemptible, there have been seen to arise at once, great men.

"Time and a more favourable situation, to repeat it once more, are therefore *the only things wanting to the People*." Thus, in the last century, did DE LOLME prophecy, and truly prophecy. The People have, since he wrote, had time to improve incalculably by the aid of the Press, fettered and confined as it has been, and still is, by the Aristocracy; and the People of Great Britain are at last in this "favourable situation" to show that it is, indeed, not fortune, but nature, that makes the essential differences between men.

Young men of the People, it is now your acknowledged and inviting privilege to mix yourselves with all that is going forward in the politics of your country. Do so as brave, honest, and intelligent beings. Read, study everything political; think for yourselves; associate together in every possible way, and learn to speak in public. No man knows what he is till he tries—ay, and tries, too, after repeated failures. Every philosophic man knows perfectly well

that the great cause, now the almost sole cause, of any apparent inability in the mass to handle well all great political subjects, is the want of bravery to try their mental powers. Then, once more I say, associate together in every possible way, speak out to each other your thoughts; many and many a man will be surprised at his own powers.

In the true spirit of Democracy, every untitled young man, who is in a more "favourable situation" than another, should aid that other to improve himself; every one who has more knowledge and more access to sources of information than another, should communicate that knowledge and diffuse that information. Wherever he is, wherever he goes, he should, in every way, encourage and assist others to improve themselves. The good to the cause of human happiness that thousands of young men have it in their power thus to do, will grow up incredibly before their exertions, and it will prepare them for still greater, more extensive, and eminent usefulness. But begin to do good to your political brethren, and two facts will very soon be evident to you: one is, that great exertions in the cause of political virtue are in nowise incompatible with your regular avocations; the other fact is, that when you have once tasted the pleasure of doing good to others in brave sincerity, nothing on earth can afterwards keep you idle, or make you indifferent to the happiness and improvement of those around you,—beings who have the same wants, physical and mental, and the same capabilities with yourself.

Think, not, however, that you can pursue without opposition the mild and beneficent course to distinction which I would recommend to you. No; be assured that, in all your efforts, you will encounter the opposition of that craven set, the *adopted Aristocrats*, in even a

greater degree than you would those of the Aristocrats themselves, did you come in contact with them: obedient slaves are always more intolerant than their masters. But it is from yet another class of beings that you will meet the greatest amount of annoyance, a set of creatures too low to be much described, and almost too contemptible to be named—the apers of Aristocracy. These things crawl after all that is Aristocratic, and talk of little else, though never, but by accident, in the slightest

contact with Aristocracy, and then the poor apers tremble in idiotic abasement. Treat both these sorts of creatures as they deserve; give scorn to one, and contempt to the other.

Byron says—

“Man makes that great which makes him little.”  
 Untitled young men of Great Britain, by your vigorous exertions hasten on the approaching day when that line shall be wholly inapplicable to your political condition.

ROBERTS HAMMERSLEY.

## SHOULD POLITICS INFLUENCE MUNICIPAL ELECTORS ?

SHOULD politics influence Municipal Elections? Should the political opinions of candidates for Municipal offices weigh with the new electors?—These are questions which are likely to be frequently asked at the present moment. It cannot be deemed out of place to assist in answering them. The old Tory Corporator of course answers, “No!” With him it is a favourite theory that political opinions should not be regarded. He is perpetually reminding the new elector that the fitness of the candidate for the office which he proposes to fill should be the sole consideration.

This doctrine cannot but be palatable to those who are conscious of holding opinions obnoxious to the majority of the electors. They are every day made aware that their aristocratic biases interfere most sadly with a popular canvass; and that they should desire to remove from their shoulders this great source of objection, is by no means surprising.

In the United States of America the political opinions of the candidates for all offices are held to be a matter of prime importance. No man has any

chance of obtaining a Municipal office, whose opinions on primary political questions are known to be opposed to those of the majority of his constituents; and where other circumstances are nearly equal, political opinion will generally decide the contest. The importance which the Americans attach to the politics of those to whose guidance they entrust their Municipal affairs is noticed, and at the same time censured, by Captain BASIL HALL, in his “Travels in the United States.” He says:—

“The election of the President being one affecting the whole country, the respective candidates for the office were made the butt at which all political shafts were aimed, and to which every other election was rendered subservient, not indirectly, but by straight and obvious means. It was of no importance, apparently, whether the choice to be made, at any given election, were that of a governor, a member to Congress, or to the Legislature of the State; or whether it were that of a constable of the obscure ward of an obscure town—it was all the same. The candidates, seldom or ever, that I could see, even professed to take their chief ground as the fittest man for the vacant office; this was often hardly thought of, as they stood forward simply as Adams-men or



Jackson-men,—these being the names, it is right to mention, of the two gentlemen aiming at the Presidency. Although the party principles of these candidates for any office, on the subject of the Presidential election, could not, nine cases in ten, afford any index to their capacity for filling the station to which they aspired, their chance of success was frequently made to hinge upon that matter exclusively. Thus the man who could bring the most votes to that side of this grand, all-absorbing Presidential question, which happened to have the ascendancy for the time being, was sure to gain the day, whether he were or were not the best suited to fill the particular vacancy.”—*Captain Hall's Travels in America*, chap. 17.

Captain HALL makes it appear that Elections in the United States, even for a Constable or subordinate Municipal functionary, are made to hinge upon a question which, in his opinion, has no bearing whatever upon the individual case.

I have witnessed Elections in the United States, and I can testify that Captain HALL's view of the matter is extremely superficial. It must be clear to every body that it is quite possible to find among all political parties persons fitted to most municipal offices from the important one of Town Councillor, down to the minor one of Constable. Hence if political opinion be worthy of consideration at all, it should be regarded rather as a casting qualification than as the sole qualification. In the New England States, more of the business of governing is performed by the Municipal Corporations than in other States, nearly every man of mature age takes his share at one time or other in public affairs, and although I do not pretend to say, that there do not prevail different degrees of fitness; still I am convinced the difference is not great. The best men of course take up their position as elsewhere, and as these best men are of opposite political principles, so the superficial observer is

led to think that the struggle is based on political principles alone.

Captain HALL, in another part of his work, describes what the Americans call a *Caucus* meeting, Where they got the word, I do not know. What it means, a few words will explain. It will be seen that it ought to have helped Captain HALL over his present difficulty.

Previous to every Election—say for the present purpose, of Town Officers—meetings of each contending political party take place. At these preliminary meetings, known by the name of *Caucus*, the best men of the party are selected, or in short are elected. At the final Election, therefore, the contest is for the best men of either party. After this preliminary “Caucus” the names of the candidates selected are printed on a card, and this card, in the case described by Captain HALL, would be called the “Jackson ticket,” or the “Adams ticket,” as the case might be.

A Presidential Election in the United States is not a mere struggle between this man and that. It is a struggle for principles personified in individuals. In the case alluded to it was a struggle between Democracy and would-be-Aristocracy, aiming at sinister influence. Jackson-man was only another name for a Democrat and Adams-man for a federalist who was for “strengthening the hands of Government” by means held in detestation by the majority of Americans—namely a standing Army, and a Sedition Law. There was therefore nothing of what the Americans very significantly call man-worship in the circumstance related by Captain HALL.

Since the Election to which Captain HALL alludes the power of the Democratic party in America has become almost irresistible. Still a struggle is maintained very similar to that which agitates Europe. There is, and ever

will be, a rich class craving after influence on account to the possession of wealth, and it is to resist the pretensions of this class which demands all the vigilance of the Democratic party.

In this country, although the struggle is between the wealthy and the industrious classes, it presents quite a different aspect to that which I have just described. The Aristocracy is in possession, and the struggle on the part of the People, is to dislodge them.

The Municipal Corporation Reform Act professes to take a certain small portion of the governing power out of the hands of the Aristocracy. Where is the power so taken to be placed?—This rests with the electors. If the municipal electors replace the governing power in the hands of the class from which it has just been taken, the Act in question will have been passed in vain. Need it now be asked whether political principles should be allowed to weigh with electors? I think it will be admitted that they make all the difference between rendering the Act a mere dead letter, and an efficient instrument of good local government.

The object of the Act, as it finally passed, undoubtedly was to create as small a change as possible. The old corporations could no longer be upheld, and the next consideration with the Tory party was to obtain the substitution of corporations which would differ as little as possible from the old abominations. This object the first Bill defeated. Though it was by no means what the Liberal party desired, it would have been a comparatively efficient instrument of good government. Sent to the House of Lords, it was robbed of some of its best features, and when returned to the Commons only a few of these features were restored. Now, if politics be not considered—considered, too, as the principal ingredient of fitness, the intention of the Peers will be fulfilled,

and the Act, as far as good government is concerned, will be worse than a blank sheet—worse, because it will produce, by an expensive and troublesome machinery, what was before managed in a much more summary manner.

The importance of considering political principles, applies to every functionary, whether legislative, administrative, or judicial—from the highest to the lowest. The ninetieth section of the new Act confers upon the Town Councils legislative powers of rather an extensive scope. If the choice of the Burgesses fall upon men who have interests in common with their fellow-citizens and townsmen, we may expect the bye-laws which they may make to be such as will conduce to the welfare of the People; if, on the other hand, the choice fall upon men who want that community of interest with the People, their legislation will be framed in accordance with the narrow sectional views which characterised the old corporations, and rendered Corporation Reform indispensable.

But it is in its administrative capacity that the necessity for a thoroughly liberal Council is most conspicuous. The Council elects the Mayor (sec. 49), Town Clerk, Treasurer, and other Officers (sec. 58). What sort of Officers would a Council composed of Tories be likely to elect? Take only the case of a Mayor. Remember, that Mayors are to be Returning Officers at the Election of Members to serve in Parliament (sec. 57). Is it not a matter of the very first importance that the Returning Officer should be a man of liberal opinions—that, in short, he should not be a Tory? Yet a liberal Mayor cannot emanate from an illiberal Tory Town Council.

The influence of the Town Councils over the pockets of the Burgesses should be another reason for attending to political principles. Every body knows that profusion is interwoven with the very

existence of Toryism. The Act provides that the Council may order a borough rate in case of the insufficiency of the Borough Fund (sec. 92). In other words, the Council may levy taxes. Now, this "insufficiency" is the only reason for ordering a rate; but an Aristocratic Council would soon find means to render the insufficiency very obvious. If the new Burgesses under the Act desire economy, not a single person of Aristocratic habits must find his way into the Council.

The Council has the power of appointing all Committees (sec. 70), and among them the Watch Committee (sec. 76). Now, if the Council have a majority of the old Aristocratic leaven, these Committees will of necessity be almost wholly anti-popular. Under the Watch Committee is placed the whole Constabulary Force, with all its arrangements (Sec. 76 to 84); so that the further we proceed—the lower we descend in the scale of office, the more necessary does it seem that the Councils should be thoroughly Liberal.

There is another circumstance which I have yet to mention, which puts the necessity of attending to the political opinions of Municipal candidates in a still higher light. I mean the influence of Corporations in Parliamentary elections. Every inhabitant of an old Corporation is painfully aware of the manner in which they exercised their power in influencing the return of anti-popular candidates to Parliament. Every instrument of bribery and intimidation was put into requisition, and in most cases with success. Now, if the same men, or men of the same political party, be elected as Town Councillors by the new Burgesses, who will be to blame if the old influences continue to be exerted at every succeeding Election? In short, there does not appear to be a single point, from which the subject can be viewed, which does not exhibit the

political principles of candidates as the very chief consideration. Political principles influence the administration of every possible office; or, to speak more correctly, every office may be administered according to either Aristocratic or Democratic principles. The Municipal Act is, to a certain extent, of democratic tendency. To arrange matters so that it is administered on Aristocratic principles is to counteract its tendency in every particular.

Now let us take another glance at Capt. HALL'S remarks. Because a candidate for the office of constable is called a Jackson-man or an Adams-man, Capt. HALL concludes that he is elected solely on account of his being able to bring so many votes to this or that individual. This is, no doubt, very profound logic, but let us test it by a supposed case nearer home. Suppose the citizens of London had the power of electing their constables; suppose, further, that it were the practice in England, as it is in America, to make use of a name to represent a principle or a class of principles. In such a case the Liberal candidate would be called the Grote-man, and the anti-Liberal candidate would be called the Lyall-man. Would it be a just inference to say that the constable was chosen, not because he was fit for the office, but solely because he was a Grote-man? Most people would say No! Captain BASIL HALL would say Yes! But why should not Captain BASIL HALL carry this a step further? We know that in England political parties are in the habit of making use of a decoration—a rosette, for instance, of coloured ribbon. An observer of Captain HALL'S class, going among such people, would hear them say, "I shall vote for blue—I detest yellow principles." Hereupon he would gravely write down that the People paid no regard to fitness for office—they made the colour

of a man's decoration the sole reason for choice, forgetting that the piece of coloured ribbon was merely a symbol standing for a set of political principles. Now in the case quoted by Captain HALL, the names of the candidates for the Presidency perform the same office as the rosettes of coloured ribbon in our Parliamentary Elections; and "JACKSON principles" in one country, or "true Blue principles" in another, are quite as well understood by those who use them, as terms of more precise import. Mind! I do not defend the use of these vague terms—I merely account for them. One very good reason why their use is to be deprecated is, that they may create misconception in the minds of persons

not remarkable for acuteness of intellect. I would therefore gladly see them replaced by better defined terms. "Democratic" and "Aristocratic" principles are better understood. The former term conveys to every mind a clear conception of popular influence, and the latter includes everything that is opposed thereto. If, therefore, the new Burgesses desire to be governed as they have long been, they will choose persons of Aristocratic (that is, Whig or Tory) principles. If, on the contrary, they desire to gather fruit from the Corporation Reform Act, they will put trust in no one who is not an advocate for democratic or popular influence.

H. S. C.

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# A REPEAL

OF

# THE STAMP DUTY

ON

# NEWSPAPERS.

By FRANCIS PLACE.

EDITED BY

# J. A. ROEBUCK, M.P.

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[PRICE TWOPENCE.]

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## A REPEAL OF THE STAMP DUTY ON NEWSPAPERS.

IT has often been remarked that the Government of this country is at least half a century behind the well-informed portion of the community in knowledge.

The word Government is not here used as the slang of official persons either to mean the Administration, or the KING's Government, but the Government, composed of the KING, the Lords, and the Commons in Parliament assembled.

The remark that the Government is half a century behind the well informed portion of the community in knowledge is the enunciation of a simple truth.

The King, from his position and education, cannot be a very *wise* man; no one expects that he should, nor does the theory of Government contemplate his being a *very wise man*; while what are called Constitutional writers make it appear that it is not necessary for the KING to be at all a wise man. They

place all the wisdom necessary for the KING in his Cabinet Council; there the wisdom should be found; and then, with singular folly, they make the KING, who is much less wise than his Council, the judge of their wisdom, and they laud the power he has to decide that, his Ministers, being less wise than certain other men, may be dismissed, and those others appointed to their places, there to remain until he discovers that they are less wise than those he dismissed, and he may then take them back again to be put out again, and those who were last dismissed be again taken into favour. Here is abundant proof of want of wisdom—abundant proof of childish play in a matter of very serious moment to millions of People.

It is equally impossible that among those born to a Peerage, any considerable number can become wise men,

equal in understanding and knowledge with well instructed men who have not been trammelled with mean subserviency and gross flattery from their births, who have not been prevented acquiring information by a mode of discipline which necessarily induces small acquirements to be taken for profound knowledge, and consequently can seldom do more, and generally not so much as to produce a mediocrity of understanding. A glance will show that nearly all there is of knowledge and understanding of a superior cast in the House of Lords, is with the men who on their entrance in life had no expectation of being Peers.

In the Commons' House, there have always been some men of capacious, well-cultivated understandings; and were not the House in consequence of its great number of Members, a mere mob, there would be many more such men.

As it is, I do not believe there is one man in either House, whether Whig or Tory, who may be classed among the best informed, who does not acknowledge to himself, that the Stamp Duty on Newspapers, the interdict on "*News, intelligence, or information, and remark and comment thereon, and on any matter in Church or State,*" is a disgrace to the *Government*. There is not one such man, I verily believe, who whenever he privately reflects upon the Law and its consequences, is not ashamed of himself. Yet there it stands the disgraceful red mark, with the words—"DIEU ET MON DROITE. FOUR PENCE, Discount 20 per Cent."

And there stands the common informer, the Justice of the Peace, the Commissioner of Stamps, and the KING'S Attorney-General, ready to pounce upon and crush whoever they can catch, who may dare to "*publish news, or information, or intelligence, or any observations or comment thereon, on any matter in Church or State,*"

without the obnoxious red mark,—the ominous French motto,—the *Fourpence*, and the *discount*.

A reasonable and honest man—a man who had any desire to promote the well-being of his kind, would say, why this information, &c., are the very things which distinguish a man from a beast, these are not things to be interdicted, these are the things to be promoted.

Thousands do, indeed, say this publicly—many Members of the House of Commons, and some even of the Lords, hesitate not to say it privately; yet few indeed are they who will say it in their places as Legislators.

How is this? it may be asked. How does it happen that such men, men who are ashamed of the disgrace, make so little exertion, or refrain altogether from any exertion, to remove the disgrace? How is it that such men suffer evil to be done continually, without doing their utmost to remove the disgrace. How is it that they who are not behind the well-informed men of the age are thus supine? How is it that they suffer ignorance to remain and degradation and crime to follow in its train? The answer is not difficult. They are beset by others less intelligent but generally more active; by those who bolster up their ignorance with their impudence, abash and benumb better men than themselves who are unwilling to be continually annoyed, outvoted, and laughed at by their inferiors. And thus it is that the Commons' House is kept so far behind the better informed men of the age.

There is one class, unfortunately a large class, which must be noticed here. It is composed of influential persons, who care nothing for the common People, who never speak of them but with contumely, and never desire that they should receive information on any subject which does not tend to qualify

them to pursue some employment tending to the gratification or convenience of themselves; this, according to their notions, being the only possible use of their existence.

These men when acting in a legislative capacity are the bane of all good Legislation; they are the panders to party, and one of the principal causes of this country having since the Revolution of 1688 been governed by one or other of the two great factions of Whigs and Tories, between whom a careful and faithful account of their actions since the Revolution would shew the difference to be very small indeed.

Circumstances have mightily changed within the last few years. The Tories felt the change, and to some extent conformed to it, but fell short of the Reforms the change had made necessary, and thus lost their power. The Whigs, who in some respects had more intercourse with the People than the Tories, were willing to go somewhat further, and this willingness obtained for them the support of the People.

But since the passing of the Reform Bill, even the good measures they proposed have been accompanied by so much of doubt, and such as been the disinclination exhibited in respect to others, and especially to the Amendment of the defects of the Reform Bill, such their apprehension of producing a collision with the Lords, by proposing measures favourable to the People, that their popularity has declined. Their supineness has made the People but too careless of consequences, and the Tories are every day reducing their small majority in the House of Commons, and will probably succeed in destroying it altogether.

Conduct more energetic on the part of Ministers, would have been met with corresponding enthusiasm on the part of the People, and fixed them firmly in their seats. Happily, the onward

march of society will not permit the long continuance in office of the Tories, should they succeed in ousting the present Administration; nor can any Administration, however composed, reasonably hope to continue in office unless it be resolute in its determination to promote Reforms, and that too, with good will so unequivocally expressed, as to satisfy the People of their sincerity, which a reluctant, wavering conduct never can accomplish.

We must therefore expect continual changes of men in office, until, by the growing intelligence of the People, material alterations have been effected in all the political institutions of the country.

It is the fear of promoting or favouring these changes which causes the imbecile conduct of the Whigs, who do not appear to understand that such conduct is much more likely to precipitate the changes they dread, than would a straight-forward avowal of their determination to promote such Reforms as cannot much longer be held back, let who will be Ministers.

Not long since, circumstances appeared to many as particularly inauspicious; they are now acknowledged to be much more auspicious, and the power of the Tories to do mischief is much less dreaded. Still it is quite certain that whatever of good can be gained must be at the expense of much toil and trouble; and it therefore becomes the duty of every one who wishes well to his fellow men, cheerfully to take upon himself his share of the trouble, to endure the labour willingly, and never to cease his exertions so long as any real good remains unattained. No one who admits the foregoing facts will expect that any important grievance will be removed until a disposition has been generally shown by the People to desire its removal. People are as yet much too credulous—

much too confiding. They still say, the good we desire is so obvious, that Parliament will be sure to adopt measures to obtain it; the evil is so enormous and so conspicuous, that Parliament will be sure to remove it: and thus, neglecting to do their own duty, they leave it to the Parliament, and it is not done; thus they go on, experience failing in these cases to "make fools wise." Would but a comparatively small portion of the community do their duty to themselves and to one another, their fellow citizens would at no distant period lend their aid; and if they then acted wisely, attended to each important matter separately, and resolutely refused to be diverted from their purpose, the good they would accomplish would be great indeed.

The Repeal of the Stamp Duty on Newspapers is one of those important matters; and as a nucleus has been formed, let us hope that it will speedily be surrounded by numbers of intelligent, honest, active men, and similar proceedings he adopted in all the principal towns in the Kingdom.

In the month of April last, a number of gentlemen, resolved to promote the Repeal of the Duty on newspapers, opened a correspondence with many places, and the result was, that upwards of three hundred petitions were sent to Members of the two Houses of Parliament, each of which prayed for a Repeal of the Stamp Duty.

These gentlemen have now put forth an address, in which they state the reasons for continuing their efforts, and appeal to the people to promote a purpose so beneficial to all.

The business is to be conducted by a Committee, consisting of:—

GEORGE BIRKBECK, M.D., Finsbury square,

J. ROBERTS BLOCK, M.D., Chelsea,

H. S. CHAPMAN, Gray's inn,

JOHN CRAWFORD, Wilton Crescent,

THOMAS FALCONER, Gray's inn,  
THOMAS GIBSON, Stamford hill,  
SAMUEL HARRISON, Great Ormond street,

WILLIAM HICKSON, jun., Smithfield,  
ARCHIBALD MICHIE, jun. Millbank street,

FRANCIS PLACE, Brompton,

THOMAS PROUT, Strand,

JOHN TRAVERS, St Swithin's lane,

To whom all communications must be addressed.

When the Whig administration came into office, it was expected that, in consequence of several of its members and other influential men, their friends and supporters, being decided opponents of the Taxes on Knowledge, some effort would be made by them to promote the repeal of those taxes. It was, however, soon discovered that with change of position they had changed their notions; that they were not only determined to retain the Taxes on Knowledge in particular, but to maintain all the obnoxious acts relating to the Press which had been inflicted on the nation by the boroughmongering House of Commons—acts which they had reprobated and denounced in the severest terms; but to enforce them with a severity never resorted to by the Tories, and, as if to give a finish to their disreputable intentions, to treat with contumely almost every man who did not change his notions as they had changed theirs.

Efforts were, however, made to induce them to consent to the repeal of all the acts which operated injuriously on the propagation of Useful Knowledge; and on some most important occasions Mr EDWARD LYTTON BULWER took a decided and a prominent part. In 1832 he became the parliamentary champion for the People on this truly important subject.

Mr BULWER has three times brought



the matter before the House of Commons; each time with great ability—each time using conclusive arguments for their repeal.

The last time he brought the matter before the House was on the 11th of August last. On that occasion he condensed most of the arguments he had used on former occasions, and his speech produced very considerable effect.

He appealed to every member who represented a manufacturing town, and challenged him to say whether he did not find the repeal of the STAMP DUTY ON NEWSPAPERS one of the most popular demands of his constituents? To this appeal several replied in the affirmative, and no one ventured to say it was not so—no one denied the fact.

He showed, from the papers printed by order of the House, that the number of petitions for the repeal of the Stamp Duty on Newspapers during the session, exceeded in number those presented in favour of the Municipal Reform Bill, and nearly doubled that for the Abolition of Irish Tithes.

He showed that “the expression of opinion in a periodical shape was confined to the narrowest oligarchy. No man could write periodically on the news of the day—the debates in Parliament—on even DOMESTIC or foreign affairs—unless he pay *fourpence* a sheet in the shape of a tax, which has confined the *legal* market to a monopoly, and given the cheap market to the smuggler.”

He told the Chancellor of the Exchequer, very truly, that “the publishers of the Unstamped laughed at his law, at his tax, and sowed the seeds of the revolution which had been made the excuse for keeping on the tax, with impunity! You,” he said, “have entered into a war with the Unstamped Publications, in which you cannot suc-

ceed; for no one can succeed—no one ever did succeed—in putting down smuggling, while the article smuggled “was taxed two hundred per cent.”

“I will not,” said he, “quote in detail the example of America, where a single town supports as many daily papers as the whole of England; but in England itself, in the year 1792, before we had the present heavy tax, there were published in London thirteen morning and twenty evening papers, though at that time the whole population of England was much less than it is now, and the reading population was not one half of what it is at present. It is in vain we talk of a Free Press, when on this the only means of generally expressing opinion, the condition is a large capital, the result a severe monopoly.

“It has been said, if newspapers be made cheap, and the trade opened, they will be bad, useless—the moment we open the market the commodity will be deteriorated. Why, if any man were to use this argument on any other article of trade, we should call him an idiot. It has ever been found that the wider the market the better the commodity, the greater the competition the greater the chance of excellence; and the analogy holds good with everything which is bought and sold. It is absurd to suppose that men will write worse when they have a larger public to address, and therefore a more powerful stimulus to write well. Oh! it is said, if they address a multitude they will pander to the passions of the multitude. Will they?—*you know little about the multitude.* Read the papers, the books, the tracts, which please them most, and you will find them to be articles *on science, trade, education*—subjects that seem tedious to us. They do not require their bad passions to be stimulated, but they wish to be enlightened. They are industrious—

they live by their labour — and they wish to know how that labour may be best directed. It is not they, it is the idle rich—the lords of luxury and ease—who require a false and meretricious excitement, who *alone* support the disgraces of the Press, who *alone* encourage the slander, the venom, and the frivolity, which were first wrought into Sunday libels—not by a Radical—not by a demagogue—but by one professing Aristocratic notions, and dignifying with it the Tory cause.

“What difference is there between political writing and other writing—between Newspapers and other works? Are they not both literature? subject to the same laws, calling for the same intellect, demanding the same competition? Only there is this difference between them—that political, and particularly periodical writing, is much more useful for all classes than any other kind of literature. If I were a poor peasant or mechanic, and had never read *The Rambler* and *The Spectator*, or Shakspeare or Milton, I do not well see that I should have a greater chance of being imprisoned, or transported, or hanged. But if I were a poor man, and had never read the Newspaper—if I never knew what is legal and what is illegal—I should be liable to suffer for my ignorance; and thus the fourpence which keeps me out of knowledge, subjects me to crime, and exposes me to the gallows. Sir, I can compare your preventing the poor from knowing the law (by hanging it up out of their reach on the peg of a fourpenny tax, and then punishing them if they do not know what you prevent their knowing) to no tyranny less monstrous than that of shutting up men in a dark room, full of all manner of obstructions, and punishing them if they chance to stumble against a single one of those obstacles which you do not allow them to see.”

To the objection which had been made to a cheap press, that it would propagate revolutionary doctrines, he replied, “that no doctrines were so likely to separate the different classes—to incense the People—to weaken the Crown—to produce and hasten the causes of revolution as the doctrines of the Tory press. The term of dangerous doctrines had been used against every species of enlightenment. Is it not for this that you have had censors of books and inquisitions for opinions? And what effect did such precautions ever produce? The French Court prohibited Voltaire, and Voltaire became at once endowed with the power to shake old opinion to its centre. Geneva burnt the Social Contract of Rousseau, and out of its ashes came the Phoenix of its influence. Paine had not sold ten copies of his notorious work, when the Government of England thought fit to prosecute him; and in a week from that date, 30,000 copies were sold. Government have never prevented—they never can prevent—the propagation of dangerous opinions by prohibition, whether the prohibition be a tax or a declaratory law. You only make the opinions more dangerous, and the public more eager to receive them; and if I wanted a new proof of this truth, I would take it from the very tax I ask you to repeal.”

He adverted to calculations published in the *Penny Magazine*, to show that there would be no loss of revenue from the repeal of the tax.

“You,” said he, “owe something to the provincial press. With very few exceptions, that press are united as one man in asking for relief. They uphold Government nobly. Without their assistance, I doubt whether any Government could have made head, especially in the agricultural districts, against the vehement opposition of three Morning Papers of great circulation and great

talents. Yet their exertions are cramped by your narrowing the audiences they address. You owe something to those who, supporting opinions more—what shall I say?—more *pronounced* than your own, have yet assisted you frankly and generously. If ever any men acted from public motives, patriotically and disinterestedly, I do believe them to be those men who are called, whether in praise or blame, the *Radical* party of this country. But, above all, you owe something to yourselves and to your own consistency.”

Mr BULWER's statements were, all of them excellent; they were well put; were conclusive for the repeal of the Stamp Duty, and ought to have been sufficient to induce any Administration, whether Whig or Tory, to agree at once to repeal it. Yet this speech, so good and so conclusive in these respects, was concluded by as strange and absurd a proposition, as ever was made by any man not in a state of fatuity. I shall have to speak of this presently.

Mr HUME followed Mr BULWER. He said his opinions were so well known, that he needed not detain the House by many observations. He trusted the arguments which had been so clearly and conclusively urged, would have the desired effect. He alluded to a declaration made in the earlier part of the evening by Lord JOHN RUSSELL, in praise of the honest support he had received, and he trusted that if Ministers attached any value to that “*honest support*,” they in return would give those who had so magnanimously supported them, the slight boon asked in the name of the People of England. That opinion had been sufficiently expressed. “I do not believe,” said he, “there is one town, one community, which has not been, as it were, at the bar of this House, praying to have these taxes remitted. And who are the parties who seek this relief? Why those who, ever

since the year 1830, up to this time, have given their support to his MAJESTY's present Ministers. And these are the people who are kept in darkness by the imposition of these taxes. Turning from those who are the sufferers, I would ask the House to call to mind, by whom it was that these taxes were imposed? Who were they who placed those shackles on the mind of the People, and kept them in darkness? It will be found that it was by those whose object was directly the reverse of that of his MAJESTY's present Ministers. I ask his MAJESTY's Ministers not to throw away the millions who desire to support them for the sake of preserving a monopoly to a few who are determined to oppose them. Ministers have been carried into office by the People, and the People deserve this boon. It is, indeed, impossible to enforce the laws of the country, without sooner or later acceding to this proposition; and it can afford Ministers but little consolation to think that FIVE HUNDRED AND ELEVEN PERSONS *have in so short a time been imprisoned for selling Unstamped Papers*. I wish to see a Newspaper established in every locality entirely free from any Stamp, and transmissible by post at a small rate of postage, and I implore his MAJESTY's Ministers to offer no obstacle to its establishment.”

The Chancellor of the Exchequer, Mr RICE, followed Mr HUME. He said, “I consider it one of the greatest mistakes that can be entertained, both in point of reason and in fact, to assume that the cause of sound political information and the character of the Press is to be kept up by a tax. I do not think that either the one or the other requires it. It is not by means of a Stamp Duty that either can be maintained. The character of the Press depends upon the character of the People, and he who supposes a moral Press can

be procured—if I may, so speak—by the instrumentality of a Stamp Duty, commits an egregious error in point of principle. I do not defend the tax. I repudiate it as to any protection it may be supposed to afford to the diffusion of political information.”

Thus spoke Mr RICE, as he is reported in the *Mirror of Parliament*, and no more need be said by any man. Well, then, he consented to take off the tax; he was prepared to take some trouble, some risk, some responsibility, in a matter of such vast moment, even if he were convinced that there would be some deficiency of revenue, which it is difficult to persuade oneself could be the case, more especially with Mr RICE, if he had taken the trouble to examine the several able statements laid before him, and if he had read the excellent evidence of Lord BROUGHAM, given before the House of Commons' Committee, on the Law of Libel, on this part of the subject.\* He consented to take off the tax? Not he, indeed. Men not fully aware of the hollow professions of those in office—men who have not accurately and continually observed the conduct of men in office—men who have not had direct and indirect intercourse with them, may be excused for taking what is said as sincerely meaning what the words used imply. Such men (and they are very numerous) would suppose that Mr RICE and his coadjutors in office were desirous that the tax he had so ably “repudiated” should be removed. They deceive themselves. Ministers know that the tax answers their purpose as an engine of power against the People, and they will never repeal it so long as they can avoid doing so.

What said Mr RICE? What but this, mixed up with the usual fallacies—“*I can't afford it?*” Not a man who heard

him believed a word of this “*I can't afford it.*” No one believed this was the reason: no, no, the reason was the hearty good-will with which the Administration hug the power they possess. At least one-half of them have advocated or approved of the repeal of the tax; and if they were out of power, with no chance of being again restored to power, they would be on our side, and “*I can't afford it*” would no longer be heard from any of them—they would then “repudiate” the “*I can't afford it,*” as Mr RICE did the tax. They would expose the fallacy, and demonstrate, as plainly as any fraudulent pretence ever was demonstrated, that the tax was retained simply and only as an instrument of power against the People.

Mr RICE suggested, that if the Stamp were taken off, it would be necessary to secure to the proprietors of Newspapers a copyright in such matter as they had taken pains to procure by their own means and at their own expense. No honest man will object to this, the copyright being limited to a short period in respect to articles of news.

Mr CHARLES BULLER observed, that “after what had been said by Mr RICE, no one could expect the tax would last another year.” This was propagating a delusion. Ministers will repeat the same note in the next session, and “*we can't afford it*” will be the answer to every application, until the House shall act on the old *maxim*, “take off the tax, and leave Ministers to make a reduction how they can.” Leave them at ease on the subject, and there will be no repeal of the tax.

Mr BULLER demonstrated to the House the immoral and mischievous operation of the tax, and very properly joined in the deserved censure Mr BULWER and Mr HUME had bestowed upon Ministers for punishing persons for certain offences after they had done all they could do, by means of the Stamp

\* Published at 14 Tavistock street. Price One Penny.

Duty on Newspapers, to keep them in ignorance of the law; and argued fairly and truly that the People were in a state when they might be fairly trusted with political power.

Mr GROTE was much pleased with the liberality of sentiment of the CHANCELLOR of the EXCHEQUER, which went so far beyond any thing which had ever prevailed among official persons sitting on the Treasury Bench. "Nevertheless," said he, "I cannot but think the conclusions to which the Right Hon. Gentleman has come, are but ill borne out for the continuation of the tax, after he had used every possible argument against it. It appeared to me that it required much stronger arguments than those he has used, to show that the repeal of this tax could be resisted on grounds purely financial. I think it would be found that this tax was one of the reductions which would not be attended with any actual *loss*, but would be *attended* with considerable increase to the revenue; and I suggest to the Right Hon. Gentleman whether even the generous and liberal tone of his animated speech will not increase the discredit into which the tax has fallen. I think that he, after having demonstrated, in so clear a manner, the evils arising from the tax, ought to be the last man to justify its continuation on any other grounds than on the clear and indisputable proof that it was *indispensably* necessary for the preservation of the public credit.

"I would," said Mr GROTE, "impress the Right Hon. Gentleman with my belief, that there is a strong feeling growing up upon this subject, in all the large and manufacturing towns in the kingdom, to an extent to which he, perhaps, is not sensible. I should be ashamed, after the speech he has made, to rest the matter on the *narrow basis of party*; but I would say, that if he wish to secure the affections of the People, which

are the strong hold against the attack of the determined opponents of the present Government, I think, at this critical moment, such is the footing it ought to be put upon; and that these grounds alone should be sufficient to induce him to yield the measure."

Mr BUCKINGHAM said a few words on the same side of the question.

Mr WARBURTON spoke out manfully. He said, "If ever there was an occasion on which I felt myself inclined to oppose his MAJESTY'S Government, it is the present. After two such important statements have been made, as those we have just heard, relating, first, to the general state of our internal policy, and, second, as to their views respecting the Stamp Duties (although nothing certainly can be more satisfactory than the statement of the CHANCELLOR of the EXCHEQUER—that the present high duties on Newspapers can neither be defended on principle nor maintained in practice)—any idea of retaining these duties, as a restriction on the circulation of Newspapers, is to be looked upon as quite abandoned by the Right Hon. Gentleman. But, Sir, if such a declaration as this would incline me to vote with the Government, I must say, that on account of what followed it, and the annunciation that the duties must be maintained on considerations of finance, I never felt more inclined to dispute the ground with them. It is notorious that, do what you can, it is impossible to maintain this tax without prosecution and inquisitorial search, and the seizing of Printing Presses, at a time when the People are longing after and desiring the very earliest communications which they can receive by the means of these engines of information. Even if it be possible for Government to maintain this system for six months longer, I say the fact will lead to very great doubt in the public mind as to the *sincerity of their intentions*, for this is not the first

declaration which has been made of their unwillingness to remove or reduce the Tax on Newspapers.

“The Honourable Member for Middlesex will recollect that three or four years ago, he, with myself and several other members of Parliament, desirous for the reduction of this duty, waited upon the CHANCELLOR of the EXCHEQUER, who assured us that it was only on account of the then state of politics that he delayed to bring in a bill for the repeal of the duty; and we have waited ever since that period in the hope that our expectations would be realised; but, until this moment, we have never had a parliamentary declaration from a CHANCELLOR of the EXCHEQUER of any such intention; and the only plea at present urged for the retention of the tax is that of finance, and this I think has been shown to be an untenable ground. Let the Right Hon. Gentleman but compare the difficulty of maintaining the revenue from this source, and the dissatisfaction produced in doing it—on the one hand—with the facility of maintaining the revenue, and the general satisfaction which will be produced by lowering (*taking off*) the duty—on the other—and I think he will no longer hesitate to take the latter step. The Right Hon. Gentleman has spoken of it as a tax which will only affect one class of the community; but I should like to know what class of society will not be affected by it, and what class there is which does not feel an interest in the cheap and free circulation of Newspapers? To *take off* this tax would be a relief to all classes. I fully believe that if the tax be *taken off*, something should be done for the protection of Newspaper proprietors; but in this I do not conceive there could be the least difficulty. A conversation of one hour long, between some of these gentlemen and the Solicitor of the

Treasury, would be sufficient to settle the point at once; therefore I consider this is no reason for deferring the reduction of the tax.”

Mr O'CONNELL stated, as a consequence of the tax, “that in Ireland, with a population of 8,000,000, the whole of the Stamp Duty on Newspapers produced no more than 8,140*l*.” This must mean the gross sum returned to Parliament. If the whole expense attending the Stamping were deducted, it is probable the net amount would not exceed half of that sum; and if all the contingencies connected with it were summed up, it is probable they would amount to quite as much as now comes from this source to the Exchequer; and that not one shilling extorted from the People of Ireland, by this tax, is ever applied to any public purpose.

Mr ROBERT WALLACE, Member for Greenock, said his constituents wished for the repeal of the tax.

Mr BAINES, of Leeds, said he had been misrepresented, on a former occasion, as one who supported the tax. He said, “the propositions of the Newspaper Proprietors were perfectly reasonable. They said to the CHANCELLOR of the EXCHEQUER, ‘*We do not ask you either to augment or to diminish the duties*; all we ask you to do is, to place us upon a footing of equality with other persons engaged in the same trade.’ He approved of the suggestion of a copyright, and that being done, the reduction would be highly conducive to the Revenue and to the interests of the People.”

The explanation of Mr BAINES lays him open to a charge of insincerity, which is, however, of too little importance to be commented upon.

Mr ROBINSON, Member for the city of Worcester, said — “No one has stood up in the House to defend the Stamp Duties on Newspapers; and I can assure the House, that the respect-

able and influential portion of my constituents are among the foremost of the advocates for the reduction of them, and have intrusted me with a petition to present, and support the *remission* of the duties. I ask the Right Hon. Gentleman, the CHANCELLOR of the EXCHEQUER, whether—after the strong manner in which the case has been put both by the Hon. Gentleman who brought forward the motion, and by himself—he will determine to maintain the duty any longer? I merely rose to ask the Government whether, in the face of the declaration made by the CHANCELLOR of the EXCHEQUER, they will any longer *defend such a tax upon the principle of finance?*—whether such a ground is tenable in a country like this? I contend that it cannot be maintained. *I defy the CHANCELLOR of the EXCHEQUER to say in what way it can be even advantageously altered.* I am decidedly of opinion, that if his MAJESTY'S Government direct their attention to the subject, during the recess, they will find some tax which may be substituted for it, in a way more consonant with the general feeling of the public. I see that the Right Hon. Gentleman is afraid of having his money taken away from him; but I tell him, on the part of the trading interest of the country, that the Exchequer will not lose by such a reduction. I am quite sure that, eventually, the public revenue will not sustain any material loss by the reduction. But if I am mistaken in this opinion, and should a considerable defalcation occur, then it will become the duty of the House to support the CHANCELLOR of the EXCHEQUER in imposing some tax to make up the deficiency."

This was a very remarkable debate: Not one of the 658 members of the House of Commons ventured to defend the tax. So plainly, so truly was its noxious and obnoxious nature shown,

that a man must have had more reckless hardihood than can be found even in the House of Commons, to have attempted by reason to show that the tax was not as mischievous to the People, and disreputable to the Government, as it had been described to be: to argue its continuance on any reasonable ground, was clearly out of the question. More than this—and the case is perhaps unique—no one was found to defend it by barefaced impudent assertions; not because such conduct is rare, but because it was plainly to be seen that such assertions would have been instantly exposed, and he who made them be held up to merited contempt.

There, then, the tax stands "*repudiated*" by the whole House, maintained only by Ministers, on an exploded fallacy, a pretended plea of revenue, which even Mr RICE, who is not easily abashed, must be ashamed of. Not ashamed because he attempted to bolster up his fallacy, for that is common enough, and seldom brings regret; but because he must feel that no one gave him credit for the smallest particle of ingenuity—because not one of his colleagues would venture to uphold him—and because he no more than any other shrewd man, likes that other men with whom he is compelled to come frequently into contact, should by his own conduct be compelled to think him a simple, silly creature. Mr RICE must be aware that he has placed himself in this predicament.

The plain statements, the accurate reasonings of the speakers, ought to be not only sufficient to induce every member who heard them, but any man who reads them, to do his best to put an end to the disgrace; and no doubt need be entertained, that if the people take up the matter as it behoves them to do, they will be well supported within the House, and the tax will be repealed.

I shall now proceed to take notice of

the motion made by Mr BULWER. It is with great regret I find myself compelled to dissent from and to condemn the proceedings in this particular of the proposer and his supporters. I shall, however, adduce such reasons for my dissent and condemnation, as must, I think, convince every one of them, that the motion if carried would have been highly mischievous.

Mr BULWER asked, "Does the history of literature, above all other histories, tell you that men write well in proportion as they are wealthy?—that the capital of their knowledge or genius is in proportion to their stock in the 3 per cents.? If you had required a man to pay 200 per cent. (which is now the per centage on Newspapers) upon all literary undertakings, you would have put an extinguisher on nearly all the best literature of the country. *What was it that put a stop even to the Spectator? It was the tax of one penny.* The grace of ADDISON—the wit of STEELE—could not make head against a PENNY TAX."

