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ART. I.—*The Heimskringla ; or, Chronicle of the Kings of Norway.* Translated from the Icelandic of SNORRO STURLESON, with a Preliminary Dissertation, by SAMUEL LAING, Esq. 3 vols. 8vo. London : 1845.

THE appearance of this remarkable work, in a form only now, for the first time, made accessible to English readers, by a writer of ability and reputation, must assist in extending that growing interest in Northern History which is due to its importance, and its connexion with our own.

The fanciful title of *Heimskringla*, is borrowed from the Icelandic words *Kringla Heimsins*, or the *World's Circle*. They occur near the beginning of the text, and appear to have given their names to some of the manuscripts now lost ; and they still catch the eye in a conspicuous ornament of the *Frisian Codex*. A very small arc, however, of the 'world's circle' is thus attempted to be described ; and the proper name of the book is *Konunga Sögur*,—the Sagas, or, as Mr Laing translates it, the 'Chronicle of the Kings of Norway.' It is believed to have been written, or at least completed, shortly before 1230, in which year a fair transcription of it was made in Iceland by a relative of its author ; being apparently the source from which the other copies have been derived. It continued to be copied till a comparatively late period ; and a Norwegian manuscript is extant

bearing the date of 1567, but not extending to the whole work. After that time, translations of it, more or less complete, were made into the modern languages of Scandinavia; and of these the most recent, that of the venerable Jacob Aal, into an antique Danish, published in 1838, deserves particular mention; as being, in Mr Laing's opinion, an excellent version, and forming a handsome 'people's edition' in quarto—rather portly, perhaps, for the taste prevailing on this side the North Sea, but not the less popular on that account with the Norwegian *bönder*, who are said to venerate their Sagas as only second to their Bibles. The Icelandic text of the *Heimskringla* was originally edited, in 1697, by the Swedish antiquary Peringskiöld; who, with some jealousy and some justice, has been denounced by the Danish writers as neither critical nor correct; and it was again published in the elaborate and excellent edition of Copenhagen, in six volumes folio; under the charge, successively, of Schoning, the elder Thorlacius, the younger Thorlacius and Werlauff;—of which the first portion appeared in 1777, and the last, after many interruptions, in 1826.

The *Heimskringla* deduces the Chronicle of Norway from the earliest times—or in other words, from the age of fable and fiction—to about the middle of the reign of Magnus Erlingsson, in the year 1177. The later volumes of the Copenhagen edition contain other Sagas,—bringing down the Norwegian history about another hundred years; but these, as the composition of other authors, are not included in Mr Laing's translation.

Snorro, or, according to the Icelandic form of the name, Snorri Sturleson, the author or compiler of the *Heimskringla*, was remarkable alike for his literary talents, and for the part he acted in public affairs; and his life and death present a striking picture of the age and country to which he belonged. He was born in the year 1178 in the pleasant valley of Hvamm, in the western quarter of Iceland, and could boast of not merely noble, but royal descent. He was brought up in the distinguished family of the Loptsons, the near relatives or immediate descendants of Sæmund, the supposed collector of the first *Edda*; and he had thus every facility and inducement to follow the footsteps, as he almost rivalled the reputation, of that celebrated person. Snorro, however, was not a mere student or antiquary, but an accomplished man of the world, both in the milder and harsher signification of the phrase. Possessed of little patrimony, he amassed a princely fortune, mainly by his matrimonial alliances, having received a considerable portion with his first wife, whom he divorced or deserted for no other apparent cause than that he might form a still more profit-

able union with a rich widow. His second marriage was childless, but he seems always to have been ready to console himself by less ceremonious and more prolific connexions; and had several children by other three females with whom he cohabited, whether successively or simultaneously does not clearly appear. By his conduct or temper he was involved in continual quarrels, often of a sanguinary character, with his neighbours, his near relatives, and even his own children. His habits, though both luxurious and licentious, were not such as to impair his wealth or relax his application to either business or literature. He held, on several occasions, the highest office that his country could bestow—that of Lögsögumathr, or Judicial President of the Icelandic Diet; in which he was called upon to administer those laws which he had never been very careful to obey. He visited Norway first in 1221, and lived for some time in great favour at the court of Haco, to which his poetical gifts furnished powerful recommendations, and where he possessed many advantages for writing or enlarging his history. His second visit thither, in 1237, was attended with less happy results, as it involved him in the fortunes of an unsuccessful aspirant to the throne; and led to his being denounced as a traitor by the Norwegian King, who issued injunctions to put him to death. Shortly afterwards, in 1241, he was attacked in his splendid residence at Reikholt in Iceland, and murdered in his sixty-third year, by his three sons-in-law, with whom he had long lived on terms of enmity. The truth of the charge made against Snorro, that he sought to sell his country's independence to Norway, it is not very easy, nor perhaps very important, to determine. That he was capable of such an act is clear; and the feuds and jealousies of the Icelandic aristocracy had for some time encouraged the intrigues, and almost called for the interference, of the Norwegian monarch; so that the annexation of Iceland to the mother country, which took place in 1261, was, in one form or other, a consummation devoutly to be wished; as terminating a fearful and calamitous system of private warfare and reciprocal persecution. In those shameful transactions, the family of Snorro were conspicuously active; and the 'Sturlunga tid,' or days of the Sturlungs, were spoken of as reviving, on a narrower stage, the worst scenes in the civil contests of Marius and Sylla.

It will be inferred, from the short sketch now given, that Snorro was more distinguished by his talents than by his virtues. His abilities and accomplishments are proved by the writings he has left, while his selfish and ambitious disposition is conspicuous in his whole career. His biographers speak of

his character in stronger language than we have used. The Life prefixed to the Copenhagen edition is as unsparing in its censure as in its praise:—‘*Ingenio præditus fuit omnium artium et scientiarum capaci; fuit enim Philologus, Philosophus, Historicus, Jurisconsultus, et Poeta nemini secundus, animo sapiens et perspicax, et manu ad quodvis facienda et formanda solertissimus; quas virtutes avaritiâ, lasciviâ, ambitione, et fallaciâ haud parum fœdavit, nam nemini diu fidus fuit, nec unquam diu eosdem habuit amicos, sed omnia ex præsentī lucro et honore metiebatur.*’ Mr Laing, who, in the case of his author, is inclined to be apologetic where he cannot be laudatory, sums up his character in a paragraph, containing some nearly as hard words:—‘*Snorro Sturleson must be measured not by our scale of moral and social worth, but by the scale of his own times. Measured by that scale he will be judged to have been a man of great but rough energy of mind—of strong selfishness, and passions unrestrained by any moral, religious, or social consideration—a bold, bad, unprincipled man, of intellectual powers and cultivation far above any of his contemporaries whose literary productions have reached us,—a specimen of the best and worst in the characters of men in that transition age from barbarism to civilization,—a type of the times—a man rough, wild, vigorous in thought and deed, like the men he describes in his Chronicle.*’—(I. 198.)

Besides the *Heimskringla*, another work of interest and importance in Icelandic literature is connected with the name of Snorro—the *prose Edda*—which, though far inferior in value to the poetical collection of the same name, affords a most useful clue through the mazes of Scandinavian mythology. It is probable that Snorro framed the sketch or outline of this composition; but the completion of it seems attributable to others of his family to whom his papers descended. The preface and postscript are manifestly by a later and coarser hand. Along with this *Edda* are found in the manuscripts the *Scalda*, and some other grammatical and prosodial treatises, in which it is likely that Snorro had a very slender share; and which obviously belong to that stage of literature where the *Gradus* and other mechanical appliances are put in requisition to help declining genius to climb when it can no longer soar. The *Scalda*, including those treatises, is interesting chiefly as explaining the laws of Icelandic versification, and embodying many fragments of poetry that would have otherwise perished. The *Snorra* or *prose Edda*, with the *Scalda* and other writings here referred to, was last edited by Rask at Stockholm in 1818. It has appeared twice in an English garb; once in ‘Percy’s Northern

Antiquities' from the French of Mallet; and again, recently, in a rather quaint version by Mr Dasent, the translator of Rask's *Icelandic Grammar*, and editor of the curious legend of *Theophilus*.

That the *Heimskringla* has never till now been translated into English can scarcely be felt as a reproach, if it be considered that the original has only recently been edited for the first time in a correct and creditable form; and that it is rather an unmanageable book, both from its bulk and the difficulty of thoroughly understanding and rendering its idiom and allusions, and the poetical fragments with which it is interspersed. But these difficulties add to the value and merit of the translation with which Mr Laing has favoured us, and which he has executed in an able and agreeable manner.

Nor has Mr Laing here confined himself to the comparatively humble office of a translator. He has increased the importance and interest of the work by a very ample Preliminary Dissertation; of which the main subject is the condition and character of the Northmen in the dark or middle ages; but which digresses far and wide into many connected or collateral topics. This composition, like all that Mr Laing has given to the world, is distinguished for originality and acuteness, and for a boldness of speech and earnestness of style that sometimes approach to eloquence. But it contains much from which we are constrained to withhold all concurrence both of opinion and of feeling. Even a knowledge of Mr Laing's former writings had not prepared us for the extreme partiality of the doctrines he has here proclaimed, and the unnecessary vehemence of expression with which he maintains them. Whoever places himself in the historian's chair, and sits like Rhadamanthus to judge the dead, should bring to his duties a double portion of candour and calmness; and it might surely be thought that in a discussion regarding the comparative characters of nations, as they existed a thousand years ago, it would be easier to keep one's temper than to lose it. Mr Laing, however, seems to have written with very different feelings. Something, no doubt, must be allowed for prejudices of birth, and early association. An intimate connexion with a part of the kingdom which boasts to be a Norwegian colony, and in which Mr Laing is much esteemed, may indeed enlist the enthusiasm of an ardent mind on the side of Scandinavian interests, where they appear to be in jeopardy; but we cannot think that justice to Orkney is incompatible with charity to England; or that the claims of Scandinavia demand an indiscriminate disparagement of a large part of the rest of Europe.

We are satisfied that a great deal of Mr Laing's vehemence

is merely constitutional. But we consider so many of his opinions erroneous, and so many of them fanciful exaggerations, that we feel it to be due to this comparatively obscure portion of history, to consider in some detail the chief topics he has discussed; in the hope of obviating, with some of our readers, the impressions which dogmas so ably and so absolutely inculcated might otherwise produce.

The object or scope of Mr Laing's introductory Discourse is to separate the Teutonic tribes into two great divisions—the Scandinavian and the non-Scandinavian—including in this negative denomination all the high and low German nations, the Saxons, and Anglo-Saxons; in short, the whole of Teutonic Europe, except Denmark, Sweden, Norway, and their colonies. The character and achievements of the Scandinavians, in every department of human exertion and progress, form the subjects of an exalted and elaborate panegyric; while their praise is sought to be enhanced by denying or depreciating the virtues of all their neighbours. In attempting to correct the errors of this estimate, we would, first of all, bring together a few familiar facts, illustrating the relative position of the Scandinavian nations in the great Teutonic family, of which they form a part;—with reference, especially, to their social and literary character, as interwoven with their religious history.

The researches of living antiquaries have finally brought to light, among the different tribes of Teutonic blood—using that epithet to embrace not only Germans, but also Anglo-Saxons and Scandinavians—such features of mutual resemblance, as to demonstrate their original identity in all the material elements of national existence. The induction which has led to this result has been so large and comprehensive, and involves so many concurring testimonies and traces of the truth from separate and distant sources, as to leave no doubt as to the accuracy of the conclusion. It is nowhere historically realized; but the farther back the enquiries are carried, the closer the coincidences appear; though at what point in their progress the apex of the converging lines would be found, may be beyond the reach of our geometry to calculate. The discoveries thus made are so remarkable and important, and are so well fitted to remove prejudices and jealousies, and to encourage sympathy and good feeling among kindred countries, that we hope to be forgiven for dwelling upon them with some earnestness.

First, then, throughout the languages of all the Teutonic nations, we can perceive a striking sisterly likeness, not merely in their roots, or in the general aspect of their words, but in the whole of their forms and inflexions. Those languages, as actually

exhibited to us in writing or speech, are very early divided from each other by such wide differences, that, roundly speaking, each of them, at that stage when they first appear on record, must have been unintelligible except to those who used it as their mother tongue. But on a nearer inspection, the differences are found to be explainable upon definite principles, and when once the key to them is given, the latent analogy is readily unlocked. It is found, that, like the different dialects of Greece, they observe a relative interchange of individual vowels and consonants, according to a regular system. This is so completely the case, that if a vocable be given as it exists in any one or two of the Teutonic tongues, its form in all the others may in general be conjectured with almost unerring certainty. The full extent, however, of this correspondence can only be seen in the older and purer forms in which the languages existed; as recent times have introduced a mass of corruptions and foreign admixtures, which distort or deface the features of resemblance. Without entering with pedantic minuteness into a subject of this nature, we may observe, that the older Teutonic languages all possessed a complicated scheme of inflexions, analogous to what we see in Greek and Latin, but which have been nearly obliterated by modern influences. In their primitive shape, the same word was generally to be found in all the Teutonic vocabularies under a corresponding form;—if a noun, it belonged to the same declension in them all—if a verb, to the same conjugation, regular or irregular; and where anomalous in one, it was commonly subject to precisely the same anomalies through all the branches of the family tree. Such facts as these, the further they are developed and made clear, impress us the more with the irresistible conviction, that at the distance of some centuries before the Christian era—we hesitate to say how many or how few, or in what locality the scene should be laid—a single Teutonic language must have existed, from which, as from a common centre, all the existing dialects of that name have radiated and diverged.

In like manner, it may be shown that throughout the Teutonic nations the same political and judicial system universally prevailed. The influences of time and place modified these materially in different tribes; but in their proper and primitive type, as far as an approximation can be made to it, their laws resembled each other as their languages did; and all of them, it should be said, embodied the great principles of popular freedom and popular influence;—those privileges of independence in private life, and publicity in political deliberation, which, in the establishment of Parliaments and trial by Jury, have found their best and most practical consummation in the constitution of England.

Again, before the introduction of Christianity, it is certain that all the Teutonic tribes possessed the same system of religious worship,—the same gods, the same heroes, the same altars and ceremonies, the same hopes and fears of a present and future interposition in human affairs on the part of their divine rulers. In the separation of their various pursuits or places of habitation, different nations, as well as different individuals, might betake themselves to the adoration of one or more deities in preference to others; and fancy or fraud might alter or add to the details of their creed or their theogony. But the original Pantheon was the same with all; however much their choice might come to be narrowed by circumstances or by caprice, or their legends diversified by various readings of the primary text.

The materials which have supplied the foundation of these comparisons have been very miscellaneous in their origin and nature. On the philological question, the remains of the ancient Teutonic languages have afforded clear and conclusive evidence to those who could bring to the examination of them a philosophical command of grammatical analysis; and a substantial identity in language being once established, a great step was gained towards the other objects. As to these, the Roman writers and the ancient Codes and literary monuments of the 'Barbarians' themselves have furnished the most direct information; while throughout the monkish chroniclers of the middle ages, a multitude of references to national manners and traditions have contributed more to the task than might at first sight have been expected. But other and less prominent matters have been diligently collected and compared. An old song or a nursery tale, a land tenure or a law formula, the name of a tree or a plant, of a ruined tower or a decayed market-town, have often afforded instructive glimpses of the past; while a singular agreement between distant and seemingly distinct things, a mystery in one place meeting its solution in another—a broken symbol, of which the fragments, brought together from afar, are found faithfully to correspond; these and similar appearances complete the strength of our conviction, by adding to it the interest of surprise.

The several Teutonic nations stand in very different positions as to the evidence of their ancient state, afforded by their existing monuments or condition. In some of them the characters of antiquity have been much longer and better preserved than in others. Among the causes contributing to this result, the difference in the periods at which Christianity was introduced among them, may be considered as the most marked and the most momentous.

The Goths were converted in the fourth century; the Franks

at the end of the fifth; the Anglo-Saxons at the end of the sixth; the Flemings and Germans generally in the seventh and eighth. The continental Saxons became Christians in the ninth century; the Scandinavians not until the tenth and eleventh. This diversity of dates in the occurrence of so great a change of creed and character, must, it is clear, have created vital differences in the condition of different countries; and it is here, accordingly, that so much importance attaches, in an antiquarian aspect, to the literature and customs of Scandinavian nations; who remained in a state of Paganism for four or five hundred years after the conversion of the leading tribes among their Teutonic kindred. The element of Paganism or Christianity could not be present or absent in the condition of a people without important variations in their whole social position. But it is chiefly necessary, at present, that we should notice the influence thus exerted on the popular literature of the nations under comparison.

It is remarkable that the ordinary literature of Christendom is less religious in its tone than that of nations professing Paganism; and the difference is most observable in those who, like the people of Protestant Europe, have embraced a simple and highly spiritual faith. It is not perhaps very wonderful that it should be so; and still less can we feel it as a reproach. We do not enter into the controversy whether sacred subjects are eminently suited for poetical genius; or say, with Dryden, that poets succeed better in fiction than in truth. We lay aside the department of poetry devoted to sacred themes, and speak merely of secular compositions, from which, with our own poets, religious topics or allusions are generally excluded, from a manifest feeling that they are too solemn to be lightly handled. It was otherwise with Pagan writers, particularly in the earlier ages of society. Apart from their hymns, their whole poetry had a reference to their mythology, as the all-engrossing or most attractive topic of popular interest. The *Iliad*, though not a sacred poem, would have been nothing without the gods; and the inmates and incidents of Olympus, not only inspire the poet with conceptions the most beautiful and sublime, but enter into every event of human interest; and supply matter for romantic surprise, and food even for 'unextinguishable' laughter. This close connexion of early literature with the more alloyed forms of religious belief, must equally have prevailed among the Teutonic nations; and it was impossible that, in their Pagan state, their poetry should not have been eminently Pagan. In its higher forms it would be consecrated to the praises of the gods; and its less solemn strains would celebrate the frolics and adventures in which their divinities did not

scorn to indulge; or would sing the heavenly ancestry of their heroes, and the divine influences which led them to glory and to victory.

The introduction of Christianity must have been fatal to a literature of this character. The hymns and theogonies of a fabulous faith were incompatible with the ascendancy of a pure religion,—involving as an essential principle the unity of a jealous God, who had directed the foremost and most formidable prohibitions of his law against false worship. The early Christian clergy thought themselves constrained, as far as possible, to destroy and obliterate every object and recollection that could cherish or revive, among the multitude, the errors which it was their mission to extirpate; and their aversion, even to speak on the subject, has deprived us of much information which it was in their power to give. As antiquaries or philosophers, we may now regret what was thus done or suppressed; but if, in a spirit of charity or fairness, we transport ourselves to the scenes then acted, we shall modify our feelings. Men who had a duty on their hands connected with the moral elevation and eternal welfare of their countrymen, could not be expected to lay it aside from feelings of mere taste or speculative curiosity. A vital and sometimes dubious struggle was then carried on between light and darkness; and the champions of the truth could neglect no weapon of fair warfare that might help them either to gain the victory or to perpetuate the conquest. Even as it is, the battle was only partially won, and the vanquished obtained terms of capitulation that tarnished the triumph. The Christian church lent itself too readily to measures of accommodation to meet their proselytes half-way; and the result exhibits that ‘nominal’ conversion of the northern nations, which was regarded by the great man, whose loss is still fresh in our memories, as an element of infinite mischief in the advance of modern civilization. What may have been the wisest methods of conversion may admit of differences of opinion; but we should not rashly censure those who had the task to perform for estimating highly its difficulty, or for sternly pursuing the path that seemed to them to be right.

The early Christians of the north were not sufficiently liberal to treat the deities whom they had renounced, either as corrupted forms of primitive revelation, or as mistaken abstractions or personifications of powerful principles in nature. They regarded them sometimes as impious men, but more generally as evil demons, who had bodily practised upon earth the delusions which established their worship. The Saxon

Abrenunciatio abjures, along with the Devil, Woden, Thor, and Saxnot, mistakenly translated often as the Saxon Odin, but, in truth, an independent deity; while the Anglo-Saxon and other laws, expressly prohibit Pagan idolatry under the name of Devil-worship. This persuasion accounts for much that was done and thought in the times of which we speak. In some instances, particularly upon the Continent, Pagan temples were perhaps purified and converted into Christian churches; and Gregory is said to have recommended this course to his missionaries in England. But in general, the precept put in practice was that delivered to the Jews of old.—‘Ye shall overthrow their altars, and break their pillars, and burn their groves with fire; and ye shall hew down the graven images of their gods, and destroy the names of them out of that place.’ So far was this carried, that we find it difficult to explain how the days of the week should have been left with their heathen appellations; or even how the Teutonic name for deity should have retained its sacred character.*

Even the written signs by which the Pagan Teutonic literature could alone be made visible to the eye, came to be held in abomination,—as connected probably with Priestly rites to which they might be frequently or exclusively applied. The Runic letters were regarded, after a time, as symbols of magical incantation, and were superseded by a new alphabet, grounded upon the Roman, with the addition of a few of the old characters, for peculiar sounds.

In this condition of things, it was impossible that the sacred songs of Paganism could retain their place in the estimation of the converted nations. As soon as Christianity was established, all direct and solemn reference to the old mythology must of itself have ceased. Poetry, in times like those, required a strong foundation of faith, both in the poet and in his hearers; nor had men yet learned the art of appealing, by a play of the fancy, to assumed objects of worship which their reason renounced and despised. In our own days, Jupiter and Venus have, in legal phrase, a conventional *status*,—a hypothetical existence, as personifications ‘of all that’s great and fair,’ or allusions both innocuous and inoffensive. But to the Teutonic Christians of the dark ages, a song to Woden, in the simplicity and earnestness that then

* We are unwilling to dispel a pious and pleasing delusion; but we must observe that the word ‘God’ could not have been protected by its supposed connexion with the epithet ‘good,’ to which, according to every rule of Teutonic etymology, it has no affinity whatever. Its derivation is altogether obscure.

prevailed, would have been at least as revolting as a hymn in adoration of the Virgin to an audience of Presbyterians in the first fervour of the Reformation.

The same hostility might not exist to the heroic songs, though these must only have kept their place after being purged of their machinery, and of all mention or invocation of Pagan deities; and would in this way lose much of their character and meaning. Even thus mutilated, however, they cannot, generally, have been popular with the clergy. Apart from less laudable objections, their fierce and warlike tendency must have been condemned by men whose mission was to preach peace; and whose aim was to extirpate the ferocious and sanguinary dispositions which the religion of Woden permitted, if it did not encourage. We are told that Ulphilas, when translating the Scriptures, omitted the Book of Kings, from a desire not to incite the military propensities of his countrymen by an example so sacred. The story is apocryphal; but it indicates both the disease under which the Teutonic tribes were thought to labour, and the treatment recommended for their cure.

The newer poetry of the continental Teutonic nations, after their conversion, would at first show itself in a religious form, as inspired by the most engrossing subject which men of accomplishments, converted to a new faith, were likely to select. If other poetry was composed at all, it was probably not written out, or not carefully preserved by those to whom the art of writing was generally confined. The *Muspilli* in the ninth century, which is perhaps the latest alliterative German poem, seems to form a step of transition, and represents the horrors of the last judgment in colours that appear sometimes borrowed from the same palette as those of the *Edda*. The *Heliand*, the production of the north of Germany, and the *Christ* of Otfried of the south, both belonging to the ninth century, are comparatively free from any Pagan tinge, and are entitled to high praise as literary compositions. Otfried's work has the merit, if not of creating, at least of rescuing from barbarism the High German tongue; and compositions of that character must have greatly tended to supplant or weaken the influence of any poetical remains of the old mythology. We must now lament, but we can easily explain, the gradual extinction of those early heroic lays, which we know from many testimonies to have survived the introduction of Christianity, but of which so little has since been preserved, and of which, on the Continent, the beautiful fragment of *Hildebrand* seems almost the only remnant, and one alike interesting in itself, and as a sample of what we have lost. The antiquarian spirit that Charlemagne

displayed in collecting the *barbara et antiquissima carmina* of his nation, was not the characteristic of those times. It requires peculiar circumstances, and generally an age of refinement, if not of declension of taste, to create an interest in the past for its own sake, apart from its adaptation to the present. The great Frankish Emperor was above, and in advance of his contemporaries; and the generations that succeeded him were too busy with their own matters, or were looking forward too eagerly to future events, to turn a backward look on what was obsolete and out of date. New national combinations, and new languages, arose from a mixture of races; new cycles of heroes gained an ascendant, in connexion with chivalry; new forms and themes of poetry prevailed. The Crusades changed the whole current and character of men's thoughts; and the floating songs and traditions of Teutonic Paganism wore rapidly away, and, in a great degree, perished irrecoverably.

Such was the general and natural fate of Pagan literature, and of the chief memorials of Pagan character and customs over Europe at large. Amidst this extensive desolation, we instinctively turn to Scandinavia as the place where the monuments and memories of primitive Teutonism are sure to be found in their freshest integrity. The length of time during which it adhered to the old faith; its separation in the far north from the influences to which other nations were exposed; the unmixed purity of blood which its people maintained; and the native energy and enthusiasm of their genius, seem to afford an assurance that here, if any where, our curiosity will be gratified by an ample display of those treasures which we seek for in vain elsewhere.

It is singular, however, to observe, that if we were limited in our search to the continent of Scandinavia, our curiosity would remain ungratified. Except for the peculiar occurrence of the colonization of Iceland, the Scandinavian nations would, to all appearance, have afforded as few traces of their ancient literature, religion, and manners, as those of their neighbours who had been Christianized and received within the European pale some centuries before. Iceland, indeed, was not the birth-place of Scandinavian literature; and the most important portions of it are not of Icelandic growth. But, in that remote retreat, the language, traditions, and poetry of the Scandinavian continent found a refuge from the influences of chance and change, that would otherwise have been fatal to them; and so fully has this been felt, that the child has almost forgotten its mother, and has taken the name of the foster parent to whom it owes its preservation. If the Icelandic writings were out of the way, the remains of old Scandinavian literature would be as scanty as

those of any other country in Europe; and we should know its history and institutions chiefly through Adam of Bremen and Saxo Grammaticus, or through the chronicles and literary monuments of those Anglo-Saxons, on whom Mr Laing, in the book before us, seeks to throw so much obloquy and contempt. As it is, however, the case is widely different; and Icelandic literature, including those remains of old Danish or Scandinavian song which have been preserved in Iceland, presents us with specimens of the Pagan sacred poetry which no other Teutonic nation can parallel; and with fuller information as to the shape, features, and peculiarities of Paganism, than any other source can supply. Elsewhere we have only the *disjecta membra*, which we can with difficulty recompose. Here we have the complete body of the ancient times in their full form and pressure as they once existed. Elsewhere we have the fossil fragments scattered about; here a toe, and there a tooth, in disunion and confusion almost beyond the reach of a Cuvier to redress: here we have the mighty Megatherium himself stretched along in his full dimensions, and almost as he once was, when the earth shook beneath his tread.

The circumstances attending the colonization of Iceland were so peculiar, and its consequences have been so important to literature and antiquities, that it seems to deserve particular notice.

Other emigrations of the ancient Teutonic tribes were attended with danger and difficulty, and were fatal or injurious to the nationality of the emigrants. The Franks, and after them the Scandinavians, under the title of Normans, gave their name to the country they conquered, but surrendered their religion and language, with much of their laws and customs. The Goths were every where absorbed into the population which they overran; and many an Italian heart that beats high with Gothic blood, has been taught to hate the very name. Even the Anglo-Saxons, the most successful of all the Teutonic invaders, had many long years of sanguinary contention before their task was achieved. The settlers in Iceland embarked on their enterprise under different auspices, and accomplished their destiny without resistance or obstruction. The emigrant chief with his crew of adherents set sail with scarcely a fear or an anxiety; without concert with other associates, or preparation for any martial attack—carrying with him a peaceful freight—the few animals that were to stock his possession; a handful of the sacred mould on which his temple had stood at home, and which was to hallow his worship on another soil; some building materials for a new abode, including the hereditary pillars, carved with Runic letters or mystic devices, which surrounded the seat of dignity, appropriated to him as

master of the house ; and a raven or two, solemnly consecrated to the important task of indicating by their flight, when let loose at sea, the vicinity and direction of land. As they approached their destination, any omen was followed that relieved the colonists from the trouble of choosing their place of occupation ; and generally the posts of the household or temple throne were cast into the sea, and the settlement was fixed at the spot to which they drifted. They found no aboriginal inhabitants to resist their progress, or to neutralize the Scandinavian customs and character which they brought along with them. The few Irish or Hebridean Christians previously settled on the island disappeared before the new-comers ; and left little other trace than that the name of Kolumkilli or Kolumbilli, as the Saint of Iona was corruptly called, came to be revered by the Icelanders as that of a heathen god. Though abounding at first in under-wood, Iceland never grew so much timber as to make it difficult to be cleared away ; and little labour would be required to profit by the rich pasture of its green valleys ; while every bay, lake, and river, and every sea-bird's nest, contributed a supply of food sufficient for the necessities of the settlers, till more regular sources of subsistence could be established.

To these peaceful and propitious circumstances must be added another remarkable feature of the Icelandic emigration, exhibited in the comparatively high rank of the leading colonists. The first great impulse to that movement was given by the successful issue of Harold Fairhair's usurpation of the sole dominion of his country, which consolidated under one King those co-ordinate powers that may be called the Norwegian Heptarchy ; though both in Norway and in England these independent sovereignties exceeded in number what is indicated by that name. Some of the petty princes thus dethroned, sought, with the nobles who adhered to them, a refuge for their disappointed pride ; and found it in that ' island in the boundless main,' of which conflicting rumours had recently before been brought by Scandinavian navigators. The stream, once turned in that direction, would be partly fed by the same causes which, during so many ages, have stimulated the outgoings of the Teutonic nations,—the *res angusta domi* ; and that tendency to support the privileges of primogeniture, which now sends our younger sons into every avenue of exertion by which enterprise can work its way to fortune. But the wanderers to Iceland were mostly of superior birth, and the facilities attending the occupation of their settlements exempted them from the burden of carrying a host of vulgar retainers, such as were needed to swell the ranks of a colony that had to win its possessions by force of arms.

For many years, until avarice and ambition found their way even here, the life of the early Icelanders was perhaps as primitive and pure as Paganism could present to us; and was favourable to the expansion of such literary tastes as belong to men who have little use of letters. As wealth and influence accumulated, scenes of rapine and bloodshed of the worst kind ensued—resulting from the want of an executive to control the passions of proud and powerful men. But the picture, at an earlier period, was more peaceful. Individual acts of violence, and occasional frays and feuds, arising out of an ale-feast or a love story—a dispute about a fishing march or the division of a stranded whale,—would serve to vary the general uniformity of their career, without destroying its comparatively quiet character. The ease of a pastoral life must be favourable to intellectual exertion when the intellect is otherwise kept active; as could not fail to be the case where every Chief was a King and Priest in his own valley; enjoying high, and sometimes perilous privileges, and sharing largely in the general government, which was more like a confederation of patriarchal principalities than an ordinary republic or aristocracy. In connexion with these circumstances, it may be idle to ascribe much, but it seems impossible not to allow some importance to the peculiarities of Iceland, in point of latitude and climate. The length of the summer day, and of the winter night, exceeding so much the limits either of labour or of rest, must leave a large portion of leisure, which will be thrown away on dull or degraded minds, but will tend, in men of mental advancement and social affections, to encourage those enjoyments which develop themselves in the bright forms of song and story. At the quiet household hearth, and in the crowded hall, the skald or the saga-man would be ever a welcome guest; nor can we suppose that the pleasing pictures which modern travellers have given of a winter evening in Iceland, where the labours of the distaff and the needle are lightened by the reader's or reciter's voice, were without their counterpart in former times. At their sacrifices and sacred festivals, the cups to Odin, to Niord, and to Frey would be crowned with the commemoration of their feats and favours. At their marriages, and at their succession feasts, when the heir solemnly seated himself in his father's chair, their pedigrees and family histories would be proudly recorded. The melody of national song sounds nowhere so sweetly as in the exile's ear; and the strains of Scandinavia would be more frequently repeated, and more fondly cherished amid the distant echoes of Iceland, than in the land which first became vocal to their beauty.

In some such way we may understand the oral tradition and

diffusion among the Icelandic families of the oldest Norse or Danish songs; and thus we may at the same time account for the poetical power which from time to time arose in that remote region, to make 'her barren rocks and her bleak mountains smile;' and to crown her skalds with a reputation and influence that established them as the laureates of every Scandinavian court, and gave their ballads and battle-songs a universal currency throughout the Scandinavian continent.

Some other points must be referred to in the position of Iceland, as explaining how, in contrast with the course of events elsewhere, so much of the Pagan poetry came to be preserved in the country at the time of its conversion; which took place about A. D. 1000;—less than 130 years after its colonization.

The obstacles to the ultimate introduction of Christianity into Iceland seem to have been comparatively slight. But some of the circumstances which facilitated its establishment contributed to weaken its power when once established. The Icelanders, in fact, seem neither to have been very strict Pagans before their conversion, nor very strict Christians after it. The time apparently had come when the more intelligent among them must have had as much difficulty as the Roman augurs, in refraining from laughter at their own ceremonies. A spirit of scepticism or freedom of thought was abroad, undermining the old faith; and which, according to its source or direction, was destined to terminate in a species of impious rationalism, or a rational piety. Every one claimed a right to follow the devices of his own thoughts; and while some were content with the simple worship, if so it can be called, of a wood or a waterfall, several distinguished Icelandic settlers belonged to a sect that earned for itself the name of 'Godless,' by refusing to perform any sacrifice, and avowing that they believed and trusted solely in their own 'might and main.' Others had gone so far as to embrace Christianity, with which they had come into contact in their communications with other countries; but this step, amounting to a mere admission of the Christian Divinity into the heathen Pantheon, was not considered incompatible with an occasional recurrence to heathen observances. We read of one Icelander who professed himself a Christian, and, as an indication of his faith, gave his settlement on the seaside the name of Christ-ness; but in any crisis of difficulty, or peril of navigation, his invocations were still without scruple directed to Thor. Iceland has not latterly been accused of lukewarmness in religion; but mention is made of a parish church where, not long ago, a version of Pope's 'Universal Prayer' was in use as part of the psalmody. It is not

said whether, in the line 'Jehovah, Jove, or Lord,' the name of the heathen deity was translated by 'Thor,' as it might appropriately have been. But the idea would well enough represent the indefinite nature of those early notions to which we allude. At that period, independently of individual peculiarities, there were in Iceland general causes at work to weaken the devotion of the people to their native creed. With every effort to supply the place of local association, their removal from old scenes and memorials of religion must have produced its natural effect; and the absence of a great mass of plebeian population, would deprive their prejudices of that strength and depth of influence which ignorance lends to error; and of that protection which popular impulse is ever ready to afford when traditionary superstitions are attacked. The religion of the Icelandic aristocracy was more perhaps a sentiment of poetry or patriotism than a principle of action or belief; and when they felt themselves that things were ripe for a change, it required no great management to recommend it to their retainers.

The Christian Missionaries to Iceland found many of the inhabitants predisposed to their doctrines; and the establishment of Christianity, already effected in the mother country after much bloodshed and persecution, was a circumstance friendly to their enterprise. One incident is related, which might produce a favourable effect, where a crowd of wretched persons were rescued by one of the early Christians from a dreadful death, to which they had been doomed by a Pagan landholder at a period of famine. But ultimately the conversion of the island was accomplished, as a matter more of policy than of principle. The new religion was embraced, not from its divine character as a source of light or consolation; but as the best way of avoiding those dissensions which were admitted to be a political evil, and of which the destructive consequences had been exhibited in other countries. Christianity was, by a formal ordinance, established on this footing as the religion of the state, and the Pagan worship was publicly prohibited; but the private, or at least clandestine practice of it, was expressly declared to be innocent; while the use of horse-flesh, and the custom of exposing children, were allowed to stand on their former footing. Under this compromise, the people generally received the Sign of the Cross, and many of them were baptized. But others refused the ceremony from a feeling of shame; and those who submitted to it, insisted, with characteristic *nonchalance*, that it should be performed at the warm springs, as more comfortable than in cold water. The aristocracy seem soon to have been thoroughly reconciled to the new order of things, by finding that it made little change on their

power or position. The exactions previously levied by them for the maintenance of heathen worship, were merely transferred to Christian observances; and they enjoyed the benefit of ecclesiastical preferments, either in their own persons or in those of their nominees,—appointing often to the ministrations of churches dependents whose condition was little better than that of menials; and appropriating to themselves the higher offices of the priesthood, and the Episcopate itself, which they unscrupulously held without relinquishing their civil dignities.

A revolution so mildly effected, was not likely to exhibit the same hostility towards the monuments of Paganism as had elsewhere led to their destruction. The old heathen relics and ornaments remained undisturbed; the old mythology continued in use among the poets; and the names and histories of their Pagan forefathers retained the same place as before in public reverence and affection. The introduction of Christianity brought along with it the use of the Latin alphabet, as modified either by German or by Anglo-Saxon usages; and before a century had elapsed, the new art of writing was put to the important employment of recording and preserving the traditionary poetry of ancient times, and the historical recollections of the settlement of Iceland. The native origin of the clergy was favourable to this pursuit; and even such of them as sought their education in the southern countries of Europe, would probably, in the eleventh or twelfth century, learn to look upon the remains of Paganism with feelings more of wonder and curiosity, than of abhorrence or apprehension.

At this period, the rest of Teutonic Europe was in the course of undergoing essential changes in language, customs, and character, from which the remoteness of Iceland kept it comparatively free. A crowded succession of events, and new aspects of study and thought, threw the past history of Teutonism into the shade; and the unity of ecclesiastical discipline, as well as other bonds of sympathy in literature, law, and philosophy, produced that approximation of tastes and pursuits, which ever since has, more or less, prevailed in Western Europe. The development of the Romanized language of France, and the opening of a new vein of feeling and fiction, received a great impulse from the Norman conquest of England; while, in the Teutonic countries, a mixture of dialects and other obscure causes produced, in their forms of speech, what, in one view, may be termed a degeneracy; but in another may be considered a simplification of shape and structure, which rendered the older types of their language obsolete and unintelligible. English was in a state of slow formation from the fusion of Anglo-Saxon and French. The middle Ger-

man was moulding itself into softer tones and smoother combinations than the old ; and even the languages of the Scandinavian continent, Saxonized or Germanized by the influence of intercourse with other and more cultivated countries, were suffering their destined decomposition. It is probable that, as early as the ninth century, the cruelties of Charlemagne's attempts to convert Saxony, which drove many recusant Saxons across the Danish bulwark, had tended to alloy the purity of Scandinavian speech ; and it is certain that the conquest of England by Canute, in the eleventh, introduced in Denmark a large infusion of Saxonisms into the language of the Court as well as of the Country,—destructive of the character of the old Danish tongue, the corruption of which soon extended to Norway and to Sweden. From all these influences Iceland was exempt. Her language underwent no alteration of structure, and has undergone to this day as little change as the lapse of some hundred years can allow us to conceive. The modern Icelandic is certainly less different from that of the *Edda* or the *Heimskringla*, than the Greek of the Byzantine Empire was from that of Eschylus or Thucydides. The same exclusion of exotic influence affected the literature of Iceland in the middle ages. Her natives shared in the general cultivation of intellect which the eleventh, twelfth, and thirteenth centuries produced ; but their studies took a direction, not into European channels, but towards the investigation of their own history and antiquities, or the commemoration of the passing events which their isolated position presented. Ari, the priest, laid the foundation of Icelandic history in the annals and statistics which his industry compiled. Sæmund, another priest, has the reputation of having collected the elder, or poetical *Edda*,—the most valuable and authentic record of Scandinavian mythology ; and before the end of the thirteenth century, a vast body of prose literature had been produced in Iceland, chiefly of a narrative character ;—embodying the old Scandinavian sagas, and including a host of family or personal histories, by writers of eminent ability ; which, besides affording the most useful aid to the Teutonic antiquary, may be placed by the side of the best modern Memoirs for clearness of description, if not for interest of incident. The prose compositions of Iceland, in the twelfth and thirteenth century, are unique in their character, and spring from the singular situation in which their country was placed. No parallel to them is to be found among the continental Scandinavians ; with whom, after the introduction of Christianity, it would seem as if native literature had sunk to a lower ebb than in any other country. Even the productions of their earlier poets, inestimable as we know them to be by their

accidental preservation, were suffered, apparently, to perish among them; and would have been lost to mankind, in their native shape, if they had not been compiled and copied by Christian writers of Iceland,—prompted by a reverential devotion for every relic of their original or adopted country, and profiting by the calm seclusion afforded in that *Ultima Thule*, from the disturbing cares and engrossing novelties of continental Europe.