He noticed the *Penny Magazine* thus:—"In a calculation in the *Penny Magazine*, it was shown that a *tax of one penny would decrease the sale of that magazine to one-tenth of its circulation.*"

These were Mr BULWER's clear elucidations of the consequences of a Penny Stamp, and then, in direct opposition to his own showing, he proposed "*that the Stamp Duty on Newspapers should be reduced to one penny.*"

Mr BULWER was well aware that if the Stamp Duty were thus lowered, the severity of the law would be increased, and he therefore said, "If my right hon. friend make this concession, he will be *justified* in calling for *new and more efficient laws* for the suppression of the smuggling which now exists, the result of which must be the bringing in of all, or nearly all, of those very slippery fish that at present creep

through the meshes in my right hon. friend's net."

Mr BULWER must have stultified himself, if he did not see that, in suggesting more severe laws, he was recommending increased, unmitigated, continuously exercised persecution—that a tax of 100 per cent., as a Penny Stamp would be on the *Penny Magazine*, and on all penny publications, could no more put an end to smuggling, than the 200 per cent. of which he so properly complained.

In his very excellent speech in the House of Commons, on the same subject, made on the 15th of June, 1832, he said:—"He could conceive no reduction in the Stamp Duty, which would not leave in equal, if not greater force, the obnoxious principle—the tempting premium and the unjust persecution. What could be so monstrous in principle, as that any tax should be requisite for a man to publish his opinions. A tax on opinions is a persecution of opinions, and a persecution of poverty also."

I believe Mr BULWER to be an honest man. That he is a liberal thinking, generous man, in all that concerns the improvement of the People, I well know; and this knowledge and belief makes his conduct on this occasion utterly inexplicable to me.

The CHANCELLOR of the EXCHEQUER availed himself of the suggestion; and the proposal to execute a worse law with greater severity, seems to have been as agreeable to the Honourable Gentleman as such laws almost always are to men in power. He bore evidence to the fact that men in power hug that power even when its exercise can produce nothing but evil.

If the Stamp Duty were *reduced*, such laws as Mr BULWER so unwisely recommended would soon be passed; the severest laws would be deemed the best, and be enforced with unmitigated cru-



elty. Could they be exactly and generally enforced, they would effectually debar the People from every kind of printed information; and if the People were to put up with such laws, they would deserve the greatest miseries that could fall upon them.

Mr BULWER says, a Penny Stamp extinguished the *Spectator*. A Penny Stamp would extinguish the *Penny Magazine*, and prevent the publication of every cheap Periodical which was not carried on in defiance of the law. A Penny Stamp would effectually prevent some of the best men in the country, who would willingly exert themselves to maintain the most useful of publications—of men who would, with equal discretion and judgment, and with perfect disinterestedness, use their best endeavours for the instruction of the People, from being in any way useful to them. A greater misfortune, a more extensive evil than a Penny Stamp on Newspapers, could hardly be inflicted on the nation.

Let us examine this a little. The *Penny Magazine* will serve as an example. That paper is said to sell about 200,000 copies weekly. Put a Penny Stamp upon it, and it will be extinguished.

The paper sells for a penny; hence its great sale; and it is owing to its great sale that it can be sold at so small a price: a Penny Stamp would more than double its price. The increase of capital required to carry on the paper would then be enormous; every sheet must be stamped before it was sold, all the many thousands of back numbers must be stamped, and the outlay required could scarcely be compensated at the price of twopence half-penny; and thus a tax of a penny would cause an increase of price of 150 per cent.

Every one can appreciate the operation of such a tax, and see at once that

no such publications could have a legal existence.

Mr BULWER's suggestion has been anticipated. When Sir JAMES SCARLETT was Attorney-General, a scheme was concerted to carry out the CASTLE-REAGH laws of 1819, and extinguish all sorts of cheap publications, whether printed for sale or distribution. And if the tax were even reduced to one half-penny, we should have the plan of this *Whig* Attorney-General converted into an Act of Parliament, with a summary mode of execution attached to it.

The proposition of Sir JAMES SCARLETT, as it was "printed by order of the House of Commons," was—

"PARLIAMENTARY PAPERS.

April 1830, c. 42,

STAMP DUTIES.

Table of Stamp Duties proposed to be made payable throughout the United Kingdom:—

Page 130. NEWSPAPERS containing public news, intelligence, or occurrences, or remarks, or observations thereon, or upon any matter in Church or State, with or without advertisements (that is to say), for every sheet, half-sheet, or piece of paper, whereof the same shall consist, a stamp of FOURPENCE."

"Page 137. EXEMPTIONS.

"1. Any paper printed and DISPERSED separately, containing a single advertisement, and not containing any other matter.

"2. Daily accounts of goods imported and exported.

"3. The weekly bills of mortality: provided they do not contain any other matter than hath been usually comprised therein."

What, then, is a Newspaper? Every printed paper which contains:—

1. News.
2. Intelligence.
3. Information.
4. Comments or remarks thereon.

5. Anything relating to Church or State.

Thus Sir JAMES SCARLETT'S proposition included, and was intended to include, every small publication, and to subject every one who either *sold* or *gave away* Unstamped Papers to the penalty of the proposed law—namely, “twenty pounds for every copy of such paper,” besides the penalties of any laws not repealed. The propositions included, and were intended to include, every printed paper, no matter what the subject, and whether periodical or occasional, not specially exempted by the Act, and the exemptions were only three.

The strictness of the exemptions shews the intention.

That this was the intention is proved by the very extraordinary exemption of the weekly bills of mortality. Who besides Sir JAMES SCARLETT would have called these bills Newspapers? It is clear, when the law defines a bill of mortality to be a Newspaper, that it negatively declares small publications of all sorts to be Newspapers.

It is proved, also, by the declarations, that every *piece of paper* containing more than one advertisement shall be a Newspaper; and, notwithstanding there was a clause proposed to be enacted which spoke of Periodicals, and their being published within a month of each other, to which the penalties attached, the words, “*EVERY sheet, half-sheet, or piece of paper,*” would include every paper not specially exempted by name, even if it were published only once. But this is not material—for our dispute relates to Periodical Publications within shorter periods than a month.

If a Stamp Duty of one halfpenny only were imposed, laws at least as severe as this proposed by Sir JAMES SCARLETT would be enacted.

Surely here is enough to convince any one that the imposition of a half-

penny or a penny stamp would be more obnoxious to every one who wishes well to the People, than the present Stamp of Fourpence.

Before the Irish Emancipation Bill was proposed, the greatest obstacle was the reservation of the KING'S *veto*. When the Duke of WELLINGTON had determined to propose this Bill, he cleared the way at once, and let no absurd lingerings after power remain. May we hope—I hope we may—that whenever the time shall come that the tax on Newspapers shall be dealt with, the Minister of the day will, like the Duke of WELLINGTON, clear the way right out, and that no vestige of the tax will remain to shame, disgrace, and annoy us.

A few words must be said on the strange conduct of the gentlemen who supported Mr BULWER'S motion.

On the 18th of July last, a very numerous and highly respectable meeting was held at the Crown and Anchor Tavern, in the Strand, to pass resolutions expressive of their opinion of the Tax on Newspapers, and to petition both Houses of Parliament for its repeal.

At this meeting Lord BROUGHAM presided, and was supported by Mr HUME, Mr GROTE, Mr O'CONNELL, and many other well known respectable men. Mr HUME, Mr GROTE, and Mr O'CONNELL took part in the proceedings, and moved, seconded, or spoke to one or other of the resolutions, in the whole of which they heartily concurred.

In the first resolution it was declared, that “The Stamp Duty on Newspapers tends to destroy the efficiency of that instrument, and to perpetuate the evils of moral and political ignorance.”

In the second it is declared, that “If ANY PORTION OF THIS TAX BE RETAINED, a very numerous and important class of the People, will continue to be deprived of that knowledge of

passing events, without which none can properly discharge the duty of citizens; and that a MERE REDUCTION OF THE STAMP DUTY IS TO BE DEPRECATED as a half measure which, by lightening the burthen, would only fix it the more firmly on the shoulders of the People, without realizing the benefits which would necessarily arise from a total repeal."

The third contains the determination of the meeting "To petition both Houses of Parliament for the REPEAL OF THE WHOLE of the Stamp Duty on Newspapers."

Petitions for this purpose were laid on tables in the hall of the tavern, and received more signatures than ever before were affixed to any petitions at a tavern meeting. Upwards of 1,600 were appended to that for the Commons, and upwards of 1,500 to that for the Lords. These signatures demonstrate the large number of persons who must have attended the meeting, as no one will suppose that one in four amid the bustle which prevailed, affixed his name.

Here, then, was a demonstration of opinion, as perfect as it could be made. After such a demonstration it seems impossible to conceive that three such men as Mr GROTE, Mr HUME, and Mr O'CONNELL, should as it were directly afterwards contradict themselves as they did, and support a proposition to levy a PENNY TAX upon Newspapers. This was indeed a strange infatuation.

Mr WARBURTON alluded to an application made by him, Mr HUME, and other Members, to Lord ALTHORP, for the repeal of the Taxes on Knowledge—the whole of the Stamp Duty included. "They were told by Lord ALTHORP that he only refrained from proposing the repeal of the tax on account of the then state of political feeling."

Subsequently upwards of twenty highly-respectable, well-informed, influential men, many of them well known for their literary and scientific attainments and their moral worth, and among whom were Mr GROTE, Mr HUME, and Mr WARBURTON, Members of the House of Commons, held meetings to arrange matters for the publication of a cheap Newspaper for the benefit of the Working People—a Paper to be made attractive to them, inasmuch as it was to have contained "information," "intelligence," and advice, on such matters as might, from time to time, more particularly occupy their attention; and thus, by taking advantage of circumstances, lay before them the very best materials for the acquisition of knowledge when they should be best disposed to receive it.

Profit was not the purpose of the projectors, and nothing which has ever been devised could be of more real and substantial service to the People than such a Publication would have been.

It was imagined that, after the communication of Mr WARBURTON, Mr HUME, and other members, and Lord ALTHORP's declaration, after inquiries had been extensively made, and information respecting the publication and transmission of Newspapers had been exhausted, after this information had been laid before Lord ALTHORP by gentlemen who spent their time in collecting it, partly at his Lordship's desire, after the several favourable interviews these gentlemen had had with him, it was imagined that the time was come when Ministers would, at the very least, propose to parliament to repeal the whole of the Stamp Duty on Newspapers.

A private interview was had with Lord ALTHORP, as CHANCELLOR of the EXCHEQUER, on the 15th of January, 1833, when his Lordship said the Stamp Duty should be taken off; but as the whole of his colleagues had not

agreed to make it a *cabinet* measure, he would consult with them.

It was understood that, on the first open day, Mr WARBURTON should, in his place in the House of Commons, ask the question, and that an unequivocal answer should be given. From the way in which this arrangement was made, no doubt was entertained of a satisfactory answer.

Arrangements were accordingly made to have all things ready for publication as soon as the *Stamp Duty* should be removed, and money to meet the expenses was in part provided, when the whole matter was abruptly put an end to.

On the 5th February Mr WARBURTON, in his place in the House of Commons, put the proper question to the CHANCELLOR of the EXCHEQUER, to which Lord ALTHORP with the usual finesse of a practised Minister said:—

Every person acquainted with the subject must be aware of the disadvantageous effect of the tax. His wish certainly was to introduce a measure to amend the Law in this respect, but at the present period of the year before he knew what might be the result at the end of the year, it was impossible that he could give any pledge on the subject or any other of a similar description. Until he should know the STATE of the FINANCES, he could give no pledge on the subject.

This was about as perfect and as impudent a piece of jesuitism as ever was heard, even in the House of Commons. “*The state of the finances*” was well known to him—they had been made up a month before; and on the 19th April he stated the net surplus at 1,487,000*l.* That Lord ALTHORP played

the part of the Exchequer juggler can scarcely be doubted by any one. That the state of the finances was not the reason for his refusal to repeal the tax is quite clear;—the true reason can scarcely be mistaken. The Cabinet then as now, dreaded the increase of knowledge among the People, and then as now resolved to keep them as ignorant as they possibly could.

Here ended the efforts of the truly good men, whose desire it was to do real service to their fellow-citizens. It should not have been so; they should have kept together, appealed to the public, and never left the matter at rest until the stultifying act was repealed; this will be done now; and the tax will at no very distant time be taken off, if the aid of the People been ergetically given as it ought to be given, as I doubt not it will be given.

With all these proceedings, and almost every other proceeding to procure the repeal of the Stamp Duty, Mr CHARLES BULLER was well acquainted; he had also given his concurrence and occasional assistance; strange, therefore, strange almost beyond belief it is, that he, too, should concur in supporting the absurd and singularly mischievous notion of Mr BULWER for a Penny Stamp.

The matter will be vigorously proceeded with out of the House, and no one is more competent than Mr BULWER to proceed with it in the House, but if he has succeeded in persuading himself that it is not advisable to take off the WHOLE TAX, it is his duty to take himself out of the way, and leave it to those who are publicly exerting themselves to find some other member whose opinions coincide with their own, one who will not delay to bring the subject before the House early in the next session, and then go boldly through without any sort of compromise whatever.

FRANCIS PLACE.

Brompton, Dec. 22, 1835.

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# A LETTER

TO

DANIEL O'CONNELL, ESQ. M.P.,

ON

## PEERAGE REFORM.

By J. A. ROEBUCK, M.P.

CRUSADE AGAINST THE UNSTAMPED—  
MR BROUGHTON'S DECISION.

By H. S. CHAPMAN.

EDITED BY

# J. A. ROEBUCK, M.P.

[PRICE TWOPENCE.]

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### A LETTER TO DANIEL O'CONNELL, ESQ., M.P., ON PEERAGE REFORM.

MY DEAR SIR,

I owe you thanks for the kind expressions used respecting myself in your letter to the *Leeds Times*, on the subject of Reforming the House of Lords. I owe you thanks, also, for the advice with which those kind expressions were accompanied. I beg you to believe that I am grateful both for the admonition and the good feeling.

One observation, however, which you then made, leads me to think that there exists a great and fundamental difference in the rules of action we have separately adopted as our guides in political life, and I am desirous of pointing out to you wherein I conceive this difference to exist, and suggesting the reasons which induce me to prefer the course I have hitherto pursued. Your greater experience in the business of politics, and your success therein, make you an authority. The opinion you

have expressed has led me carefully to go over the whole question with myself, and I now lay the result of that investigation before you, with no arrogant confidence in my own judgment, but in the hope of proving to you that the conduct I pursue is not the effect of passion, heat, or impulse, but of deliberate consideration, and, even if erroneous, the result of careful thought and patient inquiry.

The expression in your letter which led me to believe that this great and fundamental difference existed in our practical rules of politics, was the following:—You observe that I may do great good “if I will prefer practical utility to theoretic perfection.” I am not about to cavil at the distinction which you, with so many others, here draw between *practice* and *theory*—as if the one were a thing *opposed* to the other. I will not press this point, but endeavour to answer the objection which was

really in your mind, though expressed by these very inaccurate terms.

The objection, then, which I suppose you really to have intended, was this— You believe, that confining my consideration to the nature of man generally, and not taking into account individual and peculiar differences resulting from time, place, and other circumstances, I make an unbending, unyielding rule, and endeavour to force all things to conform to this my arbitrary standard of perfection. This is one part of your objection, and were I to do as here supposed, I should deem it an exceedingly valid and important one. There is, however, something intended by your expression beyond this—something that may be expressed by the terms *want of policy*. You fancy (and I am led the more to believe this, as I see your own conduct often governed by the opposite rule) that, having conceived in my own mind what I deem it right to seek after and attain, I declare openly at once, and, as you believe, *unwisely*, the real extent of my desires—I place before myself and the public the exact thing I am aiming at, and am not content with any declaration of opinion which does not reach the point really intended, nor with any measure which does not distinctly contemplate the attainment of it. I plead guilty to this last charge, and I shall now endeavour—

1st, To illustrate and more fully explain what this charge really intends; and

2ndly, To justify the rule and the course of action which results from it.

If we take a particular case, it will be more easy to bring out and make apparent the great practical differences which flow from the difference in the rules adopted. No case is better, as matter of illustration, than that which formed the subject of your letter: viz., **Reform in the House of Lords.**

Any unfavourable opinion which an

Englishman may form respecting the English Constitution, is likely often to recur to his mind, to be reconsidered, discussed, and sifted. Almost all our political books enlarge upon the excellencies of our political Constitution, and endeavour, in various ways, to set forth and illustrate its extraordinary perfections. If, then, any one think otherwise concerning it, he finds his own views constantly challenged and called in question, and is led involuntarily to a constant reconsideration of the reasons which first induced him to condemn what others have so generally determined to approve and applaud. Such, to speak of myself, has been the course of reconsideration to which I have been continually driven. Early in life, like all other Englishmen, I received with willing belief all the many praises which our standard political writers lavish upon the English Constitution. While content with mere authority, the study was easy, and nothing was to be heard but songs of triumph and of laudation. But by what I considered, and do still consider, good fortune, I was led to inquire more carefully and search more deeply into the grounds on which all this applause had hitherto rested. While employed in this search, I learned that there was a *science of Government* based upon *the science of human nature*. That the true experience on which the conclusions respecting Government rested, was not derived simply or chiefly from the faulty chronicles called the History of Nations, but depended upon principles of our nature which are invariable,—which in every state of society, whether savage or civilized, govern the whole conduct of men, whether acting as individuals or in society. However modified in appearance, however warped or hidden by peculiarity of condition, I saw the same passions, the same desires, interests, motives, ever acting upon mankind—and learned that, upon a

thorough knowledge of man's nature, a knowledge derived from a consideration of the individual, under all the influences to which he is subject, rests the true theory or science of Government.

In different states of civilization, it is true that the same institutions would produce widely different effects. And it is the business of him who studies the science of Government to know what differences will result, and why; to search in the nature of man for the causes of these opposite results, and thus to get at the means of producing, under any circumstances given, the effect he may desire. Upon the extent and accuracy of his knowledge, that is his *theory*, will depend the success of those rules which he may frame for his practical guidance. If he know human nature well, he will be a wise politician or legislator; and this knowledge he cannot attain but by accurate inquiry into the nature of the individual. That sort of knowledge, which is supposed to be gained from the consideration of what is termed history (which, in fact, means exceedingly imperfect accounts of what is done by men considered as nations) is wholly insufficient for the purposes of a Legislator. He must indeed know what men do when acting in masses; but he must also acquire from the observation of individuals what is true, universally, of the whole race of mankind.

Being convinced that this was the right method of forming any theory of Government, I set myself to inquire after this fashion, what Government would best suit the English People in their present state of civilization. While making this search I was not content with any authority—that is, I trusted to no man's expressed opinion—*What was*, had ceased to be, in my mind, the same as what *ought to be*—and what ought to be, was no longer, in my opinion, to be determined by in-

discriminate praise, no matter by whom awarded.

In this spirit of free inquiry, I analysed the English Constitution—and having constant reference to the opinions and feelings of the great body of the People, I endeavoured to learn to what extent the form of that Constitution was conformable to that Government which a knowledge of human nature would lead a Legislator to adopt.

One of the very first subjects to which my attention was drawn was the existence of two separate, and by the *theory*\* (or hypothesis) of the English Constitution *independent* legislative bodies: and the following questions necessarily arose—Is there any necessity, supposing we pay no attention to the peculiar feelings of any particular People, for two independent legislative bodies in a thoroughly well organized representative Government? And secondly in the present state of the People of England, is there anything which induces such a necessity as respects them.

Now I come to the illustration of the difference in our policy.

I came to the conclusion on both these questions, not merely that no second legislative body was needed, but that such a body would be absolutely mischievous, under the best conceivable circumstances in which it could exist. The reasons for this opinion I will advert to immediately: at the present moment, I have to enquire why, having formed such an opinion, such in fact being my "theoretic perfection," why I should cloak or hide it? Why I should say that I hold another and a different opinion—and declare that I should be content with a reformation that would effect less than a total abolition of the legislative power

\* This word "theory" plays like most other words many parts. In the phrase, "the theory of the Constitution," it really means *hypothesis*

of one of these independent bodies? My notion, to use your own expression, of theoretic perfection, is a single legislative chamber, fully and fairly representing the whole People—and completely and closely responsible to the People: This is my theoretic perfection. Now then, I ask what *practical utility* would be served by aiming at anything less—by saying that something very different would please me? To put the thing shortly, what practical utility would result from telling a falsehood?

To this questioning, the following answers may be, and are often given.

It is said, that the feelings of the People of England respecting an Aristocracy are such, that they will never be content with a single legislative chamber, and that therefore to attempt to make them put up with one chamber would be to coerce them—in fact, to tyrannise over them.

This, however, is no answer to my question; this, supposing the assertion correct, would be an exceedingly good reason for me to change my opinion, to make my theoretic perfection different; but would be no reason, supposing that I held the assertion, as I do hold it, utterly erroneous, for my saying that I thought a second chamber necessary.

It is said, and this is deemed wise policy:—True, a second chamber is a nuisance, but we must not now say so, because we shall thwart our own endeavours to get rid of it. Let us then praise a second chamber, let us pretend that there is some use in it; we shall be able thus to make one step against it; when we have made that step, then will be the time to declare *the whole of our opinions*, and aim at once at the very existence of our Aristocracy.

To the whole of this system, to this policy, as it is called, I utterly object; I repudiate it first as dishonest, second as unwise.

All the changes or reforms which we seek, we attempt to attain by means of the People. We endeavour, by laying before them the reasons for and against any given institution, to lead them to approve or disapprove of it; but if the reasons we adduce are in our minds faulty, or only half the truth, we are practising a deceit upon the People; and our opponents might well say in such case — “How can you trust men who act thus? They pretend one thing, but really seek another. They tell you to-day that they will be content with one change; to-morrow they will call for another. The guides in whom you place confidence are misleading you; they entice you one step in the hope of being able to compel you to the next.” There was a class of politicians who throughout the discussions respecting the Reform Bill, pretended that they sought that as a final measure. Then, as now, I objected to such statements; I always avowed that I sought the reform but as a stepping-stone to further changes; that I deemed it exceedingly imperfect, and only desirable because it enabled us to make other advances. Thus, also, in this case of the House of Lords: holding all irresponsible power to be injurious, I declare that I never shall be content till all irresponsible power be put down; — holding a Second Chamber, even of the best description, to be a cumbrous, therefore mischievous machinery, I also openly declare that I shall never be content till I see this country ruled by the House of Commons, without the aid, or rather the burthen, of legislative Lords. My theoretic perfection being of this description, my notions of practical utility also lead me to state it openly. I have no wish, when intending the utter destruction of the legislative power of the Lords, to appear to be seeking only for a diminution of that power.

But there are yet higher considera-



tions than these, which lead me to repudiate this politic and practical utility doctrine. Truth, in my eyes, is above all things valuable; and the enunciation of an opinion I deem a very grave and solemn matter. No notions of policy or immediate expediency ought to permit us to palter with the truth; while placed, as we are, in the front of the nation, selected by large numbers of our confiding countrymen to be their guides and leaders, it behoves us to remember that our opinions, as expressed by us, in the authoritative and high character of popular representatives, in an important manner influences the opinions and the conduct of millions of others. Truth, then, suffers seriously if we desert her. We ought to be her ministers and faithful interpreters, not tricking and glozing casuists. We ought not to have one doctrine for this day, and another for the morrow, shifting and turning as this or that wind may blow, but holding our course right on—steadfast, straightforward—speaking right out what we intend, labouring honestly and zealously for the truth's sake, and relying on her invincible nature for the success both of her cause and ours.

Objection may, however, be taken here, that there are truths which the People will not hear; and that, like children who will not take disgusting physic, they must be won and allured by sugaring the cup. This is a dangerous doctrine; for private personal purposes it may, perhaps, be convenient; and FONTENELLE, in that view, might have been politic when he said, "Had I my hand full of truths, I would only open one finger at a time." This doctrine, however, perpetuates the evil that it dreads. It fears persecution, therefore plays the hypocrite, and ministers to the evil passions of the People. It attaches guilt to opinion, and not, as it ought to do, to the false expression

of it. If it were constantly impressed upon the People that there is no guilt or virtue in holding an opinion—if we were steadily to set before them the unspeakable advantages resulting from attaching a solemn importance to speaking the truth as respects opinions; and more than all, if we acted up to our doctrines, and confessed unto that we believed, we should indeed do mankind great service, and deserve their respect and admiration. By playing the hypocrite, we may suit our own purposes, and pursue our own ends; but never can we forward the cause of mankind by any such ambidexter proceeding. We are not to confine our attention to the present moment, and endeavour only to learn what the single and first effect of our conduct may be. It is necessary to estimate the effects for all time; to know what the one course and the other would produce, if at all times pursued; what would result if we habitually sacrificed all things to truth. We should then see that, although a partial advantage might follow any given deviation from the strict rule, yet that the benefit would soon be overborne by consequent evils, and that even practical utility would best be forwarded by the steadfast pursuance of what we might deem the truth.

It may still be urged, that this doctrine of practical utility does not demand any such sacrifice of truth as I here contemplate, but that it requires simply a modification of our views to suit the existing feelings and prejudices of the times. This, however, in a different form, is the same statement that I have answered already. If it be necessary to alter our views, our theoretic perfection would be the result of those changed opinions. Our conception of a perfect government for a given people is framed with reference to their opinions and feelings. Perfection means—suitable to the nation in ques-

tion. So that to say that I have only to modify my views in the case before us, is distinctly to assert that my present views, having reference to the feelings and prejudices, if you will, of the People of England, are faulty, and that I ought to change them. This, however, is not to charge me with desiring and following theoretic perfection, but with coming to erroneous conclusions; which is to say, not that I ought not to desire and seek for what I really believe to be the best, but that I do not seek the best, but have deemed that the right which is really wrong. This distinction is so plain that I need not further insist on it.

But a politician may here say, acting and thinking are two things. We are not inquiring into what we deem the best form of government, but are endeavouring to get the best that we can. To that end we ought to be ready to forego, to some extent, our own individual opinions, and be content to forward those views which, among liberal politicians, are generally preferred. Undoubtedly this is necessary in all cases wherein men act together; but while thus foregoing an opinion, we are not to belie it. If, for example, I should come to the conclusion that all we could reasonably hope for would be the partial reform in the Lords which you propose (of which I shall hereafter speak), then it would be wise in me to direct my efforts towards the end at which you are aiming—to co-operate with you, in short. But to co-operate with you is one thing; to say that I agree with you in thinking the reform the best that could be conceived, is another. To determine to act with you is not the same thing as thinking with you; and until I do think with you, it seems to me criminal to say that I do. For example, while co-operating with Lord JOHN RUSSELL in endeavouring to attain the Municipal Reform that he proposed, I

did not—I could not say—that I agreed with him in thinking that reform the best that could be conceived, or even the best that could be attained. The three years' voting, the paying of the rates, the open voting, were all, in my eyes, great and serious evils in the plan proposed; and thus, while I voted for the measure, while I sought it as better than the old system, I never ceased to signalize the evils of the plan proposed; I never said I thought with Lord JOHN RUSSELL, though I voted with him.

There are manifold advantages to the cause of improvement resulting from this course of conduct: advantages, the loss of which no partial benefit derived from cloaking or suppressing opinions can possibly compensate. When each man honestly sets forth that which he believes, and zealously defends it, this friendly contest brings out the truth. The sifting and impugning the doctrines of each other sharpens and strengthens the understanding of all, and truth is struck out by the collision of opposing doctrines. To check this freedom of expression, either by the terror of punishment or of ill opinion, or by the lures of worldly policy, is to aim a blow at knowledge and truth herself. "Give me," says MILTON, "the liberty to know, to utter, and to argue freely, according to conscience, above all other liberties." His estimation of this privilege was correct. Where such liberty exists, all others will soon come; where such is denied, none can remain long. However, "there be, who perpetually complain of schisms and sects, and make it such a calamity that any man dissents from their maxims. It is their own pride and ignorance which causes the disturbing, who neither will hear with meekness, nor can convince; yet all must be suppressed which is not found in their Syntagma. They are the troublers, they are the dividers of unity, who neglect, and permit not others, to unite

those dissevered pieces which are yet wanting to the body of truth. To be still searching what we know not, by what we know, still closing up truth to truth as we find it (for all her body is homogeneal, and proportional) this is the golden rule of Theology (Politics also) as well as in Arithmetic, and makes up the best harmony of a Church (a State),—not the forced and outward union of cold and neutral and inwardly divided minds.”—(*Milton's Speech for the Liberty of Unlicensed Printing.*) No real tolerance of spirit can exist, till this rule be adopted and acted on by all; and no effective co-operation to good ends can be hoped for, till real tolerance become part of our common habit of thought and feeling.

Such, then, being my creed upon this point, while I may be ready to co-operate with you even in your endeavours respecting Reform in the Lords, I shall not consider that I do harm to the cause of improvement, if I express my dissent from you, whenever dissent arises in my mind. Thus, though I may, perhaps, become, for the present, content to seek for your Elective House of Lords (which, according to my existing opinions, I am not) I shall, nevertheless, deem it my duty to lay constantly before the People the insufficiency of such Reform. I shall not believe that I put back the Liberal movement, by insisting on any *theoretic perfection*, nor do I dread that schisms of this sort will do harm to truth. I conceive that any Second Legislative Chamber is an evil; and while endeavouring to diminish and alter the power of the present one, shall continually be submitting to the People, the propriety of going one step further and abolishing such legislative power entirely. You call upon Reformers to unite—and I sincerely hope they will answer your call: but this unity ought not to mean that they shall all square their opinions by any one

standard, or modify their expressions after some set or established fashion. When men of independent minds meet, there necessarily rises among them difference of opinion. When men think, they must come to different and often opposite opinions. If indeed they are content not to think for themselves, but give up their minds into other men's keeping, there may easily, then, be uniformity of expression—*belief* there will be none. “Well knows he who uses to consider, that our faith and knowledge thrives by exercise, as well as our limbs and complexion. Truth is compared in Scripture to a streaming fountain; if her waters flow not in perpetual progression, they sicken into a muddy pool of conformity and tradition. A man may be a heretic in the truth; and if he believes things only because his pastor says so, or the Assembly so determines, without knowing other reason, though his belief be true, yet the very truth he holds becomes his heresy.”—(*MILTON, ibid.*) I cannot believe that such is the conformity that you desire; your appeal to Reformers to unite, cannot signify that they are to forego their individual judgment; neither ought it to signify that they ought to forego, even for one moment, the right, and the exercise of the right, of freely expressing what they honestly conclude. To any call which implies such abnegation of our dearest privilege, I will not answer; neither will the people of England, so long accustomed to free thinking and free speaking, on any plea of present expediency, be content to forego that grand and elevating prerogative. “Consider, Sir, what nation it is whereof ye are, and whereof ye are one of the governors; a nation not slow and dull, but of a quick, ingenious, and piercing spirit, acute to invent, subtile and sinewy in discourse, not beneath the reach of any point, the highest that

human capacity can soar to." Such a people, to win even political liberty, cannot so far forget their high estate, as to stoop to unworthy means, cannot be so weak and foolish as to barter for any supposed advantage the greatest of all earthly benefits.

You seem to dread that our enemies will take advantage of our schisms:—let me entreat your consideration of the words of one, for whose wisdom and virtue you must have unbounded admiration, however much on matters of religion his conception of the truth differed from yours.—“ Yet these are the men,” says Milton, “ cried out against for schismatics and sectaries, as if, while the temple of the Lord was building, some cutting, some squaring the marble, others hewing the cedars, there should be a sort of irrational men who could not consider there must be many schisms and many dissections made in the quarry and in the timber ere the house of God can be built. And when every stone is laid artfully together, it cannot be united into a continuity, it can be but contiguous in this world; neither can every piece of the building be of one form; nay, rather the perfection consists in this, that out of many moderate varieties and brotherly dissimilitudes, that are not vastly disproportionate, arises the goodly and graceful symmetry that commends the whole pile and structure. Let us, therefore, be more considerate builders, more wise in spiritual architecture when great reformation is expected. For now the time seems come, wherein MOSES, the great Prophet, may sit in Heaven, rejoicing to see that memorable and glorious wish of his fulfilled, when not only seventy elders, but all the LORD’S people are become prophets. No marvel though some men, and some good men too, perhaps, but young in goodness, as JOSHUA then was, envy them. They fret, and out of their own weakness are

in agony, lest these divisions and subdivisions will undo us. The adversary again applauds and waits the hour. When they have branched themselves out, saith he, small enough into parties and partitions, then will be our time. Fool! he sees not the firm root out of which we all grow, though into branches; nor will beware until he see our small divided maniples cutting through at every angle of his ill-united and unwieldy brigade. And that we are to hope better of all these supposed sects and schisms, and that we shall not need that solicitude, honest perhaps, though overtimorous, of those that vex in this behalf, but shall laugh in the end at those malicious applaudings of our differences, I have these reasons to persuade me.”—*Ibid.*

Deeming it, then, my duty to express and maintain a principle or doctrine so long as I believe in it, I now proceed very briefly to inquire into the advantages of the plan you propose for the Reform of the House of Lords:—

There are two conditions which ought to attend every plan of proposed practical reform,—

1st. That supposing it adopted, it shall really be fitted to attain the end in view.

2nd. That there should be some reasonable ground for supposing that it may be adopted.

I will reverse the order in which I have stated these conditions, and first take into consideration that which I have mentioned last.

You propose to make a second chamber by electing, by the People at large, out of such persons as may be Peers, a certain number to constitute a legislative body; and you recommend this plan, because it, you say, is in accordance with received usages, and is not so great a change as to startle or alarm the nation. For my own part I think in all this you deceive yourself.

You will not make people believe that electing a second chamber by something very like Universal Suffrage, is the same thing as electing Scottish Peers for the Parliament by Scottish Peers, and Irish Peers for life by Irish Peers. In all plans of representation two grand incidents are,—the persons *from* whom the representatives are to be elected, and the persons *by* whom they are to be elected. Now in the case proposed, your plan contemplates so large a change in the persons *by whom* the Representative Peers are to be chosen, that everyone at a glance will perceive that the analogy you advance is merely analogy in name. Again, this election of Peers is the exception to the ordinary method. The ordinary method, that by which the great majority of the House of Lords is constituted, is by Royal creation: You take the exception, and then fancy that you are likely to persuade the nation that you are acting according to precedent and authority.

To the present House of Peers your plan will be quite as distasteful as one that proposed complete abolition; and the opposition to the one would not exceed the opposition to the other. In my political experience, I have remarked that persons having sinister interests are ever as violent against one change as another—that they oppose half-reforms just as stoutly as complete reforms; that they fight just as fiercely for the half as the whole of their power:—and, in a worldly point of view, they are wise. It is for their sinister interest to maintain their existing state—change or reform ever hangs over them, and is their evil genius. One change always leads to some other, so that they, in order merely to insure peace, at the first symptom of attack, go seriously to the work of resistance. But while it is thus wise in them to resist thus fiercely half changes and reforms, it is wise in

reformers to fight the battle with them for all, and not a half. If to gain only half a victory you require the same fight as to gain a whole one, strive for the whole one at once. In reforms, the rule always is, the more you demand the more you will obtain; therefore, and be assured that the plan is a good one, ask for all at once, and always. Never pretend to be pleased till you are so in reality, and never be so in reality till you have all you ought to have.

As respects the difficulty of attaining our proposed reforms, I suspect you will find, that in the one case it will be as great as in the other, and that the efforts needed to effect yours, would also attain mine. Neither the one nor the other will be attained easily, or soon; and for this reason: as yet the nation are not so convinced of the necessity of such reform, as to run the risk of a revolution to gain it. I believe that the great majority of the nation desire an effective reform in the House of Lords; but this desire is not of that pressing and vehement nature, as to excite them to physical resistance. In the case of the Reform Bill, this desire had reached that point, and a very few hours more of resistance on the part of the Lords, would have raised the standard of revolution in the North and in London. Time, and an acute perception of the evils resulting from the existence of such an irresponsible body as the Lords, will eventually produce the state of mind needed to enforce the change we seek; and you may be assured that at that time the complete reform of the Lords will be a matter of no more difficulty than half a one. You will not get your half reform without a very significant threat of revolution; with that threat you may, if you desire it, attain the whole of what you ought to have.

Before I proceed to say any thing

respecting the worth of your proposed plan of Reform, permit me to make one observation on your dread of schism resulting from the Reformers proposing different schemes. If it were permitted to any one, at once thus to preoccupy an important question, and having set forth his own doctrine, to warn off opposition by denouncing schism, it is evident that great danger might, and would arise to the cause of improvement generally. As soon as Reform was seen to be assured, the enemy would immediately get some one to play the part of a Liberal—he would immediately propose some milk-and-water scheme, denounce opposition as dangerous, and thus delude the people into being content with a partial and useless change. In the present state of political education among public men, no one can or ought to assume to himself the privilege of deciding for the whole People. By discussion we ought to bring out the desire of the nation; to create among them the right wishes respecting Reforms, by laying before them the reasoning and the facts necessary to a correct conclusion. You say, upon consideration you have made up your mind, that two Legislative Chambers are advantageous—and at once, and without consideration, you call upon all those who have come to a different conclusion, to give up their opinion. I wish to be candid with you, while remarking on this proceeding, and at the same time I hope to give no offence. For your abilities as a speaker, as a Parliamentary debater, as a leader of the Irish People, I have great admiration, but there are men whose judgment and sagacity in all that pertains to the science of Government, I cannot avoid placing above—yes, I may as well at once say it—far above your's. Among these men, I may mention the name of an old and esteemed mutual friend, JEREMY BENTHAM. He spent a long and very studious life in the investiga-

tion of this great science of Legislation. Almost his last published work was a letter to Lafayette on the subject of a Second Chamber. In that letter he advocated the principles which he had put forward in his *Fragment on Government*, in the year 1776,\* demonstrating, as I consider, the evils of a Second Legislative Chamber. If, then, I am to decide the question, and what conduct I shall pursue respecting it, by authority, I should rather yield, in this case, to that of my revered friend, Mr BENTHAM, than to that of any other man. But I am not willing to yield to any authority—I am not willing that the People should do so, but desire to have this great argument fairly set forth—to have it publicly and completely discussed, and to see the nation at large thoroughly understanding the merits of the whole matter. To no man will I concede the right of hushing up discussion under the name of preventing schism. You have never seen me shrink from fighting the cause of your country against any opposition, and I hope you will find me as steadfast and bold in maintaining the rights of the whole People, as in vindicating those of the most ill-used part of them. Before we adopt your plan of Reform, we must sift and approve of it.

The inquiry respecting this, your Reform of the House of Lords, is twofold:—1st, Is any Second Legislative Chamber needed?—2ndly, Is the sort of Chamber you propose the best fitted to

\* Some time since there was a controversy as to who first proposed Reform of the Lords. It is evident you never meant, though some supposed you did, to assert that you first conceived the necessity of such Reform. All that I suppose you to have intended was, that you were the first person who of late years proposed such a scheme in the House of Commons. The Revolution of 1640 annihilated the House of Lords, and there were not wanting persons to justify that Reform,—among others, MILTON strenuously defended it. Mr BENTHAM, above half a century since, advocated something very like this effective Reform; and to come down to the last year, you will find, that even my scheme was the first mentioned in the Commons.

answer the ends for which a Legislative Body is constituted.

The first of these inquiries is not that sort of question which can be so hastily or so easily decided as you seem to believe. It cannot be dismissed in a sentence, or settled by one consideration. I cannot pretend to discuss the question in the space of this my present letter, though you dismiss it after the following summary fashion:—"Upon the fullest consideration I declare my conviction of the utility of two Chambers for Legislation. In the first place, there are in existence two Chambers, and I would not change more than is absolutely necessary to be changed. But, secondly, a Second Chamber diminishes exceedingly, if it do not altogether take away, the danger of legislating from impulse, passion, or party. Even a second House of Commons would afford this advantage—a Reformed House of Lords may, I think, be so arranged, as to be preferable."

Under the appearance of two reasons for two Chambers, you really give but one. You give, indeed, two reasons for retaining the House of Lords, but not two reasons for your general preference of two Chambers. The reason you advance is, that two Chambers diminish, if they do not altogether take away, the danger of legislating from impulse, passion, or party. *Why* the Second Chamber should produce so extraordinary an effect you do not tell us. If we suppose, as we ought, that in a well constituted Government the House of Commons would represent the whole nation, we are also justified in supposing that they will act as the nation desires, and this, to me, appears sufficient; and I am not to be terrified by a talk about acting upon impulse or party feeling. The Second Chamber would have interests either identical with those of the People, or different from them. If identical, then would

they be acted on as are the People's Representatives;—if not identical, then we may be sure that they will pursue their own interests in opposition to those of the People. Does the House of Commons at this present time act upon these dangerous impulses ever *with* the People? If they are rapid and hasty is it not against the People? and are they not thus hostile to the popular cause because *irresponsible*? Make them responsible, and you have the best and, in fact, only guarantee for their acting in accordance with their own duty, and the People's well-being.

If, then, the Second Chamber is to be responsible to the People, to have the feelings of the People, all that we can say of it is, that it is an incumbrance. It subjects a law to the approval of two Houses of Commons, in place of one, and time, expense, and trouble, are uselessly expended.

But, if the Second Chamber be not responsible, then have we the evils of the present Second Chamber. They are mischievous because irresponsible—they oppose us, they laugh at the wishes of the People, because no one can punish them for their ill deeds. It is clear that this Second Chamber must be either responsible or not; if responsible, there is no increased security for *due* consideration; if not responsible, they will necessarily be hostile to the People.

But it seems that your plan is likely to obviate these difficulties. The Second Chamber being elected by the People will be responsible; but being Peers, will not be subject to popular and sudden impulses. Here there is but a juggle of words. If they be not subject to popular impulses, they will not obey the People; if they will not obey the People, and for disobedience the people cannot punish them, then are they irresponsible. If, however, the People can punish them, then are they

subject to the People, and under popular influences.

Let us, however, look a little more closely into this supposed improvement. Does it by its peculiar excellencies, get over the difficulty attending the Second Chamber? In choosing the House of Commons, the People and you also complain of a property qualification for the members. Why do you so? Because the choice of the People is thus narrowed, and the chances of framing a Legislative Chamber equal in capacity to the best of the nation are greatly diminished. Now mark your inconsistency. While complaining of the choice of the People being narrowed, when seeking for fit representatives in the Commons, you propose to compel them to make selection for their second body of legislators out of a body still narrower. If, however, this narrowing of the field of choice, tends to deteriorate the mental and moral capabilities of the House of Commons, *a fortiori* this far more effective narrowing of the field of choice, as regards the Lords, will make that Assembly very much the inferior to the Commons, as respects probity and intelligence. Then what results? You subject the decisions of a superior assembly to an inferior one. You make the decrees of the best men of the nation subject to the supervision of others far inferior. This argument appears to me utterly subversive of the whole of your proposed scheme.

But, to confine ourselves to the subject of a Second Chamber—there is yet

this further consideration. All persons who know anything of legislation, complain of the numbers of the House of Commons; and this for two reasons: first, being *so* numerous, they act like a mob; second, that being *so* numerous, there is great difficulty in finding a sufficient number of efficient and educated men for representatives. But if this be so, as respects the one Chamber, surely you increase the difficulty by making two. If it be difficult to find fit men for the House of Commons, it would be still more difficult to find fit men for the House of Commons and the House of Lords. This is another and no mean argument for one Chamber.

Here you may turn round on me and say, “but you also propose to retain the House of Lords—you propose to give them the power of compelling the House of Commons to reconsider their opinions, and yet you object to a Second Chamber.” The answer to this objection is not difficult. My own opinion is, that not merely is a Second Legislative Chamber not necessary, but also that a titled nobility is little better than a nuisance. With the first part of this opinion, I believe that the People of England will in my time coincide; I very much doubt whether they will with the latter. I have, therefore, devised a scheme which will in reality annihilate the legislative power of the Lords, while it will still leave them a comparatively harmless existence.

I remain, dear Sir,

Yours very truly,

J. A. ROEBUCK.

## CRUSADE AGAINST THE UNSTAMPED—

### MR BROUGHTON'S DECISION.

AFTER a few months of repose, the Whig authorities have again entered the field against the Unstamped Press, and the result will, in all likelihood, be another conquest over, and consequently

another weakening of a weak but tyrannical Administration:

In the present crusade the Government is merely the willing tool of the Stamped Press, which, with some few



exceptions,\* has for a long time past been goading the Administration to adopt this course by twitting them with their pusillanimity in not putting down the Unstamped, and by threatening to buy no more Stamps themselves unless the laws be enforced.

The Tory papers have a double inducement for thus urging the Ministry. In the first place, they perceive that there is no measure so likely to prejudice and finally to destroy their rivals in the opinion of the public as a systematic opposition to the emancipation of the Press; and in the second place they have the same pecuniary interest in upholding the Stamp as the papers which call themselves Liberal.

In defence of the opposition of the Tory papers to a free Press, something; though it be but little, may be urged. To restrain the expression of opinion, and to check the diffusion of knowledge, are parts of their system; so that, according to the doctrine of the philosophic ruffian, in the story of 'Paul Clifford,' it is their system which is to be blamed, and not they.

The "Liberal" (!) Press, however, have not even this shallow excuse. Their sole object—at least so far as ordinary eyes can discover—is the preservation of a most odious monopoly, which protects the wealthy speculator in Newspapers against the consequences of a free competition with all that talent to which a free Press would open a field.

Nothing can possibly be more disgraceful than the conduct of the Liberal Press on the subject of the Newspaper Stamp. If they had done their duty by demanding its Repeal, it is quite clear that it could not have been maintained till this moment. The Ministry was far too weak, from the very commencement of last Session, to risk a loss of

the support of such advocates as the *Chronicle*, the *Globe*, and the *Examiner*, by a refusal to give up the Newspaper Stamp, had those papers opposed its continuance; so that the public may fairly attribute to their shameful lukewarmness, the prolonged existence, not only of this odious tax, but of the still more odious "gagging laws" of CASTLEREAGH, under which most of the recent persecutions have taken place.

In such a paper as the *Times*, where the Editor, Mr BARNES, has permitted himself to be sold with the types, the Public are prepared for any degree of political immorality; but no man can read without surprise an article in the *Examiner*, extending to upwards of a column, on the subject of the proceedings against the Venders of the Unstamped, which contains no protest against the tax (unless, indeed, the term "bad law" can be so construed), which positively urges persecution,\* and

\* The article in the *Examiner* of the 20th December, is headed "Partial Application of the Law." It contains various objections to the method pursued by the Stamp Office, some of which objections are put with Mr FONBLANQUE'S usual skill, and it concludes in the following words:—

"No doubt the Government feels the difficulty of strictly enforcing the law against the Unstamped Press; but having refused to abolish the odious imposts, it is bound to exact them from all alike, and it cannot be permitted to make exceptions where the Act by which it abides has contemplated none.

"If arguments of wisdom will not suffice to procure the abrogation of a bad law, the next best course is to allow of no tampering, but to insist on the strict application, which breaks it down by its own vice."

As a contrast to the above, let me recommend to the reader's notice the following excellent observations from the *Spectator* of the 26th. The *Examiner* assumes, with wondrous facility, that Ministers have "refused to abolish the odious imposts," whilst the *Spectator* still honestly and plainly tells Ministers that "to abolish the tax" is the "one course:—"

"The fact is, that no power of the Government can enforce the law against the sale of Unstamped Newspapers. . . . People are determined to have them; and an extensive and constant demand for any article is always supplied in England, without or with the consent of the constituted authorities. Ministers may as well give up a contest in which they cut a very

\* The *Sun*, *True Sun*, *Morning Advertiser*, and *Spectator*.

which only objects to the mode in which that persecution is carried on.

Considering the position of the Ministry—considering the aid they require from the Press—the leading Liberal papers have it still in their power to force Ministers to make the Repeal of the Stamp the very first act of the coming session. Under any circumstances, it appears to me the Whigs should not have the support of a Press making the welfare of the community its guiding rule of action; but if that support be determined on, surely the emancipation of the Press ought not to be considered an exorbitant purchase money.

The plan of proceeding against the real and supposed offenders *out of London* is detailed in a letter emanating from the Stamp Office, and dated 10th of December, 1835.

This letter directs Distributors, *first*, “to make *diligent inquiry*, in order to ascertain the names of the Venders of Unstamped Papers,” so that they may be proceeded against “*by information.*” *Second*, “to employ intelligent persons *to make purchases of unstamped copies*,” so that evidence may not be wanting. *Third*, “to ascertain by what coaches or other conveyances the Unstamped Papers are transmitted, and, if possible, in what manner they are directed,” so that if the Stamp Office people deem it necessary, “*the packages may be seized*, either at the coach office in London, or on their arrival in the country.” *Fourth*,—“*To seek out persons who encourage this illicit trade*, by regularly purchasing the Unstamped Papers, par-

ridiculous figure, and which only serves to give petty annoyance, occasion trifling loss to the law-breakers, and to show how easily the law may be set at defiance. The example is very pernicious. By and by, perhaps, it will be found impossible to collect the duty on gin.

“*There is but one course for the Government, if it means to do justice to all parties,—namely, to abolish the Newspaper-tax: and then every sort of newspaper will find its proper readers and its natural level.*”

ticularly coffee-house keepers, cans, and others, so that information be filed against them at the same time as against the venders.”

In the same production, we are given to understand that the Board consider “if due diligence be used, these purchases (mentioned above, as being for the purpose of obtaining evidence), *might be made in a fortnight.*”

So much for the mode of operating in the country. Now for the town:—“Within the last few days an order has been communicated to the Police Magistrates, setting forth that in future a certain number of Officers attached to the various Establishments shall on every Saturday and Sunday use their best exertions in order to put down the existing evil, *by seizing all the Unstamped Papers carried about for sale by the itinerant traders, who, on giving their names and abodes, and undertaking to answer the charge on the following Monday, shall be liberated; but their property thus taken from them will be conveyed to the Police Office, and, after being marked with the said Vender’s name and address, as also that of the Officer by whom he was captured, the whole of the Publications will be forwarded to the Stamp Office Commissioners, who, if they think proper, will cause one of their servants to attend before the Magistrates to press for a conviction; and in the event of their not doing so, the offender will be acquitted.* The Metropolitan Police are not in any way to interfere as regards the Unstamped, unless by some violent conduct a crowd be collected, and the public peace endangered.”

Here then is a system of spying worthy of the worst days of the Liverpool Administration. The “intelligent” informers of the Stamp Office, are to poke their “intellectual noses” everywhere, to discover those who encourage this “illicit trade.” Parcels too are to be examined, and perhaps

seized, here or in the country. No, not here. The proceedings detailed in Mr PRESSLY's letter, they will not dare to carry into effect in the metropolis. It is in the country only, that the spy system is to be adopted. The fear of an enraged multitude dictates another plan for the metropolis.

This plan of carrying the execution of obnoxious measures to a distance from the seat of this mighty mass of intelligence and force, is not by any means new. The same course was pursued in the case of the Dorchester Labourers, and at a more remote period in the case of Sir FRANCIS BURDETT. At that time Sir FRANCIS was so popular that it would have been attended with some risk to proceed against him in town, so by a legal fiction invented for the occasion, it was decided that dropping a letter into a box was a *publication*, consequently the offence was indictable in the county where the libel was put into the post.

From the anticipations of the Board that the whole might be effected *in a fortnight*, it was evidently intended to make a mighty pounce upon the Unstamped at once—to inflict a blow on all simultaneously—a blow from which they should not easily recover. This, however, has not been done, the proceedings of the Stamp Office have been worse than contemptible, and the Unstamped remain precisely in the position in which they were before the last move.

The small effect of the recent proceedings is thus noticed by the *Spectator*.

“Orders have been issued from the Stamp Office to act with *vigour*. In one instance thirteen, in another six, and in a third ninety-eight papers, were captured. The weekly sale of Unstamped journals is estimated at about 200,000; and for all that appears not 200 have been seized. This is the *vigorous* effort of the British Government to enforce the law for the protection of the licensed trader and the extinction of the contrabandist.”

It will be seen by the extracts detailing the London plan, that the Police are to seize everything, and that the Stamp Office people are to decide whether there be sufficient ground for prosecution. In plain English, punishment is to be dealt out, first at indiscriminately, and then, where offence can be proved, a second dose of punishment is to be administered. If there be no such evidence, the Stamp Commissioners will abstain from “causing one of their servants to attend before the Magistrates to press for a conviction,” and the “offender will be acquitted,” and so saved from a second dose of punishment. This proceeding is like that of the country schoolmaster, who whipped all his little boys every Monday morning, in case they should deserve it during the ensuing week.

If the agents of the Police seize my property, or break open my parcel, a lawyer will tell me, that in this free country I may have redress. Very true; redress is open to me precisely in the same way that a coach and six is open to the poor man—if I can pay for it. In this country it is a mockery to talk of legal redress. The laws were made by the rich for the rich, and there is not a day that justice is not denied to the poor; but the cases are so frequent that we scarcely notice them.

The pretence of this proceeding of Government is to vindicate the law. In what manner is the law to be vindicated? By breaking the law. Parcels are to be seized and opened. But this I take to be a mere idle boast. The feeble Whigs dare not sanction so gross a violation of law.

But to return to the question of redress. Suppose we can afford to purchase justice, are we the nearer to redress? I fear not. While such men as Mr BROUGHTON are permitted to disgrace the Bench by their ignorance, the law will be, not as it is written,

but as any Magistrate may desire to make it.

In the course of some proceedings last week, Mr BROUGHTON decided that "discussing public events" constitutes a Newspaper, and "that it was not such by being continuous."

This sapient decision would bring within reach of the Stamp Laws, and more especially of the gagging laws of Castlereagh, every Pamphlet in Mr RIDGEWAY'S shop; it would include almost every published sermon; it would render such useful and benevolent works as Mr Fox's *Moral Lectures*, liable to suppression at the will of any ignorant Justice, who might conceive a dislike for them; and lastly, it would include this Pamphlet, which is a mere Political Essay, wholly destitute of the essential features of a Newspaper, and no more within Mr BROUGHTON'S power, if lawfully exercised, than Mr PEEL'S speeches, or the Reverend Mr O'SULLIVAN'S ultra-Protestant discourses. Mr BROUGHTON is no doubt a reader of Mr HARMER'S paper, the *Dispatch*, and has been influenced by that elegant, tasteful, and moral Paper, which has always affected to treat the Pamphlets which have been edited by Mr ROEBUCK as "Newspapers." The *Times*, too, has adopted the same course; but every body is aware of Mr BARNES' little spite against Mr ROEBUCK, and as Mr Barnes does not care to stick to the truth where his passions are concerned, the reiterated statement of what is false, cannot surprise. If the doctrine of the *Times* and of Mr BROUGHTON are to be considered law, there is not a bookseller in London who would not be liable to arrest, and all expression of opinion would be suppressed in any thing short of a volume. In that diluted form, the poison of the pamphlet would cease to disturb the equanimity of all evil doers.

Perhaps it will be satisfactory to Mr BARNES to know that the legality of the Pamphlets to which he has so very natural an antipathy, has been recognized by the Stamp Office. Entry has been made of every Pamphlet, and the ad-

vertisement duty has been accepted, which the Stamp Office could not do on an illegal publication. Moreover, the British Museum has demanded and received its copies; so that, as far as all Pamphlet Publishers and Venders are concerned, Mr BROUGHTON'S evil intentions need give them no concern.

A word or two about prosecutions under the "Gagging Acts." It cannot be forgotten that Mr RICE declared he retained the Stamp only because he could not afford to give up the duty. This fallacy has continued to maintain, though it had been successfully shown that the increased revenue from paper would more than make up the loss of the Stamp. Prosecutions under the Gagging Acts cannot proceed from a desire to foster the revenue. Such prosecutions are inconsistent with Mr RICE'S declaration. The only assignable motive is the desire to suppress discussion, and to check the dissemination of opinion, which affords ample proof that the Whigs dread the increasing knowledge of the People.

I have recently heard, from authority which I cannot doubt, that not only has Government no intention of repealing the Stamp, but that they have determined to resist its repeal, by every means in their power. This, the reader will say, is not consistent with Mr RICE'S declaration. Granted. But still our experience of Mr RICE'S former declarations does not warrant the rejection of the above report without due examination. The safe way will be to act as though we had to contend against the determination of Government. Such at all events will be the course pursued by the Committee to which I belong.

Mr RICE'S sincerity might easily be tested early in the Session. Let a question be put to him, requiring a direct answer, to the following effect:—That in the event of his only objection being obviated by a surplus of revenue, whether he will bring in a Bill for the abolition of the Newspaper Stamp.

H. S. CHAPMAN.

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# THE MUNICIPAL ELECTIONS.

By J. A. ROEBUCK, M.P.

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## THE WHOLE ART AND MYSTERY OF PEERAGE SCHEMING.

By H. S. CHAPMAN.

EDITED BY

# J. A. ROEBUCK, M.P.

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[PRICE TWOPENCE.]

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## THE MUNICIPAL ELECTIONS.

THERE can be no doubt but that the Liberal or Reforming party have been the victors in the late contest of the Municipal Elections. A great change has taken place; and in every Town Corporate in which the Council have been chosen under the provisions of the new bill, a responsible (or partially responsible) government has been introduced, in place of one utterly irresponsible. I say in *every* town, because this is really the effect of the Bill, whether Reformers or Tories have been elected. It may be that in some places, members of the old corrupt bodies form a large, in one or two the major, part of the Town Council, but they are no longer in their former position. Whatever be their politics, they are elected by the people, or at least a large section of the people, *and will be subject to their control*. This single but important fact changes the whole nature of their power, and makes these Tory councillors that which they so heartily detest—a popular Government. They

themselves may be as Tory, as they please, but they will be unable to act on their Tory propensities. Their constituents will be their masters; and no body of constituents forming a large section of the whole community, will put up with the corrupt doings of the old Tory Corporations. For a while the spirit of party may animate their friends and supporters, but, in the long run, the interests of the constituents themselves will come to be attended to, and force these Tory *popular* representatives to act honestly. So that to me, looking to the distant and more permanent effects of this great change, it appears a matter of secondary and very minor consideration, whether particular towns have, at the present moment, a majority of Liberal or Tory Councillors; the influence of the responsibility derived from popular election will extend alike to councillors of all parties, and the real interests of the People must in the end be attended to.

This, undoubtedly, is the bright side

of the picture—there, nevertheless, is a danger, and one by no means to be despised, which is connected with the whole system—and the evil operates equally in the Liberal and the Tory towns. From the imperfect and complicated method of registration, the constituencies will be kept up to their present numbers with great difficulty; and every diminution of the numbers of the electors will diminish the beneficial influence of the responsibility of which I have been speaking. With this reserve (and to this point constant and close attention must be directed) we may look forward to the future with cheerfulness and hope. The Tory power has been struck down; popular controul, and self-government pervades all the large towns of the kingdom; and the necessary consequence will be, a rapid increase of Democratic feeling. The People, by experience, will learn how well able they are to govern themselves—they will understand how much more of Municipal Government ought to be conceded to them, and will become eminently dissatisfied with the share now allotted to them in the general government. As these feelings grow, the demands for more completely popular institutions will rapidly increase, and the death-blow will shortly be given to all irresponsible dominion.

We hear daily much affected talk respecting the dissensions and strife introduced by this Municipal Government. They who, while they possessed dominion, were utterly careless of what heart-burnings and divisions and hatred they created, now, when they are thrust from power, become on a sudden the friends of peace, and preachers of harmony. When ruling, they ill-used everybody with utter recklessness—now, when undermost, and about to be rewarded by a sound beating, they cry out,—Oh let us be at peace: strife is a sad thing—dissension will do

us no good;—all which, being put into plain and intelligible language, means,—do not treat us as we treated you.

The truth, however, is, that far greater peace and contentment will follow upon the popular Government, than could exist under the old corrupt dominion. At first, doubtless, the *newness* of the thing will be attended with inconvenience. People not accustomed to self-government will not employ their powers in the same manner as those who all their lives have been accustomed to it: and at first we may expect, that the Corporations of England will not be as calm, and well governed as the Townships of the United States. A short time will, however, create a habit of self-government; and with that habit will come perfect contentment and comfort;—the party and sectional dissensions, which first arise will disappear; and the government of the towns will proceed with the same regularity and quiet, that attends the operations of a merchant's counting-house. If the constituencies are kept up to their present numbers, responsibility will have its ordinary effects; and the Councillors, with improved habits of business, will acquire an acute sensitiveness respecting the controul of the People. They will feel and know who are their masters; and every act will be performed with reference to those masters' interests. This is the right habit for a public functionary; and until it be acquired, he will never steadily and zealously perform his duty. A very short time passed under the active superintendence of the People will suffice to create it.

It is difficult to put a limit to the effects of such a change upon the minds of the People themselves. One of its most beneficial consequences will result from the constant mixing together of different classes of society. The gen-

tleman and tradesman, both elected by the People, will meet together in the Town Hall, upon an equality. This, which, at first, may create pain in the mind of him who has been accustomed to deem himself superior, will soon soften down asperities—will teach the relative parties what is their real relative position, and will thus serve materially to diminish the unjust contempt of the gentleman towards the tradesman, and the somewhat exaggerated hatred of the tradesman towards the gentleman. When this Reform shall have become so extensive, as to bring into the Town Council the artizan, then another great benefit will follow. The ill-feeling which now exists, and naturally, in the minds of the Labouring Classes towards those who are richer, will gradually wear away, and by the increase of real equality there will be a great and important increase of good will and confidence. So long as exclusion exists, so long will dissension and heart-burnings prevail; and every day's experience will press upon us the necessity of so enlarging the constituency, as to make it include all the rated inhabitants, and of making the sole qualification for Councillor the choice of the People. Experience, also, will quickly inform us, that if we wish to promote peace and the good government of these Corporate Towns, we must do away with all distinctions between the Councillors—the Aldermen must be abolished. This was a Tory, and a mischievous addition to the Reform of our Corporation System, and will be a fruitful source of strife and contention. The end intended was to obtain a body of persons possessed of power, and subject to imperfect controul. Six years tenure of office, given to the Aldermen, has effected this object; and round these men will naturally group themselves all the sinister interests of the towns—in them they will hope to find supporters,

and through their aid to obtain favour and protection. As the political education of the People goes on, they will become more and more sensible of this great defect in the new system; and among the changes that will soon be called for, one of the first will be an abolition of this useless and mischievous office of Alderman.

The nature of the Municipal Government, as resulting from the extent of the constituency, and the constitution of the Council, must depend eventually and mainly on the Parliament. They alone can reform the defects which exist in the present system; and we must hope that members will be chosen by the Corporate Towns who are willing to see introduced the requisite amendments. Much, however, to forward the good effects of this new institution, may be done by the Town Councils themselves; They have in their own hands the means of increasing their efficiency to an almost indefinite extent. If they be men of business, and set zealously to work to perform their duty, the benefit they may render to their fellow citizens is almost incalculable.

One of the first points to which each Town Council should direct its attention, is the ascertaining the extent of their powers, and the classification of them. They must learn what by law they are permitted to do; having ascertained that, they then ought to separate and arrange the different parts of their duty, so that they may be enabled to do what the law permits.

All men are not fit for all things; but among the members of a Town Council it will, indeed, be extraordinary if persons, to perform all the functions intrusted to them, cannot be found.

These functions are for the most part mere matters of administration. The judicial business will be almost intirely in other hands; but if any is allowed to remain with the Town

Councils, it will come rather under the head of police, than of ordinary judicial business.

If, then, the Town Council were separated into distinct committees; and to these committees the separate divisions of the whole business of the Council were distributed, it would be found that it all would be vastly accelerated, and every part far more efficiently performed, than if done pell-mell by the whole united Council. The smaller the number of persons to whom the management of any affair is confided, the better all other things being alike will the business be done. This is a rule in administration to which there is no exception. Let the manager have as many instruments as he needs—but let him be single if possible. Every motive for exertion, for probity, for intelligence, will then press upon him with increased force. Having no one to share the blame of failure, he will be the more careful to avoid it—having none to divide the praise of success, he will be the more eager to attain it. The pleasures of success are thus greatly heightened, while the terrors of failure are increased.

The Town Council having made a careful division or classification of its duties, should seek among its own members for the most fitting persons to superintend each department. Each head would be subject to the supervision of the whole Council, and would report to them, but would be liable to interruption from none other. Time, trouble, and vexation, would thus be spared.

Among the matters to which the Councils should direct their immediate attention, none equals in importance the education of the People. By the degree of attention which they severally pay to this matter, we may estimate the extent of their popular feeling. That the People, who are really not represented in the Councils, nor in Par-

liament, eagerly desire education, no one who knows them will deny. The sacrifices which the poor daily make to procure for their children the mere elements of knowledge, surpass the very conception of the greater part of those who are comfortably situated. I have known a poor woman, whose husband earned only a few shillings a week, give sixpence a week merely to have her children taken to and from school; I have known children sent in the country five miles to school; the children walking the five miles to and from their home every day. Who will say, when they see these things, that the poor are indifferent respecting instruction? I greatly fear the indifference exists amongst their rulers, and not themselves. The Town Councils ought immediately to open schools for the poor, and have them taught upon an enlarged and liberal plan. No sectarian differences ought to exclude any child, and no form ought to be adopted which would have that effect.

To this it may be objected, that in every town there are many private and public schools. My answer to this is—in every town there are many who remain untaught; and that the schools now existing are wholly inadequate to their supposed end. Narrow and jealous views prevail in all of them, and exclusion is really the rule. They who are admitted learn little that they can understand; and great care seems taken to render useless the desire for instruction now prevalent among the People. In every Corporate Town there are funds which can be devoted to this most important object—funds which have been hitherto abused and wasted—but which the Town Councils ought now to guard with the most jealous care, and apply with perfect impartiality. This sacred duty cannot be neglected without subjecting the corporate bodies to the gravest imputations. All other things



shrink into insignificance when compared with this; and should the Town Councils do their duty in this behalf, that alone would render the late Municipal Reform the greatest blessing yet attained by the People of England by means of the Reformed Parliament.

The pleasures, amusements, and comforts of the inhabitants, ought also, as greatly affecting their education, to come under the cognizance and superintendence of the Council. That is, the Council ought, to the utmost, to promote all healthful and cheerful exercises and amusements; it ought to lend its aid in maintaining peace and order while such amusements are going on, and to give all possible facilities for the enjoyment of them. The Town Hall ought to be considered the People's Hall: a large, useful, and commodious building, in which the People ought to have the right of assembling for business or for pleasure. It might thus be rendered an extremely efficient instrument in the improvement of the manners and habits of the People. Why should not the Town Hall be used on all days of public festival or rejoicing? Why should it not be at the People's command for lectures, for meetings, whether religious, political, or of mere pleasure? If the public halls were used for these and similar purposes, feelings of intense affection would soon be associated with our institutions, and the People would, for good reasons, learn to love their country and their laws. Such observations may appear trivial to the superficial and careless observer: in the opinion of him who knows human nature well, they will assume a very different character. Every well-constituted Government ought to contemplate the constant meeting together, for purposes of pleasure, of large bodies of the People. To soften the manners, to excite kindly feelings and generous sympathies, there is no more powerful method than

frequent meetings of large bodies of the People. Decorous habits follow, amenity of mind attends amenity of manners, and both together produce happiness; and this, "our being's end and aim," is still our aim, whether we act as members of a community or as individuals.

To this fruitful subject I shall again return. I cannot, however, close this paper without a few cursory remarks upon the immediate political consequences of this remarkable change in our Municipal system. As these consequences are in their nature decisive, they deserve regard, even were they not connected with the more important effects upon which I have been hitherto remarking.

One consequence of the late Elections, as to which all persons seem agreed, is, that the Tory party can now gain no accession of strength by a dissolution. If, then, we assume (and respecting this assumption I shall speak directly) that with the present House of Commons, they cannot hope to retain power, their condition may be considered hopeless. In such circumstances, what ought the Ministers to do? Should they be content with their present majority, small and insignificant as it is—or ought they to attempt by a change, to strengthen themselves in the House of Commons? One thing is certain: with their present power, they will be able to do nothing in Parliament. By retaining office, I sincerely believe they preserve Ireland from civil war; but no Legislative amelioration can be expected for that unhappy country, with the present infatuated and bigoted Tory minority in the Commons. We may, indeed, amuse the Irish and ourselves, by talking of their grievances and their miseries, but we cannot hope to do anything by which these ills may be relieved. Every measure of relief will be strangled in the

House of Lords; while the Commons will not be led to any proceeding by which the Lords might be coerced, and compelled to obey the voice of the nation. In Ireland, at the present moment, there is really on many matters no law—the people are living together, and going through the ordinary forms of civilized or social life by mere habit—the bond that unites them is a moral, not a legal one. The question of Church payment must be settled if we wish to establish peace in this important portion of our empire. The whole system of justice must be remodelled; and by the force of the whole nation, by the expressed determination of the English as well as the Irish, the political sectarian feeling of that unhappy country must be put down. The English have at length become aware of the atrocious state of feeling existing among the Orange party. This must be destroyed. The blind infatuation of these bigot and sordid politicians will otherwise raise up a civil war, and by their vulgar cupidity the whole nation will be rendered wretched. This faction have so long possessed uncontrolled dominion in Ireland, that they are absolutely frantic on account of their present condition; but they are a very blustering, though not a very steady or determined race of men. They will quail and sink into oblivion if the national will be properly expressed; but this expression cannot be obtained from the present House of Commons, which does not represent the national feeling.

It is, moreover, certain, that if, in the first month of the Session, we were to pass an efficient Corporation Reform for Ireland, the House of Lords would either spoil or utterly reject it. Among the mighty benefits derived from that body of hereditary Legislators, is the constant and imminent danger of civil commotion. For selfish ends this ignorant and unscrupulous Assembly yearly

risks the peace of the whole nation. This is a debt which it is to be hoped the nation will some day acknowledge, and fully and properly repay. In the mean time we ought to be well aware of the pernicious results of this much-lauded institution; we ought to foresee and guard against them. That their conduct towards Ireland will be such as I here predict, every man in the three Kingdoms who thinks upon the matter well knows. They (the Lords) will reject or spoil every beneficial measure, so long as a House of Commons exists that will bear their insolence and their folly.

If, then, we can do no good with the present House of Commons, why should it be retained? It will be said, that the people are tired of elections. The people, let it be answered, are far more tired of bad government. They will understand the necessity under which the ministry act, and will cheerfully aid them in purifying the present House of Commons.

Again, it may be said, that public business will be retarded. The answer is, not so much retarded by a dissolution, as by a hostile House of Commons. As the House is at present composed, nothing will be done; and if it is not to be dissolved at once, the best thing the Ministers could do, would be to pass all matters of routine and necessity without delay, and put an end to the session. It will be useless to keep them together wrangling for six months, in order that nothing may be accomplished.

But there is a danger existing, while this House exists, of which the people should be well aware. The majority may become a Tory majority, and the present ministry actually destroyed by the very body that they are unwilling to dissolve. During the whole of the last session, the ministerial majority was exceedingly wavering and uncer-

tain. Since that time accession has been made to the strength of the Tories. If from some one of those strange accidents, which no one can explain, the Ministry should be suddenly dismissed, who is there that will say, that he is certain that Sir R. PEEL could not obtain a majority. For my own part, I am inclined to believe that he could. I am also pretty confident that confusion and civil commotion would immediately follow; but I have not such confidence in the probity, either of the Right Honourable Baronet or his party, as to believe that they would refuse power because civil war might be the consequence. The supposition here made is by no means improbable. When we recollect who are about and near the throne—when we call to mind the character of many of the intriguers who beset and besiege the purlieus of the palace, we cannot, we ought not, to wonder at any height of folly and presumption to which their audacity and their ignorance may impel them.

On all grounds, then, it would seem that an immediate dissolution would be advisable. I well know how unpalatable such advice is. Dissolution, whether parliamentary or physical, is not an agreeable subject of contemplation; but in the one case and the other we must learn to anticipate it without emotion. Reformers should remember that a new Election would really be a triumph to themselves, personally, as well as to their principles. In an immense number of cases, the defeat, the ignominious defeat of the Tories is certain. The large towns, that by corporate corruptions are now burthened by Tory representatives, would shake off the yoke; and we might hope that Liverpool, Leicester, Norwich, and York, would lead the van, in this demolition of the Tory party.

There is, however, an objection to a dissolution to which I have not yet

adverted, but which, nevertheless, is by many believed to be the real and effective one. It is thought, and sometimes said, that some of the Ministers themselves do not wish a more Liberal House: and that an infusion of new and wholesome blood into the Commons, would be as hateful to them as to their enemies. It is also said, that there are parties among the present Ministers who wish to be *relieved* from the support of the Radicals, and who, for this purpose, desire a coalition with the more moderate of the Tory party. The present House, if such be their temper and their expectations, is admirably suited to them. These persons desire no further changes, and dread the idea of an assembly that would compel them to be stirring. The present House will never exercise so disagreeable an office; and it is hoped, that with a little manœuvring, the Ministry may be kept in place, and the Radical support dispensed with. That such thoughts have passed through the minds of some of the Ministerial body, I have no doubt; neither can I hesitate to believe that these are the chief motives which have led them to decide against a dissolution. But sure I am, that such politicians are little fitted for their present position. They must be blind indeed, if they cannot see that Ireland renders coalition utterly hopeless. Until the question of the appropriation of the surplus revenue of the Church be settled, no junction can take place between the Whigs and Tories without completely destroying the character of one or both of the parties. Sir R. PEEL and Lord STANLEY on one side, Lord JOHN RUSSELL, and Lord MELBOURNE, on the other, are pledged as men of honour to opposite principles. These could not join under any conceivable circumstances. There is indeed another section composed of very different

materials that look forward to a junction, but these persons fortunately have not influence sufficient to form a Cabinet. Lord GREY on retiring from office did not—he luckily could not—invest his son with his personal influence; otherwise we might have seen flourishing at this time a Whig-Tory Government.

No matter under what auspices such a junction take place, Ireland will frustrate all their schemes. That country has come to such a pass, that Reform or Commotion is the alternative. Reform and Toryism are incompatible.

The People of England will not suffer civil war; so that the Tory dominion may be considered destroyed. When I say destroyed, it is with this reservation; with the present House of Commons, they may make one more attempt to seize upon office. If this Parliament were dissolved, this attempt even could not be made.

The consequence then of the late Municipal Elections, ought to be an immediate dissolution of the present House of Commons.

J. A. R.

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## THE WHOLE ART AND MYSTERY OF PEERAGE SCHEMING.

PUBLIC opinion is setting strongly against an hereditary House of Lords. As an instrument of legislation—to say nothing of its other functions—it has been found to be productive of unmixed evil, and the call for its reform is becoming more urgent every day.

Such being the state of the public mind, it is not at all surprising that all sorts of schemes and projects, for effecting as much or as little of the object as may suit the taste of the projectors, should be continually thrust before the public. The subjects, however, as we shall presently perceive, is a fertile one. To exhaust it would be by no means an easy matter. Indeed, of the changes of which it is capable, but few have as yet been rung.

But why were not the Peerage Schemers set a-working long ago? This has been often explained; but as some worthy people are still in love with the Lords, and therefore cannot see their defects, and as those who can see them, but who will not, are ever on the alert to perpetuate this blindness, it may be as well to repeat a sketch of what

has been said, especially as it will help to show, that out of nearly half a hundred possible schemes of reform, it is in reality only *one* that touches the point.

Those who at various times have praised the co-existence of two legislative chambers, have rested their merits on two very opposite grounds. On one hand, the “admirable system of checks” has been brought forward as our glorious constitution’s chief beauty; on the other, “the admirable harmony” with which the several branches of the legislature work together has been dwelt upon with enthusiastic admiration. Opposite as these two “beauties” are in character, they have not unfrequently found place in the same panegyric. Of late years, however, at least up to the passing of the Reform Act, the doctrine of checks has been kept in the back ground, whilst the harmony only hath been ostentatiously paraded on all fitting and unfitting occasions.

The thing to be admired then in the Constitution “as it was” before the Reform Act, was the “perfect agreement” which generally existed between

the two branches of the Legislature, and the provision which the Constitution furnished, in the Prerogative of the Crown, for reproducing harmony in those very rare cases where disagreement had arisen.

But how was this harmony or agreement brought about? Simply thus:—The members of the House of Lords, and the families to which they belonged, contrived to control the election of a majority of the House of Commons. In some of the old Boroughs there were only one or two voters. There were no less than fifty-one Cities and Boroughs wherein the average number of Electors did not exceed twenty-five! whilst, to say nothing of the influence of the Aristocratic class in Counties, there were upwards of one hundred and sixty Cities and Boroughs in which Elections were notoriously corrupt. The result was, that what was said to be the British Constitution was a mere thing of the imagination. There was no “Democratic branch” of the Legislature—no People’s House, consequently there was no system of checks; but there was “harmony and agreement,” with few and insignificant interruptions.

This state of pleasing concord was produced by that which must invariably produce concord; namely, a perfect identity of interest between the two branches of the Legislature. It does not follow that this identity of interest between the two branches had any the slightest relation to the interests of the People. It must be evident that it had none. The Legislature, in fact, was a league against the People; the result of which may be summed up in the expressions—excessive and unequal Taxation, and lavish expenditure—evils which we are now daily striving to get rid of.

When this most harmonious league against the People had attained a height which became almost unendurable, the

Reform Act came. The effect of this Act was, that the Peers and their families ceased to appoint the House of Commons, which was thenceforward elected by a portion of the People possessed of a certain amount of wealth, to be ascertained by the house-rent paid by the Elector. This class has large sympathies with the mass of their fellow-citizens, there is constant intercommunication between them, and they are especially amenable to the opinions of the People. Hence the persons they choose as representatives have not that identity of interest with the House of Lords which is necessary to the production of harmony. The measures which the People’s representatives bring in of necessity displease the Lords, which displeasure is of course expressed by the rejection of the measures in question.

When the Reform of the House of Commons took place, by the introduction of a more extensive class of voters possessing some wealth, there were certain practices permitted to remain, which, in a very great degree, weakened the effect of the Reform in question. The open mode of voting, for instance, was allowed to remain.\* This continued the influence of the Peers and their families, and in a great measure vitiated the choice of the new Electors. The consequence is, that the want of harmony between the two branches is not so constant as it would otherwise be, simply because the measures of the House of Commons still keep most steadily in view the interests of the Peers.

The greater the difference, then, between the Constitution of the two branches of the Legislature, the more frequent and the more intense will be the cases of discord. If the reformed

\* There are other circumstances which aid the influence of the Aristocracy in the House of Commons, which the reader will easily allow for, such as qualification, registration, and seven years’ duration.

Second Chamber were chosen out of the same class, and by the same body of electors as the House of Commons, there would be few or no contentions between them; but if the franchise of the electors of the House of Commons were enlarged, or if the Ballot were applied to the Commons' elections, and not to those of the Second Chamber, there would be no longer identity of interest between the two branches, and the reign of discord would recommence.

With the aid of a little thinking, the principles above indicated will enable the reader to judge of every scheme of Peerage Reform which may be put forward.

The want of harmony produced by the Reform Act, did not excite the notice of the People till after the passage of the Municipal Corporation Reform Bill through the House [of Commons]. The House of Lords saw in this Bill the destruction of a considerable portion of their remaining influence. Their Rotten Boroughs were gone, and now their close Corporations were threatened. If they gave up these, the county governments and the magistracy would be their only remaining sources of corrupt influence, so they offered the nation the alternative of a rejection of the Bill or its mutilation. The Commons, having more sympathies with the Peers than with the People, chose mutilation. The consequence is, that we have as good a bill as we could get, or to look at it from another position, as bad a bill as the Aristocracy dare give us; and this is the kind of compromise which we may always expect, until we get a better House of Commons, with a congenial Second Chamber.

The conduct of the Lords on the Municipal Bill, may therefore be considered as the proximate cause of the present concentration of the public gaze towards their Lordships' House,

and of the demand for its reform; which demand is in its turn the exciting cause of the various schemes of Peerage Reform, with which we have been treated, and of those with which, without doubt, we shall be treated, during the approaching session.

The defective constitution of our House of Lords, and the only effectual way of remedying the defect, were long since pointed out by Mr BENTHAM and Mr JAMES MILL; but what they said was then deemed visionary and chimerical. Nevertheless, of their visions, a large portion now form part of our every-day political creed. All our doctrines of Parliamentary Reform are theirs. What they said long since of the defects of a Second Chamber, we have just become convinced of the truth of. By and by we shall be equally convinced of the correctness of their view of a remedy. But in the mean time the schemers must have their day. Plans of Peerage Reform, varying between as much as the most sanguine schemer hopes to get, and as little as the most dishonest schemer dares to propose that the public should be put off with, will be passed in review; and if any one be adopted, it will be the result of a compromise, similar in principle to that which I have described as having operated in the case of the Corporation Reform Bill. But on trial, such Reform will be found ineffectual; new changes will be found necessary, and thus, by a series of experiments, we shall obtain that which a careful and philosophic examination of what exists, might long since have pointed out to be necessary.

That the career of the schemers may be run through as soon as possible, I shall presently construct for their especial use a table of the possible changes which may be rung on the various elements which co-operate in the construction of a Representative Chamber.

Here every one will be able to pick out a species of House suited to his interests, his prejudices, or his taste.

In the constitution of the Representative Body we have to consider,—*First*, the Electoral Body, or the Choosers. *Second*, the class from which the Representative Body may be chosen—say, in one word, the Eligibles. *Third*, the length of time for which they are chosen. The mode of choice is not of importance here.

### 1. THE CHOOSERS

1. THE CROWN. The Crown may alone be invested with the power of choosing the Members of the Second Chamber.

2. THE TITLED CLASS. The choice of a Second Chamber may rest with that portion of the Aristocracy enjoying hereditary rank.

3. THE ARISTOCRACY. The choice may be extended to a wider Aristocracy, to be determined by the possession of a certain specified amount of property.

4. THE HOUSE OF COMMONS. The choice may vest in the Lower Chamber.

5. THE PEOPLE. Lastly, the whole People may enjoy the franchise, or if there be a qualification, it may be so low as to include nearly the whole People.

### 2. THE ELIGIBLES.

Persons capable of being elected members of the Second Chamber may be:—

1. That portion of the Aristocracy possessed of titles; the power of adding to them still remaining with the Crown.

2. The whole Aristocracy as indicated by the possession of a certain amount of wealth.

3. The whole People without qualification.\*

\* If any curious person be dissatisfied with the number of changes capable to being computed out of the above statements, he may add separate classes for age, religion, or any other distinction.

### 3. DURATION OF SERVICE.

The last element in the construction, rather than the constitution of a Second Chamber, is the time for which the members may be chosen. They may be chosen:—

1. For life.

2. For an indefinite period, varying with the will of the Crown.

3. For a definite period, fixed by law.

Either of the five classes of Electors or Choosers may be associated with any one of the three classes of Eligibles, and these in their turn, with either of the three classifications of duration. Thus we have no less than forty-five different modes of ministering the elements which may conspire to the formation of a representative body.

Here then is a field for scheming politicians! A couple of new plans every week would not exhaust the list before the end of the Session, and if all the vexatious contrivances devised by the authors of the Reform Bill, to nullify their own work, were introduced, the list might be indefinitely extended.

Of these forty-five cases which are possible, some, it will be seen, are scarcely probable. Let us, then, mark these improbable cases for rejection.

*First*. If it were proposed to permit the Crown to choose from the whole People, it must be quite clear that the choice would fall upon that portion of the People belonging to the Aristocratic class. If titles continue, the choice of the Crown would be accompanied by a title; if titles cease, then there would be no titled class of eligibles. Under any circumstances, the choice vesting in the Crown, the eligibles may be grouped together into one class.

*Second*. The Titled Class being the Electors would of course elect only such persons as would promote the interests of their order. Generally, they would elect only from among

themselves; and, like the Peers of Scotland, their choice would fall on the least Liberal of their order only; that is upon those who are most completely opposed to the People. Now and then it might be, that one of the Second Class of Eligibles would find his way into their Lordships' house. If so, we might assure ourselves, he would be the servile tool of his electors. The titled Aristocracy being the choosers, we may in practice reject the two last Classes of Eligibles, as they would scarcely ever be resorted to; and even when resorted to, it would only be in the case of individuals who had lost all sympathy for the Class to which they belonged.

*Third.* The same arguments apply to the case of an Electoral body composed of the whole Aristocracy, titled and untitled, in relation to the last Class of Eligibles. It is not very probable that a body of Aristocratic Electors would choose men of the People, unless the individuals so chosen had already abandoned those principles which distinguished their Class.

Thus, of the fifteen possible cases in which the "choosers" can be coupled in the same scheme with the "eligibles," we may reject five as highly improbable; whether the last class of "eligibles" would furnish objects of choice to a body of "choosers" composed of the House of Commons, would depend on the constitution of that body; at present that honourable House would certainly not choose a Second Chamber from among the People.

On the three classes of eligibles, I have but few remarks to offer. The first and third class speak for themselves. The second class would run insensibly into the third, as darkness into light, which, though obviously different, scarcely allow us to say where the one ends or the other begins.\* The arbitrary line is marked by what is commonly called a "property qualification," and this it is which may be said to constitute an Aristocracy.

I now come to the case of duration. I do not think it very likely that any schemer of Peerage Reform, considering the present state of the public

mind, would be very likely to propose a choice for life. The evil to be gotten rid of is—irresponsibility. The honest schemer knows that a choice for life would not provide for responsibility; and the dishonest schemer would make too accurate an estimate of public opinion on this point to venture the proposition of so obvious a fraud. The great effort of these last gentry will be to put forward the "principle of election," as a sure means of producing responsibility, and then trust to a limitation of the field of choice to provide for the minimum of change. The more unreal the mockery, the more boastfully will the principle of election be paraded. The People will be told with one breath, that the franchise is to be thrown open to them; but this comfortable assurance will be followed by an awful "but," which will usher in the titled or untitled Aristocracy as the only class of eligibles. Hence, from the possible schemes I reject the question of a life Peerage, as not very likely to be proposed. For reasons nearly similar, we may reject all the cases of which an indefinite period of service, varying at the will of the Crown, forms an element, confining the final summary of probable schemes to a period fixed by law.

We thus obtain the following Table, which I think will be found to contain all the elements likely to be found in past, present, and future schemes for a Reform of the constitution of the House of Lords:—

- I. Choice by the titled Aristocracy.
  1. From among the titled Aristocracy.
- II. Choice by the whole Aristocracy.
  1. From among the titled Aristocracy.
  2. From among the whole Aristocracy.
- III. Choice by the House of Commons.
  1. From among the titled Aristocracy.
  2. From among the whole Aristocracy.
- IV. Choice by the People.
  1. From among the titled Aristocracy.
  2. From among the whole Aristocracy.
  3. From among the People.