Sturleson, whose work has led us into this discussion, was among the most eminent of the Icelandic writers of this period; and the *Heimskringla* is larger in bulk, and loftier in aim than the writings of any of his countrymen and contemporaries. It is founded on the prevalent sagas of his time, and on the traditional songs, of which so many fragments are preserved in it. As an example of Icelandic tastes and tendencies, compared with those of the continental Scandinavians, it deserves to be contrasted with the Latin history of Denmark by Saxo Grammaticus;—a work of great eloquence and antiquarian value, which has recently been receiving, in Denmark and Germany, the attention which, in several respects, it deserves. Saxo's history was written apparently less than fifty years before Sturleson's; and the two men may be fairly put upon a par in point of natural genius. The first eight or nine books of the *History* are founded, like the *Heimskringla*, on national sagas and songs, with which Saxo seems to have been singularly familiar; and which we have every reason to believe were faithfully transferred to his polished periods, or embodied in the respectable hexameters which he has expressly given as translations of vernacular poetry; and indeed, in some of his verses, we can trace an obvious correspondence with old Norse songs still extant. He tells us that he had consulted the compositions of Icelanders, and made them the foundation of a considerable part of his works; and he refers to their peculiar fondness for historical narrative, as connected with their local situation and national character, in such terms of high commendation as to form a valuable testimony to their merit. We do not know what Icelandic compositions were within Saxo's reach; nor is it certain which of the sagas were then in existence. But it is likely that he would have access to the best sources of information, whether oral or written, under the guidance of Arnold, a native of Iceland, who, like himself, was attached to the service of Bishop Absalon, and whose talents and powers of narration he praises highly. At the same time it is clear that Saxo was also acquainted with purely Danish stories of the history and mythology of his countrymen; and as Denmark had not then been longer Christianized than Iceland in the days of Snorro, we doubt whether there has not been an undue disposition to exalt the Icelandic writer at the expense of the Dane.

Where the elder *Edda* speaks, that oracle should be conclusive : but in the absence of its responses, we are not satisfied that, on points of tradition, the authority of Saxo should be estimated at a much lower value than that of any Icelandic writer of a later date. In history, the two authorities are much on a level. Both, perhaps, are equally correct in matters near their own time ; and both equally apocryphal in events of an earlier date.

Of kindred tastes and equal abilities,—choosing nearly the same ground, and building with nearly the same materials,—it is singular that these two authors should have produced works so dissimilar. But the difference of their objects and aims will account for this. Snorro, a layman, a landholder, and a politician, sought to excel his countrymen in their own style, and to extend his influence and reputation within the narrow sphere of Icelandic and Norwegian society, where his heart and his hopes lay ; and he found in his native tongue an apt and efficient instrument for his purpose. Saxo, a Clerk, engaging in his work at the command of one Prelate, and dedicating it when completed to another, followed also the fashion of his class, and the dictates of his ambition ; and wrote for churchmen and men of learning throughout Europe, in the only language that could then command general attention, or that seemed to be privileged from decline or decay. This contrast between the Icelanders and the Dane deserves to be remembered in reference to some of Mr Laing's remarks as to the national predilection of Scandinavians for their vernacular tongue.

The literary genius of Iceland did not long survive the annexation of the country to Norway. The same causes that gave it so peculiar a character made it also shallow and short-lived. Separated from the main current of European interests, and unfed by tributary supplies, the stream held on its bright but brief course, and then dried up or disappeared. By the extinction of its wild independence, the importance of Iceland was infinitely lessened, and it was left more and more to the disadvantages of its natural situation. A few not unimportant works may be referred to the fourteenth century, but its golden age was then gone. Talent and intelligence have never been extinct upon its shores ; but when the slender fund of its native resources was exhausted, originality and character were seen no more. Its literature dwindled into translations of foreign authors, or imitations of its own ancient compositions. It ceased to command admiration for intrinsic excellence, and could only be sought after from its connexion with the past, or as matter of wonder that a country so situated should have a literature at all.

The glance we have taken at Scandinavian history and re-

mains, may help us to estimate their relative position towards those of other Teutonic countries. To borrow with some modification the image of a distinguished Scandinavian writer, the Northman does not come before us as the oldest but as the youngest brother of the Teutonic house—the last at least that left his father's roof, and that brings us the freshest news of family history, and the fullest recollection of those stories which the other sons left their paternal home too early to learn, or forgot amid the cares and conflicts of the world abroad. But even this Scandinavian branch would have lost its character, if, as we have seen, the unique position of Iceland had not counteracted the general tendency; first, by preserving at the introduction of Christianity the Pagan poetry and traditions which perished elsewhere; and secondly, by creating, after that revolution, a vernacular prose literature of an antiquarian cast,—such as on the Continent was excluded by European influences and events. It should be added, that we cannot be certain that the Scandinavian editions of the common themes are the oldest or the best; as even the length of time during which they continued to live in the form of oral tradition may have altered or added to their original texture. The Norse or Danish tongue, as preserved to us in Iceland, is not, as it has erroneously been called, a primitive pattern of the old Teutonic form of speech. Even as seen in its earliest records, its abhorrence of internal gutturals, and its numerous elisions and mutilations,—dictated as these may have been by a tendency to refinement,—show a degree of corruption already begun; and place it in point of purity not only far below the Gothic, but also in several respects behind the old High German, the old Saxon, or the Anglo-Saxon. But the extent of its use through so many centuries, and its continuance with so little recent change even to the present day, enable us better to understand it, and afford a more copious stock of words and forms for the study of its structure. In like manner the Scandinavian, and in particular the Icelandic mythology, is not necessarily the most correct and canonical code of the Teutonic belief: it may and must have undergone in process of time many corruptions and interpolations; but we know more about it, and with due cautions and allowances it throws the most useful light upon the scanty and fragmentary remains of religious history among the kindred races.

In thus speaking of the relative and adventitious value of Scandinavian literature, we would not wish it to be supposed that we think meanly of its intrinsic excellence. We have already noticed, with commendation, the prose compositions of Christianized Iceland, which possess great liveliness and force of

character, and a strong though somewhat monotonous interest. But of the old Scandinavian poems, whether religious or heroic, not composed but merely preserved in Iceland—those we mean that form the main portion of the elder *Edda*—it is necessary to speak in much higher terms. These venerable remains are not merely curious and interesting for their peculiar character and contents, but demand our admiration as works of genius,—abounding, where the subject is serious, in vigorous thoughts and sublime images; or, where it is lively, in pleasing and playful fancies, expressed throughout in language which, for force and condensation, is almost without a parallel. No one, we think, can boast that he has, in a catholic sense, completed the cycle of classic literature who is not conversant with the *Voluspa*, the *Havamal*, and the *Thrymsquitha*; and a new source of pathetic pleasure awaits those whose sympathies have still to be touched by the tearless sorrow of Guthrun, or by the words of the dying Brynhilda on the funeral pyre of Sigurth. We attach far less value to the poems of the Icelandic or Norwegian skalds, written in reference to their contemporary or recent history. They are often spirited and striking, but they are as often destitute of the simple force and earnest truth of the more ancient songs; and, latterly, they degenerate into a series of conventional common-places and stereotyped circumlocutions; such as clever men, accustomed to the trade, could string together with Lord Fanny's facility, even before such works as Sturleson's *Scalda* were written to assist them.

In awarding, however, to the Scandinavian compositions the highest meed of praise that they can claim, it is not necessary that we should depreciate the literature, much less that we should deny the genius, of other Teutonic nations. It is here that Mr Laing has greatly erred, and done manifest injustice. He is not content with extolling his own favourites, which is the general habitude of editors, but he must depreciate to the utmost all who have any competing pretensions. Not only are the Scandinavians the most distinguished among the Teutonic tribes; but all the others, including Germans and Saxons of every degree and denomination, are destitute of every merit, and disgraced by every disqualification. The contrast drawn between those members of the family who are Scandinavian, and those who are not, is extended to their general character and institutions as well as to their literature; and throughout the whole comparison the balance as held by Mr Laing exhibits on the same side an equally overwhelming and unjust preponderance.

He is ever anxious to distinguish the Scandinavians from all the other Teutonic tribes. He deprecates, generally, the

pre-eminence which 'some German, Anglo-American, and English writers, with a silly vanity, and a kind of party feeling, claim for the Anglo-Saxon race among the European people.' The claim thus made is, as he phrases it, the echo of 'a bray,' first heard in what he describes as 'the forgotten controversy about the authenticity of Ossian's poems.' After observing that this conceit has been revived of late in Germany and in America, he continues thus:—

'If the superiority they claim were true, it would be found not to belong at all to that branch of the one great northern race which is called Teutonic, Gothic, Germanic, or Anglo-Saxon; for that branch in England was, previous to the settlements of the Danes or Northmen in the tenth and eleven centuries, and is at this day throughout all Germany, morally and socially degenerate, and all distinct and distinguishing spirit or nationality in it dead; but to the small cognate branch of the Northmen or Danes, who, between the ninth and twelfth centuries, brought their Paganism, energy, and social institutions, to bear against, conquer, mingle with, and invigorate the priest-ridden, inert descendants of the old Anglo-Saxon race.'

Again, after other observations in the same tolerant strain, and a somewhat promiscuous enumeration of the Icelandic sagas, including several that can rank no higher than the commonest story-books, he endeavours to show that no *nationality* of character whatever is to be found in the literature of the Saxon or Germanic tribes; all of whom, he assumes, were regardless of national sympathy, and cultivated such literature as they possessed solely for the clerical classes:—

'This separation of the mind and language,' he continues, 'and of the intellectual influence of the upper educated classes, from the uneducated mass of the Anglo-Saxon people, on the Continent as well as in England, by the barrier of a dead language, forms the great distinctive difference between the Anglo-Saxons and the Northmen; and to it may be traced much of the difference in the social condition, spirit, and character of the two branches of the Teutonic or Saxon race of the present day. It is but about a century ago, about 1740, that this barrier was broken down in Germany, and men of genius or science began to write for the German mind in its own language. With the exception of Luther's translation of the Bible, little or nothing had been written before the eighteenth century for the German people in the German tongue.'

We conceive that Mr Laing has here fallen into errors and exaggerations of a marked and serious kind. We intend presently to consider apart the case of the Anglo-Saxons. But in the first instance we have something to say as to the Continental Germans, including those Teutonic tribes that are not Scandinavian. Is it true that, on the Germanic portion of the

Continent, there has been this separation of mind and language that Mr Laing refers to, as distinguishing the two branches of the Teutonic race? Is it true that, with the exception of Luther's Bible, little or nothing has been written before the eighteenth century for the German people in the German tongue? We think there is some great delusion in these statements. It may be that, during a period of comparatively late date, and particularly in the seventeenth and eighteenth centuries, complaints were justly made of want of nationality among German writers; and it may be a question whether their men of greatest genius, who have since arisen, have always adopted the best tone to become nationally popular. On this ground we shall not enter. The question with Mr Laing is, whether in the middle ages, the period of which we now speak, and in comparison with the Scandinavian, the Germanic tribes had or had not a vernacular literature, fitted to reach and influence the national mind. To doubt this fact as to Germany is, we conceive, to overlook some of the most prominent aspects of literary history. In the twelfth, thirteenth, and fourteenth centuries, that is, at the very period when the Saga school of Iceland was flourishing in its greatest luxuriance, the poetical genius of Germany was in full bloom, and putting forth beauties not less abundant, and infinitely more striking, than any that Scandinavia produced. At this time the Nibelung's Lay was rising from its ashes in renewed dignity and beauty; and the Songs of the Love-singers, anticipating the grace and the tenderness of Petrarch, were moulding the expressive strength of the High German tongue into the most melodious measures; and awakening within the hearts of high and low the long silent chords of generous affection for female loveliness, and genial sympathy with natural beauty. We are not fond of comparisons in the odious sense of the word, nor is it necessary to seek the solution of questions that may never occur. But if we were asked to choose between the literature of Iceland, and of Upper Germany, during the three centuries we have mentioned, our literary predilections would struggle sorely against our antiquarian propensities; and we should scarcely feel so great a pang in parting with the rough vigour and rambling gossip of Snorro Sturleson, as in losing the polished and pathetic strains of Walther von der Vogelweide. Luckily we are not called upon to make our choice between them, and are at liberty to possess and prize both after their several kinds.

But the Minne songs of that age were but a small part of German literature, as it was then developed. The German vernacular poetry of this period extended also to the most celebrated themes of romance; treated in a manner that could not fail to be

popular at home, and which probably had no small influence on the Anglo-Norman or even English writers of the same school. Indeed, the period from the twelfth to the fifteenth century may be said to swarm with German poems of every possible description, and of every varying degree of merit; and the very copiousness of its poetry, combined with the continual succession of one theme of interest to another, *velut unda supervenit undam*, tends to explain how the memory of the older traditions was so much effaced and so nearly washed away. Narratives, both sacred and secular, of apostles and saints; of Alexander, the siege of Troy, and the Roman emperors; marvellous fictions, both home-grown and imported, of the old mysterious recollections of Goths, and Huns, and Burgundians; the new-found adventures of Arthur and his knights, Charlemagne and his peers; lays to the Virgin; love songs to the ladies; anthologies of apologues, jests, and stories gathered from every quarter of the opening world; with moral sayings and satires, sufficient, if read with due docility, to inspire every virtue and extirpate every vice;—the vast body of literature thus exhibited, even as it is to be found in common collections, will, we believe, bear a comparison with what any other part of Europe can show during a corresponding period. Much of it, no doubt, seems to us but indifferent; while much also that was good appears to have been lost; but of what remains, there is enough to show that genius had then a home in Germany as well as elsewhere; and one or two names occur in her annals of that age, that may take their place with those of any poets of the time; with the exception always of one name in Italy, and one in England, who have not even yet found rivals. That the literature of which we speak was meant ‘for the people’ in the best sense of the word, and went right to the people’s heart, is apparent from several circumstances; and by the fact, among others, that some of it even then made its way to Iceland, and furnished the subject of Icelandic sagas. The absurdities, too, of the Master-singers, prove, that at least the strains of their superiors, whom they copied, had been extensively popular; and if no other proof existed of the nationality and homely character of this early German literature, it would be found in the genius and success of that shoemaker of Nurnberg, (a pupil in the school of the Master-singers,) who in the sixteenth century, and on the isthmus, as it may be considered, of modern and middle age literature, poured forth with such power and profusion the rude creations of his honest and manly mind. If ever a poet was popular with his countrymen, it was Hans Sachs; and we may be sure that his influence betokens both the previous existence of a national

literature to inspire him; and the popular diffusion of literary sympathy to acknowledge so eagerly the self-taught excellence of the humble artisan.

From causes not easily assigned, the literature of Lower Germany proper, during the period of the Icelandic sagas, was either not so prosperous, or has not been so well preserved as that of the upper division. Traces, however, of its existence and popularity are to be found in various indirect allusions, or obscure indications. But the case is different with the district of the Netherlands, which in that age, and in this question, must be considered as wholly a Germanic country. At the time when the Icelandic sagas were most flourishing, or perhaps even a century earlier, there appeared in the north-west of Europe a Teutonic poem in the Flemish dialect, which, after every allowance for the influence of French or other foreign suggestions, must be considered of German growth, as well as of genuine merit and originality. We need not say that we allude to the epic fable of *Reinaert de Vos*, now ascertained to be a production of the twelfth or thirteenth century; and not unworthy of the intelligence and prosperity then developed in the Low Countries, to which its birth, in its mature shape, must be assigned. This singular poem has never taken deep root in England; but not only in the locality for which it was written, but all over Germany, it has attained a degree of popularity surpassing that of all the Icelandic sagas put together. Prompted, perhaps, by a spirit of opposition, running counter to the courtly and chivalrous compositions then in fashion, *Reynard the Fox* appealed in the plainest and most palpable shape to the love of the marvellous; and to that kindly and curious sympathy which links the human heart to the lower tribes of living beings, and makes us gaze with a strange mixture of ridicule and interest upon their characters and habits—seeing in them almost the image of our very selves, or at least of our neighbours, as in a distorted glass, or an uncouth caricature. The ingenuity and liveliness of the incidents, the bright glimpses of men and manners, the passing touches of satirical allusion, and the consistency of the characters depicted in it, will in themselves account for the popularity it so soon acquired, and has so long maintained; and which, if not now so strong as at first, is still supported by the mass of information and illustration it affords of middle age customs, of legal forms, and clerical ceremonies. But, in truth, there lies in this remarkable volume a deeper moral, and a sterner truth, than a mere glance at the surface can show us and which genius, or an instinct equivalent to genius, could alone produce. We see in the Fox and the Wolf, the ever enduring

struggle of mind with matter, carried on indeed in a shape neither dignified nor desirable, but yet too truly an emblem of what the nature of man often shows us, and, above all, too true a picture of life in the middle ages. It is the struggle, not of good against evil, but, what is oftener met with, of fraud against force, of the cunning of the weak against the stupidity of the ferocious; and considering that there does not seem to be a grain of morality in either scale to turn the balance, we almost wonder to find ourselves so much on the side of the clever knave against the brutal savage. The country which produced so imperishable a poem of its kind, so essentially fitted for, in its day, all orders of men, cannot surely be accused without injustice, of having done nothing for the people in the popular tongue.

The Germanic literature, of which we have been speaking, was embodied in a poetical form, and differs in this respect from the Saga literature of Iceland. It is not, perhaps, easy to assign the causes of this diversity, or to explain generally the growth of prose composition in any country. Of nations it may be said, as regards the infancy of their literary life, that they lisp in numbers. It seems natural for them to dress their thoughts with the ornaments of measure or rhyme, wherever they are deemed at all worthy of being put together as compositions; and the same contrivances which make them more acceptable to the hearer, make them also better remembered by the reciter. An elaborate prose narrative cannot well form a part of mere oral or traditional literature. The art of writing must be far advanced before such an effort can be thought of; and other circumstances also must concur to dispense with the more effective attractions of versification. Homer and Hesiod preceded Herodotus; and a high cultivation of taste and understanding must be presupposed to explain the influences under which the Nine Muses lent their name and nature to a prose history; while the assembled intelligence of Greece listened for hours with wonder and delight to a composition which had the power of poetry without its form. In modern literature, perhaps Boccaccio is the only writer—and he is certainly the most remarkable and the most successful—who has ventured, at an early stage in the progress of a language, to supply by the graces of expression the want of poetical embellishment. In other countries the attempts at prose diction have been slow and gradual; and in this respect the Germans in the twelfth and thirteenth centuries, like the English for some time afterwards, were nations whose form of speech was still in its infancy or youth. European influences had swept away their old language and literature, and they had begun on a new score. The Ice-

landers were in a different position. Their literature was not in its crescent state, but in its wane. Their poetry had sung itself to sleep. A statistical and matter-of-fact tendency had partly taken its place; and even as to things marvellous, the curiosity and thirst for information which belonged to their character could only be fully gratified by the unfettered details of a prose recital. The fact, however, that the German literature took almost exclusively a metrical form, causes no abatement of its merit, and could not at that period be any obstacle to its popularity.

We have, we think, said more than enough to show that Mr Laing has greatly erred in claiming for the Scandinavian literature of the middle ages a monopoly of *popular* genius and sympathy. If there was any such monopoly it was not enjoyed by Scandinavia as against the rest of Teutonic Europe, but by Iceland as against the rest of Scandinavia;—a limited privilege which may sink the continental Scandinavians below the level of their Teutonic kinsmen, but cannot possibly raise them above it. But even the Icelanders of that age can scarcely rival, and cannot pretend to surpass, their Germanic contemporaries.

Mr Laing is not satisfied to claim for Scandinavia a monopoly of literature. He insists that she had also a monopoly of liberty. All the free institutions of the Teutonic nations are, with him, to be traced to the Northmen:—

‘We have only,’ says he, ‘to compare England and the United States of America with Saxony, Prussia, Hanover, or any country calling itself of ancient Germanic or Teutonic descent, to be satisfied, that from whatever quarter civil, religious, and political liberty, independence of mind, and freedom in social existence may have come, it was not from the banks of the Rhine or the forests of Germany.’

Again, he avers, in stronger terms, that

‘The German people, the true unmixed descendants of the old Saxon race whom Tacitus describes, never from the earliest date in modern history to the present day, had a single hour of religious, civil, and political liberty as nations, or as individuals; never enjoyed the rights which the American citizen or the British subject, however imperfectly, enjoy in the freedom of person, property, and mind, at the present day in their social condition.’

We have observed this heated manner of writing with both regret and wonder. That the German people, among whom Mr Laing includes all the non-Scandinavian portion of Teutonic Europe, during the wide range of time embraced in his assertion, ‘have never had a single hour of religious, civil, and political liberty, as nations or as individuals,’ is a pro-

position either palpably extravagant, or implying a misuse of historical language that deprives it of all authority, and even meaning. Deeply should we grieve, and reluctantly should we utter the opinion, if we thought it true, that one hour of liberty had never in modern times been enjoyed by that great nation to whom modern liberty owes the Press and the Reformation! To treat in this manner the country from which, at different periods, and in different provinces of human thought, such men as Luther, and Leibnitz, and Lessing, have sprung, is an attempt that may be left to work out its own frustration. Firm in our belief that free institutions are the only lasting safeguards of freedom, we may regret that Germany does not possess more of popular rights than she has preserved amid the vicissitudes of her chequered progress. But we are not such Puseyites in Politics as to exclude all from the pale of practical liberty whose constitutional forms are not modelled according to our own creed; and there have been lovers of liberty as ardent as Mr Laing, who have, in the old Germanic system of government, seen much to admire and prize as contributing to the social advancement and security of those who lived under it. Portions of the population may have been unequally favoured in comparison with others; but we should have thought it impossible to dispute that the municipal constitution and privileges of the noble commercial towns on the Elbe and the Rhine, had contributed not a little by their example to the independence of our own burghs, and to the invaluable counterpoise thus furnished against the weight of that feudal power which Norman influences had such a tendency to increase.

But the fallacy of Mr Laing's assertions comes to be peculiarly apparent, when we consider that, according to his views, we must include among the Germanic people, as partaking of the older Teutonic or Saxon character, the countries both of Switzerland and the Netherlands. His object is to contrast the Scandinavian Teutons with those that are not Scandinavian. In this division, Switzerland, as well as Holland and Flanders, belongs indisputably to the Germanic side of the line. The Swiss are of as old German blood as can any where be found. They are, in truth, High Germans; and both in their language and their historical connexion with the rest of Europe, are removed from the Scandinavians as far as it is possible to conceive two kindred nations can be. And have there been no manifestations of freedom in Switzerland? The Dutch and Flemish, again, are, of all the lower Teutons, the most opposed to the Scandinavians, both in language and in character. Nowhere, perhaps, is a more striking contrast to be found than in the extremes

of the Scandinavian and the Low Country character. A Dutch Burgomaster seems about the very antipodes of a Norse Viking; and yet it cannot be doubted that a greater share of political and personal liberty has been enjoyed in Holland than in Denmark or Sweden; and that riper and richer fruits of civil and religious independence have been brought forth in the towns only of Flanders, than has ever been generated on the whole soil of Norway.

In Mr Laing's argument on this point, he does not venture to compare German or Saxon liberty and institutions with those of Scandinavia proper. The political history of either Denmark or Sweden would prove rather embarrassing in any comparison of the Continental constitutions; while the liberty of Norway has but little to boast of, whether we look at its effects in promoting national or individual eminence, or consider the causes to which it is ascribable, and the means by which it appears to have been maintained. According to Mr Laing, Norway owes its independence less to the character of its people, than to accidental and as it seems to us inadequate causes. He attributes it partly to the emigration of its nobility to Iceland and elsewhere, and partly to the accident of its geological structure. The first circumstance could only be temporary, and could not be favourable in other respects. The second might be more permanent, but appears to be a very inappropriate and unsatisfactory element of political history. Mr Laing thinks that from the want of any practicable stone for building, wood came to be almost the sole material available to the Norwegians for constructing houses; and that the absence of strong castles in which an aristocracy could intrench themselves, placed them at the discretion, or threw them on the good opinion, of the people at large. We confess we do not highly prize that kind of freedom which the opening of freestone quarries would endanger or destroy. In our view, wood or stone, or the want of either, is not 'what constitutes a state:' but 'men' who in all ranks assert their own rights and respect those of others—among whom the peasant does not grudge the peer his palace, but is resolved that his own cottage shall be itself a castle, as impregnable to lawless approach as the proudest fortress of the most powerful baron. The subdivision into small properties, in which the freedom of Norway finds its security, or develops its effects, appears, as a general system, to be open to much difference of opinion. It may exclude some sources of unhappiness, and enlarge the dead level of a dull and monotonous respectability; but it is dangerous to many of the charities of life, and fatal to all the high results that spring from honest and energetic

ambition ; and to all the culture, both physical and moral, which proceeds from increased wealth and refined leisure.

The limited or questionable nature of that freedom of political government which modern Scandinavia enjoys, seems to have deterred Mr Laing from referring to its institutions as a subject of comparison with those of Germany. He compares German liberty not with that of Denmark or Sweden, but with that of England and the United States. This, however, in as far as the argument is concerned, is a *petitio principii* ; since it must first be determined whether the liberty and national character of England are Scandinavian or not, in the great and essential features by which they are distinguished.

On this question Mr Laing pronounces an unhesitating and unqualified decision. All that is good in English character or institutions is the result of Scandinavian influences, through which we have been rescued from that degenerate and degraded condition into which the Anglo-Saxons had long sunk :—

‘The spirit, character, and national vigour of the old Anglo-Saxon branch of this people, had evidently become extinct under the influence and pressure of the Church of Rome upon the energies of the human mind. This abject state of the mass of the old Christianized Anglo-Saxons, is evident from the trifling resistance they made to the small piratical bands of Danes or Northmen who infested and settled on their coasts. It is evident that the people had neither energy to fight, nor property, laws, or institutions to defend, and were merely serfs on the land of nobles, or of the church, who had nothing to lose by a change of masters. It is to the renewal of the original institutions, social condition, and spirit of the Anglo-Saxon society, by the fresh infusion of these Danish conquerors into a very large proportion of the whole population in the eleventh century, and not to the social state of the forest Germans in the first century, that we must look for the actual origin of our national institutions, character, and principles of society, and for that check of the popular opinion and will upon arbitrary rule which grew up by degrees, showing itself even in the first generation after William the Conqueror, and which slowly but necessarily produced the English constitution, laws, institutions, and character.’—Again : ‘Our civil, religious, and political rights ; the principles, spirit, and forms of legislation through which they work in our social union, are the legitimate offspring of the kings of the Northmen, not of the Wittenagemoth of the Anglo-Saxons—of the independent Norse viking, not of the abject Saxon monk.’

Mr Laing’s depreciation of the Anglo-Saxons also extends to their literature, which he thus unfavourably contrasts with that of Scandinavia :—

‘It is not the literary or historical value, or the true dates or facts of these traditional pieces called sagas, written down for the first time

within those hundred and twenty years, that is the important consideration to the philosophical reader of history; but the extraordinary fact, that before the Norman conquest of England there was a people but just Christianized, whose fathers were Pagans, and who were still called barbarians by the Anglo-Saxons; yet with a literature in their own language diffused through the whole social body, and living in the common tongue and the mind of the people. The reader would almost ask if the Anglo-Saxons were not the barbarians of the two—a people, to judge from their history, without national feeling, interests, or spirit; sunk in abject superstition, and with no literature among them but what belonged to a class of men bred in the cloister, using only the Latin language, and communicating only with each other, or with Rome. In the same period in which the intellectual powers of the Pagans, or nearly Christianized Northmen, were at work in the national tongue upon subjects of popular interest, what was the amount of literary production among the Anglo-Saxons? Gildas, the earliest British writer, was of the ancient British, not of the Anglo-Saxon people, and wrote about the year 560, or a century after the arrival of the Anglo-Saxons in England. Gildas Albanus, or Saint Gildas, preceded him by about a century; and both wrote in Latin, not in the British or the Saxon tongue. The *Historia Ecclesiastica Venerabilis Bedæ*, was written in Latin about the year 731; and King Alfred translated this work of the venerable Bede into Anglo-Saxon, about 858, or by other accounts some time between 872 and 900. Asser wrote *De Vita et Rebus Gestis Alfredi* about the same period, for he died 910. Nennius, and his annotator Samuel, are placed by Pinkerton about the year 858. Florence of Worcester wrote about 1100; Simeon of Durham about 1164; Giraldus Cambrensis in the same century. The *Saxon Chronicle* appears to have been the work of different hands from the 11th to the 12th century. Roger of Hovedon wrote about 1210; Matthew Paris, the contemporary of Snorro Sturleson, about 1240. These are the principal writers among the Anglo-Saxons referred to by our historians, down to the age of Snorro Sturleson; and they all wrote in Latin, not in the language of the people, the Anglo-Saxon.

We had not anticipated, after what has been written on the subject, the necessity of vindicating the Anglo-Saxon character from attacks of this nature, made by a writer of ability and intelligence. Independently of our own recent historians, and the publications of our own scholars, we had thought that any such question was set at rest by the opinions of foreign writers; and above all, by the profound and judicious work of Lappenberg, of which a long-expected English translation has lately appeared, from the able hand of Mr Thorpe. Mr Laing, perhaps, may consider the testimony of a German witness more exceptionable even than that of an English one. But we are satisfied that no unbiassed enquirer can consider the mass of valuable materials that have lately been brought together in this department of knowledge, without feeling that the Anglo-Saxons were no unworthy ancestors of their English successors; that their social

and intellectual character was of a noble order ; and that they had not only attained an advanced position among the countries of Europe in learning, piety, and refinement, but were active and instrumental in diffusing those blessings among neighbouring nations, and might claim as their own work no small proportion of European civilization.

The Anglo-Saxons, indeed, during the important part of their history, differed materially from the people who are so much the objects of Mr Laing's fantastic admiration. They had embraced Christianity ; they had renounced idolatry and horse-flesh ; and these differences, together with the peculiarities of their local position, led to other distinctions of a collateral or consequential kind. The Saxons had accepted the Gospel—that religion which, at its first announcement among them, proclaimed a Sabbath to the slave ; which sought to still the din and assuage the misery of public and private war ; and which opened the gates of mercy, not to the wealthy and the warlike as such, not to the proud or powerful, but to the meek and lowly, the penitent and the pure in heart, whatever their rank or outward condition. Such a creed, cordially received, must have wrought a great change in the character and condition of a people composed of warriors and conquerors, scarcely firm in the seats which they had won. War and bloodshed could no longer be the universal preference of the nation ; and, as Christianity brought in its train the charities of social life, and the refinements of taste and letters, there was a risk that these pacific tendencies might exceed their due bounds ; and that too many of the better spirits might be drawn off from those warlike and worldly pursuits which the exigencies of the times required.

We are far from supposing Mr Laing to be one of those whose piety ' would not grow warmer among the ruins of Iona ;' but for the monasteries of Saxon England he seems to have little sympathy ; and he would scarcely, we fear, have joined in Canute's command, to row near to the monks of Ely that their song might be heard. Yet from these centres of civilization,—from Wearmouth and Jarrow, from Melrose and Malmesbury,—many a ray of useful light found its way through the surrounding gloom, and penetrated even into distant lands to cheer and guide those who walked in error and ignorance. We should be loth to utter a word in praise of Monachism in an abstract or absolute sense ; but the liberal spirit of the present times teaches us to view all past institutions with a charitable allowance ; to construe them along with the context, and to look for their bright side and their true perspective. The monastic life was the overstrained effort of religion and learning to correct the vices of

heathenism and ignorance; and it was perhaps necessary, or at any rate advantageous, for a time, to collect together and shield from the rude blast of external violence the feeble and struggling sparks of that holy fire of Christian civilization, which was ultimately to blaze into a flame, and glow on every hearth. In those retreats, men of intellect found a new opening for their energies as well as their ambition. The weak and weary found shelter and repose; and those whose hearts were sick, or whose consciences were burdened with the miseries or crimes of a wild or worldly life, sought there relief from their disgusts, and atonement for their errors. The monks and churchmen of Saxon England present us with instances of learning and energy, which amply redeem the national character from any reproach of slothfulness or degradation. It would be impossible to turn over any of those volumes on this subject, which are well known to all readers of our history—we would mention, in particular, Mr Wright's valuable summary of Anglo-Saxon biography—without seeing that, though the direction of their exertions was changed, the same vigour of character continued to distinguish the Saxon-English after their conversion as before it. The names of Wilfred, Benedict Biscop, Aldhelm, Wilbrord, Bede, Winfrid—better known by the name of Boniface—Willehad, Alcuin, and Ælfric, cannot but be revered as those of eminent benefactors, not only of their own country, but of mankind. Their talents were certainly as strong, and as beneficially employed, as those of any of the Scandinavian skalds or vikings who may have been their contemporaries. They were engaged, indeed, not in celebrating or inciting 'strand-hugs' and sea-robberies, but in conducting contests and incursions of another kind—in carrying light through the darkness that existed among the remaining Pagans of their own country—in spreading the knowledge of Christianity in other lands—or in enforcing its practice in those already converted, whether abroad or at home.

If we consider how completely the piety and learning planted in Britain by the Romans was rooted out at the Saxon occupation of the country, we must wonder at the rapidity with which a new, a richer, and a hardier growth of the same blessings sprang up under other hands. Within little more than two centuries after their landing, the English Saxons were not merely converted to Christianity, but had turned their energies to the conversion of their old kinsmen on the Continent; and had attained a high place among the Christian nations of Europe. The existence of such a man as Bede in a Northumbrian cloister, is perhaps, in the seventh century, a fact to be more

justly proud of, than the influence of Alcuin in the counsels of Charlemagne in the eighth. The position and labours of Boniface in the intermediate period, as the apostle of the Germans, and his manifest superiority in reputation and influence, as well as in piety and purity of character, over the mass of the Frankish clergy, present, if possible, a still more gratifying picture. But it is, most of all, honourable to England, that these men were not prodigies among their countrymen, but owed their eminence to the ordinary superiority of individual genius, aided by the common institutions and general spirit of the nation to which they belonged.

The accusation that the English Saxons were sunk in abject superstition, must mean either that they were more superstitious than the rest of Christian Europe, or that they were more superstitious than the Pagan Scandinavians. To neither of these propositions can we accede. The ages in which the Anglo-Saxons flourished, were marked by a general spirit of credulity. The laws of nature and Providence were imperfectly understood, and even Christians were ignorant that the rarity of miracles, and their limitation to the events which inspiration has recorded, are essential elements in the evidences and scheme of Christianity. The English Saxons were in no respect more credulous or corrupt than their neighbours. They had been converted by the Romish Church, and they naturally adhered to her doctrine and discipline. But neither was that church so corrupt at that time as she afterwards became; nor did the Anglo-Saxons embrace implicitly all the errors which even then had tainted the Romish system. Monasticism, indeed, prevailed among them, as it long did over all Christian Europe; and it served some beneficent purposes, worthy, we may hope, of the holy and humane motives which had a share in producing the error. Pilgrimages are another part of those observances among the English Saxons which may be considered as partaking of superstition, and as leading to moral abuses. But those religious expeditions were probably neither better nor worse before the Conquest than after it; and if persons of lax principles found in them in the earlier period a license for their irregularities, they were merely anticipating those characters of which the *Wife of Bath* was afterwards the faithful representation. Many of the other superstitions of our Saxon forefathers were the results of their Pagan creed, of which, to use the common illustration, they had brought part of the shell along with them when they left the nest. The ordeals which the church adopted or allowed were of Pagan origin; and the

Cosmogonies and Theogonies of the old belief, were a fit preparation for the reception of those legends and unauthorized imaginations with which the pure gold of the Gospel came to be so largely alloyed. It is but fair to say that the better class of lives of the early Saxon Saints have less appearance of unequivocal fraud or falsehood than has sometimes been inferred. In Bede's life of St Cuthbert, most of the miraculous narratives may, with a small stretch of charity, be explained by supposing them to contain those erroneous or exaggerated accounts of natural coincidences which are too often turned to a similar account in the biographies of all missionaries and martyrs, ancient and modern, Popish or Reformed. The Catholic crow that brought food to St Cuthbert in Lindisferne, was scarcely more marvellous than the Protestant hen that every day for a fortnight laid an egg in a garret for John Brentius's dinner; and kindly consented to abstain from cackling, that the place of her deposit and of his concealment might remain undetected.

The superstitions, indeed, of the Christian Anglo-Saxons differed in no material respect from those which the Scandinavians themselves adopted when they were Christianized. Canute, one of the greatest men that Scandinavia produced, had no disinclination to the monastic system; and his successors were proud to choose their prelates and friends from the Anglo-Saxon Church even in its state of decline. The Norman conquerors were as devoted to the superstitious practices of the age as those whom they subdued; and if the battle of Hastings was lost or won by religious influences, it was not from superstition on the part of the English, who are said to have passed the preceding night in reckless revelry,—a contagion suspected to have been caught from Danish habits; while the invaders were preparing themselves for the combat by masses and litanies, and went forward to battle amid the benedictions of their priests, and strong in the authority of the Pope himself.

But neither can it be said that the superstitions which then sullied Christianity were worse than those which belonged to the Paganism of the unconverted Teutons. Scandinavia, to whose mountains so many mists of superstition still cling even in the meridian light of Christianity, could not be free from them at a darker period. Witchcrafts, sorceries, human sacrifices, idolatries of all kinds, were prevalent among the Pagan enemies of England; and, notwithstanding the adage against the corruption of good things, we may affirm that the worst superstitions of Popery were not so bad as the best of Paganism. We deprecate, indeed, any disposition that would exaggerate the errors or

dispute the usefulness of the Popish church in its own time and sphere. Even at the present day, we see at home as well as abroad a goodly amount of superstition around us; but while we may deplore the errors of some of our countrymen and neighbours, we do not, on that account, deny that they possess, or wish that they possessed no longer, the essential belief and blessings of Christianity.

In one respect, the labours of the Anglo-Saxon monks were eminently hostile to superstitious influences. Their diligent study of the Scriptures appears in all their writings, and in all the accounts that have been left of the most eminent among them. There is something most primitive and pleasing in the picture which Bede gives of St Cuthbert's intercourse with the venerable Boisil of Melrose, then on his deathbed. Believing that he had but a week to live, Boisil proposed to his young friend to devote it with him to the perusal of John the Evangelist. 'I have a copy,' he said, 'containing seven sheets; we can, with God's help, read one every day, and meditate thereon as we are able.' 'They did so, and accomplished the task; for they sought only that simple faith which works by love, and did not handle profound questions. After their seven days' study, Boisil died of his disease, and entered into the joys of eternal light.'

Of a congenial character were the life and the death of Bede himself. The study of the Scriptures was the never-failing employment of every hour that could be withdrawn from other duties; and the sternest denouncer of monastic habits must somewhat relax his severity, when he reads, in Bede's simple and sincere language, the description of his pious occupations:—

'Cunctum vitæ tempus in ejusdem monasterii habitatione peragens, omnem meditandis Scripturis operam dedi; atque inter observantiam disciplinæ regularis et quotidianam cantandi in ecclesia curam, semper aut discere, aut docere, aut scribere dulce habui.'