\* An illustration of BENTHAM'S.



On the foregoing table, three general observations seem to be necessary:—

First. All the combinations, except the last,—namely, where the choice is vested in the People, unrestrained by any limitation of the field of choice,—would leave the main point untouched. The House of Lords, or Second Chamber, would still, as before, represent the interests of the Aristocratic class, and their whole tone of legislation would be opposed to the interests of the mass of the People. If the Aristocratic tone of the House of Commons were kept up to its present height, a Second Chamber might, as I have before said, be brought down to that point without producing much benefit to the People, though “harmony and agreement” might be secured. The first Reform of the House of Commons—and Reform must come—would destroy the said harmony, and the same discussions which we are now witnessing would be renewed.

Second. Whether the House of Commons would choose from among the People would depend wholly on its composition. In the case of an extension of the constituencies by which the House is elected, or of the adoption of the Ballot, or any other measure calculated to cleanse the franchise of the foul influences, there cannot be a doubt that the third class of eligibles would be resorted to, but in the present state of the Lower House the choice would fall only on the two first classes.

Third. I repeat that the only legislative body; whether that body be a First or a Second Chamber, calculated to promote, to the full extent, the interests of the great bulk of the People, is one chosen by the People without restriction. The plans which have hitherto been put forward, all lose sight of this. They concede the right of choice to the People, but at the same time they render that concession a mere mockery, by limiting its field of operation to the most objectionable portion of the Aristocracy. Mr O’Connell proposes to permit the People to choose one hundred and fifty Peers out of eight hundred titled personages. “The youngest of the Tomkinises” proposes to permit the People to choose one hundred Peers out of four hundred of the

Nobility.\* The younger schemer’s plan proposes a more extended franchise for the electors of the Peers than for the electors of the Commons; the result would be, that the Commons would represent the Aristocracy of wealth,—the Lords, the Aristocracy of rank,—but neither would represent the People.

H. S. CHAPMAN.

POSTSCRIPT.—The following observations have been handed me by a friend; I insert them as a Postscript to what has gone before.

Among the many objects to be looked for, as arising out of the Reform Bill, there are two which are agreed to, I think, by all Reformers. The one a reduction of all the expences of the Government which can be shown not to be required for the purposes of good government; the other, filling, in the most efficient manner, such offices as are proved really requisite for the purposes of good government. In other words the objects looked for are economy and efficiency.

The Whigs and the Tories, unitedly, form the Aristocracy. Did the nation afford sufficient spoil to satisfy the Aristocracy in its collective form, we should be unacquainted with any such distinctive terms. We owe the division wholly to a want of the means requisite to gratify the whole body. In the absence of such a division we should have the People—the Democracy, as a body, opposed to the privileged classes—the Aristocracy as a body. Under one of these denominations I hope ere long to find every man in the nation ranked, by a coalition devoutly to be looked for, and, I believe, to be expected, between the two sections of the Aristocracy.

With a view distinctly to bring before the mind of the reader the utter hopelessness of our obtaining the above two objects, namely, economy and efficiency—so long as our Government remains in the hands of the Aristocracy, be it

\* The *Examiner* of Nov. 15, 1835 (mind, Reader, not 1834), advocates a House of Peers elected by “a large constituency,” from “hereditary eligibility,” which it says “is tantamount to this—that the House of Lords should be composed of the best disposed instead of the worst disposed Peers.” Stuff!

the Whig or the Tory section, or in the hands of the Aristocracy in a coalesced form, it is necessary briefly to bring up, and keep before the mind, the nature of the Aristocracy, and the mode by which it has been maintained, and can only be maintained.

The Aristocracy is perpetuated by hereditary titles. The Primogeniture Law, in all cases not otherwise willed, hands all, or nearly all, the real property to the eldest son. The Law of Entail, in giving an individual but a life interest in effectually prevents his squandering that property. He may involve himself to any extent he can obtain credit, and the creditors may obtain the life-interest in the property; but if he die the day after they have so obtained it, there ends their claims. The heir takes possession of the property without regard to the prior possessor's liabilities. Thus, then, we have a concentration of the dignities, and the properties in the person of a single individual of a noble family.

Were the families which the Aristocracy have, only sufficiently numerous to sustain the hereditary titled class, nothing of importance could be said to be the effect of the Primogeniture and Entail Laws, and the custom which so largely encourages them. Certainly comments might be justly made upon the manner in which those laws aid the fraudulent debtor in cheating his creditors. Creditors, however, might avoid these losses by refusing credit to persons whose property is subject to them, and as they do not do so, it is evident the system on the whole is profitable to them.

The Aristocracy, however, it is notorious, furnish an immense class designated "younger sons." Every one of them is reared in the same extravagant manner with the eldest son—their wants and their habits are the same. But the eldest son takes all the family property, and providing for the younger sons is the business with which we have to deal. Certain it is we never find any of them in the mighty field of industry, which is equally open to all—excepting so far as inequality is produced by the present terrible inequality in education. We have few instances of Lords or Honourables being found in any calling, the profit of which depends on their own industry and in-

telligence—so few, that I might say none. How, then, do these younger brothers find incomes, the obtaining of which, owing to the extravagance of their wants, and the idleness of their habits, would be impossible, did they seek them in an independent manner? Look to the Government, in all its departments, and the question is answered. Take, for instance, the House of Commons; what fills it with incapables? The influence of the Aristocracy sends a host of younger sons there under the name of Reformers—not of Democrats—to sustain the system upon which it will be seen the existence of the Aristocracy depends. Look to the Ministry; is it not composed almost wholly of Lords, &c., younger members of the Aristocracy? None will say there are not men in this country who, from intellectual cultivation, habits of business, industry, and honesty, are better qualified for those offices. Would such men be filling such high offices if we had an efficient and economical Government? Look to the Army; do we not find, first, that it is much larger than required; and, secondly, that all the most honourable and all the sinecure places are filled with younger sons of the Aristocracy? Look to the Navy; do we not find the best places filled in like manner? It may be said, not quite to the same degree. Why? because promotion cannot be had with the same facility in the Navy as in the Army, it being necessary to undergo service demanding some degree of industry. But let the peace be continued sufficiently long, and every place tolerably lucrative will be filled with the increasing number of the younger sons of Nobility. Look to diplomacy abroad; who are the Ministers, *Chargés d'Affaires*, and *Attachés*? Either the Aristocracy or the younger sons. I may here speak of the Church and other professions. Who do we find filling the best offices in the Church? The answer is of course the same. In the law we find a few of the younger sons. In medicine none. Since this last is a profession, why none here? Because the reward depends on the merit of the individual, and his merit greatly on his industry. It may be taken as an axiom, that in the ratio of reward depending on industry, will the absence

of the Aristocracy be found. Some will say this is not quite true. They will say our "Reforming Ministers" undergo great labour. What is here meant by labour? It can be but talking for hours in the Houses of Parliament. He who means more, knows nothing about Ministerial labours. Nor is his ignorance warranted, since the daily Court chronicle shews that Ministers occupy their time in amusing themselves by travelling about, which they could not do, did they perform those duties which we may justly expect at their hands. It is known that all the measures are prepared for them, and while they talk about what they have prepared, nothing in fact has been done. At the eleventh hour, they accept the work from other hands. This will account for the shameful crudity of the measures, and the equally shameful ignorance exhibited by Ministers, when offering their measures to the Parliament. I know Ministers could not do all the work, but they might superintend it. If they did so, their duties would be arduous. If we had a cheap and efficient Government, they would find work to be done which would incessantly occupy them at least for five years. At the expiration of that period, they might justly enjoy that ease which our Reforming Ministry has never forgone.

Though the situations connected with Government are deemed exceedingly highly paid by persons springing from the Democracy, yet they afford but scanty means to younger sons of Nobility, who, till they arrive at an age to be billeted on the country, participate in the expenditure of tens of thousands per annum. This scantiness doubtless suggested the idea of sinecures. I can imagine Aristocratical scions saying, "Since no one office will give an income sufficient to gratify the wants and habits in which we have been reared, we will have several places; and as we cannot do the duties of all, we will do the duties of none, but give a small allowance to individuals to perform the several duties of all."

Suppose that the Whig Ministry set

about rendering the Government economical and efficient, in the right good spirit which we can imagine a really Reforming Ministry doing? The effect would be, that the younger sons of the Aristocracy would be placed in a most grievous position. They are rendered incapable of living on incomes such as would be deemed large by the Democracy; and, under a competitive system, not one in fifty of such persons, now monopolizing all the most lucrative situations, would get any kind of appointment. In such circumstances they would thus address their fathers:—"You have reared us in the same extravagance and idleness as our elder brothers, you have thus rendered us totally incapable of obtaining office by merit, and patronage has ceased: we say, therefore, in justice, you ought to share your property among us." If they yielded, there would be an end of the means of sustaining the dignity of their "order." If they refused, would not younger sons justly become the leading opponents of hereditary rank and privileges?

What we have supposed the Whigs to have done, ought and would be done by a Democratic Government, but never can or will be done by an Aristocratic Government. It would be unreasonable to expect such to be done by them, for it has been made evident it cannot be done without destroying that system which they avowedly will uphold.

It is evident that the people of this nation will have to sanction one or other of these propositions, both cannot co-exist, for they are diametrically opposed. They will have to determine that they will have cheap and efficient Government, and abolish hereditary rank and privileges, and inefficient and costly government.

Since these principles cannot be reconciled—since, in fact, it is evident that they are opposed, is it not strangely inconsistent to find the Tomkines, Mr O'Connell, and the *Examiner*, advocating a system which must render an economical Government impossible?

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# RADICAL SUPPORT

TO A

## WHIG MINISTRY.

BY J. A. ROEBUCK, M.P.

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### TAXATION OF THE RICH AND OF THE POOR.

BY H. S. CHAPMAN.

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### MR LAING'S JUSTICES' JUSTICE.

BY J. A. R.

EDITED BY

# J. A. ROEBUCK, M.P.

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### RADICAL SUPPORT TO A WHIG MINISTRY.

DURING the last session of Parliament the Radicals of the House of Commons steadily supported the Whig Administration. This steady support resulted partly from their fears, and partly from their hopes. They feared much from the in-coming of the Tories—and they hoped something from the Whigs. There was a constant cry of, "Do not endanger the safety of Government. If you press for further and greater reforms, the Cabinet will go to pieces, and the Tories will come in. We shall get the Corporation Reform, if you wait and are willing to temporise. You will lose everything if you are obstinate and *impracticable*." These suggestions had their effect; and we obtained the English Corporation Reform Bill. It now becomes a ques-

tion, whether the same reasons exist for the same conduct during the coming session. What have we to dread from the Tories?—what to hope from the Whigs?—and what course under the existing state of things ought we to pursue? Ought we still to forego our wishes, and take just so much as the Whigs will condescend to give us; or ought we at once to stand out, and demand what we actually want? In order to answer this question, let us ascertain our exact position.

In the first place, it is evident that the Tories cannot, in the present condition of Ireland, hope to retain office. Open war would be the immediate consequence of their coming into power, if it were believed that they had possessed themselves of a permanent

parliamentary majority. This is now so clear, that the Tories themselves must see it; and, such being the case, it is equally certain, that the people of England would never permit them to hold power upon any such tenure. A civil war is a subject of intense horror to the people of this country—they dread the very idea of it—and would forego much that they themselves desired, and thought right, rather than run the hazard of so terrible a contingency. The Tories, then, cannot hope to come into office permanently.

But the Whigs, without the support of the Liberals, are no match for the Tories: as a Government they would be utterly powerless without our aid. In such case, we are in a position to dictate to them. If we were to desert the Whigs, things would stand thus:—The people would not allow the Tories to hold power—and the Whigs could not hold it. The Radicals, therefore, though not possessed of a parliamentary majority, are by fortuitous circumstances enabled to dictate to the Government. I have no hesitation in saying, that they ought to take advantage of this lucky state of things, and to make the most of it for the advancement of their principles and power.

The practical method of doing this is obvious. We ought at once to come to an explanation with the Ministry, and strike a bargain with them. If our support be worth having, then have we some claim upon the Ministry. They cannot stand by themselves, and ought to have some deference for the opinions of those by whose support they are a Ministry. We are constantly told, that concessions ought to be made; that we ought not to be *impracticable*, but should forego something. Yes, we are willing to forego *something*, but not *everything*. Let the

Ministers give an example of concession to their friends. We have had examples enough of concession to their enemies; and also we have had examples sufficiently numerous and important on the part of the Radicals to the Whigs. Now, then, let the Whigs practice what they preach. Let them concede to us. *What*, it may be asked?—Let them concede *the Ballot*, and *the Stamp Duties on Newspapers*. No doubt but that the Radicals would consider these concessions of great value, and their support of the present Administration would then be hearty and steady. The practical mode of expressing these demands is—*absence*. If the Ministers refuse this concession to our wishes, when the question of the Irish Church comes on, let all the Radicals be *absent*. The effect would be startling, and to the Whigs exceedingly disagreeable.

Mr O'CONNELL and the Irish Members may exclaim against us for deserting their cause. Our answer might be, "No, we do not desert you, you desert us. You have the power, if you have the will, to compel the Ministers to make the concession we desire. Use this power, and you shall, as heretofore, have our steadfast support." For the sake of the whole empire, for the sake of Ireland as well as England, we stand out; the demands we make are not selfish, but are for the benefit of the whole community. In no country is the Ballot more wanted than in Ireland—in no country is education more needed. To enable the voter to act according to his conscience, to have that conscience directed by reason, is the object of our present endeavours. Ours then is no sectarian, party, or personal object; if we take advantage of our position, it is for the benefit of all. We seek to confer a lasting and extraordinary benefit upon the whole nation.

Some persons, however, may object to the conduct here proposed, that it would be ungrateful and ungenerous. "The Whigs having given you Corporation Reform, you, because you have no more to hope from their voluntary concessions, take advantage of their position, and endeavour to compel them to grant what you desire. So long as you expected anything from them, you were quiet and obedient; now, when nothing more is hoped for, you become restive, turbulent, and craving." For my own part, I cannot help wondering how this talk about gratitude has ever been introduced into such a matter. We were told, until we became tired of the very sound, that we ought to be *grateful* to Lord GREY. What is the meaning of this? Did Lord GREY, did the Whigs do anything more than their duty? Did the People of England receive anything more than they had full right to demand? As Ministers, was it not the actual, the bounden duty of Lord GREY and Lord MELBOURNE to introduce, the one, the Parliamentary, the other, the Corporation Reform Bill? These two noble Lords, by introducing those measures, showed that they believed them necessary for the welfare of the country. Lord GREY also thought the Coercion Bill necessary. If, in the one case, we ought to be grateful, so ought we in the other. But the truth is, that the idea of duty towards the People is always studiously kept out of view; everything is done in order to shut out the hateful notion, that the good of the People is a matter of right, and that they who forward that good as legislators, or Ministers, perform an imperative duty. Gratitude to them is not needed, neither should we be persuaded to forego further reforms necessary to our welfare, because we have happened to have servants who once did what they ought. I am not

desirous of undervaluing the merit either of Lord GREY or Lord MELBOURNE—the latter, under the peculiar difficulties of his position, deserves no small, no niggard share of praise. But what I contend for is, that this, their desert, even were it ten times greater than it is, does not entitle them to ask of the People to delay one moment in working out all such reforms as are needed for their own comfort. The Whigs, as a party, have no claim whatever. *They* did not effect either of the reforms mentioned, which were the work, in fact, of the People; and it is something too much, something monstrous indeed, for the shreds and patches of the Whig party, who now compose the Cabinet, to assume a high tone, and talk of their merits, deserts, and of popular ingratitude. I will not pursue this theme further, having no desire to stir up strife; but it is to be hoped that our patience is not again to be tried by talk about gratitude to the persons at present holding office; who, with the exception of their chief, hardly deserve even the common praise of being industrious and zealous servants.

As for the accusation of want of generosity, it is very much like that of want of gratitude, the result of a complete misconception respecting the duties of the People's Ministers. Generosity here can only be intended to signify, the permitting the Whigs to have a quiet tenure of place. Why should they have this?—Answer, because they passed the two Reform Bills. We then are to put up quietly with burthens that oppress us, in order that the Ministers may have easy lives. For how long is this to last? What term will be sufficient to evince our generosity? If we are to be silent, and the Whigs happy for one year, why not for two; and if for two, why not for three, four, or any number? From the ordinary talk of official persons on ques-

tions like the present, it would seem that the regular and natural course of Ministers is doing mischief—that doing good is so extraordinary an effort, so wonderful a proof of sublime virtue and self-denial, that the People can never sufficiently repay. Simple approbation and respect are not reward enough—something more solid and more agreeable is required to recompense a virtue of this exalted character. This something more agreeable being the quiet enjoyment of a lucrative office. An analogous case may illustrate this position. Suppose the Chief Justice of the King's Bench to try to-day a case of libel against the Ministry, — suppose him to sum up distinctly against the Government; and suppose, also, that he did this, in spite of the strong feeling of his party and his friends. He would thus do his duty. We should admire his conduct, and we should respect him. But, should we continue to do so, if to-morrow he were gravely, in the following words, to propound the doctrine above combated :— “ Yesterday I acted so as to obtain your admiration and respect. I hope, now, that you will be grateful and generous, and, hereafter, let me lead a quiet life. I shall not appear on the Bench for a year; and, for some years to come, I shall let iniquity have sway in my Court. The power to do this, I claim as a reward for my service of yesterday; and you, by permitting me to act thus, will evince your gratitude and generosity.” Every one sees the absurdity, in the case of the Judge. What line can be drawn between his situation and that of a Minister?

Some persons, however, who may not be willing to oppose the conduct I propose, as wrong in itself, will still object to it, as attempted at the wrong time. Their reasoning will be as follows :— “ By temporising last year, we

got the Reform of the English Corporation,—by the same course, we may get the Reform of the Irish Municipal System this year. Support the Ministers, then, in the way you did during the last Session; get what you can peaceably; and when, at length, you find nothing more will be done, act as you now propose.” This is plausible, but not conclusive. We shall obtain the Irish Corporation Reform, whether the Ministers like it or not. That measure no longer depends upon the will of any party. To refuse the Irish Reform when we have granted the English, would be so glaring an injustice towards Ireland, would so clearly draw a line between the two countries, as materially to aid the repeal of the union. Well might Mr O'CONNELL then exclaim—“ There is no justice for Ireland.” Moreover, the granting of the English Reform, last year, has gained that strength for the Liberal party, which alone was wanted to make their power permanent. That power, now, cannot be shaken. A dissolution would make us irresistible in the House of Commons; so that no *coup d'état* of the sort played off in November, 1834, will again be tried. It is clear, then, we shall lose nothing by the plan proposed—and we have every chance of gaining much. Ireland will be no worse off; and the whole nation much better.

It is the custom of politicians to invest their proceedings with much mystery—to pretend to great secrecy and stratagem. There will not be wanting many to laugh at me for openly propounding my scheme; as it will be supposed, thereby, to be utterly frustrated. They, however, who act not for party, but for national purposes, and whose strength lies in the public support, ought to court no secrecy, to affect no mystery. Neither public nor private ends ought to be sought by unworthy means. If we



be ashamed of the means—if we dare not openly avow them, we certainly ought, also, to be ashamed of using them. Neither can our means be diminished by publicity. It is by no skilful manœuvring, no artful combination of individual forces, that we hope to gain our ends. The ends, themselves, are approved and sought for by the public. The means we propose are, by taking advantage of their weakness, to force the Ministers to obey that public desire. They are completely in our power; and

justice to our country demands that we should employ our power to promote the national welfare. Were I to propose to accomplish this purpose by intrigue,—if, underhand and covertly, we were to attain our purposes, hack-nied politicians would applaud our policy. But, in my opinion, we should degrade a good cause by any such artifice. The end is good, the means are honest; there is no need to hide or mystify them. J. A. R.

## TAXATION OF THE RICH AND OF THE POOR.

ALL representative assemblies are the servants of those by whom they are chosen.

In the United States of America the several Legislative Assemblies are chosen by the unrestrained suffrages of the People. The consequence is, that the legislative measures of those Assemblies are such as the mass of the People believe to be conducive to their interests.

In the British House of Commons this is still far from being the case. Before the passing of the Reform Act, the control of the titled and untitled Aristocracy over the limited constituencies was perfect. The influence of the Peers, and of the families with which the Peers were connected, in returning, or rather *nominating* a majority of the House of Commons, was notorious; and the subserviency of that Honourable House to the sinister interests of the ruling few was but little affected by the inconsiderable number of comparatively liberal men who were the advocates, rather than the representatives, of the People.

The Reform Act broke in upon the

dominion of the Aristocracy, but it did not give the great body of the People any direct share in the business of elections. Whatever influence they may exercise is indirect, and therefore extremely imperfect. Such trifling popular influence as does exist arises solely from the effect of their aggregate opinions on the conduct of the new electors. It may be easily conceived that this kind of influence must be lamentably small and fleeting in its nature. The very act of conferring the elective franchise upon a portion of the People destroyed the strongest source of sympathy between the favoured class and their unrepresented fellow-citizens—I mean the fact of their being unrepresented.

But even the new electors enjoy much less influence in the aggregate than the sanguine might have anticipated. The franchise was clogged with restrictions and impediments, so that the influence of the Aristocratic class is still sufficiently powerful to destroy the effect which would otherwise have arisen from the sympathy of the new electors with the mass of the People. Thus the House of Commons is still, in

the main, subservient to Aristocratic wishes and interests.

If any one doubt this, let him examine the British system of Taxation. He will there find, in a great majority of cases, that the taxation of the industrious classes is mercilessly severe, whilst that of the middle classes is moderate, and that of the rich extremely light. Turn the matter every way, place it in every possible light, and the excessive unfairness of our taxation will be made conspicuous. Articles, used almost exclusively by the poor, are singled out, under all sorts of pretences, for excessive taxation; whilst, on those articles which are used by all, the duties are imposed in a manner to show that an Aristocratic Legislature never loses sight of its own interests.

In cases where a principle of fairness has to some extent prevailed, it will presently be seen that fraud has supplied the place of partial legislation.

But it is not in the levying of taxes alone that the poor are made to suffer, whilst the rich are permitted to be comparatively exempt. Taxation, in many cases, is for the benefit of the wealthy classes. Articles from foreign places are taxed even to prohibition, in order that certain of the wealthy classes may enjoy a monopoly. Thus are the poor and industrious subjected to a double robbery. As members of the community, they are robbed to benefit the monopolist; and, as poor consumers, they are made to contribute an excessive share of the whole amount of plunder.

I shall begin with some of the important necessities of life, such as sugar, tea, coffee, &c. These, I am aware, are called by Sir HENRY PARNELL, "luxuries," and so they once were; but luxuries enjoyed almost from birth become necessities, and I am sure Sir HENRY PARNELL would agree to my amendment.

#### SUGAR.

Sugar is of many different qualities, and is produced in various countries. It is produced in our West India Islands, in our East India possessions, and in many foreign tropical climates. In the East Indies it can be produced and brought to the London markets at several shillings a hundred less than from the West Indies; whilst, from foreign places, it can be imported at two-thirds the price. But the portion of the Aristocracy interested in the growth of sugar in the West Indies has always had vast influence in the House of Commons, in addition to which they have made common cause with all monopolists, and have thus succeeded in inflicting upon the People the evil which I am about to illustrate. By imposing upon East India sugars a higher rate of duty than upon West India, and upon foreign sugars a still higher duty, they have succeeded in confining consumption to their own commodity. But this is not all. The duty being thus skilfully contrived, to exclude us from the cheapest shop, is so managed as to drag the largest contribution from the pockets of the poor. It is, in all cases, a fixed duty of so much per cwt., so that it is upon the lower qualities that the bulk of taxation falls. The following statement will explain this:—

	Price.*		Duties.			Per centage.
	s.	d.	£.	s.	d.	
South American	27	0	3	3	0	233
Ditto (average)	30	0	3	3	0	210
Java and Manilla	31	6	3	3	0	200
East India	31	0	1	12	0	103
West India	36	0	1	4	0	66
Ditto, best	44	0	1	4	0	54
Double refined	61	0	2	3	3	71

Here we have those qualities of sugar which would suit the circumstances of the poor taxed to an extent amounting to prohibition. Sugars are now above their usual price. In an ordinary state

\* The prices are taken from the New Price Current of the 1st of January, 1836.

of supply, with an equalization of duty, the poor might have excellent sugars at about 50s. to 52s., instead of being compelled to consume the commodity of the West Indies at 60s. to 68s. Thus, in practice, the above scale of per centage taxation does not exhibit what is actually endured. It only exhibits the intention of an Aristocratic Legislature. Of East India sugar, however, some is consumed even at a rate of duty nearly double that which is imposed on the better kinds of West India.

How the sugar of our Colonies in the East came to be so highly taxed is no mystery. In the first place, the sugar of the East is not produced by wealthy monopolists; and its wealthy carriers, we may presume, were in a measure bribed into silence, by being left in quiet possession of other and equally profitable monopolies.

#### COFFEE.

The Duty on Coffee exhibits the same features. On British Plantation Coffee there is a fixed duty of 6d. per lb. or 56s. per cwt. This, of course, is an extremely heavy duty on the common qualities to which the industrious poor are compelled to resort. This, the following statement will show:—

	Price. s.	Duty. s.	Per centage.
Ceylon	56	84	150
West India Common	61	56	92
Jamaica	92	-	61
Do. Fine	112	-	50

So that, confining the statement to the coffee produced in our own possessions, it will be seen that the poor man is taxed just three times as heavily as the rich. But a further injustice is inflicted upon the whole community in consequence of the monopoly in favour of the British Colonists. Excellent coffee, from foreign plantations, can be sold without duty at 40s. The duty of 6d., as upon West India, would not exclude it; at 96s., with

duty, it would be extensively consumed. Now this would amount to no less than 140 per cent., the rich consumer of best West India, paying only 50 per cent. But all foreign coffees are charged with 1s. per lb., or 112s. per cwt.; which duty, if levied, would amount in some cases to no less than 280 per cent.

#### TEA.

In the duties levied on Tea, there is some attempt, or rather pretence, to discriminate qualities. The lower qualities are charged at 1s. 6d. per lb., the middle qualities at 2s. 2d. and the best at 3s.; this, however, does not obviate the evil, as the following statement will show:—

Description.	Price. s. d.	Duty. s. d.	Per centage.
Bohea and Fokien, lowest	0 9	1 6	200
Mean Price	1 0	"	150
Congou and Twankey, Hyson, Souchong, &c.	1 6	2 2	144
Mean Price	3 0	3 0	100
Best Quality	5 0	"	60

But even this discrimination imperfect as it is, will shortly be abandoned. On the 1st of July next the above scale of duties is to cease, and all teas from ninepenny Bohea to seven times ninepenny Hyson or Pekoe, are to be changed at 2s. 1d. The effect of this change will be, that

The Poor will be taxed 240 per cent.

The Middle Class . 138 „

The Richest Class . 42 „

This, be it remembered, is a specimen of the legislation of a Reformed House of Commons. It affords painful evidence that the sinister influence of the wealthy classes is still unimpaired.

The fairest method of imposing a duty is a per centage on the value. It has been objected that the necessity of trusting to the importer's declaration opens the door to fraud. It must here be remembered that the great bulk of importation is in the hands of merchants of standing and character, and that such frauds would be but trifling

in their operation. Moreover, the evil must be attributed to high duties, rather than to the mode of levying them. High duties induce evasion; and the falsification of invoices is only one out of many methods of accomplishing the end. But, if the "ad valorem" system be disapproved of, a classification might be adopted which would be much more fair than anything we have yet experienced. In the United States, teas are charged with a specific duty, ranging from about 5d. on the lowest kinds to 2s. on the highest. The Poor, then, pay between 60 and 70 per cent. duty, the Rich between 50 and 60. If our duties were fixed at 6d. on Bohea and Fokien, 9d. on Congou and Twankey, 2s. on Souchong, and 2s. 6d. on Hyson and Gunpowder, the average rate of taxation falling on the different classes of the community would be tolerably equal. It may be objected, that dealers would evade the higher duties by calling all greens Twankey, and all blacks Congou: with regard to the first there could be no difficulty; competent examining officers would detect it. With regard to the last there might be a few cases of doubt, but they cannot be sufficient to afford a reason for the injustice of an indiscriminating duty. Difficulty, of classification is always a strong argument in favour of an "ad valorem" duty.

#### WINES.

Formerly the wines of France and Germany were subject to a much higher duty than those of Spain and Portugal; at present, all foreign wines are charged alike at 5s. 6d. per gallon. The quality of wines, however, varies no less than eight or ten-fold; that is, there are some wines which cost in the London Docks ten times as much as others. The consequence of this high duty is that the cheap wines of the Continent are not consumed in this

country, they are imported only to be deposited for re-exportation to countries where excessive and unfair taxation does not prevail.

The following statement will exhibit the inequality of the Duty on Wines in its true light:—

Description.	Per Gallon.		Duty.	Per Centage.
	s.	d.		
Spanish Red . . . . .	1	6	5 6	366
Teneriffe Common . . . . .	2	0	5 6	275
L. P. . . . .	4	0	"	137
Malaga . . . . .	2	8	"	202
Port . . . . .	8	6	"	65
Madeira . . . . .	11	0	"	50
Sherry . . . . .	9	0	"	61
Hock . . . . .	20	0	"	27
Claret . . . . .	15	0	"	37

The Aristocratic consumers of Hock and claret pay only from 27 to 37 per cent. for their wines. The wealthier portion of the middle classes pay from 50 to 65 per cent. for their Port and Sherry, whilst the wines which might be brought within the reach of the industrious classes are taxed on an average nearly 250 per cent. This, of course, amounts to prohibition. The light, but wholesome wines of the Rhine, which exhilarate without intoxicating, are denied to the People of this country, in order that British spirits may be consumed for the benefit of the English landlords.

#### SPIRITS.

The duties on Spirits,—British, Colonial, and Foreign, are also contrived in accordance with the Aristocratic rule of taxation. First, Spirits being consumed by the poor, and not, to any extent, by the rich, are all very heavily taxed. Second, The consumption of British and Colonial Spirits is encouraged by causing the weight of taxation to fall on spirits of foreign production. Third, low-priced spirits are unduly taxed. Brandy and Geneva are charged 22s. 6d. per gallon: this amounts to a percentage duty varying from 500 to 800 per cent. Rum, being the produce of the West India Colonies, is charged only

9s., which ranges from 225 to 400 per cent.; which, though moderate when compared with Brandy and Geneva, still leaves to the producer of British spirits a decided protection in the home market. I come next to

TOBACCO.

There is no article in which the unfair operation of an indiscriminating tax is more conspicuous than Tobacco. There are qualities of tobacco which sometimes sink as low as 2½d. to 3d. per lb., whilst there are other choice kinds, which seldom sink below 4s. or 5s., and are sometimes as high as 5s. or 6s. Taking the prices at the commencement of the present year, we have the following scale of taxation:—

Description.	Price.		Duty.		Per centage.
	s.	d.	s.	d.	
Virginia & Kentucky,					
Common	0	3½	3	0	1030
Average	0	5	„		720
Maryland, good	1	0	„		300
Havannah leaf	3	3	„		92
Segars	8	6	9	0	105

Tobacco indulged in for any considerable length of time ceases to be a luxury, and becomes a necessary. The rich have other and more costly stimulants, the poor have not; and, as the use of tobacco is habitual with the industrious classes of almost all countries, it must certainly be classed as a necessary rather than as a luxury. With the rich, however, it seldom becomes a necessary, except occasionally in the shape of snuff. The whiskered dandy would reject the segar to-morrow, if it ceased to be fashionable. Yet how is taxation distributed? The poor consumer of cheap tobacco, as a necessary, is taxed nine times as much as the whiskered dandy, and three times as much as the respectable shopkeeper who enjoys his pipe of 'Maryland Returns.'

The argument in favour of a moderate *ad valorem* duty applies here as strongly as to the case of the tea duties; or, if a classified duty be preferred, the

variety which exists in the qualities of tobacco presents no peculiar difficulty, as it will be found to be tolerably indicated by the following proportions:—Virginia, 1; Maryland, 3; Havannah and South American, 9. Thus, if the duty on the mean quality be fixed at 3s., the present rate, it should be lowered to 1s. on Kentucky and Virginia, and advanced to 9s. on Havannah leaf.

I am not here arguing against high duties; it is upon their oppressively partial operation that I am remarking. I cannot, however, refrain from observing, that the excessive duty on Tobacco defeats its own object; a very large proportion of the quantity consumed being supplied by the smuggler. Some years ago, I spent a winter in Holland. I can well remember that the supply of Tobacco to England and Ireland was not an unusual subject of conversation at the public dinner tables. It was spoken of in a manner to induce me to believe that it was a very important trade; and I know that the men engaged in it made a regular insurance charge, brought down by competition to a very moderate per centage; the rate I do not precisely remember, but it was, certainly, not a tenth part of the duty on the lower kinds of Tobacco, and not equal to that on the superior qualities. A duty of 4d. on Virginia and Kentucky, 1s. on Maryland, and 3s. on the finer South American Tobacco, would, perhaps, effectually prevent smuggling; but I am convinced, no reduction short of the above would do so.

I shall not trouble the reader with any more samples of the unfair operation of our "Customs Duties," but content myself by saying that the reader has only to take up a "Price Current," and he will find that almost every article of foreign production consumed in this country, is taxed according to the

Aristocratic rule or canon. Cotton, silk, and other important articles of raw produce, rice, cocoa, spices, ginger, indigo, fruits, &c., &c., all bear witness that the People have hitherto had but little share in the business of nominating those who legislate for them.

Of the revenue derived from Excise, a very small portion only is furnished by the wealthy. Out of 18,000,000*l.* in all, malt contributes 5,000,000*l.*; spirits upwards of 5,000,000*l.*; licenses and hops together, upwards of 1,000,000*l.* more, so that together we have about 11,000,000*l.* levied chiefly upon the beverage of the poor; whilst on all wines and foreign spirits, which form the beverage of the upper and middle classes, the duty levied does not much exceed 3,000,000*l.* Most of the articles which are the objects of Excise Duties fall most heavily on the industrious classes, besides which, there is the same indiscriminating feature which pervades the Customs Duties. Let us take soap. The Soap Duty is a tax on cleanliness and health, and is, therefore, iniquitous in the extreme. Previous to 1831, it was 28*s.* per cwt., which was a tax of 40 per cent. on the dainty dandy who indulged himself with scented Windsor, and 80 per cent. on the needy consumer of common soaps. But this was not all. The tallow of which the soap was made was taxed 7 per cent. The resin which enters into the composition of yellow soap, 50 per cent., and the alkali, which is an essential ingredient, 20 per cent.; so that altogether, this tax on comfort, cleanliness, decency, and health, must have amounted to about 100 per cent. The same persons who taxed cleanliness to the amount of one hundred per cent. are in the habit of stigmatising the People as "unwashed artisans." In 1831, the duty on Soap was reduced to 14*s.* Pre-

vious to this reduction, the duty received from Soap amounted to 1,186,220*l.* Consumption remaining the same, the revenue derived from Soap should, in 1833, have been 593,110*l.* But did consumption remain the same? No. The "unwashed artisans" proved that they appreciate cleanliness quite as much even as the CHANCELLOR of the EXCHEQUER does; for, instead of falling to about 600,000*l.* the revenue only fell to a little under 900,000*l.* showing a vast increase in the consumption of the article. This tax could only be retained by a set of insatiate extortioners; the duties on Tallow, Resin, and Barrilla, the raw materials of Soap, are sufficiently high, without an additional 14*s.* on the means of cleanliness.

Of the numerous articles which are made the object of excise duties, I shall only mention one, which is the more oppressive, as it goes to enhance the greatest evil which was ever inflicted on a community—I mean the excise on Paper, being one of the Taxes on Knowledge. This tax is 3*d.* per pound on all papers used for printing and writing. On the finer qualities of paper, such, for instance, as are employed in printing a fashionable novel, it is a mere trifle; but on the commoner paper used in cheap publications, it amounts to a heavy tax, in some cases amounting to about ten per cent. on the sale price of the publication. The whole revenue raised from paper amounts to about 800,000*l.*, a large proportion of which is supplied by cheap publications. In 1820, the revenue from paper amounted to only 470,000*l.*

The "Stamps" and "Taxes" exhibit the same indiscriminating features as the Customs and Excise, and, moreover, furnish the same evidence that the interests of the great body of the People find but little sympathy in the

Reformed House of Commons. It was not against the Taxes on Knowledge but against the House and Window Taxes that the first outcry was raised, in the House of Commons. Why was this? There are many taxes which are more injurious to the community than the Assessed Taxes, and yet they alone received an opposition sufficiently strong to lead to the reduction of the one and the removal of the other. The reason for this is obvious. The Reform Bill gave the elective franchise to the class who chiefly suffered by the Assessed Taxes—the 10*l.* householders, and *their* representatives, attended to their interests before those of the great body of the People.

In the House Tax, as it existed in 1834, there was some attempt at classification, and a show of charging the houses of the rich at a higher rate than the houses of the middle classes. The houses of the poor were liberated from this tax by an Unreformed Parliament. When the rent did not reach 20*l.* the charge was 1*s.* 6*d.* in the pound, or an average of  $7\frac{1}{2}$  per cent.; from 20*l.* to 40*l.* the rate was 2*s.* 3*d.*, or  $11\frac{1}{4}$  per cent.; from 40*l.* it was 2*s.* 10*d.*, or  $14\frac{1}{2}$  per cent. Beyond the rate of 40*l.* per annum, the discriminating per centage ceased. However, as it was a *per centage* charge, it was not liable to the strong objections chargeable on tea or tobacco, as the individual's contribution to the revenue increased with his increasing enjoyment.

But this seeming fairness in the House Duty was evaded by the fraudulent rating of the houses of the Aristocracy. I happen to know how this is managed near London, where more caution is used than in the country. A gentleman in a high official situation bought some ground, beautifully situated in the outskirts of London, and built thereon a capital house, which cost him upwards of 5,000*l.*; when the

house was completed, he invited the assessors to a good dinner. After having crammed them into an excellent humour with their host, they were invited to look round the premises. They did so; and the result was, that the gentleman was rated at about one-third of what his house and grounds were worth. It would have been ungentlemanly to have rated highly the house of a man who gave such excellent claret! But this gentleman was not strictly speaking of the Aristocracy, he belonged, however, to that class which may always be assured of favour at the hands of men in authority.

Among the Aristocracy the matter was managed in a much more barefaced manner. The assessors, or surveyors, are the mere creatures of the Aristocracy; they therefore connive at this wholesale plunder of the public. The magnificent castles and palaces of our nobles are rated at infinitely less than a few feet of shop window in Bond street or Regent street. I take the following statement from the article on "Aristocratic Taxation" in the 41st Number of the *Westminster Review*:\*—

Proprietor.	Seat.	Rate.	Tax.
Duke of Devonshire	Chatsworth	£ 400	56 13 4
Duke of Buckingham	Stowe	300	42 10 0
Duke of Marlborough	Blenheim	300	42 10 0
Marq. of Westminster	Eaton Hall	300	42 10 0
D. of Northumberland	Alnwick	200	28 6 8
Duke of Rutland	Belvoir	200	28 6 8
Bishop of Durham	{ Bp.'s Auck- } { land Castle }	200	28 6 8
Marquis of Salisbury	Hatfield	200	28 6 8
Bishop of Chester	Chester Palace	150	21 5 0
Duke of Leeds	Godolphin	150	21 5 0
Duke of Newcastle	{ Nottingham } { Castle }	100	14 3 4
Duke of Grafton	Euston Hall	100	14 3 4

Now, here are a couple of bishops profiting by a system of fraud without compunction or remorse. The plunder of half-a-dozen unchanged thieves would scarcely equal that of the Bishop of

\* I beg to recommend the article in question (to which I am greatly indebted) to the Reader's attentive perusal.

CHESTER in one year; and yet these rapacious hypocrites are continually lamenting the depravity of the People. Where, I ask, can depravity be found equal to theirs? Whilst the bread of the starving peasant is taxed for their benefit — whilst they are positively wallowing in luxurious living, they can thus descend to the despicable meanness of defrauding the revenue — of defeating the intentions of the Legislature, thereby affording an example to the whole world; of their contempt for the dictates of that religion, which it is their business to enforce.

In looking over the above list, the Reader will not have forgotten that a few years ago a fire, supposed to be the work of incendiaries, happened at Nottingham Castle. It was only an inconsiderable portion of that splendid edifice that was damaged, yet 20,000*l.* was obtained from the county as compensation. If justice had been done to the Duke who owns it, the following would have been the course pursued. Two questions would have been asked of the Duke's witnesses; *first*, what number of years' purchase money is usually obtained for property in your county? *second*, at what sum is Nottingham Castle rated in the county books? Multiplying the figure obtained by the second answer by that obtained by the first, the result would probably have fallen short of 3000*l.* The decision should then have been, that the county was willing to assume the whole property, for the valuation of which the Duke had for many years taken advantage. We may easily conceive what the Duke of NEWCASTLE would have "done with his own," — he would have kept it. However, the House duty is abolished, so that the advantage which the Aristocracy derive from the unfair or fraudulent rating, is confined to the Parochial taxes. The French Aristocracy, before the Revolution, had much less skill than ours. They obtained by open exemptions that which ours obtain by covert fraud — in both cases there is the same injustice to the People.

If the Reform Act had given political influence to the great body of the People, instead of to the 10*l.* Householders, discussion of the House duty would have given place to the

more important question of the Newspaper Stamp. This is justly considered by the People the most oppressive and iniquitous of all the taxes. United with the excise on paper, it effectually shuts the gate of knowledge against the People. This tax will be held by the Aristocratic class as long as it can be held. "Knowledge is Power." The greater the average knowledge of the community, the more knowledge will the Aristocracy require to retain power. Moreover, that power, when held from a community possessed of knowledge, must be equitably wielded. The power of the Aristocracy at present depends on the continued ignorance of the People. This, both the People and the Aristocracy feel. The People, consequently, make the removal of the Taxes on Knowledge their most pressing demand; whilst the Aristocratic Commons resist it with a pertinacity commensurate with its importance to the People. The first article in this PAMPHLET will show that the case of the People against the Tax on Knowledge is by no means desperate. A means exists, which will probably force the Ministry, however reluctantly, to yield the point.

It cannot be too often pointed out, as it appears to be a feature which even the foes to the Stamp are continually forgetting, that it is the first Halfpenny that is the Tax upon the poor. A Stamp Duty of a Halfpenny places the Newspaper out of the reach of the poorest classes. Every succeeding Halfpenny of course limits circulation; but it is in the first that the great evil lies.

After the imposition of the first halfpenny or penny, the industrious classes of the community have but little concern with the rest. Thus, the repeal of three quarters of the tax would not be of the least benefit to them.\* The tax should therefore be abolished, or should remain untouched.

It is quite melancholy to observe the little that has been done during three sessions of a reformed Parliament to relieve the burthens of the People. When the repeal of this most obnoxious of taxes is demanded, Mr RICE tells

\* In the forthcoming number of the 'London Review,' will appear an able article in which the case of abolition is well put.



the House, that he cannot afford the loss of 300,000*l.* or 400,000*l.* of revenue. Those who are able to estimate the increased demand for Newspapers, have repeatedly proved to Mr RICE, and to the world, that there would be no such falling off in the revenue. Allowing, however, that the revenue would be affected nearly to the whole amount of the tax, why is not the Ministry prepared to make a saving in expenditure to the amount? Is our extravagant system—the parent of our unjust and unequal taxation—never to be broken in upon? Is the revenue to be perpetually kept up to the enormous height of between forty and fifty millions, for the sole purpose of maintaining the younger scions of the Aristocracy?