Such a life, adorned as it was by many valuable contributions to religion and science, was worthily closed by the devotion of his dying breath to the conclusion of a translation of St John's gospel,—that portion of Scripture for which so many good men have evinced their special predilection. But the exertions of this excellent monk in this beneficent field, were not insulated or solitary. We believe it may be justly said, that the Anglo-Saxon language contained far more translations from the Scriptures than that of any other nation of the period, or long after it, could boast of.

To the Anglo-Saxon clergy, we think we are indebted for two distinguishing and commendatory qualities, which, amid

other peculiarities, became firmly naturalized amongst us—a strong taste for classical learning, and a deep attachment to scriptural Christianity. We know of no more generous or salutary tendencies in a nation's character or habits; and the combination of the two elements produces probably the highest and happiest admixture of qualities that our nature admits of. The fair edifice of Christianity, raised upon the elevations of Greek refinement and Roman virtue, exhibits the noblest object of attainment that can be presented to us. The English have ever been too practical a people to apply themselves much to abstract or theoretical study; but amidst all the revolutions of system and government that have visited us, the love of classical learning has continued for a thousand years to exert its ennobling and invigorating influence on the minds of our educated youth. For the same period, and with a still stronger and more extended power, the knowledge and love of the Scriptures have held a place in the hearts of Englishmen, amid all the corruptions of ecclesiastical error. The spirit that was in Bede and his associates revived in Wicliffe; and ultimately, with no small help from Anglo-Saxon examples, asserted in the Reformation, the birthright of every Englishman, never hereafter to be impaired—to read his Bible by his own hearth with reverence towards his clerical teachers, but with a higher reverence for the spirit breathed from the book itself.

These heritages we do not certainly derive from any Danish invaders; and their value demands our gratitude towards those to whom we owe them. We firmly believe, that the greater the length of time for which knowledge, piety, and civilization prevail in a country, the more they accumulate, and overflow into every channel; and in that view it is no small advantage to us, that we are in any respect the descendants of a people so early converted to Christianity, and so early imbued with European literature; and amongst whom, therefore, the best social influences have been at work with more or less activity, for so long a period, without any serious relapse or appearance of degeneracy.

If the classical or biblical partialities of Anglo-Saxon students have deprived us of a few secular ballads that might have been the fruits of time and talents differently employed, we ought, we think, to be reconciled to the sacrifice. The admirable *History* of Bede, and the various translations of the Scriptures, would well repay the loss of whole reams of scaldic rhymes, such as the latter ages at least of the Scandinavians present to us. But it is certain that no neglect or contempt of their own tongue prevailed among the Anglo-Saxon rulers, or leading men. Their translations of the

Scriptures, their use of English as a church language in their prayers, creeds, and confessions, and the promulgation of their laws in a similar form, affording indeed the earliest examples of written legislation in a Teutonic language—these alone would prove their desire to disseminate among the people all needful instruction, whether of a sacred or a secular character. But, in point of fact, there can be no doubt that their learned men were warmly attached to their native speech as a vehicle of poetry. Bede, it is true, wrote his *Ecclesiastical History*, as Saxo with less cause did his *Civil History* some centuries afterwards, in the language that would secure it the widest and most lasting celebrity. But the one was not indifferent, any more than the other, to the indigenous poetry of his country. Bede is expressly stated by his friend Cuthbert to have been learned in his own language and poetry, and to have composed on his deathbed those simple Anglo-Saxon lines which Cuthbert has given us, and which, as we meet with them also among the manuscripts of St Gall, must have been generally cherished either for their own merit or the name of their author:—

‘ For that inevitable road
That leads him to his last abode,
None can too well prepare,
Or weigh too wisely ere he go
The good or ill his soul must know,
When brought to judgment there.’

Aldhelm, somewhat before Bede, had shown the same respect for his vernacular tongue; and was extolled by Alfred himself as unrivalled, both in the composition and in the recitation of English poetry. The reputation of Alfred as a lover and patron of Saxon song is well known; and although we do not quite adopt the story of his visit as a minstrel to the Danish camp—since we are not told the language that he used, and think it improbable either that he could sing Scandinavian verses, or that the Danes could appreciate English ones—yet it is fair to view the tradition as founded on some verisimilitude in the manners and feelings of the age. Many other indications remain of the wide diffusion of popular poetry among the Anglo-Saxons. Even Dunstan seems to have been well skilled in the national poetry, and to have incurred obloquy in his clerical character on that account. The English, on the eve of the battle of Hastings, employed themselves over their cups in singing the old ballads of their country; and many native compositions now lost, seem, from their greater buoyancy, to have survived for some time the general wreck of Saxon nationality which the issue of that contest occasioned.

In judging of Anglo-Saxon literature, it is necessary to con-

sider how far it has been fully or faithfully handed down to us. From causes already indicated, we cannot expect that the Pagan hymns of the people should have survived the introduction of Christianity; and even much of their early heroic and popular poetry must have perished. They had no distant and undisturbed colony, where it could find a cover from the storm; and when we remark how complete has been the wreck of similar compositions in Germany, and on the Scandinavian continent, prior to the eleventh century, we shall only wonder that so much has been preserved of the compositions of a people whose language and sovereignty had perished at that period. We know from undoubted testimony that much of their national poetry existed, of which no relics now remain; and eminent men are handed down to us as the authors of vernacular compositions, who are only known as writers by their Latin works. The ravages of the Northmen were notoriously directed to the Saxon monasteries, and must have been fatal to the manuscripts deposited in them; and the taunts of a Scandinavian at the small remains of Anglo-Saxon poetry, are uttered with about as good a grace as that of a descendant of Omar sneering at the paucity of books in the libraries of Alexandria.

Other influences must be taken into view of a more modern date. In no Teutonic country has the language undergone so great a change as in England; and to no people is the acquisition of the speech of our forefathers so difficult as to ourselves. The native of Germany is still practised enough in artificial inflections and genders to see the principles of the older philology; and is led, almost by easy transitions from his everyday speech, to the language of the middle ages, and thence to that of a darker period. The Icelandic has even less difficulty in going back; and, as far as words are concerned, can understand the old Norse more easily than we can learn Chaucer. An Englishman, though he may recognise its roots as familiar to him, has every thing to learn in the grammar of Anglo-Saxon; and, until a few years ago, when Scandinavian and German analogies were brought to our aid, many of our English Saxon scholars did not know a masculine from a feminine noun, or an accusative singular from a genitive plural. A great gulf divided our English speech in the one period from the other; and the bridge that connects the two is not even yet practicable to the multitude. For several centuries, Anglo-Saxon literature was neglected and unknown; and after it first began to be studied, the pursuit was confined to partial objects, and was satisfied with a superficial view. Nor can it be said that it attained a comprehensive and critical character until within

the last twenty years. It is thus probable that between the eleventh and the seventeenth centuries many Saxon manuscripts have perished, from a total indifference to their contents and ignorance of their value.

It is most unreasonable, therefore, to look for Anglo-Saxon literature except in an imperfect and fragmentary form. But it is still more unreasonable to expect in it compositions of a class which were foreign to the circumstances and situation of the time. Mr Laing contrasts its barrenness in prose narrative with the prolific vigour of Icelandic talent in their sagas and chronicles. But he forgets that the Anglo-Saxon government and language were at an end before the tendency to such compositions had come to develop itself either in England or in Scandinavia. When the battle of Hastings was lost and won, the two men who first put pen to paper, or rather to parchment, in Iceland, to any good purpose, were unborn, or were mere children—Sæmund being born in 1056, and Ari some years later. The pure Saxon tongue was silent for ever before a line of Scandinavian prose had an existence; while the Icelandic sagas are two centuries later. We do not blame the Augustan age for not producing as pleasant and perennial a stream of fictitious narrative as that which flows in our own day from so many pens. Nor should we condemn the contemporaries of Bede or Alfred for not possessing the tastes of the Icelanders of the twelfth and thirteenth centuries, which even their kinsmen, the continental Scandinavians, did not share with them.

In running rapidly over the list of those relics of Anglo-Saxon literature which adverse events have spared to us, we have no intention of comparing their merit with other compositions either of classical or of modern times. It is not to be expected that the borders of the Baltic or the North Sea should produce such refinements of thought or style as the happier shores of the Ægean; and in wisdom and sublimity, it has been the fate of Greece to excel by its heroic poetry every other heathen people. The sole question we are considering is, whether the Anglo-Saxon literature as we now have it, and due allowances being made, indicates the existence or the absence of intellect and energy in the nation to which it belongs.

The noble romance of *Beowulf* is generally considered to exhibit to us the oldest existing specimen of Northern heroic poetry; and perhaps in the whole range of Teutonic literature its original form is only second in antiquity to the *Scriptures* of Ulfilas. Its bibliographical history is a remarkable illustration of the backwardness of our old national studies. Though partially communicated to us before, in the pages of Mr Turner and Mr

Conybeare, the first edition of *Beowulf* was that which the late Dr Thorkelin published at Copenhagen in 1815; and we venture to assert that a more presumptuous or ignorant attempt at editorship was never exhibited. Such a book, so far from promoting the knowledge of the subject, was calculated greatly to retard it; and it was only within these few years that Mr Kemble's labours for the first time put us in possession of the text in a correct and authentic form; at a distance probably of about a thousand years after it had been committed to writing among our ancestors. It is truly remarkable that a poem of so much merit and interest should have remained latent so long; and it is to be lamented that even now it should be darkened by so many obscurities, and defaced by so many corruptions and mutilations, both of the manuscript and probably also of the poem itself, before it assumed a written shape. It is certain that in its original structure it must have been composed in times of Paganism, if not even at a date anterior to the Saxon settlement of England. But all traces of the higher Pagan mythology have been carefully effaced, and adventitious allusions to Christianity introduced. A large part of it has obviously been lost, and much of it has been written by a scribe who had a very imperfect comprehension of its meaning; while, even where it has not been corrupted, the allusions are obscure, and not fully elucidated by any other records of the Teutonic traditions. With all its imperfections, however, we see the genuine gold shining through the rust of ages. The hero Beowulf presents a characteristic picture of a Teutonic warrior of the highest grade—something far above the vikings of a later age—one whose valour and superhuman strength are devoted, not to causeless contests or unjust aggressions, but to wars with demons, dragons, and all evil things,—labours for extirpating the enemies of mankind, whether fabulous or mythical;—labours which, though sometimes degenerating from so high a standard, have always held a favourite place in Teutonic story, and which, in earlier times, gave glory and immortality to the Grecian Hercules and his companions. The representations of the fiendish monsters, 'wet and dry,' with which Beowulf contends single-handed—their submarine or subterranean abodes and mystical treasures, the terrors of the combat, the glories and rejoicings of the triumph, the gentleness and goodness throughout of the victorious chief, though so mighty a 'beast of war,' his ultimate death in the midst of a victory over the pestilential 'worm' that had desolated his people, the tender attachment which bound to him in his last perils the faithful Wiglaf alone among all his followers, and the grief with which his subjects consigned him to the funeral

pile—all these are depicted with truth and earnestness, and in a spirit of chivalrous magnanimity, and of that true poetry which cannot fail to flow from a clear vision of noble things. Even in Mr Kemble's literal translation, made purposely, with a philological object, as close to the original as possible, a careful and intelligent eye will see those beauties which the few alone can fully appreciate in the original.

The remarkable poems which pass under the name of Cædmon, appear to us to merit the admiration they have received. Whether they are the genuine remains of that celebrated person it may be difficult to determine; but if they are not, we must add another, though a nameless man of genius, to the list of Anglo-Saxon poets. A literal and linear version, such as Mr Thorpe's purpose required, affords a very inadequate means of estimating the true dignity and force of the composition; but even through the dim haze of such a medium, we think the brightness of the original must strike upon the eyes of those who know how to look for it, and the few passages translated by Mr Conybeare will help them in their estimate. If these fragments had related to a Pagan theme, they would have been more admired; but we cannot allow their merit to be depreciated because they are founded on the book of Genesis; which, among a people recently Christianized, had the additional interest of novelty to recommend them. In some points, the originality of the poems may be thus diminished; but this remark is not universal in its application. In his account of the rebellious angels, and of the fall of man, we do not sufficiently know the sources from which the poet derived those details which have been engrafted on Scripture; but which, both in their substance and expression, indicate a power that has been justly termed Miltonic. Indeed, we cannot help thinking that the light of Cædmon's poetry was in a great measure lost in the blaze of Milton's glory, which, by a singular accident, rose upon the world about the very period at which Cædmon was first introduced, by Junius, to the few antiquaries who had eyes to see his beauty. If Milton had not now made the subject his own, and thrown every other effort to illustrate it into the shade, men would turn, we think, to Satan's words and Satan's character, as presented to us by the Anglo-Saxon poet, with a deep and fearful interest, and a genuine veneration for his powers. Mr Conybeare's version of a few passages, though not critically correct, is sufficiently near the truth to afford ordinary readers an opportunity of judging on this point for themselves,—if at least they have that spirit of liberal allowance which is called for in every estimate of poetry, formed through the intervention of a translation.

The fine poem of Judith might deserve more to be said in its praise than we have here room to afford it. The subject, from the strong and striking contrasts which the character and situations present, seems excellently fitted for poetry as well as for painting; and we think it has been well and worthily treated by the Anglo-Saxon writer. The loud and licentious revels of the heathen tyrant, so soon doomed to die; the firm and fearless piety of the Hebrew maiden, (for the Anglo-Saxon story does not seem to recognise her as a widow;) her prayer for faith and strength as her appointed victim lay sunk in the sleep of drunkenness before her; the murder and the escape; her reception among her people, her announcement of their deliverance, and her exhortation to immediate action; the attack on the infidel camp, and the despair of its inmates at discovering their leader's death; the conflict, and the victory that crowns it—all these situations and occurrences are forcibly and feelingly set before us in noble and graceful language, and with much bold and beautiful imagery. It has been said by a competent judge, that 'this fragment, perhaps more than any other composition, leads us to form a very high idea of the poetic powers of our forefathers. The entire poem, of which it probably formed but an inconsiderable portion, must have been a noble production.'

The poems recently discovered in the Vercelli manuscript, seem next to require our notice. Two alone of these relics have been published—consisting of a *Legend of St Andrew*, and the story of *Elene*, the mother of Constantine, which bears the name also of the *Invention of the Cross*. They are both unquestionably of great value, and are impressed with a very characteristic stamp. If the subjects had been of native origin, they would have been of higher interest; but the apocryphal traditions of Christian martyrs and proselytes had become the sagas of all Christendom; and except for the serious drawback not then understood, of their confounding truth with falsehood in things too sacred to admit of such a mixture, they were as well calculated to exert the talents of the poets, and to excite the interest of the people, as any themes drawn from secular sources. In the compositions to which we refer, the subjects are indeed exotic, but the treatment of them is original and indigenous. The *Andreas* has been printed and translated by Mr Kemble among the invaluable publications of the Ælfric Society. The *Elene*, which seems superior to its companion, was only printed in this country for the Record Commission; but has appeared, though without a translation, in an excellent edition of both the poems by Grimm, with valuable notes and an admirable introduction,—presenting, as we think, a just and impartial view of the character and merits of Anglo-Saxon poetry.

Some are apt to look at these legends with contempt or dislike ; but their value and influence as embodied in early national literature, demand a more indulgent and favourable sentence :—

‘It is true,’ as Mr Kemble well says, ‘that they are of little interest in their Latin or Greek forms, except in as far as they may have influenced the universal mind of Europe at the commencement of our modern civilization : in the early German translations, however, they have remained to supply the most important materials for the history of the thoughts, feelings, and mind of the Teutonic races. For, partly through the strong nationality of the Anglo-Saxons, partly through the existence of a peculiar language devoted to a particular use, the classical original becomes an equally original Germanic poem in all but the subject, and having so become, bears in very many of its details the strong impress of early, and even heathen tradition.’

Several legendary poems, but of unequal, and generally of inferior merit, are to be found in the *Codex Exoniensis*, of which, after some tantalizing glimpses, and partial specimens, the public is now in full possession in the edition of Mr Thorpe. The same collection, however, contains many miscellaneous examples of the poetry of our ancestors ; some of them entire and intelligible,—among which the *Phoenix*, and the smaller moral poems are the best ; others, in a detached or fragmentary form, calculated to excite both our admiration of what remains, and our regret for what is lost. Of these last, *The Ruin*, as Mr Thorpe has called it, is the most remarkable ; and although a mere remnant, enough of it, as he conceives, is left ‘to show that in its ‘entire state it must have been one of the noblest productions ‘of the Anglo-Saxon muse.’ It describes a rich and wondrous city laid low, yet bearing in its prostration the tokens of its former gladness and glory. The picture reminds us strangely of the very language and literature of which it is a relic. The speech of our forefathers has crumbled into fragments. Their poetry, ‘the work of giants,’ lies mouldering in the dust ;—its splendour obscured, its dignity decayed, its proportions mutilated, and its very meaning and purpose but dimly perceived,—till men have even dared to doubt whether joy and intelligence could once have been seen and heard amidst its now desolate abodes.

We have not attempted a full enumeration of all the minor compositions of merit which might be noticed in Anglo-Saxon poetry ; nor shall we now dwell on those pieces,—such as the *Traveller’s Song*, and the *Battle of Finnesburgh*, which have more of antiquarian than of literary interest ; though even these shed abroad some bright gleams of antique glory. Nor do we touch upon others of a more recent and historical character, though it would be impossible to omit all mention of the *Death of Byrhtnoth*,—a

fragment, of which the beauty and spirit have been long known through the notice and partial translation of it given in Mr Conybeare's illustrations. After all that we could say, Anglo-Saxon literature must be regarded and judged of at present as a literature that has been very imperfectly preserved; and is therefore entitled to every equitable presumption in its favour. But looking to what has occurred within our own day, we cannot help cherishing, with Mr Thorpe, the belief, that much of it 'may yet exist 'among the half-explored manuscript treasures of this and other 'countries;' and that ere long still further, perhaps more favourable specimens, than any heretofore known, of the poetry of our ancestors may be brought to light.

It is impossible to deny the difficulty of the study of Anglo-Saxon poetry. But thanks to the skill and industry of the few labourers engaged on it, the path is becoming every day more smooth, and the results to which it leads more satisfactory. We have disclaimed all comparison with the poetry of other periods or countries. But to all who desire to look upon the native development of genius and intellect,—to all to whom the history of the Teutonic, and still more of the English mind, is interesting, the poetry of the Saxons of England ought to be familiar. To those who are not bigoted to fixed forms, or warped by stubborn prejudices, the task will be its own reward. That poetry possesses a character of a decided and superior kind. Dignified and stately, perhaps sometimes pompous and tumid; highly imaginative and metaphorical, though using often the language of metaphors mere conventional phraseology; simple in purpose, unsullied in purity of thought, and elevated by a strong fervour of devotion; delighting to dwell with mystical awe on the great elements and objects of nature,—the sun, the sea, the clouds, the stars, the storms; dreaming in a confiding spirit of the agency and visible presence of superhuman powers and principles, whether good or bad; of fiends and giants leagued against God and man, or of white-robed angels travelling on missions of kindness between earth and heaven; rejoicing with the inborn enthusiasm of a warlike people in visions of battle and bloodshed, in the triumphs of victory, and in the banquet of birds and beasts of prey upon the unhappy slain, yet tempering this ferocity with a pious and generous spirit, that wars only in a righteous cause—these are some of the most striking features of Saxon poetry, and which make it not unworthy of the land which Spenser and Milton were afterwards to glorify.

Of the prose works of the Anglo-Saxons we have much less to say. We have already shown that their literature had not then reached the stage at which popular interest or admiration

was sought for in that form. Their prose compositions are chiefly of a didactic kind, and, generally speaking, are either homilies or translations from Latin works. It must be said, however, that the writings of Alfred, even where they profess to be mere translations, contain much that is excellent and original. And the homilies of Ælfric, now in course of publication by the Society which bears his name, will, for purity of language, for piety of feeling, and even for good taste and judgment, stand a comparison with many of the better writings of a much later and more lettered age.

Having given so much room to other topics, we cannot here attempt any detailed answer to Mr Laing's imputations as to the deficient courage or independence of the Anglo-Saxons, evinced in their having never made a vigorous resistance to the incursions of the Danes. It was not wonderful that after two centuries of security they should have been taken by surprise by those attacks, coming over them like a cloud, maintained with such desperate perseverance, and occurring at a period when England was but ill consolidated under a new form of government. But history shows that there was no serious or permanent prostration of the English spirit until the very beginning of the eleventh century, under the wretched reign of Ethelred the Unready; whose policy, in at one time attempting a massacre of the resident Danes, and at another paying tribute to the invaders, exhibited a melancholy compound of cruelty and cowardice. Neither shall we stop to examine Mr Laing's statistical estimate of the relative numbers of the Danes and Saxons in England, immediately before the Conquest. The subject is attended with difficulty, but we believe a candid enquiry would show that the numerical importance of the Danish inhabitants was inconsiderable; and that the traces of their direct influence on our language, laws, and institutions, are comparatively slight. The universal conversion of the Pagan invaders favours the opinions we have expressed; and the conduct and policy of Canute appear to us to afford important evidence on the same points;—as showing both the predominance of the Saxon language and manners in England, and that admiration of Saxon institutions which led him—certainly not a man of small gifts—to become so entirely English himself, and to seek an extension of the English character and constitution to his own country.

In vindicating our Saxon forefathers from the reproaches which Mr Laing has poured upon them, we shall not retaliate by disparaging their Scandinavian kinsmen, or calling in question the justice of his eulogiums on their glory and greatness. We might easily, here and there, fasten upon some exaggerated

pictures, and recall the memory of vices and defects which Mr Laing has softened or forgotten. But we write, not in the spirit of a party or sect, but as the friends of liberality and right feeling; and we readily sympathize in those glowing representations which have a foundation in truth, and derive their high colouring from generous and patriotic emotions. We would wish indeed that all the tribes of Teutonic kindred, embracing, we believe, a hundred millions of mankind, should look on each other with a kindly partiality,—not excluding from their love those other nations to whom they are bound by more distant ties, but glorying with a natural pride in the common honours of their Teutonic ancestry. Of none of the children of the house, whether Goth or Frank, Saxon or Scandinavian, have the others any reason to be ashamed. All have earned the gratitude and admiration of the world, and their combined or successive efforts have made England and Europe what they now are.

The length to which our general observations have extended, will allow us only to bestow a few sentences on the particular work which, as here presented to us, suggested, and seemed to call for them. The *Heimskringla* possesses high merit in its own class. It does not contribute much to correct historical narrative, and it leaves chronology as confused as before; but it has a pictorial vigour and vivacity which may enliven and illustrate the dulness of more accurate recitals. We see the old Northman precisely as he was, when history first speaks of him; or, what is nearly the same thing, as he was believed to be in the times that immediately followed. We breathe in another scene the spirit of kindred men, whose home was on the deep, and who were proud to relinquish their share of a rocky heritage on shore, for their chance of what the sea and its adventures might yield to their energy and enterprise. We mix with Kings and leaders that could not match in wealth or influence with an English squire or a Scottish chief, but who show us the early elements of our social life in their most disunited state. We meet with examples of insecurity, and scenes of violence and disorder, that reconcile us to the tame tenor of peaceful subordination: and again, amidst anarchy and bloodshed, we find those redeeming features of kindness and better feeling, which tell of the mingled principles that war within our nature for the mastery. Touches of tenderness, or traits of beauty, we are rarely or never presented with; but in their place we have much that is true and valuable,—the representation of actual and energetic life depicted by one whose eye and hand did full justice to his love of his subject.

Mr Laing's translations of the old strains, and snatches of

poetry interspersed in the narratives of the *Heimskringla*, are, on the whole, tolerably successful. But we must own that we scarcely at first recognised, in the following somewhat fantastic verses, the simple rhythm and manly force of our old acquaintance the *Biarkamál*, as sung at the Battle of Stiklestad :

‘ The day is breaking—
 The house-cock, shaking
 His rustling wings,
 While priest bell rings,
 Crows up the morn,
 And touting horn
 Wakes thralls to work and weep :
 Ye sons of Adil cast off sleep !
 Wake up ! wake up !
 Nor wassail cup,
 Nor maiden’s jeer,
 Awaits you here.
 Hrolf of the bow,
 Hare of the blow,
 Up in your might ! the day is breaking ;
 ’Tis Hildur’s game that bides your waking.’

We venture to subjoin a simpler and soberer version, which we think less distant from the mark ; and we add below the original Icelandic, to facilitate the task of those who are inclined to make a comparison.*

‘ The day is up ; the cock’s proud plumes make a resounding din ;
 The hour is come when thralls at home their weary work begin :
 Awake, arise, and yet again, companions dear, awake,
 Ye who with me in Athil’s train an honour’d place would take.

‘ Hår of the hand that gripes so hard !—Hrolf that can bend the bow !
 All men of good and gallant blood that fly not from a foe ;
 I wake you not to wine, my friends, or woman’s whisper’d vow ;
 ’Tis Hilda’s rude and ruthless game to which I wake you now.’

* ‘ Dagr er uppkominn, dynia hana fiadrir, Mál er vilmögum at vinna erfidi. Vaki æ oc vaki, vina höfud, Allir enir sædsto Adils of sinnar.	Dies jam exortus est, galli plumæ sus- urrant, Tempus est ut servi ad labores se com- ferant. Vigilant, iterumque vigilant cara ca- pita, Omnes præstantissimi Adilsi comites.
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‘ Hår hian hardgreipi, Hrolfr akio- tandi, Aettum godir menn, their er ei flya. Veckat ec yðr at víni, ne at vífe ránum Hellðr at hördum Hildar leiki.’	Hare, manu fortis, Hrolfe jaculator, Genere nobiles viri, qui non fugitis. Ad vina vos non excito, nec ad puel- larum colloquia, Sed ad durum Hildæ (Bellohæ) ludum,
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Mr Laing may not succeed in one object, which he tells us he proposed to himself in his present undertaking—that or producing a work that shall be attractive ‘for the common man.’ The *Heimskringla*, we fear, has too many strange names and obscure allusions; assumes too much knowledge of distant scenes, events, and manners; and, what is a greater obstacle, has too little moral or imaginative attraction to be ever popular with the ‘general gender.’ But he has nevertheless done excellent service to English literature by this translation, which sets before us a vivid picture of characters and customs connected, and yet contrasted, with our own; and we therefore strenuously recommend its racy delineations to the perusal of all students of the early history of our country and countrymen.

- ART. II.—1. *Actenmassige Darstellung Merkwürdiger Verbrechen.* VON ANSELM RITTER VON FEUERBACH. (*Narratives of Remarkable Crimes, compiled from the Official Records.* By ANSELM VON FEUERBACH.) Giessen: 1839.
2. *Strafgesetzbuch für das Königreich Bayern.* (*Penal Code of the Kingdom of Bavaria.*) Munich: 1838.

ANSELM VON FEUERBACH was one of the most remarkable men whom Germany has recently produced. He was eminent in practice and in theory, as a judge, as a legislator, and as a writer. He long and worthily presided in the highest criminal court of Bavaria; he was the principal framer of the Bavarian penal code; his exposition of the general criminal law is a textbook throughout Germany; and the last of his works (mentioned above) places him in the first rank as a narrator and as a psychologist. Of some portions of this work, and of the system of procedure which it exemplifies, we propose to give a short account.

We must warn our readers, however, not to expect a German trial to afford to them the same sort of instruction, or the same kind of mental exercise, which they have been accustomed to find in the reports of English criminal proceedings. An English report is a drama in which the reader, unconsciously perhaps, becomes one of the principal actors. He unavoidably assumes the character of a jurymen, and, with the exception that he reads the evidence instead of hearing it, he has all a jurymen's means of arriving at a verdict. He has before him the opening speech

of the counsel for the prosecution, which states what is expected to be proved ; the examination and cross-examination of the witnesses ; the defence by the prisoner's counsel ; and the recapitulation and commentary of the judge. Each set of appearances and of conflicting inferences, is explained and enforced by an advocate, and they are then weighed before him, against one another, by an impartial and experienced moderator. A more instructive exercise in the great business of life, the balancing of probabilities, can scarcely be imagined. But if, after having ascertained the prisoner's guilt, he wishes to account for it ; if he wishes to inquire what were the accidents of natural disposition or of education which predisposed him to the commission of crime, or the circumstances which supplied the place of such a predisposition ; if he wishes, in short, to make the prisoner a subject of philosophical inquiry, he gets no assistance from the English courts. The only question submitted to the jury, and the only question on which, therefore, evidence can be received, is, did the prisoner wilfully commit the act of which he is accused ?

A bright light is endeavoured to be thrown on his conduct, immediately before and immediately after the occurrence which occasions the trial ; but, with the rare exception of the cases in which insanity is the defence, all the rest of his history is left in darkness. Even as to the narrow question which alone is allowed to be investigated, the reader must often be struck by the inadequacy of the means employed. A trial resembles one of those games, in which the problem is to effect a certain object, complying with certain conditions imposed for the express purpose of creating difficulty, and giving room to chance. That the accused, and those who are his judges, should be clearly informed what is the offence with which he is charged, or, in other words, that the trial should be preceded by an indictment, is proper ; but is it rational that the omission of some technical word, which neither the prisoner nor the jury would have remarked or have understood if it had been present—or the variance of the fact laid, from the fact proved, in some utterly unimportant circumstance—should at once stop the proceedings ; and exempt a man whose guilt is manifest, not only from immediate conviction, but sometimes even from further inquiry ? Again, it is quite right that the investigation should not be unnecessarily prolonged, that the accused should not be broken down by an indefinite imprisonment, or harassed by repeated and abortive trials. But the English rule that the trial, when once begun, should be continuous—that the unexpected absence of a witness, or some unforeseen want of proof, should produce an immediate acquittal,

though perhaps a delay of a few hours would have remedied the defect—is a superstitious adherence to a useful regulation. Again, the more heinous accusations are those as to which it is most difficult to obtain direct evidence ;—neither premeditated murder, nor robbery, nor arson, is often committed in the presence of third persons. The proof, therefore, is almost always circumstantial—that is to say, it consists of appearances which can be accounted for only, or most easily, by supposing the prisoner's guilt. The most obvious, and generally the most effectual, mode of ascertaining the truth or erroneousness of this supposition, is to examine the accused. If it be false, the clearness, consistency, and veracity of his answers will assist in establishing his innocence. If it be true, he must afford evidence as to his guilt by confession, or by silence, or by falsehood. But, in an English trial, not only is such examination forbidden, but the prisoner is allowed, indeed recommended, to leave his defence to his counsel, and to remain himself a mere passive spectator. Again, where several persons are suspected of having concurred in a crime, the admissions by one must often supply proof against the others. But the confession of a prisoner is not supported by his oath ; though it be received against himself, therefore, it is not allowed to be evidence against any one else. It would seem that, to avoid this difficulty, the persons suspected might be tried separately, and those who are not yet under accusation might be summoned as witnesses. But this expedient is rendered useless by the rule, that no man is required to answer questions when he chooses to believe, or to assert that he believes, that his answer might render himself liable to legal punishment. He may be required to give evidence which may ruin his fortune or destroy his character ; but if it would expose him to a chance, however slight, of any penal infliction, however trifling, he has a right to say, I refuse to answer. As a last resource, the accomplice, whose evidence is to be used, is allowed to bargain that he shall not be prosecuted himself. As the price of his betraying his associates he obtains an impunity, mischievous to society and disgraceful to the law, which disgusts those who can comprehend its grounds, and perplexes those who cannot.

We will illustrate some of these remarks by a reference to one of the most solemn legal proceedings which has occurred in England during the present century. The Earl of Cardigan was accused of having shot at Captain Tuckett with the intent to kill, to maim, or at least to injure him. The trial took place before the highest court in the empire, the House of Lords. A great officer was created to preside over it. The judges were summoned to give their advice. All the foreign ministers and the most

eminent of the British public constituted the audience. Nothing could be more impressive than the ceremonial. To the unlearned, the proof of the prisoner's guilt appeared to be complete. The duel was fought about two hundred yards from the Wandsworth windmill. The miller, from his elevated position on the stage of the mill, saw the party approach and take their ground. While he was hurrying to interfere, he saw the principals receive pistols from their seconds and fire once, and receive fresh pistols and fire again. One of them fell wounded as he came up. The wounded man gave to him his card, engraved with the name Captain Harvey Tuckett; the other admitted himself to be Lord Cardigan. Captain Tuckett was allowed to be removed. Lord Cardigan was taken to the police-office; and, as he entered, told the inspector that he was his prisoner; that he had been fighting a duel, and had hit his man. There was, therefore, the testimony of an eyewitness, and the confession of the accused. What more could the court want? What they wanted was to know the second and third Christian names of the wounded man. The indictment stated his Christian names to be Harvey Garnett Phipps. The card omitted the two latter. A Mr Codd, who acted as Captain Tuckett's agent, was examined, and proved what were his Christian names; but, as he was not present at the duel, could not identify his Captain Tuckett with the wounded man. But it was supposed that Sir James Anderson, a physician, who had been on the ground to give professional services, could add the information that was wanted.

This was his examination:—

'Lord High Steward.—"Sir James Anderson, I think it my duty to inform you, that you are not bound to answer any question which may tend to criminate yourself."

'Mr Attorney-General.—"Are you acquainted with Captain Tuckett?"

"I must decline answering that."

"Were you on that day called in to attend any gentleman that was wounded?"

"I am sorry to decline that again."

"Can you tell me where Captain Tuckett lives?"

"I must decline that question."

"When did you last see Captain Tuckett?"

"I decline answering any question that may tend to criminate myself."

"And you consider that answering any question respecting Captain Tuckett may tend to criminate yourself?"

"It is possible that it would."

"Then the witness may withdraw."

Such being the state of the proof, the counsel for the prisoner maintained that no case was made which required a defence; and Lord Denman, as Lord High Steward, proceeded to state what he thought ought to be the decision of the House.

The charge was, that Lord Cardigan had shot at Harvey Garnett Phipps Tuckett. The defect of the proof was, that it was not shown that the person shot at bore all these names.

‘It is proper,’ said Lord Denman, ‘to observe that the law requires such proof to be given. The law gives no countenance to the opinion, that where the injury itself is, in fact, well established, the names borne by the injured party may be considered as immaterial. *There is little hazard in asserting, that no year passes without some examples of acquittals taking place in some of the courts by reason of mistakes or defects of this kind.* In the present case, the simplest means of proof were accessible. If those who conduct the prosecution had obtained your Lordships’ order for the appearance of Captain Tuckett at your bar, and the witnesses of the duel had identified him, Mr Codd might have been asked whether that was the gentleman who bore the four names mentioned in the indictment, and his answer would have been conclusive. If this were an ordinary case, the judge must hold the objection well founded, and the jury would at once return a verdict of acquittal.’ In compliance with this recommendation, Lord Cardigan was unanimously acquitted.

If the object of the English procedure were to arrive at the substantial truth, would it have been suffered to be insulted and defeated by this solemn trifling? Would the prosecutor have been required to prove any thing so irrelevant as the second and third baptismal names of the injured party? Would a witness have been allowed to refuse information, merely because he feared, or affected to fear, that it might expose him to punishment? What would be easier than to remove this excuse, if it be one, by enacting that his evidence given in court shall not be received against himself? If a link in the evidence is wanting, why should not the court have the power of adjourning (in Lord Cardigan’s case a day, perhaps an hour, would have been sufficient) until it can be procured?

The explanation probably is, that the discovery of truth was not the sole, or even the principal purpose, which the rules of English criminal procedure were intended to effect. They have grown up in that long contest between the crown, the aristocracy, and the people, which has produced, and continues to produce, the constantly varying institutions, forming what is called the ‘Constitution of England.’ Until the Revolution, they were,

in many respects, unjust to the prisoner. He had no counsel, nor any means of compelling the attendance of his witnesses. They were not allowed to be sworn; and yet the jury was always reminded that their mere statements ought not to be listened to, when opposed to the oaths of those for the crown. The penal law was frightfully sanguinary and oppressive; it inflicted death and forfeiture with almost wanton profusion; and supplied weapons, from which no one who had a public or a private enemy could feel safe. The rules to which we have alluded, and many others, which are equally effectual to screen the guilty, were invented in order to shield the innocent. The judges sympathized with the accused. They acted as European captives have done, when they have been forced by a barbarous conqueror to serve his Artillery against their own countrymen. They withdrew the balls, or misdirected the pieces. And the rules which were thus introduced, have, as is usually the case, long survived their original motives.

The Penal Code of Bavaria, the country from which Feuerbach's narratives are taken, bears a general resemblance to the criminal law of the other portions of Germany. Its procedure, and its rules of evidence, are far more faulty than those of England; but the defects are different, and indeed often opposite. Strictly speaking, there is nothing in Bavaria analogous to an English trial. There is no jail delivery; no day on which the prisoner must be acquitted or convicted. The whole trial, if it can be called one, is a long inquiry; first, before the local judge of the district in which the events constituting the supposed crime took place; afterwards, by the superior criminal tribunal, which, after perusing all the documents and the decision of the inferior court, pronounces sentence; and lastly, in grave cases, by the high court of appeal, which adopts, modifies, or reverses that sentence, or directs a further inquiry.

On the occurrence of any such event, the *Untersuchungsrichter*, (which may be translated Examining judge,) a functionary acting both as prosecutor and as judge, sets to work to ascertain, in their minutest detail, all the facts constituting the supposed crime, and all the grounds for suspecting any individual as concerned in it. Those against whom the judge thinks that there is a plausible suspicion, are placed in prison, and there must remain until the court is perfectly convinced of their guilt or of their innocence, or of its own inability to ascertain either the one or the other. We have compared an English trial to a drama; and it is a drama in which the unities of action and of time are observed with a pedantry which would satisfy the most servile French critic. The German judicial inquirer is bound

by no such fetters. He hunts up every collateral fact or suggestion which may possibly influence the decision or the sentence. For the purpose of ascertaining the *a priori* probability of the prisoner's guilt, he unravels his whole history from earliest childhood. As that history approaches the time of the supposed crime, he endeavours to make it a perfect chronicle of all the prisoner's actions, and even words. By means which we shall mention hereafter, he obtains from him, on all these points, the fullest statements that can be wrung from him, and then investigates, as separate inquiries, the truth of every detail. If doubt is thrown on the testimony of any of the witnesses—whether by general imputations on character, or by defined charges, or by discrepancy even as to immaterial points—this doubt is to be cleared up, and the general inquiry waits until the credibility of the witness has been established or broken down. The original subject of investigation, or, to use the language of the English law, the issue between the Crown and the Prisoner, is like an Indian fig-tree. It can send out suckers, which become trees as large as their parent, and have the same powers of reproduction.

Such an inquiry cannot be defeated by mere formal errors. There can be no flaw in the indictment; for, in fact, there is no indictment. The prisoner is not tried for having committed a specified crime; but the two inquiries, whether any and what crime has been committed, and whether the prisoner had any and what share in it, go on simultaneously. He cannot escape because, at a critical point in the proceedings, the prosecutor has omitted to prove a link in the evidence, or because a material witness is not produced. There is no critical point in a German trial. No one hurries himself, or allows others to hurry him, in that tranquil country. What is not proved to-day may be proved to-morrow, or, more probably, six months hence. If the witness is not forthcoming, the inquiry waits until he appears. Justice prides herself on being sure, and is utterly indifferent to the reproach that she is slow. One year, two years, five years, or even seven years may elapse before the final decision is obtained. And this decision may be, that the evidence being deficient, the prisoner shall be detained, either in actual confinement, or in an appointed place of residence, under the inspection of the police.