The next Session will enable us to estimate more perfectly the value of

the Reform Act, which I much fear will be found to be quite inadequate to the procuring of those material reforms, to which the act in question was merely intended as a means. Further preliminary reforms will be necessary. Till the House of Commons is made a more perfect instrument of good legislation, by rendering it amenable to popular controul, we must not begin to count our gains. We shall also require something better in the shape of Peerage Reform, than a scheme which is “tantamount to substituting the best disposed for the worst disposed Peers.”\* It might as well be proposed to hand over the flock to the best disposed instead of the worst disposed wolves. The flock would still be eaten in spite of the reform.

H. S. CHAPMAN.

\* Examiner.

## MR LAING'S JUSTICES' JUSTICE.

THE following report appeared in the *Morning Chronicle* of the 11th inst. The remarks which I make on this occasion are made in the belief that the report gives a true account of what took place:—

ITINERANT STREET SINGERS.—On Saturday, *James Evans*, aged 21, *William Martin*, aged 23, and *James Hurd*, aged 20, whose appearance indicated great distress, were brought before Mr LAING, by two of the Mendicity Officers, charged with singing glees in the street.

The Officers stated that they saw the prisoners in Bedford row, singing glees, and touching their hats to passengers, but they did not see them receive any money. They led them to the Mendicity Society's Office, but they were not known as vagrants. The manner and demeanour of the prisoners, while at the bar, were superior to the common order.

Mr LAING ordered MARTIN and HURD to be taken out, and he then questioned EVANS, who stated that he got his living by glee singing; he had sung at concerts, but latterly was obliged to sing in the streets; frame-making was his trade, but he was not fit to work in consequence of the badness of his eyes, and he devoted his attention to music; MARTIN was brought

up to the stage, but misfortune compelled him to sing in the streets; they were not begging, but depending on voluntary contributions; HURD was also a professional singer, and clever in his line as a bass. He (EVANS) first met his companions on board the Gravesend steamers, when they sang songs, glees, and duets; they had travelled the country together, and visited Salisbury, Portsmouth, and other places. In reply to another question, as to why he did not get work, EVANS replied, that his own brother would not employ him, in consequence of his sight being bad, and it was not likely strangers would do so.—[His eyes looked very weak.]

MARTIN was then called in. He said that he sang at concerts, at the “Royal Standard,” and other places of amusement, but latterly was obliged to sing in the streets. He agreed with the statement made by EVANS, and added (in a melancholy tone), in reply to the Magistrate, that he had been brought up to no trade, as his parents were independent; but at their death he was left friendless and destitute, and he made music his study: he was not aware he was doing wrong by singing in the streets.

HURD was then brought before his

worship, and boldly answered that he got his living by his vocal abilities.

Mr LAING said he was an impudent fellow, and he had a great mind to commit him to the House of Correction for three months.

HURD hoped his worship would not do so.

Mr LAING then asked him what right he had to beg?—HURD said he was not begging, he was merely singing part of a glee, and doing no harm; they were distressed and obliged to do so.

Mr LAING said HURD was the most impudent of the lot, and he should commit him to the House of Correction and hard labour for one month, MARTIN for three weeks, and EVANS for fourteen days.

This unexpected decision seemed to astound the prisoners, who were taken to the lock-up by the officer.

To sing to the poor is plainly an offence. An offence, too, of a very heinous description, deserving no less a punishment than a month's imprisonment during this cold weather. A soldier attempts to stab a woman and he is fined 20 shillings, and, if he cannot pay the fine, is sent to prison for a month. So that attempting to please the ears of the poor by good singing, and to stab a defenceless woman, are equal offences in the eyes of the London Justices. This is quite as it should be. What business had these poor men to be walking and singing in the streets? Why did they not hire a room, and have a respectable audience? It may be said that they were too poor—that they were reduced—that they, to save themselves from starving, attempted to gain a few pence by singing in the streets. If they be poor, that is of itself an offence; what business had they to be poor—and being poor, what business had they to be afraid of starving? It is quite evident that they deserved punishment for the one offence as well as the other.

Also be it remarked, one of the men was an impudent fellow—he actually had the audacity to say that he got his living by his abilities; and that, too, in the presence of a London Justice. To tell a London Justice that you live by your abilities!—could any thing be more impudent—more personal. The

man must have been sneering at this Justice Midas. Midas was not only offended, but throughout the proceeding, he evinced a wonderful love of order. He made the punishment

“Small by degrees and beautifully less.”

One is condemned to a month's imprisonment, ostensibly for being an impudent fellow—but really from a love of order. The other two men had been both of them submissive—had told their mournful tale in a simple, humble, and affecting manner—nevertheless, the same degree of punishment was not awarded for this same offence. One is condemned to three weeks, the other to a fortnight's imprisonment—and then conceive the unheard of atrocity of these poor fellows. They actually pretended to be astounded at the decision of the Justice.

The men, according to the report, seemed in great distress; and “their manner and demeanour were superior to the common order.” They were unknown to the police, and gave a very intelligible account of themselves. One poor lad had weak eyes, and took to singing as a trade. The present season is unfavourable to this class of singers; and he, not knowing that there was any thing wrong in it, and having nothing to do, took to singing in the streets. The second, Martin, it appears, was brought up to no trade, and he himself lamented this misfortune. “He was not aware he was doing wrong by singing in the streets.” Yet these two poor boys are sent to prison, one for a fortnight, the other for three weeks.

I should like to know what was the offence? I do not challenge Mr LAING's law; I only call in question his justice. He had the power, certainly, to put these poor lads into prison. He was cruel and unjust for so employing it. Personal pique appears to have impelled him to this unjustifiable act. He was angered by the manner of one of the men, and, by way of setting an example of good manners, calls the prisoner “an impudent fellow,” and, as an example of justice, punishes the two others, who had not offended him. Nothing can be conceived more thoroughly conceited, arrogant, and overbearing, than these magistrates. They ought, by their

connexions and education, to be gentlemen; but it would seem that the police-office soon changes their nature—they become brutal, coarse, and tyrannical—losing all sympathy with the wretched; and, because they see most vice, believing that all men brought before them are vicious. This evidently is the tendency of the circumstances by which they are surrounded—this tendency must affect them all in some degree—yet I am happy to believe that some successfully resist its influence, and preserve, in spite of their situation, the kindly and good feelings of our nature. The displays that we constantly witness of rude, unfeeling, aye, and bitterly cruel conduct, by these sapient gentlemen, naturally gives the whole set a bad name. The worthy who figures in this report is constantly bringing himself before the public in some unseemly proceeding—disgusting all men by his cruelty, and astounding them by his ignorance. I can promise him that this shall not be the last he shall hear of this case,—His Masters shall hear of his doings, and the People shall know what defence can be made for them.

To talk of the offence of singing in the streets as a nuisance, is sheer falsehood. If good singing be a nuisance, I want to know what a barrel-organ may be? Any old woman may—Mr LAING may, if he pleases—put a Maccaw out of her or his window, and annoy a whole neighbourhood, and yet is there no nuisance; but let a poor fellow, with his companion, come under your window, and sing a duet, and you clap him into prison. Of late years the music in the streets has much improved; and every one who employs his reason about the matter is delighted that it should be so; as thereby a great improvement in the taste of the people is indicated. This improvement in the music is not only the effect of an improved taste, but is also the cause of it; and much good will result from it to the general manners and habits of the people. Of this, however, an ignorant justice, of the stamp of this worthy—this Mr LAING, takes no heed. What cares he for the improvement of the people? The law allows him to call singing in the streets a nuisance, and he therefore, being angry

because the men did not fall on their knees before him, sends them all three to jail. “What right had you to beg?” Conceive any man with a grain of sense in his head asking such a question.

From the statement of the lads themselves, the object of their singing was plain enough. They wanted food, and believing that by singing a song they could gain a few halfpence to buy food, they sang—and then this Justice asks the wise question, “What right had you to beg.” If the boy had retorted on him, and inquired, “What right have you to take the public money when so utterly unfit for your office,” the Justice would have been at a loss for an answer. He is appointed to administer justice—he is paid for the same. If this be not, after the experience of this judgment, a getting of money under false pretences, I know not what is.

J. A. R.

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#### TO CORRESPONDENTS.

A letter, signed L. W. W. was addressed to Mr Roebuck some time since, containing two useful suggestions, both of which will, if possible, be attended to. In compliance with one of these suggestions, a critical catalogue of the best writers on the science of Government is now preparing, by a writer fully competent to the task. With regard to the second, the republication of some of Mr MILL's articles, and of other similar works, has been contemplated for some time, and has only been delayed by mere business arrangements.

The note of an intelligent writer, who signs “A Journeyman Hatter,” has been received. The subject to which it relates has, perhaps, been rather too copiously treated in the various Pamphlets edited by Mr ROEBUCK; such, at least, is the opinion of many intelligent readers.

Numerous other letters have been received, some of which, as will have been seen, have been handed over to the writers of the articles to which they referred, and have been attended to; whilst others did not appear to demand any other than private attention to their suggestions. The writers of all such letters are requested to receive the Editor's thanks.

Articles which have been sent with a view to publication, but of which the Editor does not avail himself, will be left with the Publisher. Such writers are, however, thanked for the trouble they have taken.

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FREE PRESS.

**A PUBLIC MEETING,** convened

by the Surrey Radical Association, will be held on Monday, Jan. 13, at the Borough Chapel, Chapel court, High street, Borough, at Eight o'clock precisely.

DANIEL WHITTLE HARVEY, Esq. M.P., in the Chair.

To memorialize the Secretary of State on behalf of the Venders of the Unstamped Press, and to Petition the House of Commons for a Repeal of the Stamp Duties on Newspapers.

J. DOUTHWAITE, Sec.

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THE  
BIRMINGHAM POLITICAL UNION

AND THE  
HOUSE OF LORDS.

BY ROBERTS HAMMERSLEY.

MORE "JUSTICES' JUSTICE."

BY J. A. ROEBUCK, M.P.

STOPPING SUPPLIES.

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LORD GLENELG AND THE NEW AUSTRALIAN  
COLONY.

By H. S. C.—&c. &c.

EDITED BY

**J. A. ROEBUCK, M.P.**

[PRICE TWOPENCE.]

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THE BIRMINGHAM POLITICAL UNION AND THE  
HOUSE OF LORDS.

ON Monday last a great meeting of the inhabitants of Birmingham was held at the Town-hall, in pursuance of a call from the Council of the Birmingham Political Union. Its first object was to adopt an address to the KING, and a Petition to the House of Commons, praying, 1. For a restoration of the Municipal Corporation Bill to the state in which it was sent to the Lords; 2. For a Reform of the House of Lords; 3. For the correction of the acknow-

ledged abuses of the Irish Church; 4. For the passage of an Irish Poor Law Bill. The second object of the Meeting seems to have been, to stimulate the country generally to take steps for procuring the above measures, and to place the finances of the Political Union "in an efficient state."

There are several circumstances about this Meeting which intitle it to a very particular examination, especially that of its being the first public one, ex-

pressy petitioning for a Reform of the House of Lords.

The mere announcement of a town meeting, by the Council of the Political Union, threw the Tories of Birmingham into extreme alarm. Placards were stuck up over the town, and numerous hand-bills anxiously circulated, in which all good people were assured that the House of Lords was "the nation's bulwark," and "the guardian of Englishmen's rights;" that the Municipal Corporation Bill "was not mutilated;" that the Political Unionists were in a league with Papists and deserved no trust; indeed, that those who favoured them would "be entrapped by their wickedness and cunning" into two or three horrible things, and that those who called the Meeting were in truth "Papists, demagogues, and infidels," "emissaries of the Pope of Rome, needy men, insolvent tradesmen, and political adventurers." The coarseness of style in which these papers were written, and the absurd assertions with which they were filled, joined with the cowardice which pervaded every line of them, exhibit a pitiable state of mind in the Birmingham Tories, and force one to lament that men can be so blind, so abject, so lost to proper self-respect. But this was not all, the alarmed Tories issued a formal protest against the proceedings of the Council of the Political Union.

The report of the Meeting was brought to London by express, and appeared in the two leading Tory journals on Tuesday morning. Yet the *Times* declares, in language even coarser than that of the placards and bills, that the Meeting "was composed only of the *lowest of the low*, the Hall presenting, on its floor, the appearance as if all the smithies and foundries in the neighbourhood had vomited forth all their dirt and sedition." But the *Herald* says, "it cannot fail, however, in the present circumstances of the country, to attract the notice of

all parties, and especially of those who look *with apprehension to the proceedings of all unauthorised bodies*, who usurp a power unknown to the Constitution, under the inconsistent pretext of guarding that Constitution from encroachment." The hypocrisy of the *Times*, and the denunciation of the *Herald*, equally manifest their fears, lest the National Political Union should again rear up its formidable head. Nothing can be more natural than these fears; the machinery of government gives to the party in office a complete organization, and abundant means to effect many of their purposes; and the Tories are mad enough to believe they will again get the administration into their hands; but they are not such stark maniacs as to imagine they could retain power a day in opposition to anything like a general union of the People. Four years ago they were taught a lesson by masters, who have since improved vastly more than their pupils, and this they know.

As to the Meeting itself, Mr ATTWOOD, from his position as the principal leader of the Birmingham Political Union, and as a Member of Parliament, must be supposed to speak advisedly, and therefore some things he has said upon this occasion are peculiarly important.

Mr ATTWOOD tells the Meeting that "it was the duty of the People to remember, that without a majority in the House of Commons they could do nothing." This is a very great error; the People can do out of the House a great deal to obtain measures in the House, as Mr ATTWOOD certainly knows. But if one-third of the Radical Members in the House, though theirs is the smallest of the three parties, would but firmly and uncompromisingly support each other upon all great points, they could force the passage of many important measures, without waiting for a per-

manent majority actually in favour of the People. But when one Member has the honest boldness to speak out for the People, how is he supported? When knots of Radical Members have talked largely to each other of what they will do, how many of them take one single step fearlessly in fulfilment? Is there one Member who has been urged by his peculiar circumstances to make a demand for the People, who has not found himself almost alone? Nobody supports him, except, perhaps, by a damning timidity, though out of the House every Radical Member he meets most fully and heartily coincides with him. Yes, if Radical Members would use in the House a moiety of their hustings bravery, much would be done in the present Commons for the People; and if they do not exhibit in future somewhat less fear of their Aristocratic associates, the People may be compelled to seek out bolder men. By the way, in a year or two, it is to be hoped, the working of the Municipal Corporations Bill will develop many new and really trustworthy representatives.

The honourable speaker says, with regard to a Reform of the House of Lords, that "he is not prepared to say that the Council of the Union were ready to recommend them to enter upon a crusade for the purpose of obtaining the great object they had in view." I, at least, am glad to hear this, for if the Political Unionists were to stir resolutely for a Reform of the House of Peers, it would unquestionably be reformed, and no good under heaven can come from a Reform of that House. Reform after Reform may take place, and the House of Lords never will be able to keep pace with the inevitably Democratic advance of the Commons; consequently, the same Parliamentary difficulties and entanglements that now obstruct the public business of the nation will continue.

Men belonging to the Aristocracy, or hoping to be adopted by and into it, may sincerely wish the continuance of hereditary legislators; other men may have a political superstition in favour of such law-makers and judges; others again may hypocritically pretend to feel respect for such born-wise and learned men; but every thinking man, whose interest does not mislead his thoughts, cannot but be perfectly sensible that the intelligence and business of the nation must retrograde, or the House of hereditary law-makers must cease. How is it possible, upon sober reflection, to expect that two sets of men differing, as the People and the nobles do, in numbers, privileges, interests, habits, and thoughts, can agree, the moment that one set ceases to be subservient to the other? It may be said the People are not now subservient to the Lords. But their mis-called representatives are; and when they cease to be so, and really represent the People, then, the House of Lords would no longer be suffered to thwart necessary national measures.

Reform the House of Lords as you may, it will harmonise with the Commons, not by having similarity of views, but from outward circumstances. These are sufficient now; its repeated yieldings will prepare its Members and prepare the People for its abolition, which must come, though every man in Great Britain should dream otherwise. Lords are men like ourselves, and we should not inflict unnecessary misery on them; do not degrade them; wait a little while and get rid of them as Lords to make them men.

I regret exceedingly that such a man as Mr ATTWOOD should entertain and express pernicious political sentiments. He says, that the People about Birmingham have one half more comforts now than they had seven years ago, and that, "if the Government gave the Working Classes full employ-

ment, wages, and prosperity, he was the last man to recommend them to embark in any formidable combination in order to force justice from their hands." The more a Government interferes in any way with a view of giving employment to particular classes, or of regulating wages, the worse is the Government, and the greater the harm it does. Governments never tamper with such subjects without doing great mischief. But here Mr Arrwood teaches, that whenever, in one neighbourhood, there is want of employment and low wages, the labouring men should combine to force Government to supply them. Let this doctrine be generally taught and acted upon, and misery would accumulate on the heads of the unfortunate. Mr Arrwood continues:— He feared the screw was going to be put again on the industrious classes. And if it should be put on, if the mass of the workmen were again to be thrown out of employment through the misconduct and errors of the Government, then would be the time for the Political Union to rise in all the majesty of its strength. Now, as with equal silliness, Parliament is thought by many people to have power to do all sorts of good and all sorts of harm; there could scarcely be a case of want of employment or low wages that would not be attributed to it;— and, consequently, there would be a fit occasion for the Political Union to take the dominion of the country.

Mr Arrwood certainly alludes to the contingency of the Tories getting the reins of Government in their hands; but that does not lessen the baneful tendencies of such highly erroneous doctrines.

Mr Arrwood shows how a convention could be formed, and the Political Union get the dominion of the country into its hands. When the Union numbers a great majority of the nation, then

this, doubtless, could be done; but intelligence is somewhat too broadly spread to permit any new minority to rule; the old minority will not rule much longer; every day will extend a regulated representative self-government. He hopes that the taking the dominion into their hands "will not be necessary, but if it were, they would soon legally and peacefully make a thorough clearing out of both Houses." I take Mr Arrwood's speech from the *Times* and *Herald*; and almost doubt the correctness of the reports, which make him put forth such startling propositions, not for grievances unredressed, not for a just and extensive franchise, not for actual representation, hopelessly postponed; not for the freedom of the Press—the lever for all good; through continual discussions; not for direct responsibility of the governors to the governed; but to get employment and raise wages if they should be wanted.

Mr Arrwood talks of famine and anarchy. Famine is not likely to visit this land; and anarchy (in the common acceptance of the word) is impossible. If the present Government were annihilated to-morrow, the business of society would not be greatly interrupted. The People would very orderly set about instituting another in its place; though, perhaps, of another kind. The Aristocracy have for a long time been crying out *anarchy, anarchy*, as a bug-a-boo to the People; Mr Arrwood is, assuredly, playing back the same game upon the Lords. If so, it is unworthy of a man in his position; good will ever be best and soonest attained by fair and direct means; besides, there is not now any need of exciting unkindly feelings in any class towards another; let men think for themselves in political matters, express their honest convictions, and act with firmness, especially those in the House of Commons, and every political amelioration will rapidly be brought



about. Mr. Arrwood very justly ridicules the idea that a civil war could be excited in this country; but his statistics are not quite correct, when he places 200 Lords against 20,000,000 of other men: there are only between 4 and 5,000,000 of adult males in the kingdom; against a part of whom, if there were a brutal contest, the Lords would hire another part to fight.

Mr. Arrwood thinks "a Reform of the House of Lords is absolutely necessary," but he says that "He felt deep respect for those ancient and noble branches of the Peerage, who had fought the battles of the People and Liberty, and he would not hurt a hair of their heads." Nor would he, I trust, hurt a hair of the head of any man, merely because he happened to be a Peer. But what have "ancient branches" to do with the just estimation of men's characters? A teacher of the People insults them when he offers for their adoption any other standard of esteem than that of intrinsic excellence. If forty ancestors had each been a philanthropist, with a gifted and cultivated mind, bestowing numberless blessings upon society, and the selfish, blockish, ignorant descendant stalked forth doing harm, he should be esteemed and treated as he himself deserved; just as a great and benevolent man should receive his just esteem, though his father, his grandfather, and a long line of progenitors, had been the veriest scoundrels on earth. It appears a little strange to hear such superstitions from a man who glories, as Mr. Arrwood does, in being a friend and a leader of the Labouring Classes! That there are men amongst the Peers whose excellence of character entitles them to high estimation, there can be no doubt; but the having a forefather or two of equivocal distinction, according to present modes of thinking, is hardly a valid claim to our regard.

That Mr. Arrwood is sincerely the friend of the Labouring Classes, I firmly believe, and I respect him for being so—especially as wealth has not made him less their friend; and that, therefore, he means well to them, I am perfectly certain; but no man does the Industrious Classes a service, by strengthening their prejudices, or teaching them violent and erroneous doctrines. And it is because my sympathies and daily exertions are for the Labouring Classes, that I regret to see them injured by foe or friend. I would, if I could, have every man to labour so much with his body as to keep it healthy and vigorous; so much with his mind as to develop all its powers, that the greatest possible sum of human happiness should be attained by every fellow being. To progress towards this state, I would teach every man, however humble, that he was just as good as any other man, however accidentally exalted, except as one or the other should possess more intrinsic excellence: I would teach every man to strive to obtain a voice in the affairs of his country: but, above all, I would teach him to love knowledge and truth, by which only the Industrious Classes can ever elevate themselves.

In the petition of this meeting to the House of Commons there is this passage,—“The House of Lords may, if they please, continue long an integral, an useful, and important part of the constitution of the country—that great and glorious constitution which their ancestors cemented with their blood; but never again can either open violence or secret fraud recover to the Right Honourable House a domineering influence in the councils of the nation.” This seems to me written wholly for effect, as a sort of bait to the Lords to yield with a good grace what is now demanded; they are promised the preservation of their House; that is, their

hereditary privileges; they are attempted to be flattered by the allusion to the blood of their ancestors cementing what nobody has any distinct notion about—"that great and glorious constitution;" but they are made to understand that it is expected they will be content, as they will have to be, with playing a second part to the democratic branch of the Government. Now, why do men thus avoid the open, manly declaration of their sentiments and intentions. It would be better for both sides, there would be less recrimination, and the settlement of difficulties would much sooner take place. As it regards the Peers,

they ought to know, and if they do not, they soon will know, that they cannot oppose successfully the House of Commons; that, consequently, as the Commons House becomes daily more democratic, they must surrender more and more of their power. They may think it very spirited to resist, and so cause annoyance on all sides; but a little reflection, that it is true bravery to meet, becomingly all inevitable changes, and that a prudent affection for their children is a sacred duty, would suit best their present circumstances.

ROBERTS HAMMERSLEY.

## MORE "JUSTICES' JUSTICE."

### MR. REEVE'S STATEMENT.

"THIS afternoon (Saturday, 2nd Jan.) I went out, a little after five o'clock, to sell some of CRUIKSHANK'S sheets called 'The Christmas Dinner' to my customers, and to inform them that I could not bring the Newspapers, as there was a set of spies ready to seize me.

"I had not proceeded far, before I observed all the gang—SMITH, HALE, HANDLEY, jun., BIRCHELL, DEAN, and three others. HANDLEY followed me into the house of one my customers, named HUTCHINSON, under pretence of looking at some goods, but when he found that I saw him, he walked out. Another followed me into the Pear Tree Wine Vaults; he had half-a-pint of beer. I said to a customer of mine, 'Don't you want an Unstamped Paper to-night?'

"I had none of the Unstamped Newspapers with me. When I had been into four or five shops, coming out of one, the whole gang pounced upon me, pulling out their staves. SMITH was the first who laid hold of me, saying, 'Now, damn you, we've got you at last.'

They then all surrounded me, dragged me through the streets, robbed me of my sheets of wood-cuts, tore my clothes from off my back, and used me in a most shameful manner. When they had thus dragged me to the station-house in Tower street, Waterloo road, they examined my papers, and told me they had no charge to make against me. I then charged them with the assault and robbery, but the Inspector refused to take my charge. I next demanded the names of those who had thus assaulted and robbed me; the Inspector refused to satisfy me, and referred me to the office in Queen square."

The above statement of facts deserves especial consideration. Allowing, as I do most willingly, that the Police Officers are bound to obey the legal orders of their superiors, and allowing, also, that if REEVE had offended, and that the Policemen were ordered to apprehend him, they were in duty bound to do so; allowing all this, still I ask if this be the right way of enforcing the

law? Suppose, for example, that the man had sold Unstamped Newspapers, that he at that moment had them in his possession, is he for that reason to be maltreated as well as apprehended—to be forcibly and roughly dragged along the street, as if he were a robber or a murderer, who violently opposed the officers of justice? By this statement it appears that the Officers called out, “Now, damn you, we have got you at last.” Why was the man to be “dammed?”—and why do the superiors of these men allow them in the exercise of their powers to exhibit this passion, and this brutal violence? These observations apply, supposing REEVE really to have been in possession of Unstamped Papers—but, as it turned out, *he had none*. He was, nevertheless, deprived of his property, and all redress refused him by the Inspectors, and by the Magistrate. The man is told, you have your remedy at law. This is a cruel mockery. Mr REEVE is a poor man; he cannot afford to prosecute Policemen who will be defended by the whole power of the Government. It was the duty of the Inspector to have taken REEVE’s charge—he, however, refers him to Queen’s square; and when REEVE gets there, the Magistrate tells him, *we cannot grant warrants against our own officers!* This administration of the law does enormous mischief. It sours the minds of the People, and renders it impossible for any one to make them believe that the law is intended to be anything but a means of oppression. It is of infinite importance, as respects the morality of the great mass of the population, that all agents by whom the law is immediately administered, should have their confidence and respect. The contrary of this has always been the case in

England, and the consequence is, that the People seldom aid the administration of the law. Attornies, and Constables, and Police men, for example, are bitterly hated by the People. At all points, at which the law and the People come in contact, there arise hate, jealousy, and suspicion. Thus, at the very point at which public confidence is most needed, there it is always wanting. The difference in the vulgar estimation of the Judges of Westminster Hall and Police Magistrates, the Quarter Sessions Justices and Justices of the Peace, is a striking illustration of this assertion. Attornies are universally and proverbially deemed rogues, while Barristers are often esteemed by the People. Such must always be the case where the law itself is mischievous, or where it is cruelly administered. The ignorant are affected by that which is nearest to them, and their passion and hate are often as unwisely distributed as those of a child. An ignorant man hates a constable more than a magistrate—the magistrate more than a judge, and a judge more than a legislator. His feelings are regulated by the distance. The constable he constantly sees, and in his person the law is personified to the poor man—the legislator he seldom ever hears of, and cannot understand or trace his influence upon his well being. For this reason it becomes doubly necessary, that the immediate execution of the law should, in all cases, be as gentle and considerate as possible. No passion, no violence should ever be evinced. Unfortunately, the reverse of all this constantly takes place. The Magistrates are coarse, vulgar, violent, and rude: like master like man, the Policemen but too often imitate the conduct of their superiors.

J. A. R.

## STOPPING SUPPLIES.

THE following extract from a letter, recently received from Lower Canada, is especially applicable to questions agitated in this country, and more especially to that of Stopping the Supplies:—

“Lord Gosford’s speech from the throne does not promise us the Reform we have so long demanded; namely, a representative second chamber; our irresponsible life Legislators are still to be permitted to obstruct the course of popular legislation with perfect impunity. Nevertheless, we do not despair. Let me remind you that we have one Legislative Chamber where political virtue reigns triumphant—where the People’s opinions and wishes are truly represented and expressed. In our House of Assembly, therefore, do we, the People of Canada, put our firm trust. Whilst they remain true we feel that we are safe. Justice may be delayed; but where it is asked by 80 out of 88 of the People’s Representatives, it cannot be perpetually denied, especially as the Assembly is determined still to avail itself of its “Constitutional privilege” of stopping supplies, in order to enforce the essential Reform, without which all other Reforms are futile. In short, an Elective Council must be instituted, or the business of Government must continue, as it is now, at a stand-

“The present plan of the Commissioners seems to be to give up to the People as many trifling, unimportant points as possible, in order to wheedle the Assembly into a vote of money. Once let this be accomplished, and we shall hear no more of Reform until the officials are once more reduced to a state of distress. Last year the intentions of the Assembly, and, consequently, of the People, were completely frustrated by the payment of 31,000*l.* out of the military chest, under the authority of

Mr RICE. Lord Gosport now asks the Assembly to repay this money! asks them in fact to sanction an Act which set at nought their Constitutional powers and privileges. But it will not be voted. Not one shilling will be given, unless, as the purchase-money of an Elective Council; unless, indeed, a complete change take place in the tone and temper of the majority of the House of Assembly.”

Here, then, is a lesson read to the People of England, by one of her distant possessions, numbering not more than 700,000 people. The People of Canada put their trust in their House of Commons, because it is elected by themselves. They demand the Reform of their mimic House of Peers; because they consider it the parent of most of the evils which afflict them. If the People of England had, like the People of Canada, a House of Commons in which they could put their trust, it is quite clear that no very grievous political evil could possibly assail them. Ministers would cease to whine about the conduct of the House of Lords, they would pursue the same course as the Canadian Assembly—they would refuse to vote one shilling of supplies until the result of all popular measures before the House had been ascertained.

In England, it is a rare case, indeed, for a proposal to be made to stop supplies. As a proof that the use of this “Constitutional privilege” is totally misunderstood in this country, let it be noted that the supplies are always voted in Committee in the early part of the Session, before the House can possibly know whether the wishes of the People will be at all regarded.

If the power of withholding supplies enjoyed by the House of Commons be really valuable to Englishmen, why is not the question postponed until the Session is considerably advanced? To

be of any use it should clearly be the last act performed.

I may, perhaps, be answered, that the Appropriation Act, without which, according to Blackstone and other "great authorities," the supplies voted cannot be made use of, is so postponed. True; but of what use is this in practice? Let the Reader find an answer in the decision of last Session.

It will be remembered, that Mr HUME proposed to suspend the passing of the Act in question, until the conduct of the House of Lords on the Municipal Corporation Bill should be made known. The House, hereupon, formally decided that the Act in question was a mere matter of form: that the vote in Committee of Supply in a manner pledged the House (or something to that effect) to pass the Appropriation Act. Thus, by a mere fiction—and an untenable fiction too—this boasted privilege of the House of Commons is rendered useless to the People.

On the occasion above alluded to, when this question was broached, I endeavoured to show the absurdity of giving the force of law to the mere recommendation of a Committee. The object of a Committee is to settle certain details, and bring measures into a more simple state, previous to final discussion. To contend that, on these final discussions, the House is not competent to reverse the decisions of its own Committees, would be to render legislation a mockery. It would be to permit a mere *Clique* of the House of Commons to usurp powers which can only be entrusted with safety to the whole Legislature.

If this decision of the House have the force of a precedent—if the passing of the Appropriation Act at the end of the Session, be a mere form for enregistering the vote of the Committee of Supply, it becomes at once the duty of Liberal Members to refuse their votes

for Supplies until the end of the Session. If something of this kind be not done, both the Committee of Supply and the Appropriation Act become a mere legalized form of spoliation.

I am quite aware, that while the House of Commons is constituted as it is at present, the Member who is bold enough, who dares to propose such a course, will be absolutely hooted by both the Whig and Tory sections of our Aristocratic House of Commons. Moreover, what is even worse than this, he will be met by a cold and discouraging silence on the part of those from whom he is entitled to expect support. Nevertheless, he will enjoy the approval and the gratitude of the People, and that, above all things, should support him in his painful and difficult position. Though the proposer of such a course be at first almost alone, we need not despair of seeing him finally prevail. Let it never be forgotten, that many questions which are now supported by large and influential minorities, and some, even, which have already been carried, had once—and that, too, at no very distant period—but one or two advocates. In matters of Financial Reform, for instance, let the reader recollect the unenviable position which that firm and undeviating friend of the People, JOSEPH HUME, once occupied. Other questions, too, which drew down upon him the contempt, and even the insults of an Aristocratic mob, are now listened to with the utmost complacency. Let no one, then, despair of one day or other carrying a question which at first he may stand alone in proposing. Ten years ago, a man would have been considered mad to have divided the House on the Ballot. Now, that question has, perhaps, 160 supporters in the House. In a few years it will be part of the law of the land. Such, Reader, will be the history of every question affecting the interests of the community.

H. S. CHAPMAN.

## LORD GLENELG AND THE NEW AUSTRALIAN COLONY.

SOME years ago a set of persevering men proposed to establish a New Colony at Spencer's Gulph, in South Australia, on a new, and, up to that time, unheard-of principle. They proposed to plant a colony, without entailing one single shilling of expense upon the Government and People of this country; and all they asked of Government was to permit them so to do.

A few years before they made this fair proposal, a couple of Sir ROBERT PEEL's nephews or cousins had obtained the gift of immense tracts of land in another, and not very distant part of the same continent. Moreover, to maintain these two young gentlemen in the possession of their lands, and to render those lands the more valuable to them, a regular Colonial Establishment was kept up, expensive to this country; and, if it be at all like other Colonial establishments, vexatious to the people of the colony.

Reflecting on this expensive system of jobbing the "Colonization Society"—for that is the name which the associated individuals to whom I have alluded assumed—very naturally imagined that their proposal would be embraced with avidity by Government. They expected to be told, "Take the uninhabited wastes which you propose to subdue and cultivate, by all means. All that we, as guardians of the People, shall require at your hands is some guarantee that your prospect of success is fair. We cannot permit our Artisans and Labouring Men to be induced to abandon their country until you can show reasonable grounds for the expectation that their condition will be somewhat bettered by the act of emigrating."

This is the only check which the Colonization Society were justified in expecting. Not that any such parental care was evinced by Government in the

case of the Swan and Canning River settlements. The poor were allowed to emigrate to those twin Colonies without any such solicitude on the part of Government, although it might have been foreseen, from the total absence of caution on the part of the promoters of those settlements, that distress, even unto starvation, must, of necessity, attend the early efforts of the Settlers to force their Colony into existence. But the Colonization Society knew that they were not the nephews of a Minister, and they, therefore, might reasonably expect that the "parental solicitude of Government for the welfare of the People" would be brought into full and forcible action in this case; although, in the case already alluded to, it had been dispensed with, or lost sight of.

All these difficulties, however, the Society anticipated. In their earliest proposals to Government, they showed, that the ordinary difficulties of Colonizing could not occur. The land was to be sold to the highest bidder, and the money which it produced was to be expended in promoting the emigration of industrious labourers.

This plan, it was anticipated, would obviate the evils which attend new settlements where land is given away. Where there is nothing but land and labour, distress must soon occur. To cultivate the land there must be at least a twelvemonth's stock of food on hand. The people must be fed between the time of sowing and the time of reaping; and the plan which the Society submitted provided for this feeding of the People. Not only did their plan afford advantages to the industrious labourer who had nothing but his hands, but it also afforded advantages to him who had ploughs and oxen, horses and swine, and a twelvemonth's food in advance. In short, without explaining

their plans at length, which I have neither time nor space to do, it will be sufficient to say that, in a very short time, the Society were besieged with applications from Capitalists and Labourers of all classes, who thus gave their assent to the soundness of the principles put forward by the Society.

Still the proposal of the Society, backed as it now was by the people desirous of emigrating, met with various opposition from the Colonial office. What could have been the reason for this opposition? The emigrants, many, I may say most of whom were men of intelligence and of sober-mindedness, and therefore not likely to judge or act recklessly, were satisfied with their prospects;—the Government had been brought to acknowledge the soundness of the principles on which the Colony was to be formed; and the public were to be relieved of all charge—and yet the final consent of the Colonial Secretary was withheld. But as the Government were to be put to no expense, of course the Government were to have the giving away of no places; and to this absence of patronage we must look for the reason why the plan never found favour with the officials.

When the plan was first made public this omission was remarked by one who is well acquainted with the workings of our Government. "Your plan will never do," said he, "where is your Government patronage? Unless you throw in a little patronage, you may assure yourself of the opposition of the whole tribe of Tory underlings, with HAY at their head, and even of that of Lord GODERICH himself." By the greatest exertion, however—by reasoning down opposition, all difficulties appeared to have been overcome, and an Act of Parliament was obtained authorising the establishment of the Colony so soon as the Commissioners should fulfil certain conditions. One

of these conditions was the disposal of land to a certain amount. This has been done. The Commissioners have also raised a loan on the security of the future revenues of the Colony. The conditions have, in fact, all been fulfilled, and yet Lord GLENELG refuses to perform the only act which is required of him—namely, to gazette the Governor of the Colony.

It may, perhaps, be necessary to state that persons connected with our other Colonies have all along shown great animosity to the intended Colony. They perceive that the advantages of emigrating to the new Colony will be great, and they fear this wholesome competition. With these gentlemen the HAYS and the STEPHENSES are intimately connected; and I have no doubt that it is in some measure to their back-door influence, that the extraordinary conduct of Lord GLENELG may be attributed.

It will be extremely difficult to afford any conception of the inconvenience which will be inflicted upon those who intend to emigrate by this refusal. Several hundred persons have been waiting the completion of these arrangements for months, their hopes being sustained by the conviction that when the conditions should be fulfilled, no power short of a Legislative enactment could frustrate their wholesome wishes. Some have been waiting for years, having, with admirable perseverance, adhered to the project through every difficulty and discouragement.

But if Lord GLENELG still refuse, what is to be done? An obvious course suggests itself. Let his Lordship be set at defiance. Let the Colonists, having complied with all necessary conditions, proceed at once to Spencer's Gulph and establish their Colony. If Captain HINDMARSH have their confidence let them elect him their Governor for a limited period. Let them

further, on landing, elect such other officers and enact such simple laws as their immediate wants require. In the first instance, the community will not be too numerous to assemble all its male inhabitants to perform the business of Legislation. After a time, when the community shall have become too numerous to manage its own affairs, the simple expedient of deputing a limited number to perform the duty may be adopted. In this way it will be of little consequence to the Colonists whether they have or have not Lord GLENELG'S sanction, seeing that it is not likely to be obtained without a pecuniary sacrifice, which the Commissioners would not be warranted in consenting to.

The colonies of New England, now great and powerful, and intelligent as they are, were once but a few persecuted families, who managed their own public affairs precisely in the manner I have just recommended. The "Pilgrims"—for so they were called—had difficulties to contend with which the plan of the South Australian Colonists effectually provided against, and yet their own unaided energies enabled them to persevere through all difficulties. Again, then, I repeat, let the intending Colonists set the Colonial Office at defiance. Let them obey to the letter the provisions of the Act of Parliament, as the New England pil-

grims obeyed their charter, and a very few years will set them far above the whims of an indolent and mischievous Colonial Minister.

H. S. CHAPMAN.

POSTSCRIPT.—There is a circumstance connected with the government of Canada, which will further illustrate the hatred of all official personages to the proposal of a colony to pay its own expenses. Formerly, the civil expenses of the government of Canada were, for the most part, borne by this country. I think, in the year 1810, the Canadian Parliament proposed to assume the civil expenditure of the Colony. The proposal was positively treated as rebellious! The meaning of this was clear. The Act of this Parliament passed in 1791, conferring a local Legislature on Canada, exempted the People from taxation without their own consent, and gave to the Assembly the appropriation of public money. As the Assembly became acquainted with its constitutional powers, of course it evinced a desire to exercise them. One of the concomitants of paying, is seeing how the money is paid; and, as in Canada, it was paid extravagantly, it was no wonder that the official gentry objected to receiving their gains from hands that would take care to exact service in proportion to payment.

## AGRICULTURAL DISTRESS—CORN AND CURRENCY. LANDLORDS AND LABOURERS.

ONE of the questions of the approaching Session of Parliament will, without doubt, be the alleged distresses of that compound class of persons, known under the common term of "Agriculturists." The note of preparation has already been sounded from several parts of the country. Meetings,

chiefly of landowners, have taken place in the most agricultural counties, and a determination has been very generally expressed to bring the matter in various shapes before Parliament.

From a speech delivered not long since, at Winchester, by Sir THOMAS BARING, we are made acquainted with



the remedies which the landowners, in their wisdom, are likely to propose. "The remedy, in my opinion," said Sir THOMAS BARING, "is to be found in moderate alteration of the Currency, the introduction of Poor Laws into Ireland, and a reduction of taxation, as far as may be practicable; for it must be borne in mind, that while we have a debt to pay, good faith to the public creditor makes it necessary that taxes should be raised to discharge the interest."

What is here meant by a moderate alteration is a moderate depreciation of the Currency. To whatever extent Sir THOMAS BARING and his friends may succeed in bringing about depreciation by means of excess, to that extent will the price of Corn and other commodities be raised in the market. Whilst, however, this advance takes place in the price of all commodities, there will be no corresponding change in existing contracts. Hence the receivers of fixed nominal sums will lose to the amount of the depreciation. They will still receive the same number of pounds, shillings, and pence, but the nominal sum will purchase a much smaller quantity of corn and other commodities.

The Agriculturists, for whose benefit this remedy is proposed, consist of three separate classes of persons, Landowners, Farmers, and Labourers, whose interests are, for the most part, distinct, and, in some cases, quite opposed.

There are good reasons why the two first classes of Agriculturists should desire a "moderate alteration" of the currency in the direction meant to be given to it by Sir THOMAS BARING. The Farmer will receive more money for his corn, but that money will be of rather less value. Up to this point he will be neither a gainer nor a loser. But the moment he comes

to pay so many pounds for his rent, so many pounds for his taxes, and so many shillings and pence to his labouring men, he will find himself a gainer of precisely the difference between that quantity of corn which it took to get the sum of money before the "moderate alteration," and that diminished quantity of corn which it would take to procure the sum after the alteration. The Farmer, then, will be content with the remedy.

The Landowner and the Tithe receiver, one would suppose, having a contract or agreement for a specified sum, would have the same extent of interest against the "moderate alteration" as the Rent and Tithe-payer has in favour of such change; but it must not be forgotten that both the Landowner and the Titheowner are in distress from the impossibility of collecting their respective dues—the Farmer, in fact, cannot perform his contracts, and the Landlord and the Titheowner are willing to receive the same number of pounds, shillings, and pence of less value, their power of purchasing being considered, merely because this depreciated money would be more readily forthcoming. They consent the more easily to this, as in all their fixed money outgoings the depreciated money would answer the same purpose as the metallic money. It would pay the interest on their mortgages; it would pay their servants' wages; it would pay their taxes; and so, all circumstances considered, the receivers of Rents and Tithes will be content with the change.

But there is another class of Agriculturists whose interests ought to be considered in the matter. I mean the Receivers of Wages—the industrious Labourers. It is a common trick of the Landed Gentry in preaching about Agricultural Distress, to make it appear that they have a common cause with

the Labouring population. Nothing can be more fallacious. The Labourer has an interest in a low average but remunerating price, and in low rents. All have an interest that the land should, on the average, yield as much as possible; but when the division of the whole produce comes to be made, every class has an interest opposed to all the rest — Landowner, Farmer, and Tithe-receiver, have an interest in low wages.