In Germany, again, not only is the English rule, that a man shall not be required to criminate himself—a rule which perhaps excludes more evidence than all our other technical rules put together—unheard of, but the whole procedure is based on the opposite principle. The evidence given by a man against him-

self, being the most satisfactory of proofs, is the proof which the judicial prosecutor is most anxious to extort. Until a period within the present century, it was generally obtained by torture. The principal use of other evidence was to lay a ground for placing the prisoner in the torture-chamber, and if he came out of it without having confessed, he was entitled to his discharge. Feuerbach tells us that he never was forgiven by the old Bavarian judges for having contributed towards depriving them of a process so simple, so convincing, and so economical of time and trouble. And when he adds, that, since the abolition of torture, the constant endeavour of the courts has been to obtain for it a substitute as nearly as possible resembling the original, he might refer to the works mentioned at the head of this Article, as proving the truth of the statement.

Nothing at first sight appears more remarkable than the constant confession of the accused. In England, any admission of guilt, however casual or indirect, is evidence. It may have fallen from the prisoner years before the trial, or have been made to the constable who arrested him, or to one of his companions in prison; or, where there are accomplices, a spy may be placed, as was the case with Mr Steele's murderers, to overhear and report their conversation. And yet nothing is rarer than conviction founded on confession. Those who confess, confess only when the trial is over, and the majority die protesting their innocence. In Bavaria, a confession is not received unless it be deliberately made in the presence of two witnesses, or to the judge. And yet, with the exception of one or two persons arrested on slight suspicion, and clearly innocent, there is scarcely one among the accused, whose stories Feuerbach relates—different as they are in sex, in age, in rank, in knowledge, and in character—who is not convicted on his own confession. In one or two cases the confession is guarded, so as to avoid the circumstances which would make the offence capital; but generally it is complete and circumstantial. Even to Feuerbach himself, accustomed as he was to it, this circumstance appeared to require explanation; and he has given that explanation in an interesting chapter on confessions. He holds the principal motives to confession to be five, viz.—*First*, remorse; the stings of an irritated conscience, and the desire to soothe them by the sort of amends which a full confession affords. This, however, he adds, experience shows to be one of the rarest phenomena in criminal procedure. For one criminal who confesses from no motive but remorse, there are a thousand who scarcely know that such a feeling exists. *Secondly*—and this, he says, is the prevailing cause—the prisoner's inability to resist or elude the cross-examination

of the judge. He cannot reconcile the inconsistencies of his narration; he is ashamed to persist in an evident lie; he is fatigued by having to invent stories which the judge immediately proves to be falsehoods; he knows that every such detection sinks him lower and lower in the estimation of the judge; and he hopes that by frankness he may obtain some approach to sympathy. A *third* and very frequent source, is the desire to escape from the agony of suspense—an agony which, in the solitary unemployed days and sleepless nights of a German prison, may often be severer than any punishment short of death. A *fourth* is stupid sluggish despair. The prisoner has not the spirit or the energy which are necessary to play out a losing game. He gives himself up at once for lost, and saves himself the trouble of a defence. And, *lastly*, every prisoner feels that he is in a great measure in the power of the examining judge. He knows that the examiner can aggravate or relax the rigour of his present imprisonment, and that his report must influence the final sentence of the Court, and may decide the question of pardon. Whether he make a confession or not, he expects to be convicted; he sees the judge's eagerness to obtain one, and he yields in the hope of propitiating him.

The part of the Bavarian criminal code which contains Criminal Procedure, consists of four hundred and eighty-two articles, contained in thirty-two chapters. Two whole chapters, containing sixty-two articles, rather more than one-eighth of the whole, are devoted to the examination of the accused. Except in the case which we shall afterwards mention, of *confrontation*, the only persons present are the inquiring judge, (*untersuchungs richter*), the accused, and a notary. The judge informs the accused that it is his duty to tell the truth, and that, even if he be guilty, a frank confession may mitigate his punishment. He then asks him whether he knows why he has been summoned or arrested.* If he protest his ignorance, or do not assign the real ground, he is to be told that he is not telling the truth, and that the judge is well aware that he knows about the matter much more than he pretends.† If he persist, the examination is to be immediately closed for that day. At the next examination, he is to be reminded of the duty of truth, and of the evil which he may bring on himself by falsehood,‡ and then to be questioned as to facts bearing on the imputed crime—beginning with those more remotely connected with it, so as gradually to lead him into denials inconsistent with innocence, or into admissions inconsistent with an invented defence. It is only after all attempts to

* Art. 157.

† Art. 158.

‡ Art. 165, 167.

lead him to avow his knowledge have failed, that he is to be told, not precisely the crime, but the sort of crime of which he is accused,* and not a word is to be said of the evidence.

If, on the other hand, he states the real cause of his summons or arrest, he is to be desired to relate all that he knows on the subject, and his narrative, however improbable, is not to be interrupted. When he has told his story, he is to be examined as to all its details, so as to make it as circumstantial as possible.† And he is to be again and again examined, at intervals, on the same points, and his answers compared.‡ Irrelevant questions are to be mixed with those which are relevant, and unimportant facts with those that are important; so that the prisoner may not know whether the answer which he is giving is material or not.§ Wherever it is possible, he is to give an immediate answer, and not to have time to invent a false one.¶ Great anxiety is manifested throughout the Code, that until the case against him has been completed, the prisoner shall know as little as possible about it. He is allowed no communication with the external world. Not only are all the witnesses examined in his absence, but all their depositions are concealed from him, nor is he allowed any copy of his own statements. The judge is directed to be careful that the questions shall not enable him to suspect the nature or the amount of the evidence against him.

When we found that the Code contained a chapter on *confrontation*, we supposed it to be one of the aids given to the defence. We supposed it to be an opportunity given to the prisoner and to his counsel to cross-examine the witnesses for the crown. We found it, however, to be merely one of the instruments of attack. When all other means, says the law, have been tried and have failed, the judge may, at his discretion, endeavour to surprise the prisoner into confession by unexpectedly producing before him any one or more, either of the witnesses against him, or of his accomplices who have already confessed. For this purpose the witness is to be prepared by reminding him of his former statements, and to be asked if he will repeat them in the presence of the accused. If he refuse, he must state the grounds of his refusal, the sufficiency of which, the court must decide. If he consent, whether willingly or by order of the court, those portions of his evidence which are to be concealed from the prisoner, are to be selected, and he is to be strictly enjoined not to repeat or to allude to them.†† The prisoner

* Art. 167.

† Art. 178.

† Art. 161.

‡ Art. 175.

‡ Art. 173.

** Art. 219.

§ Art. 175, 176.

†† Art. 222.

is then to be re-examined; the improbability or the inconsistency of his denials or of his statements is to be pointed out to him; he is to be again and again urged to tell the truth; and if he be still obstinate, the witness is as unexpectedly as possible to be produced, and re-examined, so far as the judge thinks it expedient, in the prisoner's presence. The prisoner is not to put any question, but is allowed, and indeed required, to give his own statement as to the facts deposed to by the witnesses. If more than one person is to be confronted with the prisoner, each is to be introduced separately, reserving the most material as the last. The judge, says the Code, must watch the countenance as well as the answers of the prisoner, and snatch every occasion of leading or driving him to confession; and if he succeed, the *confrontation*, having served its purpose, is to be immediately closed, and the judge's whole attention given to the completion of the confession.

If the prisoner refuse to answer, or try to evade answering merely by referring to some previous answer, he is to be punished by imprisonment, on bread and water; and, if that fail, by blows—of which, however, not more than twenty can be inflicted in one day. All other modes of arriving at the truth are then to be used, and if they are unsuccessful, he is to be detained in prison as long as his obstinacy continues.*

The importance attached to obtaining a confession is explained, when we consider the rules by which the efficacy of all other evidence is encumbered and impaired.†

Witnesses are divided into incompetent, suspicious, (*verdächtig*,) and sufficient, (*vollgültig*.) Children under the age of eight years, those who have accepted any reward or promise for their evidence, those who have an immediate and certain interest in the success or failure of the prosecution, those who have been accused of calumny, of giving false information or of perjury, and have been convicted or not fully acquitted, and those who, in any material part of their evidence, have been guilty of falsehood or of inconsistency, are all *incompetent* witnesses. Their evidence is to be rejected *in toto*. Persons under the age of eighteen, the injured party, informers, (unless officially bound to inform,) accomplices, persons connected with the party for whom they depose, by blood, by marriage, by friendship, by office, or by dependence—persons opposed to the party against whom they depose, by strife or by hatred, those who may obtain by the result of the inquiry any remote or contingent benefit, persons of

* Art. 188, 189.

† See Articles 276 to 297, inclusive.

suspicious character, persons unknown to the court, and those whose manner gives the appearance of insincerity or of partiality—are all *suspicious* witnesses.

The testimony of two sufficient witnesses, stating not mere inferences, but facts which they have perceived with their own senses, amounts to proof. That of one sufficient witness amounts to half proof.

Two suspicious witnesses, whose testimony agrees, are equal to one sufficient witness. Therefore the testimony of two suspicious witnesses agreeing with that of one sufficient witness, or the testimony of four suspicious witnesses by themselves, amounts to proof.

When the evidence on each side, taken *per se*, amounts to proof, the decision is to be in favour of the accused. In other cases, contradictory testimonies neutralize one another. So that if there be two sufficient witnesses on one side, and two suspicious witnesses on the other, it is as if there were a single sufficient witness, and consequently a half proof. But if the number of sufficient witnesses had been three, it would have amounted to proof—the two suspicious witnesses merely neutralizing the evidence of one of the three sufficient witnesses, and therefore still leaving the fact proved. So the testimony of seven suspicious witnesses, opposed only by three similar witnesses, amounts to proof—that of six to half proof. Circumstantial evidence amounts to proof when each fact of which it consists is fully proved, (that is to say, by two sufficient witnesses, or by one such witness and two suspicious ones, or by four suspicious ones,) and when these facts cannot be rationally accounted for on any hypothesis except that of the prisoner's guilt.* If any other explanation is possible, though it may be improbable, or if the facts are imperfectly proved, the circumstantial evidence is imperfect.† The Code does not state with its usual arithmetical preciseness, the gradations in value of imperfect circumstantial evidence. It seems, however, that it may amount to half proof; for (by Art. 324,) if it coalesce with direct evidence amounting to half proof, the mixture amounts to whole proof. The most complete circumstantial evidence, however, does not authorize the infliction of death.‡

Let us see how such rules may work. A man meets two others in a path through a wood. Soon after he has passed and lost sight of them, he hears screams. He turns back, and finds one of them lying senseless on the ground, and sees the other

* Art. 328.

† Art. 327.

‡ Art. 330.

running away. He overtakes him, and finds on him the purse and watch of the wounded man, who, by this time, is dead. The murderer and robber, unless he will confess, must escape. In the first place, the evidence is only circumstantial—no one saw him give the fatal blow; and secondly, as there is only one witness, there is only a half proof even of the circumstances to which the witness deposes. We will suppose, however, that the wounded man revives, and deposes that the prisoner demanded his watch and purse, and on his refusal struck him down, and took them. Even then the prisoner, unless, we repeat it, he will confess, cannot be convicted even of the robbery. For the only direct evidence is that of the injured person, and he is, as we have seen, a suspicious witness; his testimony, therefore, amounts to only half of a half proof; and as that of the other witness amounts to only a half proof, the prisoner must be discharged for defect of evidence. Well might Feuerbach say, that unless a man choose to perpetrate his crimes in public, or to confess them, he need not fear a conviction.

Even a confession is not conclusive. It has no resemblance to the English plea of Guilty. In the first place, it is evidence only of the prisoner's acts, not of any inferences from those acts. Therefore it is no evidence of the '*that-bestand*,' the *corpus delicti*, the fact that a given crime was committed.* Thus, if a prisoner confess that he shot a man, his confession is evidence that he loaded a pistol, directed it towards the person in question, and pulled the trigger. But it is not evidence that these acts occasioned that person's death. That must be proved by inspection of the body. The only cases in which a confession is allowed to assist in proving the '*that-bestand*,' is when the following requisites concur: First, the impossibility of fully proving the '*that-bestand*' in any other way must be shown. Secondly, the prisoner must be proved to be a person from whom the conduct which he confesses may be expected. Thirdly, there must be other evidence of the '*that-bestand*,' sufficient to exclude any rational doubt, though not legally complete.† Fourthly, in cases of murder, the acts confessed by the prisoner must be such as necessarily occasion death; or, in the opinion of professional witnesses, must have occasioned death in the case in question.‡

We shall see hereafter the difficulties occasioned by these rules.

And, in the second place, a confession does not amount to proof, even of the acts which it confesses, unless it be made to the *untersuchungs richter* at a formal hearing, which must have

* Art. 268

Art. 267,

‡ Art. 271.

taken place on a day subsequent to that of the first examination. No conviction can be founded on a confession made by the prisoner during his first examination.* An informal confession formally proved, that is to say, a confession made in the presence of two sufficient witnesses, but not to the *untersuchungs richter*, amounts to half proof, and therefore justifies conviction if it can be assisted by another half proof, such as conclusive circumstantial evidence, or the direct evidence of one sufficient eyewitness, or of two suspicious eyewitnesses, provided that those witnesses are not also the witnesses who prove the confession.†

We will finish our account of the criminal procedure of Bavaria, by a short outline of the law, so far as it respects the defence and the sentence.

With respect to the defence, the *untersuchungs richter* is directed to seek and produce evidence establishing the innocence of the prisoner, as diligently as he does that which proves his guilt. The prisoner, however, is not allowed to interfere until the judge has exhausted all his own means of investigation. When this has been done, the prisoner is offered, and in some cases required to accept, the assistance of a legal defender. He now, for the first time, knows what is the evidence against him, and perhaps, for the first time, knows of what he is accused. The whole of the proceedings are exhibited to the defender, and he is allowed to visit the prisoner in private, having previously sworn not to become a party to any unrighteous defence.‡ He is then to designate to the *untersuchungs richter* the points as to which the prisoner is entitled to further investigation.

It does not appear from the Code that the prisoner, or his defender, can summon any witnesses; but it is probable that a demand that they be summoned is seldom refused. Nor does it appear that the prisoner, or his defender, can examine any witnesses for the defence, or personally examine those who have been already examined. We find no exception from the general rule (laid down in Art. 207,) that every witness is to be examined in the absence of the prisoner. The prisoner or his defender is, lastly, to give a minute (*Zum Protocolle geben*) of his objections to the course of procedure, to the force of the inculpatory evidence, and to conviction or punishment; and is allowed, but not required, to develop this minute by a written defence, (*Vertheidigungs-schrift*.)

The whole of the proceedings are then sent by the *untersuchungs richter* to the immediately superior criminal court of deci-

* Art. 162.

† Arts. 332, 333, 334.

‡ Art. 145.

sion, (*Kriminal Gericht*.) This court refers them to one of its members, who has to report,

1. Whether the case is ripe for decision ?

If it be, 2. Whether the accused is guilty, and if so, of what crime ?

If he be, 3. What punishment ought to be inflicted ?

The court decides on all these questions by majority. If the first question be decided in the negative, the case is sent back to the court of inquiry for further investigation. If it be decided in the affirmative, the court proceeds to give judgment; which may be,

1. That the accused is innocent ; or,

2. That he has not been proved to be guilty ; or,

3. That the inquiry is abandoned for want of evidence ; or,

4. That the accused is guilty of a crime, which must be specified in the judgment, and ought to suffer a punishment, which must also be so specified.

When the punishment is death, or imprisonment for life, or for not less than twenty years, the sentence must be sent for revision to the high court of appeal. In other cases, an appeal does not take place, unless it be demanded by the accused on the one hand, or by the president of the court of decision (*Kriminal Gericht*) on the other. The court of appeal, if it think the inquiry insufficient, may remit the case to the same or to a different court of inquiry ; or, if it think the decision wrong, to the same or to a different court of decision ; or it may, of its own authority, alter the judgment of the inferior court, either to the advantage or to the disadvantage of the accused, or it may simply confirm it. Ultimately, of course, a final decision is obtained ; and it is then to be carried into effect, if it be favourable to the prisoner, immediately ; if it be unfavourable, within twenty-four hours after it has been announced to him.

We will now illustrate the working and the results of this system by some of the most remarkable of Feuerbach's narratives.

The small farm called Thomashof, in the village of Lauterbach, between Ratisbon and Landshut, was inhabited in the year 1807 by a family, consisting of Francis Riembauer, the Roman Catholic Curate of the parish, and also the proprietor of the farm, and a widow named Frauenknecht, and her two daughters, Magdalena and Catherine, one aged nineteen, and the other eleven years. The Frauenknecht family had been the former owners of the farm, and had sold it to Riembauer ; and being on terms of great intimacy with him, continued to reside there. All enjoyed in a high degree the esteem of their neighbours. The widow and her daughters were respected for their integrity

and industry, and loved for the softness of their manners, and (we use the words of Riembauer) 'the angelic kindness of their dispositions.' The younger daughter, Catherine, showed an intelligence far beyond her age. Riembauer himself passed for a model of apostolic fervour, charity, and simplicity. He was born in 1770, and therefore was in his thirty-eighth year at the commencement of our narrative. He was the son of a day-labourer, a station lower in that country, where almost every one has some land, than that of an English farm-servant. The first years of his boyhood he passed as a shepherd's boy, but before he was thirteen he felt the power and the ambition to rise higher. With the assistance of some instruction from his clergyman, he obtained admission to the public seminary of Ratisbon, and in 1795 was ordained. For the ten following years he served in the ministry in several of the neighbouring parishes; and in 1805 became curate of Pirkwang, of which Lauterbach is a hamlet. He had a fine person, was an eloquent preacher, was zealous, active, and kind in his intercourse with his parishioners, and was honoured, says Feuerbach, as a half-glorified saint. It was believed, indeed, and he encouraged the belief, that he had strange communications with the spiritual world. Souls from purgatory visited his chamber, implored a mass from him, and were released as soon as it had been said. He saw them himself fluttering towards heaven in the form of doves. Sometimes, when he was abroad at night in the duties of his cure, they danced before him like fiery exhalations,—in the hope, as he supposed, to receive his benediction; and ranged themselves on his right or on his left as he extended his hand. Until his purchase of the Thomashof farm he had avoided all worldly engagements, and dedicated his leisure to literature and spiritual exercises. After that period he devoted much of it to the labours of the farm, which he appears to have performed himself, with little assistance except from the widow and her daughters. Against the few persons who thought it unbecoming that a priest should act as a ploughman or a groom, he defended himself by the decisions of the council of Carthage, and the authority of Saint Epiphanius; and his parishioners in general thought it a proof of apostolic humility. To his humility also it was attributed that he never looked any one in the face; and walked with a sunk head, downcast and half-closed eyes, and hands folded over his breast. In June 1807 he passed in Munich, with great distinction, the examination which candidates for ecclesiastical preferment undergo in Bavaria. In the beginning of 1808 he obtained the benefice of Priel, some miles from Lauterbach, sold the Thomashof farm, and removed with the

Frauenknecht family, mother and daughters, to his new parsonage. In June 1809, the mother and the elder daughter died within a few days of one another, after short illnesses.

The situation of a *Pfarrköchin* (minister's cook) appears to rank in Bavaria above ordinary menial service. She is generally the only domestic of the Priest, and in a country where, among those who are not noble, there is comparatively little inequality of rank or fortune, she is often his principal companion. Magdalena, the elder daughter, had filled this place in Riembauer's household, and on her death he earnestly endeavoured to persuade Catherine, the younger daughter, now about thirteen, to supply her place. She refused, left the parsonage, and lived as a servant, first with his brother, and afterwards in several other places. All those with whom she lived were struck with the contrast of her general cheerfulness and her occasional anxiety and gloom. As she grew older, her periods of disturbance became more frequent and more terrible. She could not bear to be alone. She spoke sometimes about a female whose recollection haunted her, and whose figure pursued her wherever she went. She could not sleep by herself; frightful appearances visited her if she attempted it. At length she confessed to one of her fellow-servants that she was oppressed by a dreadful secret, and was advised by her to consult her Priest. She followed this advice, and revealed to her spiritual director that, some years before, Riembauër had murdered a woman. That the only witnesses were herself, her mother, and her sister, and that since their death Riembauer and herself had become the sole depositories of the secret. The Priest consulted several of his brethren, and, by their advice, directed her to be silent, and to leave Riembauer to the punishment of God. But silence was too painful, and she had recourse to another Priest, to whom she repeated her story, and to whom she told also that Riembauer had appropriated the whole fortune of her family. His advice was also to say nothing. But he endeavoured to obtain restitution of the fortune, by sending to Riembauer an anonymous letter in Latin. The letter produced no result, but must have seriously alarmed Riembauer, since he was able, many years afterwards, to repeat its contents. We copy it from his confession:—

‘Habeo casum mihi propositum quem tantummodo tu solvere potes. Vir quidam, quem tu bene nosis, debet alicui personæ 3000 florenorum circiter. Si conscientia tua vigilat, solve hoc debitum. Nisi intra quatuor hebdomadas respondeas, horrenda patefaciet ista persona. Hannibal ante portas.’