To the proposed remedy of "moderate alteration," that is, depreciation of the currency, the interest of the Labourer is decidedly opposed. He is one of the receivers of a fixed sum in money, and the moment the alteration had taken place, his condition would be deteriorated to the extent of the depreciation, by the advance which would take place in the prices of all commodities in which his wages are usually expended. He would still receive his ten or twelve shillings per week, but they would, perhaps, purchase a tenth or twentieth part less of food and clothing than before the alteration took place. While this was going on, he would not perceive the enemy by which his substance was devoured. He would complain of hard times — of dear times, and although we might, perhaps, hear of the "disturbed state of the rural districts;" or of the insubordination of the agricultural population, — although more Dorchester victims might be banished from their homes — we should still be gravely assured by the Sir THOMASES and the Sir JOHNS that, on the whole, the Agriculturists were satisfied.

But it may be said, wages would advance to the extent of the depreciation. So they would *ultimately*. — But it must be remembered that the process is slow; and in the interval the Labourer is subjected to all the inconvenience which must arise from a deteriorated condi-

tion. An advance of wages can only take place from an increased demand for labour, or a diminished supply of Labourers. It is clear that the alteration in question would not produce an increased demand for labour. The general advance in the price of all commodities, including corn, would not induce the application of more capital to land, as capital employed in all other ways would be in the same improved condition. Corn can, by no currency scheme that I am aware of, be picked out for exclusive favouring. Hence there would be no additional employment in any one species of production. The Labourer would, therefore, have to fight his way — not against diminished money wages, for they would remain the same — but against the diminished purchasing power of those wages, with this disheartening conviction, that his actual condition would not be restored to what it was before Sir THOMAS BARING'S moderate alteration, until the number of Labourers had diminished to a point sufficient to raise their money wages by the amount of depreciation. And how would this be brought about? By disease and death — the result of their deteriorated condition.

What has been here said of the Agricultural Labourer, applies to all Labourers. They, above all other men, should be opposed to any interference with the integrity of the Currency. They would suffer from dear food, fuel and clothing; and it would be only by a long and painful process, that their wages could be forced up to a height equivalent to the advanced price of commodities.

One of the principal reasons why this plan of depreciation finds favour with those engaged in trade and production, is because it would amount to a general reduction of salaries. The objection to this expedient is, that

setting aside the immorality of professing one thing and aiming at another, the Tax would be very unequally felt. Our selfish Aristocratic system, while its tendency has been to lavish enormous salaries on those who enjoy the high places of the Empire, actually starves the men who do the work, on salaries quite inadequate to the decent support of a family. Whilst the LORD CHANCELLOR enjoys his 14,000*l.*, many of the poor labouring clerks of the Public Offices have but 90*l.* per annum.\* Bishops, there are, with 40,000*l.* to 50,000*l.* per annum, and Curates, poor souls—men who have received an education to qualify them for the most estimable of all occupations—that of Public Teachers, are permitted to starve on 50*l.* or 60*l.* per annum!

The pressure of depreciation upon the incomes of the poorer officials would be grievous in the extreme, whilst upon the rich sinecurist it would be trifling. I have a distinct recollection of the effect of the excessive depreciation during the period of restriction, upon the class in question. The quartern loaf was at one time as high as 1*s.* 10*d.*, or nearly five times what it is at present. Those who, before the bank restriction, could just “make both ends meet,” could scarcely live when everything “became so dear.” One of the expedients to which they resorted was, not to eat bread till it was stale enough to be unpalatable, when, of course, it “went further.” It was further economised by limiting the meals of children who were thus kept in a continued state of pain. Any plan for the reduction of the higher salaries, and of imitating the fair and equitable system of the United States, ought to receive the sanction and support of every Liberal man in Parliament; but a scheme which would fall heavily on the receivers of small salaries and of wages, and which would scarcely be felt by the high salaried officials, should, in my mind, be rejected at once.

\* I pray the Reader to mark the contrast presented by the United States of America. The highest officer of the U. S. Treasury has about 1,250*l.* a-year. The lowest Clerk, 22*s.*—that is, the highest is only six times as great as the lowest. In our Treasury the difference is 60-fold.

With regard to Sir THOMAS BARRING's other remedy, namely, the reduction of Taxation, it is unobjectionable. It is impossible to remove a tax without conferring benefit, either direct or indirect, upon the whole community, still it must be clear that there are certain taxes, the evil character of which gives them a preference as objects of abolition beyond all others. I would here mention the Taxes on Knowledge, as claiming a preference over all others in this respect. If a word be said of repealing a tax, Mr RICE should be reminded that, according to his own implied promise, the Newspaper Stamp must come first. “I would relieve you,” said Mr RICE, “but I cannot spare the money.” On the first proposal of Mr RICE to “spare the money” by the repeal of any other Tax, his former declaration should be brought before him.

So much for remedies; now for the fact of Agricultural distress; and its chief cause. That the Farmer is in distress I can well believe. Being so, he cannot pay his accustomed Rent, and his Landlord is therefore distressed also. The whole of the causes of the distress of the Farmers would take some time to investigate; the most prominent cause may, however, be indicated.

The chief cause of the Farmer's distress, is evidently the over production of wheat, increased by unusually good harvests. The high prices of 1829-30, caused attention to be turned towards the production of wheat in preference to other kinds of grain; and even had the harvests been merely of average productiveness, distress would have been felt, but when we add a series of three harvests of more than average productiveness, the distress must not surprise us. Every individual Farmer is of course the better off in proportion as his fields are more productive than those of his neighbours, but taking the whole body of Farmers, they are benefited by an unproductive harvest, for the very simple reason, that prices advance in a greater ratio than the diminution of quantity; so that the whole community pays more money for 12,000,000 of quarters than for 13,000,000 of quarters. When the price of corn was doubled, for instance, it did not follow

that the quantity had diminished one-half; it is notorious, in fact, that in such cases of advance, quantity has only diminished perhaps one-fifth or one-fourth. The Corn Laws, too, have a considerable share in the present low-

ness of price, though their tendency is to create a high average—but this is not a subject to discuss at the end of an article.

H. S. C.

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By H. S. C.

EDITED BY

# J. A. ROEBUCK, M.P.

[PRICE TWOPENCE.]

## THE KING'S SPEECH, WHICH OUGHT TO BE SPOKEN.

*My Lords and Gentlemen,*

It is with pleasure that I meet you, though it be so late as February. Hereafter, in order to satisfy the wishes and provide for the convenience of my People, Parliament will regularly assemble on the first day of November. The pleasures of the chase must no longer interfere with the business of legislation.

In the situation of our common country, at this period, there are many subjects of congratulation. The harvest of the last year has been plentiful; manufactures are generally active and thriving; and there is a gradual but

steady improvement in the condition of all classes of the People. Their comforts and their knowledge daily increase, and each succeeding year sees us a more moral as well as a happier nation.

Many things, however, exist in our institutions, which tend to retard the progress of this improvement, and to diminish our welfare. The misery which still affects large masses of the population is, in great part, the offspring of defective legislation, being produced either directly by bad laws, or arising from the ignorance, which bad laws have engendered. It is our duty to apply ourselves immediately to the task

of eradicating these evils; and I will now lay before you the mode in which, according to my judgment, you will be most likely to reach the mischief, and apply the remedy.

In all that relates to our connexion with foreign nations I have determined to adopt the wise policy of the United States of America, and wholly to abstain from any meddling or interference with the internal disputes of the nations of Europe, or with their quarrels amongst each other. Our safety is best provided for by taking care only of our own concerns; while the chances of war, and all its attendant horrors, are most likely to be avoided by carefully refraining from interfering with the concerns of our neighbours. I shall watch with great jealousy and caution over the safety both of the persons and property of my People. Everything needed for their perfect security shall be provided: when that end is attained, our duty is done. I shall therefore at once reduce the whole of my costly band of Ambassadors, and, by a well-regulated system of Consuls, effectively watch over the commercial interests of the People. Existing Treaties unfortunately will, in spite of this new determination, still unwisely connect us with neighbouring nations, and to a certain extent involve us in their disputes. I shall, however, to the utmost, withdraw from all such alliances, and shall hereafter adhere to the rule of letting every nation take care of its affairs without my interference.\*

\* The policy of the United States on this subject is thus stated by WASHINGTON, in his farewell address:—

“The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connexion as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

“Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate our-

Acting upon such a policy we may direct our undivided attention to our own internal affairs, wherein there is

selves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

“Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interests, guided by justice, shall counsel.

“Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humour, or caprice?

“’Tis our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that ‘honesty is always the best policy.’ I repeat it, therefore, let those engagements be observed in their genuine sense; but, in my opinion, it is unnecessary, and would be unwise to extend them.

“Taking care always to keep ourselves, by suitable establishments, in a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

“Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favours or preferences; consulting the natural order of things; diffusing and diversifying, by gentle means, the streams of commerce, but forcing nothing; establishing with power so disposed in order to give trade a stable course to define the rights of our merchants, and to enable the Government to support their conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate, constantly keeping in view that it is folly in one nation to look for disinterested favours from another; that it must pay, with a portion of its independence, for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favours, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favours from nation to nation. ’Tis an illusion which experience must cure, which a just pride ought to discard.”

yet much to be accomplished for the welfare of the nation at large.

Before we can hope to establish a permanent good Government, we must establish among the People habits of self-government; and we must also, in order that these habits be usefully directed, so instruct the People that they may desire and know how to attain the right. A well instructed People, accustomed to take care of its own concerns, can alone hope for a permanent good Government. It is our duty, then, so to regulate our Institutions, that the whole People shall be accustomed to take part in the administration of their social affairs; and at the same time so to arrange the system of National Education, that none shall be without instruction.

In order, then, to attain these two important objects, I would direct your attention in the first place to the grand business of perfecting our Municipal Administration. The partial experiment that has already been made upon that subject should encourage us to go further; and we ought strenuously to endeavour to bring within the influence of those institutions the whole population, whether rural or of the towns. There would be little difficulty in accomplishing this, provided we have the will. In all towns wherein the late Municipal Act has power, we ought to make all the rated inhabitants burgesses. We should render the registration a matter of great simplicity—and should establish voting by ballot. The remaining portions of the country might easily be divided into districts similar to the Township divisions of the United States of America, and each district would be in fact a separate corporation. The Administrative Officers and the Magistrates ought to be elected by the People, and the affairs of each district should be under their control and government.

The next subject to which I would solicit your immediate attention is a system of National Education. It is not necessary that I should dwell upon the importance of this matter, or point out its utility. Believing that you really desire the welfare of the nation, I must also believe that you will not delay an hour in establishing an effective, and liberal, and comprehensive system of instruction.

There is, however, one matter connected intimately with National Education to which I must more particularly advert. The means of education are not confined to schools—nor is the chief part of our instruction acquired while we are children. Men must be instructed as well as children; and everything that clogs the circulation of knowledge, and which increases the difficulties of acquiring it, ought to be deemed a national calamity. Thinking thus, I would direct your attention to the many incumbrances and taxes which now lie heavy upon the circulation of knowledge, in the hope that you will at once relieve the People from these mischievous burthens.

Some persons there are who dread as a consequence of this measure, a large and dangerous diminution of the Revenue. I do not participate in these fears. But were they well founded, I would suggest to your wisdom, that the last thing a wise legislator would seek to tax—is knowledge. *He* would never endeavour to increase the Revenue by the propagation of ignorance.

Should it, however, so happen, that a falling off of the Revenue should follow this salutary repeal of the taxes upon the circulation of knowledge, there are means of supplying the deficiency. Among others, I would bring to your recollection much of the useless expenditure that is lavished upon what is called the maintenance of my

dignity. My dignity, however, depends not upon these factitious aids. If my duties be well performed, I need not seek aid to maintain my consideration from the idle pageantry of war, — from sabres or from bayonets. For my safety the troops which are considered of my household are wholly unnecessary. To my dignity they add nothing. They are therefore a useless expense. By immediately reducing the whole establishment, a great saving would at once be effected; and we could meet, without fear, any possible loss that might arise from taking off the burthens upon knowledge.

Furthermore, as belonging to this matter, I would observe, that every portion of expenditure connected with the kingly office and the Royal Family is excessive; and, considering the calls upon the public money for objects of vital importance, not merely excessive but wicked. If it be proper that the Royal Family should be provided for at the public expense, all that is needed is, that they should be provided with a moderate income ensuring ease and comfort. But when the Representatives of the People believe that they can allow no more than 20,000*l.* per annum to the business of National Education, it surely is an unjust use of the People's money to give to the sons and daughters of the KING the enormous incomes which they now receive. I would, therefore, earnestly intreat of you to inquire at once into the amount of this expenditure, and, commencing with myself, reduce it to what reason and justice require.

Having thus provided for the due Municipal Administration, and the Education of the People, the next matter requiring your anxious consideration is, the constitution of the general Government, viz. of the Parliament itself.

Much requires to be done before it can be truly said that the House of Com-

mons represents the interests and feelings of the People. Before this all-important end can be attained, there must be a great enlargement of the Suffrage; the Registration must be simplified; the Rate-paying clauses of the Reform Bill must be repealed, and the Vote by Ballot established. In order, also, to make the House of Commons an effective legislative body, its numbers ought greatly to be diminished. To all these subjects I earnestly request your immediate and serious consideration.

But while thus anxious to make the House of Commons really the representatives of the nation, we cannot pass over another legislative body which cannot pretend to represent any persons but themselves. It must be clear to you, my Lords, that I refer to your Lordships' House. That your Lordships have outlived the People's liking must be evident even to yourselves — that the constitution of your House is not in accordance with the rules which a wise policy suggests, is now generally believed. It was remarked by a great authority, "that wise and prudent men are to consider and see what is profitable and fit for the People in general; for it is very certain that the same form of Government is not equally convenient for all nations, nor for the same nation at all times; but sometimes one, sometimes another, may be more proper, according as the industry and valour of the People may increase or decay."\* Your Lordships would, therefore, do well to consider in what way you can best fall in with the public wishes, and fit your House to be a useful instrument in the work of Legislation — and if it should appear that there is now no need for any further existence of your House, I trust that you will yield with true dignity and wisdom to the public command, and

\* MILTON'S *Defence of the People of England*.



retire wholly from the position you now hold. You will thus best consult the public welfare, and your own honour and reputation.

That our country has reached a high degree of civilization no one can doubt; perhaps, we may truly assert, that, in the history of mankind, no instance can be found of a nation having arrived at the point to which we have attained. And yet all this, notwithstanding, it must be confessed that, at this moment the administration of justice among us, is of the most rude and barbarous description. In truth we must allow, that from the mode in which the law is administered, from the difficulties, delays, and expense, with which it is accompanied, there is in reality one law for the rich, another law for the poor. Redress for injuries received is beyond the reach of the poor man; and although there is great security both for person and property among us, this great blessing is attributable not to the law, but to the morality of the People. This condition of the law calls for your most careful, earnest, and immediate consideration. The establishment of Local Courts ought not to be delayed beyond the present session, neither ought you to defer the commencement of the great and difficult task of arranging the whole law into a code. The law should be made precise, definite, and clear; it should be arranged so that men may easily learn what the law is on any subject; the forms and business of procedure should be rendered simple and intelligible, and the redress of grievances cheap and easy. All these things are of paramount importance; and since much time must necessarily elapse before they can be properly accomplished, not a moment should be lost before we commence the task.

The matters of which I have hitherto spoken are of general import. The whole

People are equally concerned in them. I now must claim your attention to the situation of a portion of my People, whose well-being, or suffering, has unfortunately become a subject of separate consideration—although, indeed, their happiness or misery must necessarily affect that of the whole nation. You must have already anticipated that I am about to speak of unfortunate Ireland.

It is to be hoped that hereafter no distinction will be made between Ireland and the rest of the United Kingdom in matters of Legislation. The law should be made general, and common to all parts of the kingdom, so that no difference should exist between York or Dublin, Edinburgh or Cork. This is what we should seek after, for until we shall have thus *fused* the whole People into one mass, we shall not have established permanent securities for good Government. The mode of accomplishing this desired object, is at once to commence the assimilation of the laws of the two nations, by granting to Ireland every reform, and every privilege enjoyed by the People of England. In one thing, however, a distinction must be drawn between the two People. The Tithes of Ireland are gone for ever. I regret this, because the benefit will not go to the People generally, but only to a portion of them; still we must bear with the loss, and at once pass a law *abolishing* Tithe in Ireland. A Tithe *composition* in that country is now utterly impossible. We ought, therefore, no longer to attempt any collection of Tithe in any shape, but at once and completely give up the whole.

I must warn you against one danger. It has been proposed to mix up Tithe with Rent, and to throw the burthen of collecting the Tithe on the landlord. If this be done, Rent itself would be endangered. The People will not be

able to draw the requisite distinction between the one and the other, and, as the same person will collect both, the ill-feeling which now attaches only to one property, will shortly attach to both. Thus, while we are striving to save the Tithe, we shall lose both Tithe and Rent.

Among the first of your proceedings during this Session, I hope, therefore, to find a liberal Municipal Reform for Ireland, as well as England, and an act providing for the complete abolition of Tithe.

In England, the subject of Tithe is not surrounded by the same difficulties, and I hope, therefore, that measures will be taken by you to secure that property to the nation at large, and that some means will be adopted by which it may be applied to purposes of general utility. The time is fast approaching when the voluntary system in religion must be adopted — when the State Church as an engine of political power must be given up—when each sect will provide for its own religious teaching—and when, consequently, the State will not be called upon to pay any religious teachers. The Tithe may then be applied to purposes of general education, and as national property conduce to the national good.

I also hope that immediate measures will be taken to relieve such portion of the People as dissent from the doctrines of the Church of England from those vexatious burthens under which they labour. When, indeed, the voluntary system has been established, all privileges and favours to peculiar sects must disappear; the first step towards this good end will be to do away with the harassing distinctions of which the Dissenting congregations complain. All duties, however, the performance of which is required for the public safety and general welfare, the Dissenters must be compelled to perform—no dis-

inction, whether of favour or disgrace, must be made between them and the other members of the community—but nothing that is needed for the civil welfare of the People should be clogged with religious ceremonies, which may serve to render the civil duties odious to tender consciences. Thus the Dissenters, as well as all other persons, should be compelled to register the births, deaths, and marriages, that take place among them. But the registration should be purely a civil ceremony. The State desires to be made acquainted with certain facts. All that is needed is, that security should be taken to insure accuracy, and then the duty of the State and the citizen, as respects that matter, has been performed. If the parties wish to superadd religious ceremonies, they are at liberty to do so, according to their liking. The State has nothing to do with the matter. To all these several subjects I invite your immediate attention.

One of the most serious evils arising out of our present system of Government is the maladministration of the whole of our Colonial possessions. The extent and distance of our colonies necessarily render it impossible for any persons in this country to understand their various interests, or to watch over and properly superintend their concerns. Unfortunately as my Colonial Ministers have not been very willing to acknowledge themselves ignorant, they have but too often acted with haste, and done immense evil to those who had the misfortune to be under their dominion. It would, however, appear not impossible so to frame a Colonial system, that while the whole local administration was confided to persons interested therein—viz., the Colonists—a sort of federal connexion and supervision might be maintained by the mother country. The evils

connected with the Colonial Government are now becoming of so large and dangerous an amount, that an immediate reform in the whole system is imperatively called for. I hope therefore that you will at once inquire into the disease, and endeavour to discover some effective remedy.

*Gentlemen of the House of Commons,*  
The accounts of the ensuing year shall be laid before you without delay. I cannot, however, say, that they have been framed with that attention to economy, that the state of the finances demands. As regards myself, I willingly say, that I shall cheerfully co-operate with you in all possible economical reforms. To perform with efficiency the great duties of my station is my chief desire; and my chief reward is the love and honour of my People. I cannot hope to obtain this love if I riot in extravagance or permit others to do so. Neither in my own heart can I say that I have performed my duty, if I allow one penny unnecessarily to be taken from the hard earnings of my industrious People. My office exists but for their service; and I for one will not see that office lowered in the estimation of good men, by having its very name connected with dissipation and profusion. Little is needed to satisfy the desires of a wise man, however, high his station, and that little my People will cheerfully afford. Everything beyond this is spoliation—it injures the public morals, and disgraces my station and myself. I hope, therefore, out of regard to me personally, you will, with unsparing hand, cut down the extravagant expenditure of this country, commencing with the highest, and ending only with the lowest office in the Government.

It is time, also, that something was done for the reduction of the National Debt. While prosperous as we now are, this debt is little thought of, and

the interest on it is cheerfully paid. If, however, there should come a time of distress, the same alacrity will not be manifested, and cruelty combined with injustice will suggest dishonest means of ridding ourselves of the burthen. By economy we might yearly pay off some part of it. If the expenditure of the country were reduced as it might be, by five millions, and the present taxation continued, five millions annually might be applied to the reduction of the debt. Every year would increase our paying resources and diminish the load. If, added to this sum, we were to collect together all property belonging to the nation, not actually needed for the public service, this might also be applied to the same purpose. For example, the Crown Lands, as they are called, could in no way be so well applied. If the debt were owed by a private person instead of by the State, it would be deemed dishonest not to apply all his property to the payment of his creditors. There is no difference in the moral rules for the State, or for an individual in this case. Therefore if we wish not to be held dishonest debtors, we shall at once endeavour to apply all our means to the reduction of this enormous burthen. We have nothing now to do with the mode in which it was contracted. The great body of the creditors have brought the debt on the faith of the national honour, and the poor, the orphan, and the widow, are chiefly our creditors. They must be paid in full, if we hope to retain the good word of mankind, and the sooner they are paid the better; the whole of our establishments, military, naval, and civil, are all on a scale of most unbounded extravagance. It is your duty to check and reduce this evil. Be assured that whatever you may do in the way of reduction shall receive my most hearty sanction.

Now,

*My Lords and Gentlemen,*

I think that enough business for one Session has been suggested to you. I have only to hope that you will apply yourselves to it with zeal, industry, and care: that you will lay aside all mere party and personal considerations, and labour only for the public good. Much of your time has hitherto been spent in unprofitable wrangling, in personal

and interested contentions. I sincerely hope that a new spirit will prevail among you, and that at last, in obedience to the public opinion, you will be honest, industrious, zealous, and intelligent. You will thus best consult your own honour, and provide for the happiness of the People, whom you are said to represent.

J. A. ROEBUCK.

## COLONIES.

THE forthcoming number of the *Westminster Review* will furnish the public with a very complete view of our Colonial expenditure. As the facts it exhibits are extremely important, I have made a selection of such of them as will serve to give a general view of the subject.

In the article in question, no less than forty-three Colonies and Maritime and Military Stations are enumerated and described. Their united population approximates very closely to 4,000,000. Of this number about 2,000,000 are of British origin, 950,000 are of the African race, 950,000 of the East Indian race, and the remainder is made up of various other origins.

The Revenue raised within the several Colonies is estimated at 2,265,000*l.* It does not meet half the Colonial expenditure. Their whole expenditure is estimated at 4,630,000*l.*, which leaves, to be furnished by this country, a balance of 2,365,000*l.*

The expenditure on the Colonies, as acknowledged by the Parliamentary statements, has been shown to be 2,365,000*l.* But those returns are most imperfect, and therefore calculated to lead the public to believe the loss from our vicious Colonial system to be very much smaller than it is in fact. The following is an extract in point from the *Westminster* :—

“ Of the total just stated, the greater portion is avowedly Military expenditure; and this is made to amount to a sum bordering upon two millions (1,920,287*l.*). The particulars are given in considerable detail, under no less than sixteen heads. Notwithstanding this parade of accuracy, however, several most material items are omitted. Thus the Military expenses of the Colonies are not charged with a share of the General Staff in England. The charge of the Recruiting Establishment, far more expensive for the troops serving in the Colonies than for any other part of the army, is wholly omitted; and a still more material part of the Colonial Military charges is forgotten, the half-pay or military dead weight. In 1833 the total charge of the effective Army and Ordnance was 5,420,601*l.* From the Official Return then, near two-fifths of the whole effective Military charge was incurred upon account of the Colonies. The half-pay ought to be in the same proportion. This, for Army and Ordnance, in the same year, was 3,141,568*l.*; therefore the proportion of this for the Army serving in the Colonies, ought to be above one million one hundred thousand (1,112,925*l.*).”

This, added to the preceding 2,365,000*l.*, increases the charge to 3,478,000*l.* The foregoing extract relates to military expenditure. The subjoined furnishes the necessary corrections for the naval departments :—

“ The naval charges incurred by Great Britain on account of the Colonies, amount, as they are given in the

Return, to about fifty thousand pounds per annum. This constitutes by far the most imperfect part of the Returns; and indeed it must be admitted, that it would not be very easy to apportion to the Colonies, with any degree of correctness, the share of the general naval expenditure with which they ought to be charged. The real expenditure is in all probability nearly in the same proportion as the military; and, should this be the case, instead of fifty thousand pounds, which includes nothing but the dock-yards at a few stations, we must place to the account of the Colonies near two-fifths of our whole naval expenditure, that is to say, two-fifths of an expenditure which, in 1833, amounted to 4,878,634*l.*, or near two millions (1,951,454*l.*). But, that there may be as little risk as possible of exaggeration in such a case, let the estimated charge be taken at no more than one million and a half, exclusive of the fifty thousand pounds stated in the Returns." The above amount, added to the preceding, makes 5,432,000*l.* annually.

The following extract will show the reader the excessive laxity of our Reformed Parliament in agreeing to grants of money demanded by the Minister:—

"The Returns for sixteen Colonies, and for a population exceeding six hundred thousand, with a computed revenue approaching to half a million (471,156*l.*), are altogether wanting. In other words, the Minister comes to Parliament yearly for grants of money exceeding two millions three hundred thousand pounds, without knowing, within some half million sterling, what local resources he has to rely upon; and in fact, without being aware, to that extent, of what is expended or not expended by the Governments under his control." The Colonial Office expenses, though properly chargeable to Colonial expenses, and amounting to 30,000*l.* per annum, are altogether omitted.

In addition to this grievous expense, the country sustains an enormous annual loss arising out of Colonial monopolies. The loss by the Timber monopoly granted to the North American

Colonies, at the most moderate computation, is, annually, 1,300,000*l.* The Sugar monopoly to the West Indians occasions a loss of 1,500,000*l.* more; or, together, 2,800,000*l.* To this must be added the interest on 20,000,000*l.* raised to pay the West Indians for a *nominal* emancipation of the slaves. That interest amounts to 800,000*l.*; which, added to the above 2,800,000*l.*, makes 3,600,000*l.*

The following recapitulation is given in the *Westminster's* article:—

Civil, Military, and Naval Expenditure, by Great Britain, according to Parliamentary Return . . .	£2,364,309
Additions to ditto, as above explained . . .	2,642,925
Estimated cost to the nation of Colonial monopolies . . .	2,718,976
Interest, for ever, of money paid as compensation to the Colonial Slave-owners, for working in a cheaper and better way than before; the work done being done at a loss to the British people, and forcibly taken from them by means of a monopoly besides . . .	800,000
Expenditure from Colonial Taxes . . .	2,266,270
Total Expenditure . . .	10,792,480

As England does not pay the item entitled "Expenditure from Colonial Taxes," to show the annual cost of the Colonies to England, it must be deducted. Deducting, then, 2,266,270*l.* from 10,792,480*l.*, we have no less than 8,526,210*l.* as the approximate annual cost of Colonies to England.

The plea for all this expense is, that the nation is amply repaid by the monopoly of her Colonial trade. The following will show how delusive is this supposition:—By Parliamentary documents for 1833, whence most of the foregoing facts are derived, it appears that these Colonies took of our manu-

factures to the value of 6,597,196*l.*, which amount is less by nearly two millions than our Colonial expenditure for the same year. The way duly to estimate the loss from the monopoly we *enjoy*, is to assume the rate of profit usually derived from Trade, and compare it with the expenditure on the Colonies. The West India merchant is satisfied if his capital yield  $12\frac{1}{2}$  per cent., or one-eighth, annually. This is notorious. To prevent cavilling, however, I will double that rate, and suppose the whole Colonial trade to be equally profitable. The value of our shipments to the Colonies has just been stated at 6,597,000*l.*, 25 per cent. on, or the fourth of which is 1,649,000*l.* To secure the sole right, then, to such a paltry amount of profit, this great commercial nation annually expends 8,526,000*l.*, or *more than five times the amount*. If our merchants, for whose benefit this enormous national sacrifice is annually made, were forced to sustain the Colonial expenditure for a few years out of their own pockets, we should soon lose sight of the merchant princes, and their great Colonial interests, about which they are so ever ready to prate.

It must not be supposed that what we lose is gained by the Colonies. That does not necessarily follow. If it did it would be some slight deduction from the evils of such a system. Not only does it not necessarily follow, but to a great extent it could be shown not to be the case. The space, however, cannot be spared in which to make the necessary explanations. The Colonies are universally and justly dissatisfied. They cry aloud against the limitation of their trade, and, comparing their condition with that of free states, prove the evils of the monopoly system. The Council to which they are subjected is ignorant, and ignorant by necessity. Since the time of Lord RIFON there

have been four Colonial Ministers. Their average tenure of office does not exceed eight months, and there are forty-three Colonies under Ministerial control. Thus, then, the average time which could be devoted to the study of each Colony is about six days. From this time, limited as it is, a large portion must be deducted for the performance of the routine business of the office; yet will a Colonial Minister, within a week after he is in office, send dispatches to fifteen or twenty Colonies on important subjects, and he will speak on Colonial affairs with far greater confidence than any man would do who had devoted a life to the acquirement of his knowledge. The Reviewer proceed to offer some consideration on remedies. He states that "the following retrenchments might, not rashly or immediately, but in due time, be effected in our Colonial expenditure:—

Retrenchments from civil and military expenditure, for the Sugar Colonies . . .	£871,985
Ditto, for North-American Colonies . . .	425,562
Ditto, for the Australian Colonies . . .	289,319
Ditto, for Ceylon . . .	113,340
Ditto, for the Cape of Good Hope . . .	97,222
Ditto, for the settlements in Tropical Africa . . .	19,697
Ditto, for military and naval stations . . .	205,266
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Total	£2,022,391
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If to the total sum here stated be added the saving which would accrue from the abolition of the Colonial monopolies, namely 2,718,976*l.*, the total benefit which would ultimately accrue to the nation from acting on the principles explained in the course of this article, may be estimated at upwards of four millions seven hundred thousand per annum (4,741,367*l.*); and this too without any reference to the share which the Colonies ought to bear of the

general metropolitan establishments, or of the naval and military dead weight.\*

The following remarks on the malign influence of Colonies on our liberties I believe to be correct. That belief has ever led me to feel that the loss of the United States was one of the greatest blessings which could have fallen to our lot. Had ministerial influence existed there to this day, melancholy indeed would have been our prospect of Reform at this hour.

“After what has been stated throughout this article,—and probably it has been stated to the public for the first time so circumstantially,—the reader will be satisfied of the vast and overwhelming abuses which exist in our Colonial administration, and the prodigious pecuniary loss to which the public, foolishly fancying itself all the while a gainer, is yearly subjected through the mismanagement of the Colonies. But there is still another evil arising out of the Colonial administration, which merits observation. And this is, the malign influence of the Colonies upon our liberties and domestic government, through the patronage and power which they throw into the hands of the Executive. Nearly two-fifths of our military expenditure, as has been already shown, is caused by the Colonies; and so much do the Horse-Guards look upon the Colonies as their own, that for years back, they have been in the habit of naming almost every Governor and Lieutenant-Governor for near forty Colonies,—a patronage, for the vesting of which in the Horse-Guards, there does not appear a whit more reason, than for vesting it with the Twelve Judges, the Bench of Bishops, or the Victualling Office. The Colonial Secretary possesses a vast patronage; he has, nominally at least, the naming of every Governor and Lieutenant Governor, of every Commander-in-Chief, of all the Judges and Law Officers, of the Colonial Secretaries, and of the whole Ecclesiastical establishment (which now includes

four Bishops), together with Collectors (sometimes drawing enormous salaries in England and performing their duties by deputy), Post-masters, Stipendiary Magistrates, Master-Attendants, &c. &c. These, however, are only the great or considerable prizes; and the Colonial Office not unfrequently condescends to appoint such functionaries as Vendue-masters, School-masters, Land-surveyors, and Custom-House officers. Of the Civil Expenditure of upwards of four hundred and thirty thousand pounds, made as Parliamentary grants, above three hundred thousand consists of the pay and allowances of Civil Establishments, the offices of which are in the gift of the Colonial Secretary. The patronage of this officer is of course placed under some restraint in Colonies having Representative Legislatures; but in the conquered Colonies, subject to the Legislation of the Crown, he has it all his own way, either by naming to office directly from England, or indirectly, in the Colonies, through his Representative the Governor. Now, of these Crown Colonies there are about twenty; of which the gross yearly revenue at the disposal of the Minister exceeds a million and a half sterling (1,547,300*l.*). As an example, the revenue of Ceylon is put down at above four hundred and seventy-five thousand pounds (475,563*l.*). Here, the Colonial Secretary names the Governor, all the Members of the Council, the three Judges, all the Law Officers, all the Clergy, and the entire Civil establishment.

The evil influence of the Colonies is, however, by no means confined to the patronage which a wasteful and useless expenditure places in the hands of the Executive. The possessors of the Colonial monopolies, are, as might be expected, the steady opponents of all Reform. The interests of this class in bad government, are represented by the extent of the Monopoly-tax which they are the instruments of levying upon the People; and which in this article has been very moderately estimated at above two millions seven hundred thousand per annum. It can hardly be necessary to remind the reader, that the parties here referred to, are the West India quondam slave-holders, and the troublesome and noisy Shipping interest.

\* The Colonies are not very likely to consent to bear any share in these expenses. They want no troops among them, and if left to themselves would not recognize the necessity of the services which generate these expenses.

These are to be seen, through their agents or their committees, brow-beating and intimidating all ministries disposed to liberality, and through their Representatives in both Houses of Parliament, aided by the Representatives of the Corn monopolists, voting and declaiming against every popular measure. Adam SMITH, writing seventy years ago,—and what he then stated is equally true now, and has been ever since,—observed, that ‘under the present system of management, Great Britain derives nothing but loss from the dominion which she assumes over her Colonies.’ The peace establishment of the Colonies in his time amounted to the pay of twenty regiments of foot, with artillery, stores, and a ‘considerable naval force.’ But this, he says, ‘was the smallest part of what the dominion of the Colonies cost the mother country.’ He debits them with nearly the whole expense of the Spanish war of 1739, and with the 90,000,000*l.* which the Seven Years’ war, exclusively a colonial quarrel, cost the nation. In our times the peace charges, without any increase in the number of our Colonies, have, in every department, been at least doubled, while the share of war expenses of the American and French contests, incurred through them, has been most exorbitant. ‘Great Britain,’ says SMITH, ‘is perhaps since the world began, the only state which, as it has extended its empire, has only increased its expense, without once augmenting its resources.’ Has this resulted from generosity or magnanimity? By no means, but from sheer incapacity. The Colonies, when founded, had nothing

to pay; and when they became rich, and had popular governments, they declined, although much urged thereto by tongue, fire, and bayonet, only the more. Whenever there has been anything to be had, and an unresisting population, as in the cases of Hindostan, Ceylon, and Malta,—Great Britain, like Spain and Austria, although a more enlightened tax-gatherer, has exacted to the uttermost farthing, though from extravagance, corruption, or malversation, the tribute has never reached the public treasury.

Such is a naked but true representation of those Colonial Establishments which the vulgar, in understanding not less than in station, have long fancied to contribute so materially to the commercial wealth and naval strength of England. It is quite obvious, that instead of doing either the one or the other, they are among the heaviest burthens which press upon our industry, and among the chief obstacles that obstruct the improvement of our institutions. We are a people who band ourselves together, to seek general poverty and not wealth; or, at all events, who make over our government to the hands of those who have private interests in effecting the same result. Let a Committee be by all means appointed, on the very first day of the ensuing Session, to inquire into our Colonial Expenditure and management. Let every Member of it, as soon as he is named, peruse the present article with the Official Papers before him, and endeavour either to refute its allegations, or, failing so to do, to act honestly and steadily up to its suggestions.”

H. S. CHAPMAN.

## THE BRITISH MUSEUM.

If you desire to see the People ill-treated go to some *National* Establishment. For my own part, I generally keep away from all places said to belong to the nation, because I am certain to be disgusted by the insolence of the ser-

vants employed in them. Some days since, however, wishing to see how the buildings at the British Museum were going on, I went there. The place, as usual, was crowded. Every room was full of eager spectators, and the job



of the British Museum was almost sanctioned in my mind by the pleasure which I saw around me. On coming out, I met a mechanic and his wife; they were both dressed in their holiday clothes, and were evidently enjoying a holiday. The wife held in her arms a baby carefully wrapped up, and fast asleep. No sooner had she passed the threshold of the Museum than out jumps Cerberus from his box, and shouting after the woman, roared out, "You can't go in with that there baby." The poor mother was somewhat startled by this announcement, and cast an anxious look towards her husband to inquire what was to be done. On this, I stepped up to the man, who looked very fierce, and asked whether those were his orders. "Yes," he said; "no children in arms were allowed to be taken into the Museum." The mother hereupon said, "Sir, my baby is very quiet, and will interrupt nobody." "You can't go in" was the only answer. The woman and her husband, with disappointment in their countenances, turned round and left the *People's* Museum, being refused admittance because the mother was too poor to pay a nurse.

What harm a child in arms could do in the Museum is more than I can discover. The effect of such a rule it is not difficult, however, to ascertain. The

wife of a mechanic, whose child is yet in arms, must, like other mothers, have her day of holiday; but, unlike the wife of the rich man, she cannot, for a price, delegate another to perform the mother's duties. She is obliged to carry her child out with her. But by this sapient rule of the Museum-lords all women in such condition are excluded from the pleasure of looking at the works of art, &c., collected together at the national expense. They may go into a gin-shop, but the State cannot allow a mother, holding her child in her arms, to come into any building built with the People's money.

Does anybody believe that this mechanic was not deeply wounded by this arrangement? Do our rulers fancy that such things, such insults, do not sink deep into the minds of the poor? And can they wonder, when such things daily happen, that the People hate the rich? Everywhere we see this spirit of exclusion manifested by our rulers; and throughout the land, consequently, the poor hate and envy them. Immorality in every shape is fostered by such distinctions, and it would seem that the rich actually laboured to obliterate kindly feelings from the breasts of the People by their folly and their insolence.

J. A. ROEBUCK.

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## STATE OF THE NEWSPAPER STAMP QUESTION.

It may, I think, be asserted with confidence, that the crisis of the Stamp question will not be delayed long after the opening of Parliament. On no other question, at the present moment, is the "pressure from without" operating with such intensity, and if only half-a-dozen of the leading Radical

Members finally embrace Mr ROEBUCK'S proposition, the Ministry will be compelled, however reluctantly, to yield.

Some persons appear to be alarmed at the idea of any proposal which has the slightest appearance of driving Ministers to an extremity. What is the evil

apprehended? Resignation! Does any man in his senses imagine that the place-loving Whigs would resign, rather than that the People should acquire Knowledge? I cannot believe it. The tax will be given up; and thus the price paid by the Whigs for retention of office will, at least, be a boon to the People.

Last Session, Lord JOHN RUSSELL characterised the support which he and his colleagues received from the Radicals as unbought and disinterested. This was an involuntary burst of sincerity; but it was strictly true. At the same time it should be observed that, considering the Radicals as emphatically the Representatives and trustees of the People, the remark conveyed a species of hidden censure, as it implied that the People had not been gainers by that support beyond the equivocal advantage which the Whigs assure us the People derive from their Administration. It is certainly time for the Radicals to exact some condition, and surely no one will say they are unreasonable or exorbitant in choosing as that condition the abolition of perhaps the most injurious, and, at this time, certainly the most odious of the taxes ever imposed in this country.

If argument were wanting to prove the utter impossibility of enforcing the laws against the Press, the occurrences of the last six weeks might furnish them in abundance. On the 10th of December the war was renewed against the Unstamped Press by the publication of Mr PRESSLEY's letter. We were told that it was to be a war of extermination; that the Stamp Office "had determined to act with vigour;" and that the Unstamped would certainly be put down. What has been the result? A few copies of

the Unstamped have been seized;\* a few lawful papers have been illegally taken, whereby the Stamp Office people have damaged themselves and their masters most wofully, and a few of the more timid venders have been frightened out of the market to make room for others that are bolder. Now for the *per contra* side of the account. The "vigorous measures" of the Stamp Office people have created a strong feeling on the part of the Industrious Classes in favour of the oppressed. This is quite characteristic. They never abandon their friends, which is a vice of their "betters." To them it is unknown. The consequence is that, in the long run, the Unstamped will be the better for the persecution. The People have expressed their determination to buy the Unstamped, and where there are buyers sellers will not be wanting. Those who have read the proceedings of the several meetings that have taken place will acknowledge the force of what I have stated.

But this is not all. A new "broad sheet" has been sent forth to the world, even in the teeth of the "vigorous measures" of the Stamp Office. I allude to the *New Weekly True Sun*,† edited by Mr JOHN BELL. Bating some doctrines concerning free trade, which I conceive are not in unison with the spirit of the times, the Paper is a sound, useful, and well-conducted Paper, quite capable in "a fair field and no favour," such as I hope to see shortly established, of sustaining a competition

\* The seizures did not, in any week, amount to ONE PER CENT of the number published.

† I regret that independent, unborrowed names have not been adopted by the conductors of the Unstamped Papers. It would obviate an objection which has occasionally been made, and would add much to their character.

with most of its contemporaries. The establishment of this Paper at this moment is no proof that the "vigorous measures" of the Stamp Office have been successful.

In the country the proceedings of the Stamp Office agents have not been more successful. They have sent a few persons to gaol, but they have not thereby destroyed their trade. It is the practice of the People to reward the victims of the Stamp Laws by rendering their trade prosperous. In Leeds, the proceedings against the venders appear to have been conducted with more "vigour" than elsewhere; but even there the circulation of the Unstamped is by no means extinguished. The effect produced is merely personal suffering, and not prevention of the offence. This gives to the proceedings the idea of being undertaken for vengeance' sake, and the result is, the excitement of popular indignation in the largest degree. The *Leeds Times*, a short time since, contained a sample of this feeling, which the Committee for procuring the abolition of the Newspaper Stamp have reprinted for distribution. It would have been inserted here, but that space cannot be spared for the purpose. The creatures of the Stamp Office have certainly not gotten much by their proceedings at Leeds.

In Manchester all their attempts have been defeated through an informality, so that the Unstamped Papers still hold their ground without the personal sacrifice which the venders at Leeds have been called upon to make.

The obvious conclusion from all this is, that the Unstamped Press is indomitable—that the laws respecting Political Publications can no longer be enforced; and that, consequently, a wise Minister would come forward to repeal the whole of these laws with a good grace, instead of being forced to do so with ill-concealed reluctance.

There has been some talk of retaining 1d. or  $\frac{1}{2}$ d. This will never do. It has been shown repeatedly, that the smaller sum would be an effectual bar to the diffusion of knowledge among the People. "But it is not intended as a tax; it is for the purpose of a postage that it is proposed to be levied." Well, then, let there be a postage, and there would be no injustice entailed upon the buyers of local Papers.

Mr HUME has a plan for the transmission of papers which is unobjectionable. It is, that the Stamp Office do issue to those who choose to purchase them, stamped slips of paper, at a halfpenny, to serve as franks for any printed sheet of paper. It is quite clear that the Post Office could not easily take a halfpenny postage from those who were desirous of paying before transmission, and this stamped cover would obviate the difficulty. Papers sent without the cover might be charged with one halfpenny postage on delivery. There should not, however, be any compulsion; papers should be permitted to go by coach or other private conveyance at the option of the sender.

H. S. CHAPMAN.

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# THE RADICALS

AND

# THE MINISTERS.

By J. A. ROEBUCK, M.P.

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SPEECH OF SIR W. MOLESWORTH AT BIRMINGHAM.

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THE PAPER-MAKERS' GRIEVANCE.

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DEMOCRACY PREACHED BY "BLACKWOOD."

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EDITED BY

# J. A. ROEBUCK, M.P.

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## THE RADICALS AND THE MINISTERS.

SOME short time since, I suggested a plan for bringing the Ministers to terms with the Radicals. The supporters of the Ministry were naturally exceedingly alarmed, and exceedingly angry—and some well-meaning Radicals were scandalized. I have, nevertheless, found that my plan is popular, and what is more to the purpose a sufficient number of Members of Parliament, to work out the scheme, have approved of my design. This last circumstance will fairly bring the matter to issue—and as the course of conduct proposed will certainly be pursued, and pursued too with much success, it now behoves us to lay a full justification of the proceeding before the nation at large.

In the first place, let us distinctly understand the exact position of affairs, and more particularly the position of the Radical Members of the House of Commons. I will then state fully the exact steps intended to be taken, and lastly I will attempt, according to my ability, to detail the reasons which, to my understanding, fully justify us in our intended course of proceeding.

There are three parties in the nation, and in the House of Commons. The **TORIES**, the **WHIGS**, and the **RADICALS**.

The Whigs are at present in power, but could not retain office one single day, were they not supported by the Radical party.

Now, the quarrel of the Radicals with the Whigs is not that they, the Whigs, differ in principle from the Radicals. We, the Radicals, are prepared for this difference, we knew of it when we consented to support the Whigs, and are willing fully to acknowledge the distinction between the two parties, and are not at all inclined to complain of it.

The reason of our complaining, however, is as follows:—

The Whigs being in power, naturally and properly attempt to carry into execution the principles they profess. They bring in measures expressly founded on their declared opinions. While so doing, they receive hearty support from the Radicals, and meet with furious, and almost savage opposition from the Tories.

It so happens, however, that although the Whigs bring in measures in accordance with their acknowledged principles, they constantly deviate from their proposed intentions. As might have been expected, the two parties on either side of the Whigs endeavour to obtain concessions to their own views and wishes; and the Whigs, good easy men, yield to solicitation. But now comes the very pertinent question *to whom do they yield?* Is it to their steady friends, or to their furious enemies; do they, in short, make Tory or Radical concessions? Mark well the answer. Every concession made by the Whigs to different principles, to principles differing from their own, has been in favour of their furious antagonists, and not in one single instance to their fast and ever ready friends. This it is that makes us complain. We find our enemies, and the enemies of the People, ever considered by the Whigs; their complaints are listened to with patience, aye, and with complacency; their reasons are carefully considered, and their authority actually bowed

down to. Thus are the enemies of the Administration treated. On the other hand, our complaints, our requests, are met with scorn, with undisguised contempt; and when we seek for some slight deviation from ministerial intentions in favour of yet more popular courses, it is impossible to distinguish whose laugh of contempt and scorn, and defiance, and refusal, is loudest and bitterest, that of the Tories, whom we keep out of, or that of the Whigs whom we keep in office.

If the Ministers held steadily to the course which their own avowed principles require, we should have no just cause to complain after the present fashion. We might then indeed say, that we should be better pleased to see more Liberal Ministers, but we could not blame them for not yielding to our solicitations. But now we have full right to complain. They do change their plans upon solicitation; they do yield up their own opinions; and our fair charge against them is, that they yield to their foes always, that they never budge one jot for their friends. They are firm only against those by whose breath they are Ministers; they yield and cower to those who are hourly seeking to thrust them out of office.

In such circumstances it is not wonderful that we should ask ourselves why it is that this distinction is made; why we are ever denied; why the Tories are constantly favoured with concession? The reason for this proceeding is obvious (there is another still more so, and still more powerful, but this I pass over for the present); the Whigs believe that they have nothing to fear from the Radicals. They fancy that the terror of the Tories is so excessive, that nothing will drive the Radicals to hazard the return to power of these old enemies of the People. They also believe that the Radicals are exceedingly conscientious. They know they will

not vote against their principles for any purpose, and that, by consequence, they need fear nothing from the Tories. All this is plain enough. Every one knows that this is the daily Whig talk, and the daily subject of Whig sneers and gibes. They laugh with scorn at the virtue which they thus make the tool of their own party purposes; and exhibit unbounded contempt for the men who thus, by the very steadfastness of their good principles, are made the efficient, though unwilling instruments for advancing pernicious doctrines.

In this case it is matter of legitimate inquiry, whether some means cannot be honestly devised for rescuing ourselves from an unworthy thralldom, and giving to what we conceive just principles of government their due supremacy and control.

It so happens, that a dozen men may turn the scale of parties. A dozen men on the Liberal side could turn out the Whigs to-morrow. The plan, then, under these circumstances, which I propose to adopt, in order to bring the Whigs to a due sense of their present condition, to force them to make some concessions to their long-trying friends, in place of their rabid enemies, is, for a small number of determined Radicals to act in the following manner:—

First, I propose to go to the Whig Ministers, and plainly state to them the actual condition of affairs, and our own very serious causes of complaint—and then to require of them the two following concessions to the Radicals.

1. That they immediately take off the Stamp Duties on Newspapers.

2. And that they leave the *Ballot* an open question.

If the Whigs consent to make these popular concessions, we continue our support. If they refuse, then I propose to inform the Ministers that we shall at once proceed to the House of Commons, and publicly declare that,

if the Tories should move a resolution expressing that the House had no confidence in the present Ministers, *we should be absent when the division took place.*

It is more than probable that the Tories will, in the House of Lords, move and easily carry a resolution to the same effect at the very commencement of the Session. This the Ministers will be obliged to meet by a vote of confidence in the Commons. Here again they are in our power. If we be absent they will not gain this vote of confidence, and their Ministry is at end.

As my plan was originally stated, I suggested that the question of the Irish Church would be a good one on which to act in this manner. Many well-meaning persons thereupon became, very unnecessarily, much alarmed, and exclaimed that this was not an honest mode of proceeding. This belief arose, I suspect, from their not knowing the history of this Bill, or the exact contents of it.

The Irish Church Bill was of benefit because it contained *one* good clause. This clause asserted the principle, that the surplus property of the Church was national property, and applicable to national purposes. All the other provisions of the Bill were mischievous, for by them tithe and rent were confounded: the landlords were made the collectors of tithe, and thus rent as well as tithe was endangered.

The good principle we have enunciated and supported again and again. We could easily support it once more—but by deserting the Ministers on the Bill, we put their existence as a Ministry into danger. I selected this measure for that reason; but, as it alarms some persons, and we might be liable to misrepresentation, another course has been chosen. If the Ministers will not grant us what we ask

we may fairly and correctly say, that we have not confidence in them, and may properly refuse to oppose a measure which shall express disapprobation of their proceedings. If the Ministers desire to gain our confidence, if they wish that we should give them a majority against the Tories, let them do something which shall be a proof of good will towards us. They have often given proofs of their affection to their Tory opponents; let them for once be friendly towards their friends.

There is one class of politicians who find fault with this course as inexpedient. They say, it is very true, that the Whigs are bad; but then it is also certain that the Tories are worse: if we adopt the plan you propose, we shall turn out the less pernicious, and shall establish the more pernicious: we therefore see nothing for the Radical party but patient suffering: we must take what the Whigs allow us and praise them and God that it is no worse. To this slavish doctrine I am not willing to subscribe. Let us set Whigs and Tories at defiance—strong in the support of the People, we can meet those parties face to face, and beat them at open warfare. The Whigs are powerless if once the People see through their shuffling; their sole strength is now derived from their aping the manner and talk of Reformers. The People of England, however, will clearly see that they are but mock friends when, rather than grant to the poor one great means of instruction, they are willing to allow the Tories to return back to power. In my heart, however, I do not believe that they would act thus—I cannot believe that for any cause, they would voluntarily give up the sweets of office. From their tenacity to place, I argue that they will not be over rigid with us Radicals. Let us once plainly show them that we are not to be trifled

with, and we shall see an extremely different bearing in the Whigs: they will truckle to any persons of whom they are afraid, and we have in our hands the means of striking terror into their hearts. Resign, indeed, because we want the taxes off knowledge! They would hardly dream of resigning if we were to ask for a half share in the Government itself. They would grumble, they would vapour and be savage almost to desperation at the idea of such a diminution of their share of the good things; but they would only the more closely cling to what remained to them. They are like limpets adhering to rocks, you may beat them to pieces, but you cannot move them from their places.

Suppose, however, that their fit of anger was really a short madness, and that, during their insanity, they actually resigned. What then? Oh, the Tories are upon us. Are we for ever to be terrified with this outcry—are we to lose all means of judgment, all resolution, all manliness, because the Tories are likely to come back to place? Did we not drive the Tories from place even with an unreformed Parliament, with unreformed Corporations—and are we now to believe that we are to be worsted by them? Has victory given us no confidence? Is it to be believed that the People have learned nothing within the last five years—and that when we hear them boldly calling for a reform in the House of Lords, that they will permit the Tories in the Commons to be paramount? For my own part, I know that the public have made great and permanent advances in their knowledge of politics; that knowledge on political matters has now reached many classes who were a very few years since wholly ignorant; I know that the interest that all these classes now take in the government of the country is intense, and that every day is diminishing



the influence of the Tory party. For evidence of this, look to the doings of the Tories themselves. What is the course they now pursue? They are now all Liberals. In the city of Bath, for example (and this is a good instance, for more rabid and ignorant Tories cannot be found than the Bath Tories), they are compelled to call themselves Liberals. They have formed a *Liberal!*—God save the mark—a Liberal and Constitutional Association.\* They talk of liberality—they preach not the old Tory spoliation doctrine, but profess every desire to reform; but according to the old phrase, dread and deprecate revolution. Does this look like reaction? Is it not proof to demonstration that the popular feeling is so far advanced, that the lagging politicians of the Conservative school have at length discovered that they are left behind? that the People can no longer be dealt with after the old Tory fashion, and that many of the securities for good government have been permanently established?

It is very generally believed that there is a party in the Cabinet extremely desirous of an excuse for making a

\* This said association has issued a scurrilous address signed by a vulgar fellow calling himself WILLIAM BLATHWAYTE; and, as if one fool was not enough for such a purpose, another worthy of the same stamp, called WEBB, has countersigned the precious document. It is more than probable that these two impudent impostors form the majority of the society—and they, measuring other people's respectability by their own, say that the respectability of Bath is not represented. God forbid that I should represent these two boobies, or any thing like them—who cannot see that their insolence towards their fellow-citizens is as plain as their enmity towards myself. No one doubts that I represent a very large majority of the People, so large a one, that this wonderful association are without power or influence to diminish it. But if this be so, and yet the respectability of Bath is not included, it is evident that the great majority of the citizens, in the opinion of these impudent libellers, are not respectable. Let the Liberal association settle this matter with my good constituents before they seek their suffrages. When Nature made these fellows knaves, she mercifully made them fools, to render their roguery innocuous.

coalition with Lord STANLEY and some more of the INDESCRIBABLES, in order to throw the Radicals overboard, and escape the *humiliation* of their support. Mr O'CONNELL is also a great source of pain to this section of the Cabinet; his support, like that of the English Radicals, is deemed an humiliation, and it is said (I believe with great truth) that nothing would give this very small party greater pleasure than some plausible excuse for breaking with the Liberals altogether, provided that a sufficient number of the wavering Tories could be brought over. Now, such being the actual state of the case, certain of the Radicals say we ought not to afford these hidden foes who are in the Cabinet the shadow of an excuse for going over. We ought, in so many words, still to truckle and be the humble servants of these pseudo friends of popular measures. I should wish to know what good is to be expected from these men. Who in his senses can believe that they, being disguised Tories, will give us anything more in reality than the open and avowed Tories themselves? They may talk somewhat differently, they may indulge at times in liberal cant, but in fact they will, by shuffling, be as mischievous as any Conservative. But if this be so (and for the truth of the assertion I appeal to the conduct of the set of politicians here alluded to), what mischief can arise from making them declare themselves? Would it not, in fact, be an advantage to have them discovered, so that the People might truly appreciate their character, and be upon their guard against their machinations? It is constantly said by the Radicals, that an undisguised Tory is less mischievous than these half-and-half amphibious animals. They speak truly when they make this assertion, and the assertion is quite as pertinent to the Ministry as to the House of Commons. But again, I ask, if so,

what harm can follow even should we drive them to extremities? The only real difference would be, that we should have open, in place of disguised enemies—we should have enemies branded with the hatred of the People, in place of enemies supported and strengthened by the popular favour. A coalition of the sort here supposed would not be formidable. The weight of Lord STANLEY'S ill-name would sink his new associates, and they would all quickly go down to oblivion together. Nothing, in such cases as the present, is ever gained by compromise, or by attempting to conciliate persons who cannot be conciliated. You cannot tame a tiger—neither can you convert a Tory into a friend of the People. They may fawn upon you to-day, and seem mild and harmless—give them but an opportunity, and they will spring upon you with all the rabid ferocity of their race. Taking one of these Tories into your councils, is much like making plaything of a tiger cub. They who have hazarded the dangerous experiment, have ever been made to rue their folly. The Radicals of the House of Commons, if they continue their present policy, will soon see that they form no exception to this general rule, derived from long and disastrous experience.

From this state of things then, which is brought forward to induce us to be crouching and servile, I am led to the very contrary conclusion. For if this section of the cabinet are so powerful as to govern the remainder, and so rabid in their hate of the popular party as to refuse all, even the most minute concession, then I say we can have no hope of any really beneficial reform from the existing cabinet.

To the plan I have proposed there is yet another objection which is sometimes brought forward. It may be stated thus:—If the Radical portion

of the supporters of the Ministry take this advantage of the present balanced state of parties, the less liberal of the Whigs, who are now Ministerialists, will do the same; and if upon such compulsion concession be made to the Radicals, these wavering Whigs, or disguised Tories, will use compulsion in the opposite sense. Thus the Ministry, assailed by contending parties among their own supporters, must go to pieces.

The answer to this objection is not far off. The wavering Whigs or disguised Tories have not waited for us to set them an example. They have already threatened and frightened the Ministers. Who was it, but these hidden enemies of the People, that counselled and carried submission to the Lords last year? To whom did the Cabinet listen on that occasion? Why the half-and-half, wavering, indescribable gentry. Who so busy—who so much attended to as Mr EVELYN DENNISON, for example? One of the Derby Dilly, who got off that coach somehow during the Session, and mounted the Ministerial carriage. When he cried Yield, yield, the Ministers exclaimed Listen to the voice of the wise man. What did they think of his voice when it was given against Mr ABERCROMBY—against the Amendment to the Address—against the Irish Church Bill? Was his voice then the voice of the wise man? If not, by what process did it so suddenly acquire that character? The facts of which I here speak are notorious. The Radicals murmured—some of them threatened—their murmurs and their threats were treated with contempt, and the cry of the waverer was hailed as the voice of wisdom.

Let it also be borne in mind, that it is one thing for the Radicals to attempt this course, and another and a different thing for the Tory Whigs to adopt it.

*We* shall be justified by the People. *Our* object is the advancement of popular measures—to push on, not retard improvement. The Tory Whigs seek the reverse of all this. If they desert the Ministers, the cause of their desertion will be known to be hatred of the People—dislike of popular instruction—a dread of intelligence—a sighing after ignorance, and the safety which ignorance creates for the vile and the corrupt. For such objects, and under such auspices, let them dare to desert the Ministers, and the popular execration follows their conduct, and annihilates their power.

In reply to this statement, certain persons, who are able only to comprehend one half of the consequences deducible from moral rules, exclaim that the conduct which is unjust in the Whig-Tory, must also be unjust in the Radical; and thereupon they quote the old rule, viz. : that good ends do not justify bad means. The rule is a good rule, if rightly understood, and I have no fault to find with it; but all I say is, that here it is nothing to the purpose. Many means are in themselves wholly indifferent—that is, considered by themselves, and without reference to the ends in view—are wholly underserving either of praise or blame. The end in view makes them virtuous or vicious. As, for example, the walking along the street is, paying no regard to the end for which I walk, not liable to censure or deserving of applause. But if I walk along the

street in order to be able to aid in putting out a fire, the act is praiseworthy; if to assassinate a neighbour, it deserves execration. So, in the present case, the mere staying away from a division is a thing that happens every day, and no blame follows, because everyone knows that no evil is either intended, or will follow. But staying away may be either mischievous or praiseworthy. If by staying away I force a bad Minister into good courses, the act is praiseworthy; if, on the other hand, by so doing I seek to drive him into evil ways, the act is mischievous.

These moralists should also remember that acts in themselves hurtful are rendered often absolutely necessary. To put a man into confinement is to do harm, because it gives pain to the individual; but for the safety of the community, it is often necessary to imprison, aye, and yet more, to slay. Judging by the wise saw above quoted, what should we say to killing a fellow mortal? Does anybody mean to say that the end does not justify the means, when I slay a man in self defence—in defence of my property, of my family, of my country? The truth that lies at the bottom of the saying escaped him who used it in this instance; illustrating once again, for the instruction of the reading public, the important truth, that it is one thing to talk about the science of morals, and another to understand it.

J. A. R.

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## SPEECH OF SIR W. MOLESWORTH AT BIRMINGHAM.

I INSERT the following Speech, spoken by Sir WILLIAM MOLESWORTH at the late Birmingham Dinner, because it shows that I am not alone in the views I take respecting the course to be pur-

sued in dealing with the Ministry, and also because the really important portions of the Speech were not reported in the Newspapers.

“I have excessive pleasure in attend-

ing this vast meeting, and that pleasure is increased by the enthusiastic reception which has been given to my Hon. and Learned Friend. I had long admired him as the fearless champion of Ireland, and voted along with him on almost every Irish question of importance since I first had the honour of a seat in the House of Commons. At the present moment, however, it is not merely on account of his exertions for Ireland that we owe him the deepest gratitude, but on account of his late efforts in England, by which he has excited the public mind on the subject of the abuses which exist in the constitution of the House of Lords, and given a mighty impulse to a question which, I doubt not, most of us will see satisfactorily settled. Wonderful, indeed, is the late change in public opinion with regard to this subject. A short time ago few there were who considered the constitution of the Upper House to be radically bad; still fewer who dared to advise or expect an alteration in it: now, however, the reform of that Assembly has become an acknowledged political question, and men's minds are occupied with determining the best species of reform; for men are now convinced of the fact that the interests of the Aristocracy are opposed to the interests of the People, and that, as long as the constitution of the House of Lords remains as it is, the Commons will be degraded to the debasing office of merely registering the edicts of the irresponsible Upper House, and of thankfully receiving such small portions of good as the Lords, in their wisdom, may think proper to grant to the People. Political writers have again and again demonstrated that such must be the case, as long as the Upper House is independent and irresponsible; yet ten times ten thousand treatises upon this subject would never have produced one tithe of that conviction in the minds of

our fellow-citizens which has been produced by the late conduct of the House of Lords with regard to the Municipal Reform Bill. The greatest thanks are due to Mr O'CONNELL, who, whilst these facts were still rife in our memory, came forward and exerted himself to impress them most strongly on our minds, and from them demonstrated to assembled thousands the absolute necessity of making every exertion to procure a reform of the House of Lords. Before, however, we can hope to carry such a measure, the House of Commons must really represent the wishes of the People, it must be made a really efficient instrument of reform. The popular party in the House is a strong one; it exceeds in numbers that of the Whigs, but is inferior to that of the Tories. Now, in order to effect a reform in the Upper House, the House ought to be filled with those who are truly the Representatives of the People. This can only be done by the Ballot: therefore, in my opinion, the Ballot ought, at the present moment, to be the first and great object of our political exertions, for by it alone can the People be protected in the due exercise of their electoral rights and privileges; by it alone can they be secured against the domineering authority of the Aristocracy: it is vain to hope that men will, through a sense of their political duties, consent to ruin themselves and their families. Without the aid of the Ballot, I know full well to many the privilege of voting is now a curse, for it obliges them to choose between the sacrifice of their political principles or of their dearest personal interests. The Ballot, when once obtained, will be the grand means of overturning the unjust and undue political influence of the Aristocracy, and will be the first and great step towards a reform in the House of Lords. The People ought now, therefore, to make every exertion to obtain it; they

ought, in the event of a new election, to consider it as the test of liberal principles; they ought, without scruple, to reject every candidate who hesitates upon this subject; they ought to consider that he mocks and derides them when he talks of the rights of the electors, and at the same time refuses to defend them by secret suffrage. No question has of late made a greater progress than this one. The majority of the supporters of the present Administration have voted in favour of it. It is well known that there are gentlemen in the Cabinet, and others connected with the Government, who are in favour of secret suffrage, who have again and again declared such opinions to their constituents, and who are, in reality, as much bound and pledged, as honourable men can be bound and pledged, to support the Ballot. Now the time is arrived when the Administration ought to make the Ballot an open question. The Liberal Representatives ought now to demand, and the People ought to back them, in demanding from the Administration that the Ballot should henceforth be a question, whereon all connected with the Government may freely vote as they deem best; and the constituents of the gentlemen to whom I have referred ought now seriously to recall to their recollections their past promises and professions. If the People will thus act, the period cannot be far distant when the Ballot will receive the assent of the House of Commons, and we shall then see whether the Lords dare to reject it. Without some reform in the House of Lords, really good measures will hardly ever receive their sanction. Session after session will pass away, whose only fruits will be half and ineffectual measures. For these reasons I expect that little, perhaps nothing, will be done during next Session of Parliament. I sincerely trust, however, that

Ministers will act with courage and decision. They have but one safe and honourable line of conduct which they can pursue. They ought only to bring forward measures which are really good; such ones as the vast majority of the nation will approve of. These measures they ought not in any way to modify, in order to suit them to the prejudices or interests of the Aristocracy. Let them place these measures on the table of the Upper House, to be dealt with as the members of it may think proper. Then, if they are rejected or mutilated, as will probably be the case, let Ministers immediately, without hesitation, dissolve Parliament, send us back to our constituents, and appeal to the nation, and I feel convinced that the nation will gladly respond to that appeal by returning a vast majority of Liberals; and thus we may obtain, from the fears of the Lords, what we are now unable to obtain by our arguments from their good sense or goodwill. Such will be the conduct of a bold and honest Administration, and as such they would well merit and receive the support and confidence of the nation. If they act otherwise; if each measure is to be cut down and to be frittered away, in order to please the Aristocratic foes of the People; if the wishes of the People are to be disregarded, in order to conciliate the Peers; if the Taxes on Knowledge are to be continued for ever; if every person in office is, without regard to his past principles and oft-repeated opinions, to be bound, by his tenure of office, to vote against the Ballot; if, in short, every concession is to be made to the Aristocracy, and none to the People, I, for one, must confess that I should care but little for how short a time such a feeble and nerveless Administration may retain power. I am most desirous to support the present Administration, on account of its conduct towards Ire-

land; but in order that support may be afforded without compromise of principles, the Ministers must act in a

much more determined and much more straightforward manner than they have heretofore done."

## THE PAPER-MAKERS' GRIEVANCE.

THE Paper Manufacturers have lately had a meeting to inquire into the causes of the depression under which their trade has so long laboured. The fact and its cause were thus stated by the Chairman of the meeting:—

"For the last twenty-three or twenty-four years there had been a gradual incessant, and uninterrupted decrease in the price of paper, without one solitary instance of favourable reaction; and this remarkable fact he thought might well be accounted for by the baneful effects of the Excise-laws; congratulating the meeting at the same time on the prospect they could at least indulge in of a more equitable and reasonable modification of them."

The Excise laws certainly inflict a great injury upon the honest portion, and therefore, in all probability, on the larger portion of the trade; but it is only on one class of their manufacture that the evil falls. Paper is charged with three rates of duty, 14s., 21s., and 28s. The classes are difficult, I may say impossible to distinguish; hence the honest man who will not evade the duty, calls his paper what it is, whilst the dishonest maker is perpetually taking advantage of the difficulty, to pay 14s. where he ought to pay 21 or 28s. But this evil does not reach the paper used in printing, writing, and drawing, about the classification of which there is no doubt, hence the cause of the "uninterrupted decrease in the price" of such papers must be sought elsewhere.

The application of capital to the production of paper is subject to the same laws as its application to other branches

of industry. The price of the commodity depends on the quantity brought to market, and if at any time supply increase or demand diminish, a decline of price must occur; and thus is capital worn out of the trade.

The paper-makers in one respect are in a much more fortunate position than many other producers. They are exempt from a decline of price, in consequence of a decaying demand. The demand for paper must be progressive. No earthly power can keep down the increasing demand for knowledge. The paper-makers' worst foes—the Stamp Office authorities—have tried to do so, and failed.

It thus appears, that, inasmuch as it is by an excessive supply only that the paper-makers can be injured, they in a manner hold in their own hands the regulation of their own condition.

For many years previous to the introduction of the machinery by which paper is at present manufactured, the makers were utterly unable, with all their exertions, to keep up with the increasing demand. It was no uncommon thing for a large London stationer to go into the country and sweep every mill of every ream he could find. Prices had consequently a perpetual tendency to advance, and this produced a run of prosperity to which the manufacturers now very naturally look back with regret. This state of things of course stimulated invention, and the result was the application of simple machinery to the manufacture of paper, which totally reversed the features of the trade.

Instead of lagging behind demand, supply now fairly outstripped it. The immediate consequence was, that prices had a decided tendency downwards. Such is now the facility of production in this important branch of manufacture, that the moment the downward tendency is checked, the manufacturers commence running a race to take advantage of the improved appearance of the market, and of course the object is not reached. However prudent one manufacturer may be, he cannot protect himself against the imprudence of his neighbours; so that none but the most sanguine have any faith in the permanence of an advance—and here they are right—with means of production quite unlimited. No advance, which will afford more than the ordinary profits realized in other trades, can be permanent.

But although the paper-makers, like other producers, can only control supply, they can co-operate with other members of the community in a matter which will have enormous influence on the demand—I need hardly say that I mean the Repeal of the Stamp Duty on Newspapers.

The Newspaper Stamp is emphatically the paper-maker's grievance; yet from some hidden cause it appears to have been looked upon as a secondary matter by those who attended the meeting; witness the following report of what occurred:—

“There was one subject, introduced by Mr LOWE, on which a short discussion took place, but the proposition was finally abandoned. Mr LOWE seemed to think that the paper-manufacturers should rather petition Government to abolish the Stamp-duty on Newspapers, which he thought would greatly increase the consumption of paper; but Mr DICKINSON opposed the measure, on the grounds that the subject was of too great importance for Government

to be influenced by anything that they, an interested body, could urge on the subject, while the report was a matter strictly, and in an important degree, bearing on their interests, and gave them a claim to apply to Government respecting it. The majority of the meeting concurred in these sentiments, and after signing the memorial and petition before referred to, and passing a vote of thanks to their Chairman, concluded a very long discussion, which appeared to excite great interest among the gentlemen present.”—*True Sun*.

The reason given by Mr DICKINSON for resisting the proposal of Mr LOWE was certainly, considering the course which the meeting with his sanction adopted, an odd one. He opposed their advocacy of the Repeal of the Stamp because they were “an interested body.” The same objection lies against their interference with the Excise regulations. “Interest” is the ground on which the paper-makers approach the CHANCELLOR of the EXCHEQUER, and in neglecting to ask for the abolition of the tax, it appears to me they completely miss their “interest.” It is one thing, however, to apply personally to the CHANCELLOR of the EXCHEQUER, and another to petition Parliament. While they are negotiating with Mr SPRING RICE on those matters which especially concern them, there is no good reason why they should not swell the number of those who demand of the Legislature the total abolition of a tax which is injuriously affecting the welfare of every class of society.

One curious fact reached me subsequently to the meeting, that some of the persons connected with the Stamped Press have expressed great displeasure at the conduct of those gentlemen at the meeting who had advocated the repeal of the tax as a means of relief to the paper-makers. The

displeasure of the proprietors of the Stamped Press need not, however, alarm them much, inasmuch as the removal of the tax would increase the consumption of paper adapted to the daily and weekly press three or fourfold. The paper-makers, therefore, should not hesitate to petition for the total abolition of the tax at once.

I have never ceased to preach total abolition, as opposed to partial repeal, because the latter would be no relief to the Working Classes, among whom the thirst for knowledge is so strong. A good untaxed newspaper can be produced at twopence. Tax it one penny, and its price is raised, not merely to threepence, but to fourpence. The reason must be obvious. A paper can only be afforded at twopence, in consequence of a very extensive circulation. Raise the price above twopence, and circulation is at once limited, so as to increase the necessary price to fourpence. The Stamp is now a very small fraction more than  $3\frac{1}{4}$ d., so that, if an untaxed newspaper could be afforded at twopence, of which I have no doubt, the net amount thrown away by the monopoly—a loss which benefits no one—is no less than  $1\frac{1}{4}$  on every copy of a newspaper sold in Great Britain. This is the mere money consideration—the loss of morality, and therefore of happiness, to the community, who among us can estimate?

A proposal to reduce the tax to one penny, or one halfpenny, may find favour in an Aristocratic House of Commons, but those who sanction such a measure must not think it a hardship if they find themselves hereafter catalogued among the enemies of the Working Classes.

H. S. CHAPMAN.

P.S.—The total abolition of the Newspaper Stamp is ably advocated in the last (fourth) number of the *London Review*. “We have arrived at a con-

viction,” says the writer, “that a mere *reduction* of the Stamp Duty, although immediate, would be greatly more objectionable than the continuance of the whole of this iniquitous impost for a short time longer.”

A mere sketch of the arguments used by the intelligent writer of the article, would occupy more space than can here be spared, I therefore content myself by quoting his remarks on the impolicy of all attempts to put down the Unstamped Press. The writer first remarks that “there is no sign of the times more truly gratifying than the marked improvement which has lately taken place in the Unstamped Press. Nothing can better demonstrate the growing intelligence of the Working Classes. Not only have the most violent of these papers become more temperate in their politics, and substituted, to a great extent, reason for declamation—but, as purveyors of news, the quantity of general information they collect and diffuse (for the most part of an unexceptionable character) is, considering the price at which it is sold, truly astonishing. There are now several unstamped weekly papers published at twopence, far superior, in every quality that a Newspaper ought to possess, to the great mass of Stamped country papers.”

To the truth of the above statement I cordially bear testimony. The writer then justly adds:—

“It is not only because of the improved character of the unstamped press that we would protest against any attempt to put it down: we are far from admitting that that it would not be an evil to put down even the most intemperate of the class. It is no trifling gain to the cause of peace and order, that the mere revolutionist thinks more of influencing public opinion than of appealing to physical force. There are no demagogues now



travelling about the country, and secretly instigating the People to acts of violence or open insurrection. We may even look in vain in the columns of the *Unstamped* for advice as inflammatory as that which was given by the *Times* on the rejection of the Reform Bill by the House of Lords. Is it not an advantage to induce a desperate man to put down the brickbat and take up the pen? Literary men, however humble in their sphere, are not the leaders of mobs. Readers are not rioters. Would you prevent the People from assembling in crowds in the streets? Permit them to indulge their democratic indignation at home; or shut them up in the reading-room of a Mechanics' Institute. Would you change the character of the incendiary?

Teach him a better way of vindicating his rights, real or imaginary. What if he use hard words? Are you hurt by them? if so, which is the weaker of the two; he for employing them, or you for permitting them to offend your dignity? And why are rich men, and their tools, to have a monopoly of hard words? By what right are the People to be assailed with every possible term of reproach, and not permitted to retaliate? Why are the Whigs and Tories to vilify those whom they term the low Radicals, and the low Radicals not to be allowed to abuse Whigs and Tories? Why are industrious Operatives to be trampled under foot as canaille, and yet be denied the poor privilege of a worm, to turn again?"

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### DEMOCRACY PREACHED BY "BLACKWOOD."

*Blackwood's Magazine*, the great Tory organ, opens this month with an article on Foreign Policy and Commerce, in which the political desperation of the writer pushes him, unawares, into a bold step towards downright Democracy.

"The great and now all-powerful body," says this writer, "of the manufacturing and mercantile classes, three-fourths of the intelligence and wealth of which are with us [the Tories], have not fought the up-hill fight of Conservatism on behalf of party, but of country. They mean, hereafter, to aid in the labours of self-government; they will assist in the councils; they *must* be called to the cabinet of their Sovereign; had they been sooner there things would not have come to this pass."

So, then, Tories themselves begin to lose faith in lordly greatness, in hereditary wisdom, and to talk seriously of "self-government." Gentlemen inspired with ability by looking upon the swords of proud, blockhead ancestors, and educated in all wisdom by attending horse-races, fox-hunts, gaming-tables, balls, &c., are really, then, not the fittest persons to manage the affairs of the first business nation in the world? Well, so most sensible people think, or ought to think; but this, I believe, is the very first Tory declaration against hereditary want of wisdom on record. The *Times* lately declared, in somewhat of a passion, that the younger hereditary statesmen of the Tory party in the House of Commons had barely brains enough to vote as they were bid by Sir ROBERT PEEL;

but *Blackwood* very coolly condemns hereditary statesmanship altogether.

What, it may be asked, could have urged the least scrupulous of our Tory publications to say what I have quoted? I will tell you. There is a large class of wealthy persons in this country who are operated upon equally by two strong passions—pride of purse, and craving for alliances with the nobility. This class has sufficient acuteness to perceive that the Aristocracy of birth is rapidly approaching its extinction, and that the Peers may, in their blind struggles, damage the Aristocracy of wealth, and suffer pure Democracy to gain the ascendancy. One may easily imagine the shrewder of this class saying to themselves, “These proud Lords do not know what they are about—they must give up their hereditary rights, that is clear enough; there is no great prudence in marrying our children now into their class. But that is not the worst, if we do not stir ourselves, the hereditary will drag down in their fall too many of the privileges of the Aristocracy of wealth. Indeed, we have followed them too long, or things would not have come to this pass; we have capacity, and nobles have not; we must lead now, or Democracy will outstrip us;—yes, we are determined: we ‘mean hereafter to aid in the labours of self-government;’ we ‘will assist in the councils;’ we ‘*must* be called to the cabinet.’ Both Aristocracies are in danger; the fall of hereditary privileges

is inevitable; we must be decisive and save the privileges of wealth.”

But listen to *Blackwood* himself, who assures us that capacities of the highest order abound in the untitled class, “equal to the grasp of any subject.” And then he adds: “The Aristocracy [of birth] blind as it has been to the comparative growth of intelligence, and purblind as still it is to consequences inevitable of organic changes which are in progress, has invariably sought its business men for office or legislation in one class (that of the bar), because the class has generally been found supple, and not frequently over scrupulous. If they cannot comprehend the signs of the times, and shape their course according, they [*i. e.* their privileges] are in imminent risk of being cast away, and with them the remnants of the British Constitution” [the privileges of wealth].

On a former occasion, in a Pamphlet edited by Mr ROEBUCK, I alluded to the plain, staring fact, that the intellectual development and irresistible interests arising from the business affairs of a nation like this, were wholly incompatible with a Legislative Aristocracy, and must inevitably destroy it in a short time; I little thought I should be so soon supported in my views by passages of a leading article in *Blackwood's Magazine*. But before the close of 1836, many a Tory may, possibly, think with *Blackwood* and me.

ROBERTS HAMMERSLEY.

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## “CHEAP KNOWLEDGE THEY WILL HAVE”— REEVE'S APPLICATION.

THE following affords an additional piece of evidence (printed in Italics) of the impossibility of enforcing the laws against the Conductors and Venders of the Unstamped Press:—

APPLICATION TO RECOVER CONFISCATED NEWSPAPERS. — On Monday, after the police business had been gone through, an application was made by Mr JAMES REEVE, an extensive vender

of Unstamped Newspapers on the Lambeth side of the water, to Messrs BURRELL and WHITE, the sitting magistrates, to recover a quantity of Unstamped Newspapers which had been seized by SMITH and HALL, officers of this establishment, employed by the Stamp-office, on Saturday evening, from one of his servants, in the Waterloo road. It will be recollected that a week or two since Mr REEVE applied to Mr GREGORIE for warrants against several officers who had taken him into custody without finding any Unstamped Newspapers on his person. Mr GREGORIE refused the application, and Mr REEVE then stated that he would appeal for justice to a higher court.

Mr BURRELL—Are you the same person who applied to Mr GREGORIE?

Mr REEVE—I am.

Mr BURRELL—Well, what is your business now?

Mr REEVE—I apply for the quantity of papers of which my servant was robbed on Saturday night, as she was going to supply my customers, and for which I paid the full value in lawful money.

Mr BURRELL—Were they Unstamped Newspapers?

Mr REEVE—They were.

Mr BURRELL—Then I have nothing to do with it; the officers acted very properly; it was a legal seizure.

Mr REEVE—I wish to know whether the magistrates of this office sanction the robbery?

Mr BURRELL—Certainly; they are illegal publications.

Mr WHITE—If he has any complaint to make, we will hear it in the usual form.

Mr REEVE—Then I complain of the robbery. Were I to give over selling the Unstamped, *my customers declare that they will get them of some other person; as they were determined to have an Untaxed Newspaper, even if they sub-*

*scribed among themselves to purchase the materials for printing, for cheap knowledge they would have.*

Mr BURRELL—There is no robbery: the officers took them as Unstamped Newspapers, which you admit they were.

Mr REEVE—I only wish to recover the property I have been robbed of.

Mr BURRELL—The magistrates cannot interfere. If you wish to recover your property, I should recommend you to advise with your solicitor upon the subject.

The applicant then withdrew, observing that he thought it very hard that he should be harrassed in the way he had been, while he was endeavouring to gain an honest living for himself and his family.

“Cheap Knowledge they will have.”

This is now the starting point of all discussion. It would be absurd to waste words on any question preliminary to this—the People will have Cheap Instruction—no power can prevent it; and it rests on the decision of Parliament whether that information shall be as good as open competition can make it, or whether its sources shall be impaired by the continuance of a double monopoly,—first, in favour of the rich producer for the rich reader, and, second, in favour of those who have been taught by the law’s oppression to contemn the law.

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# ARISTOCRACY.

(FROM "THE LONDON REVIEW.")

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ADDRESS TO READERS.

EDITED BY

**J. A. ROEBUCK, M.P.**

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[PRICE TWOPENCE.]

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## ARISTOCRACY.

THE advocates of Aristocracy—who are numerous, not without abilities, and of whom there will be good supply for some time to come—labour strenuously to confound inequalities of fortune with aristocratical privileges. And no wonder they do; for all the plausibility of their sophisms is derived from this expedient. Were they obliged to speak of aristocratical privilege, truly, as it is—power held by a certain narrow class to do with the rest of the community what they please—they would be treated with the scorn, which a pretension so impudent and hostile deserves. While allowed, however, to practise with the forked tongue, and talk of inequality of fortune and aristocratical privileges as the same, they can hold up the advantages accruing from inequality of fortune, and by a juggle of language make them pass for advantages of aristocracy.

This is the course which must always be pursued when a bad thing is to be vindicated. The praises of some other thing, which is good, are cunningly transferred to the thing which is bad. When the object is to defend a useless and most expensive ecclesiastical establishment, take notice that the praises of religion are transferred to it. The two ideas—that of religion in all its excellence, and that of an ecclesiastical establishment, however bad—are blended together by artful language, and so closely associated, that ordinary minds

find it difficult to disjoin them. When this association of ideas is pretty generally formed, the ecclesiastical sophists proceed at their ease. Their business is only to declaim and abuse:—‘Base men! would you destroy religion?’ Or, if in Ireland ‘Base men! would you destroy Protestantism?’ When all the while there is no question about either religion or Protestantism; but only about an ecclesiastical establishment which is inimical to both.

Take another example, in the abuses of government. They who desire to maintain in existence the causes of evil strive to confound them with the causes of good; and by taking them in the lump, apply to the causes of evil the praise which belongs to the causes of good. We are told of the advantages of the constitution: that is, in their sophistical language, the benefits of government in the aggregate. Well, we are as sensible of the benefits of government as they are; but we will not allow them to transfer the credit of those benefits to things which are not the causes of them, but the reverse—causes of evil, not of benefit. They may compliment causes of evil with the name of part of the constitution, as long as they please; we shall not be inclined to suffer them any more on that account. Those parts of the constitution which we hold sacred are the causes of good. By casting off the things which are the causes of evil we,

think we are doing service to the constitution, in the only sense in which it deserves a particle of our respect.

Reformers are far from thinking evil of inequalities of fortune; on the contrary, they esteem them a necessary consequence of things which are so good, that society itself, and all the happiness of human beings, depend upon them: a consequence of those laws whence the generation and augmentation of property proceeds. That the prosperity of nations may advance, there must exist motives to accumulate. But these motives will operate on some men more, on some less, on some not at all. There will be different degrees, therefore, of accumulation:—and this is the origin of all inequality of property. Nor can the tendency to it be checked, were it desirable to do so, without checking accumulation, and all the advantages which are to be derived from it.

But, abstracting from the consideration that we cannot have other things which are good for us in the highest degree, without having inequalities of fortune along with them, we consider inequalities of fortune as themselves good—the cause of most admirable effects. To have men of high intellectual attainments, we must have men who have their time at their command: not under the necessity of spending it wholly, or in greater part, in providing the means of subsistence:—in other words, we must have men of independent incomes. And that we may have this happy effect, in the desirable degree, we must have them not few in number; we must have them a more than inconsiderable proportion of the population. Where the only men who are in circumstances to devote themselves to intellectual pursuits are few in number, there is not sufficient stimulus. There must be a public capable of appreciating such attainments, sufficiently numerous to give a weight to their esteem, before a motive can be generated sufficiently strong to induce any considerable number of men to take the trouble, long and laborious, of making themselves knowing and wise.

Besides this first and all-important effect, a class of men possessing leisure is absolutely necessary for cultivating the elegancies of life. This cannot be

expected from men absorbed in the labours and cares of earning a subsistence. A society composed of such men would be necessarily coarse, and would have a tendency to grow more and more so: a taste even for cleanliness and neatness would be apt to be lost among them. But the laborious classes are prone to the imitation of those who are in circumstances above them; and when they see elegance, are fully capable of discerning its superiority to that which is coarse; they are refined by imitation; and it is of prodigious importance to have in each community a standard of behaviour to which they may look up; and even of household accommodation, which they may strive to imitate—if not in the costliness of the materials, at least in the style of the arrangement, and even the beauty of the forms.

*Ingenuas didicisse fideliter artes  
Emollit mores, nec sinit esse feros.*

And even to be conversant with the refinements of life, the simple, unaffected, and true, is a kind of drawing into the path of virtue.

But while we thus value the advantages of inequality of fortune, we must say a word for the prevention of a common, but grievous mistake. They are the natural inequalities of fortune, not the unnatural, to which all these advantages are attached. By the natural inequalities of fortune, we mean those which are the result of the natural laws of accumulation; not those which are the result of unnatural restraint put upon the natural laws of distribution—that a man shall not leave his property to whom he will, or that it shall not go in equal portions to those whose proximity of relation to him is the same. The inequalities which are owed to this source are mischievous in every way—restraining the salutary effects which flow from inequalities of the natural kind, and operating otherwise as a disease in the body politic.

A few reflections will make this evident; and it is a truth which deserve our most profound attention.

The first effect of those artificially-made, unnatural inequalities, is to raise up a small number of enormous fortunes, which stand by themselves, and constitute a little class. We have only to think of the situation of the persons

in whom those masses of property, which cannot be used for any useful purpose, are vested; and the influences which thence act upon them, at every stage of their lives.

What motive have they to cultivate the intellectual virtues? or any other virtues? Their business is pleasure. Distinction is created for them, by the command which they have over the things which all men desire.

Not acquiring the intellectual virtues, it is their interest to profess contempt for them, and to the utmost of their power to prevent the esteem of them from rising in the community. They hate men of intellect, and drive them away. Observe the character of those whom, not distinguished by the same gifts of fortune with themselves, our English nobility raise, as they term it, to their familiarity. Have men of intellectual superiority been much found among them in any age? The men whom they delight to honour are rhymesters, story-makers, pretenders to literature but true parasites, singers, fiddlers, dancers, painters, joke-crackers, and buffoons.

The effect of this is very great in keeping down the value of intellectual acquirements in the nation—lessening the motive to the acquisition of them, and diminishing the number of those who reach them; for this class have the power of setting the fashion, and their example forms the general taste.

This is one deplorable effect of these artificially-created and unnatural inequalities of fortune,—that they keep down the standard of intellectual excellence in the nation; in which they are potently assisted by the clergy of a vicious establishment, to whom the prospect of growing intellect in the community is despair.

Nor is their influence less potent in preventing the general diffusion of a taste for the elegancies of life. The distinction of men overflowing to excess with wealth is not to have beautiful things, but costly. A passion for running after the costly things, in preference to the beautiful, is created and diffused; the universal emulation is to put forth the gaudy signs of being rich, to the ruin of many of those who enter into this barbaric competition. Cost and elegance becoming synonymous terms,

the very thought of seeking for elegance—which in this sense they cannot afford—is extinguished in the breasts of those among whom it is of most importance that the taste of real elegance should be diffused: because from them it descends with greatest ease to the body of the population.

It would be very instructive to illustrate this observation in detail, and to show how the operation of large fortunes tends to the corruption of taste, in everything to which the word elegance is with propriety applied. But we must confine ourselves to a few instances.

To begin with architecture, which is one of the noblest of the fine arts, and of which the creations, when really tasteful, have the power of calling up such a train of interesting associations as constitute some of the highest of the pleasures of imagination. By the strength and durability of their materials, uniting one age with another—by the charms of proportion, and the superaddition of appropriate and harmonious beauties to the parts essential to the use for which the building is designed—in the ornaments of which, for every purpose of taste, the idea of fitness, or the useful, must always predominate—trains of the most agreeable ideas are incessantly renewed; and with this great advantage, that the creations of architecture are of necessity public; and the enjoyment of them, like the light of day, is as much the property of the poor as of the rich.

The unmanly and frivolous state of mind which characterizes a class overloaded with wealth has actually extinguished architecture among us as one of the fine arts. It has become a low trade of mimicry, or rather apery—misjudging, misapplying—forming incongruous monsters, revolting to good sense as well as to good taste. Who but people whose taste is gone would have thought of erecting, as ornamental, a triumphal arch, in an age, and a country, in which there are no triumphal processions, and in which the reality of that barbarous and inhuman exhibition would not be endured? A man of taste would as soon think of ornamenting his drawing-room with the thumb-screws and bootikins with

which the hierarchical churchmen of Scotland tortured the Presbyterians, as to ornament his street with a triumphal arch!—not to mention the bright idea of setting it astride, not a public street, through which only would a triumphal procession pass, but a by-path, leading to a private dwelling.

We have also some beautiful specimens of the rich man's taste, in gates. A gate is an opening through the inclosure of an inclosed space. The gate of a walled city is an opening into the city through its wall;—a gate into a park or a field is an opening through the fence of the park or the field, into the field. But it is evident that there is no sense in a gate higher or more elaborate than the fence, of whatever sort it be, through which it affords admission. Take, then, as a specimen of congruity, proportion, or good sense, the extraordinary piece of stone and mortar at Hyde Park Corner, which lets people into a green field, through a paling four feet high;—and, as another specimen, the thing set before the palace at Buckingham Gate, standing totally detached from the building, like a pillar of salt, and put there, it should seem, only (by the superiority of its material) to make the palace look dirty and mean.

But the thing which deserves most reprobation is the despicable mimicry, substituted for ornament, in the ordinary class of expensive buildings. Every idea of appropriate ornament seems to be abandoned, in order to stick about them the appurtenances of a Grecian temple. The men of Greece did what men of sense and taste will always do—they considered what were the substantial, indispensable parts of their buildings; to these they endeavoured to superadd such shapes, proportions, and decorations, as harmonized with them. The essential parts of Grecian buildings, particularly temples, of which almost solely any specimens have remained for our inspection, were pillars, and the roof which they were placed to support. The chief thing which admitted of ornament here were the pillars. What grace and beauty the Grecian architects contrived to bestow upon them is known to all. The substantial, indispensable parts of buildings in our climate are solid walls, with holes cut in them for doors and windows. The

study of our architects should, therefore, have been, the ornaments which could be applied to solid walls, windows, and doors—as well by variety and grace of form, as by other congruous decorations. But our architects, under guidance of the wealthy man's taste, have abandoned the very thought of this, and have dreamed of nothing but giving us the supports of a Grecian roof, where all roofs are otherwise supported; exhibiting mere affectation, and the utmost barrenness of invention. What an image is presented to a man of cultivated taste, when he sees that which is the appropriate support of the roof of an open building stuck into the heart of a solid wall, or standing a little space before it, with something laid on its top, to make a mock show that it has got something to do!

Music, fortunately, it has not been in the power of our rich man's taste to spoil. It is not of home growth. The man of wealth is obliged to take it as it is made for him, in places more favourable to the wholesome cultivation of it; and one of his affectations is to profess a delight in it, which is beyond both truth and reason. In this, too, his conduct is very unfavourable to the progress of taste. The profession of the intense in the enjoyment of the fine arts, tends to working for the intense in the productions of them; and then truth, and nature, and all that is of fine relish in them, goes. There is a peculiarity well worth remarking in our rich man's concern for music: he hates that the enjoyment should go down to his poorer neighbours. Yet it is obvious that this is a very desirable thing. In the first place, it is an innocent pleasure; and in so far as it exercises agreeably the vacant time of the labouring man, it is a good *per se*, and moreover a diversion from the pursuit of pleasures which are otherwise than innocent. But there is another effect of still greater importance. Sweet music is in unison with all the sympathetic affections of the soul, and by drawing out trains of such emotions tends to make them habitual in the mind. A really wise and beneficent legislature would reckon it a great point to cultivate a taste for music among the common people, and to afford it to them of a good kind. The conduct of our legis-



lature, under influence of the rich man's taste, and the churchman's hypocrisy, is altogether its own. There never was anything like it in the world. It treats the common people as unworthy to enjoy the pleasure of music. Latterly the taste in music had so much improved, that the strolling musicians, who practise in the streets, had become no bad performers; and very tolerable music might be heard in the streets. That was the moment for declaring war against it; and now it is all but prohibited: as it is, in those only other places, where it was in the power of the common people to enjoy it—the places of cheap resort. If there was danger, as no doubt there was, of improprieties in those places of unregulated resort, what was to be done? Why, to afford the same, or better amusement, in places properly regulated.

In painting and sculpture, the taste of the man of wealth is notorious and proverbial: it is pure selfishness. His money is all lavished on old pictures—the reverse of encouragement to the making of new—and on portraits. The old pictures he carries home, where he is proud of them as signs of his wealth, and shuts them up from public inspection, which is almost their only use. Portrait-painting, and portrait-sculpture, the very lowest branches of the art, are the branches which he really encourages: so that, in the higher departments, very few attempts are made; and the art in this country is stationary, or worse. We do not, however, regard this as much of a misfortune. To the body of the population, pictures and statues can never render very valuable service: they are but poor arts; and the pleasures they give are but little connected with any of those mental states which we are interested in cultivating. The exhibition of the human form in its ideal perfection is the best thing they do; and that is something. The perfection of the female form calls up ideas of love; and of the male form, ideas of dignity, or of force. But these are states of mind which nature provides for. In telling a story, to call out the affections, the brush and the chisel are very defective: their resources are confined. Except by some hideous exhibition, as that of Laocoontes, or Ugolino, the emotions raised are faint.

In respect of this art, there is in the

behaviour of the men of wealth in this country to the rest of the community, something characteristic, and singularly worthy of attention. Under pretence of improving the taste of the people, they get the community, as often as possible, to buy certain articles, which serve exclusively for their own enjoyment; and while they are doing so, exclude the people, about whose taste they are so anxious, from the enjoyment of the beauties of nature—a source of the greatest improvement—by shutting up paths, which are the people's right, and from which they are excluded only by the right of the stronger, or, in plain English, robbery.

We are accustomed, no doubt, to acts of rapacity on a larger scale; but there never was in degree a more profligate instance of the abuse of public money than the purchase of two Correggios the other year, by money extracted from the pockets of an overburthened population. Why did not the men of wealth, if they wanted such things—nobody else did—purchase them with their own money? The pretence that the purchase was for the good of the people, even after all our experience of impudent pretences, was astounding. Our legislators gave 11,000*l.* for two Correggios, and had but 20,000*l.* to spare for the education of the people, and could not at all relieve them from the taxes on knowledge! Oh, brave!

We come now to an art, which is of greater importance than all the rest taken together, the art of conversation.

When a society exists, well-constituted for the pursuit of intellectual attainments and of the elegancies of life, a style of social intercourse is cultivated, which whets the understanding, and improves at once the morals and the taste. Men of independent, but few enormous incomes, sufficiently numerous to form a class and a public, are obliged to seek distinction among themselves by qualities which recommend them to the respect and affection of their fellows. These are, the high qualities of the intellect, the practice of virtue, the endearing affections, and elegance of deportment in life. In the social intercourse of persons so circumstanced, the principal ambition must be to make manifest the possession of such qualities. It needs but little stretch of

imagination to see the consequences. Think what a society must be, in which all that is respectable in intellect, and correct in conduct, is the object of display: what effusions of knowledge,—what ingenuity of discussion,—what patience with the ignorant,—what gentleness in the contest of differing opinions,—what tasteful disquisitions on the slighter ornaments of life, and what grace in the enjoyment and display of them! Social intercourse of this kind is a school of all that is grand and lovely in human nature. And where such is the style of that intercourse in the leading class—a class not separated from, but intimately mixed with, the rest of the community, the imitation of it is inevitable. The community becomes intellectual and refined. Please call to mind that this is the state of things which a vapouring man, a needy dependent of the Aristocracy, said was to tread down all that is ornamental in society “under the hoofs of a swinish multitude:” a formula which was greedily taken up by those who thought themselves made of a different clay from the “swinish multitude;” and actively made use of, till they found it would no longer do. The “swinish multitude” now know that they are a potent multitude; and they will no longer be trodden down under heels however high-born and genteel.

We have now to consider the style of social intercourse which is generated by the circumstances of a society composed of men of overgrown wealth. The distinction of these men arises from their wealth; and for the most part they seek no other distinction. This is a fruitful source of consequences. High mental qualifications, not being the cause of distinction to such men, are not possessed by them. They cannot take part in conversations where these are displayed. They therefore banish them from their society. It is voted ungentle to be the introducer of a serious subject; and the frivolity of the conversation in the high circle is proverbial and notorious. POPE, who often hit off characteristic features with great felicity, gave a taste of aristocratic conversation, in speaking of the heads of the aristocratic circle, Kings:

————— “Heard every lord declare  
His noble sense of op’ras and the fair.”

The writers of books of entertainment, in verse or prose, and suited to the aristocratical taste, also men who can vent the cant of criticism, or who have got by heart and can spout flashy passages out of books, and come out occasionally with bits of knowledge or pretended knowledge, are admitted into this high society; but men of solid acquirements are not there; and the others are admitted on terms sufficiently humiliating. Mr MOORE, though one of the most favoured of the admissibles, complains that he was invited not as part of the company, but as one who could help to entertain the company. Observe also the distinctions they make; who they are whom they favour, and who they are whom they neglect; they make this man a pensioner, the other man a baronet; and the only great poet we have had since Milton, they made a gauger.

So much for what is gained in intellect by the social intercourse of high people. Let us next see what is gained in morals and refinement. Their conversation has two tones, and two only; that of mockery, and that of vehement admiration. These are the tones naturally assumed by men who think themselves superior to all others, and that upon the worst of grounds. To talk of plain things in a plain way is below the dignity of such people; the herd of mankind do that: they never talk but to show what they think of themselves; that is, with contempt of all the rest of the world; and with strained admiration of their own set, and the things which distinguish it. How prodigious their admiration of pictures!—because pictures are a luxury confined to themselves; of expensive music, for the same reason; of fine houses, fine horses, and fine dogs. The intense in admiration is in itself bad; hostile in the highest degree to the progress of taste; and the infallible criterion of a feeble understanding. When it is exclusively bestowed on frivolous objects, it is hostile to everything that is valuable in the human mind.

But if their admiring tone is thus injurious, their disdainful tone is infinitely more so. What is desirable above all things in society is a spirit of mutual benevolence; a kindly feeling towards one another pervading the whole com-

munity. To this the tone of scorn and mockery is in direct hostility. Sympathetic kindness does not inhabit the breast along with contempt. Scorn is the natural expression of the hostile mind, where other manifestations of it are not permitted; and the indulgence of scorn is the plentiful feeder of the hostile mind. The hostile mind, therefore, is proved; and that we do not feel the more cruel effects of it, is only because they in whom it exists dare not attempt them. How deeply we are indebted to our power of striking terror! If it were not for this, we should be in the condition of the most miserable of mankind. Do you ask any further proof than the nature of the case affords? Look at Ireland.

It is thus evident that society derives no improvement from the style of conversation and social intercourse which take place in a class of men of overgrown wealth. It is, on the other hand, the main cause why the state of intellect, of morals, and of taste, is in this country at the low point at which, in each of these respects, it remains; nor will there be any change for the better till the influence of that class ceases to be predominant.

We have as yet considered only the effects upon society produced by a class of men possessing large fortunes, secured by special laws against distribution, without political privileges. We are now going to consider what effects are procured by the addition of political privileges.

A privilege means, a beneficial something conferred upon an individual, or class of individuals; in which the rest of the community are not permitted to share. These privileges are always some one of three things—money, or dignity, or power. The privilege is the most perfect when it combines, as it commonly does, all the three. Let us see how they, severally and respectively, work.

By the money-privilege is not meant the enjoyment of a man's own property, whether large or small; for that belongs to every member of the community, one as much as another. It is money peculiarly allotted. The most remarkable case of this which has been actually exemplified, is that exemption from taxes which formerly was one of

the privileges of the nobility in France. The sinecure places in England, once of great amount, reserved for distribution among the people of rank, is another instance of the same thing. It is not necessary to allude to more; and it is very evident what this benefit in the case of the few is composed of. It is composed of oppression to the many. There is so much taken from the many, that it may without reason be given to the few. This kind of privilege therefore is always wicked. And we must not permit the friends of this wickedness to confound it, which they like to do, with another thing which is not wicked,—the reward of important service. That is no privilege. What is so bestowed by the people is bestowed for their advantage, to secure them a supply of eminent services; and if such rewards are honestly conferred, any individual in the community, as much as another, may aspire to them.

The reflections which apply to factitious dignity are of kin to the above. We say *factitious* dignity, because it is that alone which has anything of privilege in it. Dignity, from its natural sources, from superior wisdom, superior beneficence, superior elegance, is open to the aspirations of all the community; even the dignity which springs from the associations we have with superior wealth, the effects of which are of a more mixed character, is not withheld from any member of the community who can manage to become rich. The dignity we mean is the dignity which is conferred by artificial distinctions; by titles, by precedencies, or any of the other contrivances, by which, apart from the natural causes of dignity, elevation is given to an individual or a class.

A reflection is called forth upon this subject, which is of the highest importance, and which has been far too long in attracting the notice which it ought; for, out of what is this dignity to the one, or to the few created? The answer is indisputable; the degradation of the rest. A man is elevated above others, only by making others lower than him. But if I am made lower than another man without reason, that is an injury to me: it is injustice and oppression. If another man's pocket is filled out of mine, all the world acknow-

leges the oppression; but my dignity is dearer to me than my wealth. If then my dignity is lessened to augment the dignity of another man, I am injured in a more precious part.

The contrivance to degrade a community for the elevation of a few is not a happy contrivance: it is unrighteous in the purpose, and it is grievous in the effects. A degraded community is not an object of comfortable contemplation. It is a community, in which all the valuable qualities of human nature are in a lower state than they would be, if that fatal cause of depression did not exist.

When a man has attained to eminence by intellectual acquirements, by a course of beneficent conduct to his fellow-creatures, by presenting a model of what is amiable in his amusements and tastes, or, lastly, by the honourable accumulation of wealth, why should he be robbed of any portion of the dignity which those merits are calculated to confer? But this robbery he sustains, when a portion of dignity is taken from him, in order to make an addition to the dignity of somebody else: when an elevation to somebody else is created out of his degradation. The motives to the highest degree of well-doing in every line are then the most operative when this well-doing leads to the highest distinction. But the highest distinction is to be at the top. To whatever extent therefore the highest degree of well-doing is prohibited from reaching the top, to that degree the motive to it is taken away; and to that degree is the virtue of the community kept down. Then only will virtue be at the highest when the *præmia virtutis* are at the highest. But artificial ranks are a contrivance to prevent the *præmia virtutis* to be at the highest. To have a high rank, therefore, we must have a low virtue; that is part, and but a part, of the price we must pay for the article.

But of the kinds of privilege, that which consists in political powers is by far the most important. We do not mean to enter into a detailed exposition of its effects; but the particulars to which we shall advert will be allowed to deserve the most profound attention. A privilege made of political power, must be made either of judicial powers

administrative power, or legislative power. In our own country we have specimens of all the ways. The highest of all our tribunals, the tribunal of last resort, is composed of hereditary judges. The whole of the administrative power in a mass, is placed in the hands of an individual by the right of descent; which individual has also a great share of judicial power, in the exclusive right of pardoning: and as the legislative power in this country, according to the received theory of the constitution, is divided into three parts, two of the three parts exist in the shape of privilege, and only one is free.

No one disputes that there ought to be no political power which does not exist for the good of the community; and that if in any quarter there is a single particle of it, in any shape, which is not for the good of the community, it ought to be abolished. And why?—not merely because it is superfluous; but because it is noxious. Political power is the power of commanding; and that implies the obligation of obeying. But why should I be subjected to the degradation and the hardship, which may be to any degree, of submitting to the commands of any one, when it is for no good? Above all, why should the millions composing the community be subjected to the degradation and oppression of obeying any one's commands, when it is for no good?

But the most weighty consideration of all yet remains to be stated. All political power which exists in the shape of privilege has a tendency to be mischievously used. This in fact is true of all political power; and therefore all wise men are for putting adequate checks upon it; that is, so ordering matters, that it shall be against the interest of those who hold it, not to make a good use of it. But all that portion of it which is allotted in the shape of privilege, is, to a certain degree, placed out of the reach of check. So far as it is so, it is most unwisely allotted. It is a power put in the hands of individuals, to be used for their own advantage, at the expense of the rest of the community.

But to set up a class or order of men, by giving them powers which they may use for their own advantage, at the expense of the rest of the community,

is to set up a body of enemies to the rest of the community; for they will be sure to act like enemies; which is, to prosecute their own advantage to the utmost, regardless of the mischief they do to the rest of the community. Their constant endeavour will be, to give to their power the most extensive operation possible. It will be gilded with all sorts of false colours. Writers will be hired, some with money, some with smiles, to serve it with all the powers of sophistry. The writers who expose it will be pursued with calumny, if there be no more direct mode of persecuting and putting them down. If there be, they will be thrown into gaols, and robbed of their property, till their ruin is consummated.

Such men full well know, that in the attainment of good government their power of serving themselves at the expense of the community will be taken away. There is nothing, therefore, which they hate with so much intensity as any approach to good government, and the men who are working with any effect towards the attainment of it. If they could poison all such men with their looks, what a heartfelt joy it would be to them! In the meantime, they do what they can with their pestilential breath: they strive to poison their reputations. The man who appears as an advocate for good government they call a wretch, who wants to destroy government and substitute anarchy; the man who exposes the abominations of an unwholesome ecclesiastical establishment they call an Atheist, and would have us believe that he is as much detested by the Almighty as he is by them.

It is very unfortunate, when a state possesses within itself a body of enemies such as this. However, in committing the folly of giving the powers which make men the enemies of their fellow-citizens, the greatest mischief is done by giving legislative powers. So long as the legislative power is well placed, there is a remedy. The command of the legislative power is the supreme command; and it can set bounds to the exercise of all subordinate powers, and keep it within the path of utility—at least, of harmlessness. But when the power of legislation is put in the hands of those who have an interest in using it for their own purposes, the descent to evil is prone and irresistible.

In making these reflections, no man can forbear turning his thoughts to the situation of England in respect to its legislature. Nearly one-half of the legislative power is placed in the hands of men who, by the tenure on which they hold it, are of necessity converted into a body of enemies, of the kind we have just described. The great object of their dread is, as we have seen, every approach to good government. Their earnest desire, of course, is to prevent it; and the fact is—a lamentable fact assuredly—that they have it completely in their power to do so.

The existence of this power is an evil, so great, that all other grievances in the state sink into nothing compared with it. That a clear-sighted and resolute people will not always endure it, is not to be feared; but how long it may contrive to carry on its work, by fair words, and by little concessions, well-timed, it is not easy to foresee: especially so long as those who take the lead of the People in opposing them, afford them so much encouragement, by the faintness of their desire for the progress of good government, and the feebleness with which they urge even the reforms which they approve.

In the meantime, it behoves the people of this country deliberately to mature their thoughts, about the mode of meeting so great an evil, the removal of which is a matter of necessity.

In taking measures for removing evils in the machinery of government, it is good to accomplish the object (if accomplished it be, for half measures only indicate a weakness, which gives boldness to resistance, and adds to the difficulties of farther improvement)—with as little change as possible. We think that the power of the Lords to effect the incredible mischiefs, involved in their power of frustrating all schemes of improvement, might be taken away by a change very little perceptible. Let it be enacted, that if a Bill, which has been passed by the House of Commons, and thrown out by the House of Lords, is renewed in the House of Commons in the next Session of Parliament, and passed, but again thrown out by the House of Lords, it shall, if passed a third time in the House of Commons, be law, without being sent again to the Lords.

What is put forward, as the great,

and almost sole advantage of having two houses of legislation, is the security which it provides for mature deliberation; for it never can be thought by any man who has the blessing of reason, that there ought to be two authorities in a state, the one capable of barring whatever the other would do. This would be a scheme to arrest the powers of legislation, and set the whole vessel afloat without a carpenter and without a pilot. It is quite certain that if there be two authorities, one or other must have the means of prevailing in the long run. The only question then is, to which of our two Houses of Parliament that power should belong. And this, we believe, we may consider as a question decided. We do not suppose that the DUKE of WELLINGTON himself would pronounce for the House of Lords. Whether he would discern the consequences may be doubtful; but this he would certainly see, that it would not be submitted to. If anywhere there be two legislative assemblies—one under efficient obligations to legislate for the good of the community, the other under no obligations but to legislate for their own good—the power of prevailing in the long run, given to one or the other, involves the whole of the difference between good government and bad. The powers of legislation exercised for the good of the people is good government; the powers of legislation exercised for the good of any set of men is bad government, and is naturally carried to excess; for the good of the set can only be pursued at the expense of the community. The set are, therefore, always in fear. Fear is essentially cruel. Everything which looks like opposition is savagely punished; terror is the security in which they confide; and the reign of terror is theirs.

The expedient which we propose would be an effectual antidote to those evils, and would at the same time afford all the security against precipitate legislation which can be derived from a House of Lords. We are happy to see that Mr ROEBUCK has taken up the idea of this expedient, and has given notice of a motion on the subject for next Session of Parliament. We think, however, that he has given too little time for consummating the operation. The evil will be alleged of postponing

good measures; but on most of the measures on which immediate decision is of importance, there is not much likelihood of opposition between the two Houses; and on the great questions of constitutional improvement a little delay is not a great evil. Take, for example, the questions of the ballot, of shortening the duration of parliaments, of equalizing the constituencies—the internal which we propose between the first passing of a bill for any of these great objects in the House of Commons, and the time for its becoming law independently of the votes of the Lords, would not have many evil consequences; and the strong attention which would be kept fixed upon it in the meantime, would make it better understood, and more sure in its operation.

If we are told that this expedient of ours would no doubt be effectual to its end, if we could obtain it, but that to such a measure as this the Lords will never give their consent; we answer that, in a case of necessity, what cannot be obtained in one way must in another; and the probability is, that this being seen by the Lords, they will not hold out to the last. But if they do, the House of Commons have only to proceed a step farther, and declare that Bills, as passed by them a certain number of times, and at certain intervals, are law. This resolution the people would hail with transport, and make the enactments laws by their obedience; and from that moment the House of Lords is blotted out. The thing would be done as quietly as passing a money bill. Collision! What could they do? They would draw the sword. So do a gang of as many smugglers on the coast; but this does not alarm the nation.

We shall be told, perhaps, that the judges would not recognise such laws, and would refuse to enforce them. A good many of them would have an itching that way, we have no manner of doubt; but they are men who look which way the wind blows. When the nation, and the nation's representatives, in their determination to effect the removal of an intolerable evil, have not allowed the House of Lords to stand in the way, the judges will not be slow to infer that neither will they be allowed to stand in the way. It is easy to sup-

ply the place of judges who set themselves up against the legislature.

It has been hinted by Lord JOHN RUSSELL (for he is one of those who like to make themselves known by circumlocution, rather than by plain speaking, when their inclinations and those of the community are not quite in accord) that there is no occasion for any reform of the House of Peers; and in this he has been copied, which was a matter of course, by the ATTORNEY-GENERAL. To be sure, their arguments are not calculated to make great impression. The Lords, they tell us, will grow wiser. We therefore have their word for this great event, on which so much of our happiness depends; and it much concerns us to consider the value of it. First of all, we must think who the men are who call upon us for such a stretch of our confidence, upon a matter to us of infinite moment. What if they are mistaken in their word, thus pledged for the Lords? Will it not be a great satisfaction to us to find ourselves the victims of aristocratic misrule, because Lord JOHN RUSSELL and the ATTORNEY-GENERAL told us not to expect it? Let us, therefore, deliberately ask ourselves whether it is more likely that they are mistaken in this word of theirs, or the contrary? If we should suppose, with them, that the light which is shining upon the rest of the community, and which may be expected, as they justly say, to shine every year with greater and greater force, will not permit the Lords to remain in the same thick darkness in which they are as yet immersed, will their greater degree of intelligence render them less disposed to pursue their own interests? Is such a supposition as this agreeable to our experience of human nature? Will not the Lords like to have power, as well after the wisdom of their inferiors has forced itself in some degree among them, as before? And will they not like as well to make that power available to their own ends, at the expense of the community? It is not to the ignorance of the Aristocracy that we owe all our evils, but to a much deeper-rooted cause—the preference which every man has of himself to another. Do Lord JOHN and the ATTORNEY-GENERAL really advise us to submit to

the miseries of aristocratic misrule, till the wisdom of the Lords gets the better of this propensity? The shallowness of the view in which such a thought could originate is not the least remarkable thing in this emphatic advice. Lord JOHN and his colleagues only expect this degree of wisdom to exist among the Lords, when it exists to such a degree in the community that they cannot remain devoid of it. This implies a state of things in which no man prefers himself to his neighbour—a state in which every man values his neighbour's good as much as his own; for assuredly Lord JOHN and his colleagues will admit that the Lords are the very last portion of the community whom this angelical spirit will reach. But is it possible Lord JOHN and his colleagues should not see, that when the human mind has reached this stage of perfection, every man governs himself accurately, according to the truest principles of well-doing; and all government by others becomes useless; government ceases to exist. It follows with the force of demonstration, that we may trust to the wisdom of the Lords for their assent to good government, then, when government altogether becomes unnecessary, and not one moment sooner.

There is only one other pretence we can think of, which can be held up in favour of Lord JOHN's advice—that the Lords will grow wise enough to see the danger of resisting the will of the people.

To trust to this security is not, in our opinion, a wise scheme of governing; and to recommend it would assuredly be a great inconsistency in Lord JOHN. Lord JOHN is one of that class, or tribe, or sect, who dread the people. The impetus of the people is, according to them, one of the great evils in society, against which adequate securities can hardly ever be taken; and yet it is here proposed to make it an ever-acting power in the state. Where one power is employed for the counteraction of another, it must work whenever the other works. But the will of the Lords to benefit themselves at the expense of the rest of the community is in perpetual action;—so then must the impetus of the people, which restrains it. This, in the opinion of reformers, is not a

desirable state of things, even if we were to admit the inadmissible supposition that it could exist permanently. It would imply a state of perpetual excitement; and what would add enormously even to that evil—a feeling of hostility between the higher and other classes in perpetual and vehement action. To be in this state is, as far as it goes, to be in a state of anarchy. The aim of all the arrangements of government, so far as they have not grown like trees, as Sir JAMES MACKINTOSH would have them, but have been made under the guidance of reason, with a view to public good, is to trust no important series of results to uncertain causes—to impulses, which may or may not have place.

Lord JOHN, and they whose thoughts run in the same channel with his, talk to us loudly about institutions, as if nobody had a regard for them but themselves; taking care, a large proportion of them, to include all abuses under the name of institutions. Well, then, we desire them to remark, that we, whom they calumniate as the enemies of institutions, because we are the enemies of abuses, are for checking the Lords by an institution; just as we are for securing all the other points of good government by institutions, and not by the irregular impulses of the people. Our institution, too, is the simplest thing in the world. It is merely that the assent of the Lords to a law deemed necessary for the public good, by the nation's house of legislation, shall, after a period of refusal, be unnecessary. Is not this better than bringing down the people upon them on every occasion? Does not Lord JOHN think enough, to perceive, that the people have only two modes of acting in such a way as to coerce a body of powerful men? It is either by violence; or the prospect of violence, so near as to be terrifying; and this prospect of violence, so near as to be terrifying, is what Lord JOHN proposes to make the habitual medicine of the state. Also we, the Reformers, who wish to gain all our ends by institutions, that is, by established organs, adequate to the purpose, are the people to be distrusted for their want of regard to institutions. If, indeed, nothing is to be institution, in the

language of our aristocratical revilers, but established organs for preserving aristocratical abuses, we are their enemies, and will assuredly persevere till we have destroyed them.

In taking away, however, from the Lords such power of legislation as we cannot secure from being used for bad purposes we would grant to them other powers, the mischievous use of which we should have the means of preventing. They should obtain both the right of voting for members of the House of Representatives, and the right of being chosen members. We think that this would be attended with several good effects. It would hold out motives to all the young men of that class who had ambition for high place in the service of the state, to cultivate the qualifications which would give them pre-eminence in the field of free competition, and recommend them to the highest trusts. It would make a spontaneous change in the education of that class; they would seek to become, and therefore would become, intellectual men; and they would have adequate motives to cultivate the good opinion of the people, by the practice of all the virtues which render men valuable and acceptable to one another. They would become men of worth, in the highest and most endearing sense of the word; and possessing the means of doing good to others in a higher degree than men of inferior wealth, they would be more looked up to, and their wishes would be more consulted. They would still, if they chose, be the foremost men in the state, and with a happiness of which at present they have no conception.

We shall speedily, no doubt hear, from those who make loyalty a virtue, whether well or ill bestowed,—that is to say, from those with whom in affairs of state the good of the people passes for nothing, but whom at last the people have learned to know, and are prepared, when the season comes, to treat as they deserve,—a loud accusation.

We shall be told, that, by this reasoning of ours, we destroy the foundation of monarchy, as well as of aristocracy.

But those men, who have the monarchy appetite, at least the cant of it, for their virtue, and care for no other,



are very shallow politicians; they never see more of a thing than its outside. We tell them, that monarchy rests on grounds totally different from those of aristocracy; and they are the great enemies of monarchy, who try to confound the two.

There is a great deal of foundation for what was urged with so much earnestness by the French Economistes, and by the penetrating philosopher, HOBBS,—that the interest of the monarch, and the interest of the people, are not opposite, but identical.

Let us take the leading particulars, and look at them for a moment.

The GREATNESS of a King, to begin with that, is doubtless dependent upon, and measured by, the greatness of his people. What has made the King of England for centuries hold the high rank which he has done among the sovereigns of the earth? Not the numbers of his subjects. Not the riches of his soil. What then?—The riches, that is, the productive powers of his people; who were prompted to exert themselves, because they knew that what they produced, they should have liberty to enjoy. Queen ELIZABETH appears to have had more than a glimpse of this truth. When told that she was reproached for being shabby, what did she reply?—"My riches," she said, "are in the pockets of my people, where they are much better placed than in mine; and therefore it is my resolution to take out of those pockets, not as much as possible, but as little."

Next, for his GLORY. Abstracting from the GREATNESS, the rounds of which we have explored in the preceding paragraph, what can that consist in but the high qualities of his people—their copious possession of all that contributes to well-being—their fame for high intelligence, for their skill in all the arts which supply the conveniences or ornaments of life—their love of their country, which gives them happiness—their social and domestic virtues? To be at the head of such a people, is to be at the very summit of glory.

And what, after this, has a king to wish for? A people, who themselves abound in all the means both of comfortable and of elegant living, will consider it for their own decoration that their king shall be pre-eminent in this,

as in other respects. A king indeed, placed in these elevating circumstances, will be far above entering into a competition, with his subjects in the tasteless display of wealth, or thinking any part of his dignity to consist in being able to make more waste than any other man in his dominions. He has better means of distinction.

How is it then, it will be asked in contradiction to us, that our kings of England, for example, have always been so much misled? When have they considered their GREATNESS as identified with the freedom and happiness of their people? When have they considered it their GLORY to be at the head of a people eminent for their intellectual attainments and their moral worth? Experience, we shall be told, is against us.

The account of this matter is (for the fact is not to be disputed) that our kings have always linked themselves with the aristocracy, and have committed the grievous blunder of thinking the interests of the aristocracy the same with their own. They have degraded themselves by becoming the creatures of the aristocracy. They have no independent power, because they have separated themselves from the people. The aristocracy, after making them dependent upon themselves, have made a stalking-horse of them;—have talked in very lofty terms of their authority, and the obedience due to it, because they can employ it all for their own use, and with the vast advantage of having the king for a screen. The power of the sovereign has been converted into their power: no wonder they like it. But till that was brought about, how did they behave? Let history answer the question. They were the king's antagonists, and his oppressors; and it was only by the aid of the people that he was ever able to make head against them. What was the contest with the STUARTS, but a contest to determine whether the king was to be master, or the aristocracy? If the king could rule without a parliament, the king was to be the master, because the aristocracy at that time made the parliament. In this contest the aristocracy had the advantage, for the first time, of drawing the people to their side—

gulled as they were by the name representative—as if a man, because he was called a representative, would take care of the people's interests, though put into parliament only to take care of the interests of the aristocracy, and turned out when he failed to do so.

This contest was decided against the king for ever; he discovered that he could not rule but in subservience to parliament. And what, in consequence, has he done? He has put his neck into the collar of the aristocracy, and to this hour tugs like a pack-horse at their waggon. He might have done better for himself, and better for the state;—he might have joined with the people in rescuing parliament from the gripe of the aristocracy; and then he would have been really subservient to nothing but the public interest, which he would have felt to be his.

Ever since the expulsion of the STUARTS, what has been the situation of the King of England in the hands of the aristocracy—his master, as well as the people's? Read the authentic documents in COXE's biographical works, from MARLBOROUGH to PELHAM inclusive. What was the government of England during the reigns of WILLIAM, of ANNE, of GEORGE the First, and GEORGE the Second, but a disgusting struggle among the aristocracy who should have the power of plundering the people? without its being thought necessary by a man among them to make even the pretence that a regard for the public good entered among his motives. There is nowhere else to be found such a display of immorality—of the utter abandonment of principle—of hardened, unblushing rapacity, as characterized the aristocracy in those days. The business of a minister was, by his intrigues, by his personal or family interest, to get a majority of those marauders to support him in parliament. The man who had obtained this, the king was, obliged to make minister; and GEORGE the Second, with great bitterness, told the Chancellor HARDWICKE, that whoever was minister was king in this country—not the cypher who bore the name.

There is no doubt that when a king is afraid of his people, and believes that he is only safe by being able to

crush them, he has cogent motives to govern ill, and that in every possible way; to hinder his people from knowing; to hinder them from speaking; to plunder them to the utmost, for the sake of gorging those whose profligate assistance he may require; and to subject them to the most atrocious revenge for any appearance of a disposition to dispute his will. But when a king is satisfied that his throne is established on the rooted conviction in the minds of his people that it is good for them, he has no fear to provide against; no blackguards to hire, either to debase the understandings of the people, or to shed their blood. He has no higher ground of rejoicing than the blessings in which his people rejoice—plenty of the good things of life, with minds sufficiently cultivated to use them all to the best advantage.

And if it be true, that the interest of a king is not irreconcilable with the interests of his people, it is not yet proved that his office is an unnecessary one, or unattended with advantages which in no other way can be so perfectly attained.

A first magistrate is necessary; that is a fixed and undisputed point. The necessity of unity in matters of administration, the use of concentrated responsibility, and many other considerations, seem to place the balance of advantage on the side of the individuality of the first magistrate. He should be one, and not two, or more.

But if so, the only question which remains is,—whether he should be hereditary, or elective.

The chief advantage urged on the side of electiveness is the security for talent. With an hereditary first magistrate, the degree of talent is a matter of chance; with an elective, a high degree is tolerably certain.

If we allow this to be so, we have still the question to answer, whether the security for talent in the chief magistrate is a matter of much importance.

As it is very certain that he must govern in subservience to parliament; and as parliament will soon be chosen by the people, and responsible to the people, we should say that it is not in this country a matter of much importance.

It is clear to reason, and well proved

by experience, that when the chief magistrate attempts to act as his own minister, he does no good, but evil; and if he chooses for his ministers, as in the above circumstances he must do, men agreeable to the parliament, he cannot go far wrong: they will always be, if not the very best men, among the best that are to be had.

In these circumstances, there are advantages of a very solid nature, on the side of the hereditary principle. The choice of the chief magistrate, if he is elective, must be given either to the parliament, or to the people. The evils are so obvious of giving the choice of the great administrative organ of government to the legislative organ, that we believe it has never been seriously contemplated. It would be the most effectual of all contrivances to fill that body with faction, to light up the evil passions, and to engross the minds of members with any thing rather than the interests of the country, the care of which, even in minute detail, is their great and infinitely important duty. The choice by the people is perhaps less pregnant with evil. But the agitation which must be created by so important a choice as that of head of the state, even for a few years, pervading the whole mass of the population, and

carrying with it all the solicitations, all the intrigues, all the misrepresentations, all the calumnies, and all the estrangements, which it creates, is very unfavourable to all that is good in the minds of the people; among whom quietness and harmony, when they know that the securities for good government are firmly placed in their hands, are most desirable for every kind of prosperity—their prosperity in wealth, their prosperity in intellect, their prosperity in morals, and in all the ornaments of life.

If ever the the King of England becomes clear-sighted enough to see that he has been very ill-advised, in leaning upon a corrupt aristocracy, and a corrupt church, as the two crutches without which he could not stand; and that he may rest with assurance on the solid advantages to the people, inherent in his office; he will occupy a far more exalted station in the social union than he has hitherto done. He will feel that he reigns in the reason and understanding of his people; which is a more steady reliance, than that reigning in their hearts, which he has hitherto heard so much about, and to so little purpose.

P. Q.

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## ADDRESS TO READERS.

THE Session of Parliament has again arrived, and with it so great an increase of labour, that I have found it impossible to continue this Pamphlet. The alternative was, either to neglect the duties which I had undertaken to perform, or to put an end to the present publication I was obliged, however reluctantly, to choose the latter course.

Some good, I hope, has resulted from our labours. The views of one section of politicians have been very openly avowed, and are, I believe, now hardly liable to misrepresentation. We may be in error—we do not claim for ourselves infallibility—but we do believe, that the opinions we hold, and which we have endeavoured to support, are the

result of a careful and honest inquiry. Such as they are, they have been submitted without any disguise to the reader—no attempt has been made to win his assent by any dexterous ambiguity of phrase, or any other sophistical artifice. We may safely say, that thorough straightforwardness has at all times been our doctrine and our practice.

One portion of our experiment has certainly been eminently successful. I had long believed, that the manner generally adopted by those who addressed themselves to the Labouring Classes, was mistaken and offensive. It seemed to me, that, although a certain degree of simplicity, might be ne-

cessary, yet any appearance of condescension, any striving to bring one-self down to an inferior capacity was unnecessary as well as disgusting. I had remarked that most of those who professedly wrote for the People, but too often assumed this offensive bearing. It was our aim to avoid everything of the sort. We addressed the People as if they were men, not children; reflecting, careful minded men, anxious after truth, and willing to labour in order to attain it. We have not been disappointed in the result. Many intricate, and difficult questions of political morality have been discussed in the papers we have published, the style adopted has differed little if at all from what it would have been, had we been addressing solely learned readers, and yet we have reason to know, both that the subjects selected have been deeply interesting to the Industrious Classes, and that the style of our disquisitions has not been quarrelled with. We sought perspicuity—just that perspicuity which in every case the subjects required, and never considered it necessary to bear in mind whether we were writing for the labouring man, or the scholar. The chief part of our readers have been labouring men.

One other matter is, I think, decided by our Pamphlets; no attempt will hereafter be made to put down political discussion by law. The *trash act* is virtually repealed. We have carefully abstained from making the Pamphlet a newspaper. If, therefore, there had been any attempt to put it down, the

attempt must have been made under the *trash act*, and not under the stamp act. They who have so often declared the Pamphlet illegal, who have called it a contraband newspaper, knew well that it was not a newspaper. They knew that it was, what it professed to be, essays or disquisitions on politics—not in any way liable to be taxed as a newspaper, and if amenable to the law at all (which I deny) amenable only under the memorable Gagging Act of Lord CASTLEREAGH. It so happens that, under this Gagging Act, there never has been any prosecution; and now, I think we may safely say, never will be. We may also, I think, confidently anticipate, that after this session that odious enactment will not disgrace our Statute-book.

I am happy to see that my plan has been adopted in South Wales and in Edinburgh. This proves that a desire to obtain political knowledge is increasing, and we may hope that the increased interest created by the reform in the Municipal Corporations, in all that concerns local affairs, will greatly strengthen this desire, and guide it to good purposes.

I must now say farewell to my readers, deeming that I shall have obtained my reward (the only reward I ever sought, and certainly the only one I shall ever attain) if my labours have tended to render interesting to the People the great sciences of politics and morals.

J. A. ROEBUCK.

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