Catherine's intellect was too clear to be clouded by the sophistry or the *esprit de corps* which must have seduced her spiritual

teachers. In 1813, when she was seventeen years old, she laid her statement before the tribunal of Landshut; but, as the Bavarian law did not allow her to be sworn until she was eighteen, no proceedings seem to have followed during that year. In 1814, having attained the age to which that law ascribes veracity, she repeated it on oath, and a regular judicial inquiry was founded on it. From the minuteness with which the details are related, and from the scenic effect given to many of the occurrences, we have no doubt that the *untersuchungs richter* was Feuerbach himself.

The following are the material parts of Catherine's deposition:—

‘In June 1807, when Priest Riembauer and my sister were in Munich, the one to pass an examination, the other to learn cooking, a woman, about twenty-two years old, of large powerful make, and exceedingly handsome, came to our house, and enquired for the priest, whom she called her cousin. Finding him absent, she went into his room, behaved there as if she had been mistress of it, and looked through all the drawers in search of money. She spent the night with us, and left a sealed letter directed to him. When I mentioned the circumstance to him on his return, he said that she was his cousin, and that he owed her money. A few months after, on the evening of the 1st of November 1807, (the day was ascertained as being that of the great Catholic Feast of All Souls,) the priest and my sister were in the house, and my mother and I were returning from field work. As we approached we heard a noise in the upper room inhabited by the priest, and scarcely knew whether it were laughing or crying, but it sounded more like crying. At the door we met my sister running down the stairs, and she told us that a strange woman had come to visit the priest, that they had gone into his room, that she had looked through the keyhole, and had seen him come behind the woman as she was seated, and draw her head backwards and attempt to cut her throat. While my sister on the steps was telling us this, the crying continued, and we heard the priest say, “My girl, repent your sins, for you must die,” and we heard another voice say, “Frank, do not do it, leave me my life, I’ll never come to you again for money.” My mother and sister ran into our room below. I ran upstairs, and saw through the keyhole a woman lying on the ground bleeding and convulsed, and Riembauer sitting or kneeling by her, and pressing her throat with both his hands. I ran down into our room, and told my mother and sister what I had seen; and while they were doubting whether they should call in the neighbours, the priest came down-stairs to us, his apron covered with blood, with a razor also bloody in his hand. He told us that this woman had borne him a child, that she had asked him for between one or two hundred florins, and threatened him, if he refused it, to denounce him to his ecclesiastical superiors, and that, as he could not furnish the money, he had killed her. I ran into his room, and found the woman, whom I recognised as our visitor in the summer,

lying in her blood, her throat cut through and lifeless. My mother protested that she would tell all, and when the priest fell on his knees before her, said that her silence would do no good, since the neighbours must have seen the stranger and heard the noise. He now threatened to destroy himself, took a cord from the stable and ran into the wood. My mother and sister followed him, and believing that he really would hang himself, and that his suicide would only make the misfortune greater, they at length promised concealment. He proposed to bury the body in a small room adjoining an outhouse which he had lately built; and accordingly, between twelve and one at night, dug the grave there, dragged the body down-stairs, threw it, clothed as it was, into the grave, and covered it with earth. One shoe fell off by the way, and I saw our house-dog tearing it the next morning. Riembauer did not begin to wash out the blood in his room until the next day, and then it had sunk in too deep to yield to water. I borrowed a plane, therefore, from the next cottage, and he endeavoured to plane out the stains. To the neighbours who asked what had occasioned so much noise and crying in our house all night, we answered, by Riembauer's order, that we had been lamenting our father's death, and some loss of property which had followed it.'

She went on to say, that after this event Riembauer did not live happily with her mother and sister, that her sister had often threatened to leave him, that he was in constant fear of their betraying him, and that finally he had destroyed their evidence by poisoning them. Her grounds for this belief were the suddenness of their deaths, his having suffered no priest or medical man to approach them, and her sister's death having immediately followed her taking a draught from his hand. She was sure, too, that he had intended to destroy herself. Her sister told her that Riembauer had said that he would give three or four hundred florins to get rid of Catherine, for she was getting cleverer every day, and in time there would be no buying her silence. He had promised her an enormous sum if she would stay with him; and when she told him, at her departure, that she had forgotten nothing, he had replied, 'You will not get the best of it if you betray me. Your mother and sister are dead, and I shall say that it was they who murdered the woman.'

Such a charge, brought by a mere girl against a man of Riembauer's respectable station and high character, obtained at first little belief. It was supposed to be the strange and frightful product of a diseased imagination. This accounts for the absence of any judicial inquiries during the long period between the first and second information. The accuser, however, showed so much calmness and intelligence; the story, with all its strangeness, was so clear, consistent, and detailed, that when, after the interval of a year, it was repeated, the court could not refuse to act on it. And as Lauterbach is at a considerable distance

from Priel, the first steps could be taken without exciting the alarm, or affecting the reputation of the accused. The outhouse was found, the small room by its side, and in that room, very little below the surface, a female skeleton complete, except that the bones of the hands were wanting. All the teeth were perfect, and remarkably beautiful. No clothes, except a single shoe, are mentioned. Stains were found in Riembauer's room, which, as soon as they were moistened, showed themselves to be blood; and in many parts of the floor there were marks of a plane, which had been applied by an unskilful hand, and had pared away the planks unevenly.

Riembauer was now arrested, and taken to Landsbut. On his first examination, he admitted his knowledge of the skeleton, and gave his own version of the murder and the burial. The bones, he said, were those of Anna Eichstaedter, a person whom he had known when he was curate of Hirnheim, who had deposited with him fifty florins, her savings, and whom he had promised to take as his cook when he should obtain a benefice. From the time that he left Hirnheim, until her death, he had never seen her, though he had corresponded with her about her money; and had understood that when he was in Munich, in the summer of 1807, she had visited Thomashof, and had grieved the Frauenknecht family by telling them that he had promised to make her his cook.

'One evening,' said Riembauer, 'in the beginning of November 1807, I returned from a funeral, and went straight to my room. The door was open, and a figure was lying on the floor. I called out, received no answer, felt it, and, to my horror, found it to be a dead body. I ran below to the sitting-room, where the mother Frauenknecht and her daughter Magdalena were clinging to one another, and shaking like aspen leaves. They seized me by the hands, and half-crying, half-screaming, implored me not to betray them. Their story was, that the person who had visited Thomashof the preceding June, (and whom I knew to be Anna Eichstaedter,) had returned; had told them that she was to be my cook, and that they would have to remove; that this had produced a quarrel, in the heat of which Magdalena had seized one of my razors and cut the woman's throat. I told them that I must leave Thomashof; but they entreated me to stay with them, and promised to allow me any reduction which I might wish from the purchase-money, which I had not yet paid to them. I was persuaded to stay, and moved my bed down to the ground floor. The next morning I went out early, and when I returned in the evening, the body was still in my room. The mother and daughter said that they thought of burying it in the little room next the outhouse. I said that they might do as they liked, I would not interfere. They buried it that night. As the misfortune was remediless, and it might be hoped that, if they were allowed to live,

they might atone for it by repentance, I thought it my duty, as charged with their salvation, to conceal the whole matter.'

We have seen that, until a late stage of the enquiry, a German prisoner knows nothing of the depositions against him. Riembauer, therefore, could not tell what had been Catherine's evidence. But Feuerbach remarks, that if he had heard every word of it, his own statement could not have been more skilfully framed. Ordinary criminals, when they are first examined, deny every thing. Intelligent ones endeavour to assume the frankness of innocence. In order to give credibility to their denials and explanations, they admit what they know must have been proved, so far, at least, as such admission does not amount to pleading guilty to the whole charge. There can be no doubt, indeed, that his story was ready prepared. For six years the chance of detection had been before him. He must have decided what he should do, and what he should say, in every contingency. And his decision had been, not to pretend any thing so improbable as ignorance of the whole matter, but to admit both the fact of the murder, and that the widow, her daughter, and he himself, were privy to it. The catastrophe and the *dramatis personæ* remained unaltered; all that he did was to transpose the characters. He converted Magdalena from a witness into a perpetrator, and himself from a perpetrator into a witness. He endeavoured also, but apparently without success, to suborn some of his friends to swear that Magdalena had confessed to them that she was the murderer. Most of his letters were intercepted. One of them is given by Feuerbach. It is addressed to a priest, and implores him to give the requisite testimony in consideration of their mutual affection, of the grief with which his conviction would fill his friends, of the reproach which it would throw on the clergy, and of the scandal which it would be to the believers among the laity.

The inquiry was now directed towards Anna Eichstaedter. It was soon proved that there had been such a person—that she had been remarkable for her tall powerful figure, and handsome features, and particularly for the beauty of her teeth; that she had lived as cook in the parsonage of Hirnheim in 1803, when Riembauer was curate there; and that she had borne him a daughter, who was still living. Riembauer, it appeared, supported the child, and had contributed to the support of the mother until the beginning of 1807, when the purchase of Thomashof, and his buildings and improvements there, embarrassed him. This occasioned her visit to Lauterbach in June. In consequence of the letter which she left for him, Riembauer soon afterwards went to Ratisbon, gave her some money and

promised more, but strictly enjoined her not to come near him at Lauterbach. He was unable, however, to keep his promise, and she engaged herself to a priest residing at P—, about fifteen or sixteen miles from Lauterbach; but requested leave, before finally entering his service, to visit her friends. In the afternoon of the 1st of November 1807, she left her new master's house, taking with her an umbrella with the priest's initials, P. D., engraved on the handle. From that time she had never been heard of. Until the discovery of her remains, it had been supposed that she had been drowned in one of the torrents which cross that mountainous country, and her body swept into the Danube; or that she had been destroyed by a notorious brigand, who at that time infested the neighbourhood of Ratisbon, and was executed the next year. A few days after her disappearance, the priest of P—, suspecting her to be at Thomashof, wrote to Riembauer, and begged him to tell her that, if she had changed her mind as to entering his service, he wished to have his umbrella returned to him. Riembauer's answer was, that he knew nothing about her or the umbrella. It was found, however, in his possession, still marked with the initials of its original owner. It was further ascertained that Riembauer had lived a very dissolute life, and that his profligacy, and the necessity of concealing it, had led him into expenses far exceeding his lawful means, and supplied therefore by fraud and extortion. One of Catherine's accusations, that he had been the active cause of the deaths of her mother and sister, was not substantiated. It was proved, indeed, that during their illness Riembauer had kept them secluded, and had allowed no priest or professional man to approach them, but when their bodies were disinterred no decisive traces of poison were found. The better opinion seemed to be, that they had caught from an Austrian soldier, whom they had received and nursed in the parsonage, the military fever then raging in Bavaria, and had died naturally, though perhaps for want of attention and medical treatment.

In England the matter would now have been ripe for decision. That on the 1st of November 1807, Anna Eichstaedter was murdered at Thomashof would have been considered as proved. All that a jury would have had to decide was, whether they believed the statement of Catherine or that of Riembauer. There was no physical improbability in Catherine's story. Anna Eichstaedter was indeed a vigorous woman, but Riembauer was a powerful man, and probably exceeded her in strength as much as she exceeded the generality of women. It was, without doubt, morally improbable that a man of reputation for piety should have been guilty of a frightful crime; but against this were to

be set far greater opposing improbabilities. In the first place, there was a physical difficulty in Riembauer's narrative. Magdalena was small and weak; it seemed impossible that she could have overpowered a tall strong woman. Then her mildness and softness of disposition were as remarkable as Riembauer's sanctity. In her case, too, there was almost an absence of motive. She could have had no hatred of Anna Eichstaedter, for she had never seen her before, and she could not have hoped to retain her place in Riembauer's household by committing a murder almost in his presence. On the other hand, Eichstaedter's death relieved Riembauer from an enemy who threatened to ruin his reputation, stop his advancement, and perhaps destroy his means of existence. The subsequent conduct of the parties, too, is consistent only with the theory of Riembauer's guilt. At first sight indeed it seems strange, on that supposition, that the widow and her daughter should have continued to live with him. But they had venerated him up to that time; he had subjected their minds by the ascendancy of his station, talents, and knowledge; he was their spiritual director, and he had made himself master of their property. On the other hand, if he were innocent—that he, a man, as he represented himself, of scrupulous piety, should have shielded a murderess and her accomplice, should have allowed them to bury in his own outhouse the body of his murdered friend, and should have retained them till their deaths as his sole domestic associates, is inconceivable.

He would probably have been tried at the first assizes after Catherine's information was laid; the proceedings could scarcely have outlasted one day; and unless there were some technical flaw, unless the copyist perhaps left out in the indictment the words 'then and there,' or wrote Eichstaedter's name Hannah, instead of Anna, or Mary instead of Maria, the judge would have summed up unfavourably, and the jury would have convicted him without leaving the box.

Such a decision, obtained by balancing conflicting improbabilities, however deeply the preponderating scale may incline, does not satisfy a German jurist. In the first place, the proof of the *that-bestand*, the physical fact of the murder, was imperfect. The wound, which had caused death by dividing the arteries of the neck, had reached no bone. The skeleton, therefore—and, after six years, only a skeleton remained—showed no injury, and the *that-bestand*, as we have seen, ought to be proved by inspection. And secondly, Catherine was only a single witness, and her evidence, therefore, only a half proof. The *untersuchungs richter*, therefore, who had no more doubt as to Riembauer's guilt than an English juryman would have had,

directed his whole energy, and his whole skill, to the leading or drawing him to a full confession. But he had to deal with a man as determined, and perhaps as sagacious as himself, who had long meditated his defence, and was resolved that neither fatigue, nor shame, nor despondency, nor even the horrors of an indefinite imprisonment, should force him to assist in his own condemnation. For four years the contest continued. Riembauer endured ninety-nine formal examinations; besides confrontations with separate witnesses which Feuerbach calls innumerable. The depositions filled forty-two folio volumes. Still little progress was made. The accused generally acted the part of a persecuted Christian, who hears with patience the falsehoods and the misrepresentations by which he is assailed. If he sometimes broke into the sudden anger of a calumniated man, he instantly apologized, and relapsed into the mild tone and half smile which marked his usual demeanour. Sometimes, indeed, in a confrontation, he assumed the dignity of a preacher, and rebuked the witnesses for their perjury; sometimes he burst into laughter at the absurdity of their inventions; and sometimes he wept over his own oppressed and defenceless state—a prey to all his own enemies and to all those of the church, inspired and directed by Satan himself; and sometimes he had recourse to the most vehement asseverations. ‘If he stood on the scaffold,’ he said, ‘with a thousand devils before him, he could only repeat with his last breath his former story. His heart,’ he assured the judge, ‘was as spotless as snow. He only wished that his bosom were transparent. How was it possible that a priest could commit murder, and continue his priestly functions, knowing, as he must know, that the murder made him *ipso facto* irregular and excommunicated, and guilty of a fresh and mortal sin whenever he administered the sacraments? Was it conceivable that any man in his senses would touch the divine elements with hands stained with innocent blood, and incur the probability of temporal punishment and the certainty of eternal damnation?’

Feuerbach has given us, at some length, part of one of these examinations. It began at four in the afternoon of the 1st of November, the anniversary of the murder. From that time until midnight, the judge strove to convince his understanding, by showing the separate and the cumulative force of the evidence against him, and to rouse his conscience, by urging the wickedness as well as the folly of persisting in falsehood. For eight consecutive hours he remained apparently unaffected. At length the judge suddenly raised a cloth, under which lay a human skull. ‘This,’ he said, ‘is the skull of Anna Eichstaedter, still remarkable by these rows of beautiful teeth.’ Riembauer

sprang up from his chair, looked wildly at the judge, but immediately resumed his composure and his fixed smile, placed himself so as to avoid looking at the skull in front, and answered, 'My conscience is at ease. This day eight years, as I returned from Pirkwang, I found that skull, and the body of which it formed a part, lying dead in my room. If it could speak, it would say, Riembauer was my friend, not my murderer. You see that I breathe freely in its presence. I am not a criminal, but a victim.' When the whole of that long day's examination had been read over and signed by him, the judge again led him in front of the skull, and again exhorted him to repent and confess. He was not unaffected, but soon resumed his tranquillity and his smile, and exclaimed, addressing the skull, 'Oh! if you could speak, you would prove my veracity.'

At length, on the 26th of October 1816, the inquiry was terminated, and the papers were sent to Munich for the decision of the superior court; the court which inquires, and that which decides, being, as we have seen, always distinct. On the 1st of October 1817, (the date is material, as showing the pace at which justice moves in Germany,) the matter came on for discussion by the superior court. How long that discussion would have lasted, or what would have been the decision, we do not know; for on the eighth day it was interrupted by a communication from the court at Landshut. On the 13th of October, the prisoner had asked for an audience, and had declared that he had prayed to the Holy Ghost to assist his memory, and was now convinced that the story in which he had persisted for four years was incorrect; and that in fact it was the widow Frauenknecht, not the daughter, who had committed the murder. It was obvious that his resolution was giving way; his appetite had begun to fail, and on the 26th he asked for another audience, on the ground that he feared his mind was becoming disturbed, and hoped that a frank confession might give him ease. In that audience he threw himself on his knees before the judge, implored that his trial might be brought to an end, said that he was tired of life, and driven almost wild by spectral appearances. Visions of those whom he had known, and of others whom he had not known, appeared in his cell, and for three nights following, immediately after the Ave Maria, he had heard a dull awful sound, resembling that of a muffled drum. But he still could not bring himself to confess. When the judge remarked, that the length of the inquiry, and the consequent injury to his mind and body, were his own fault, he answered, that his misery arose not, as the judge seemed to hint, from consciousness of unrevealed guilt, but from sleepless nights—and that he had already told all that

he knew, and all that he believed. But there was something in his manner that induced the judge to return to the attack. He again went over all the improbabilities, the inconsistencies, and the detected falsehoods of the prisoner's story—again reproached him with the folly, the wickedness, and the degradation of persisting in untruth, and again urged him to relieve his conscience by a full confession. Feuerbach was a man of great powers, both of reasoning and persuasion, and Riembauer, broken down, both physically and mentally, now gave up the contest. 'Yes,' he said, 'Mr Commissioner, you are right. My health is sinking every day, and I feel that the best thing that I can now do is to admit my guilt. But while I take this decided step, let me implore the royal protection for my innocent children. And now you may take down my confession. Catherine's evidence is essentially true. It was I who deprived Anna Eichstaedter of life.'

The confession lasted through thirteen audiences. The material facts of that portion which Feuerbach has reported, are as follows :—

'The letters that I received from Anna Eichstaedter filled me with terror. Unless I would provide for the child, and receive her into my house, she threatened to denounce me to my ecclesiastical superiors. The result of my visit to her at Ratisbon increased my alarm. I explained to her my pecuniary embarrassments, and the impossibility of my receiving her, but she would listen to no excuses, and could be convinced by no arguments. My honour, my position, my powers of being useful, all that I valued in the world was at stake. I often reflected on the principle laid down by my old tutor, Father Benedict Sattler, in his *Ethica Christiana*,* a principle which he often explained to his young clerical pupils—"That it is lawful to deprive another of life, if that be the only means of preserving one's own honour and reputation. For honour is more valuable than life; and if it be lawful to protect one's life by destroying an assailant, it must obviously be lawful to use similar means to protect one's honour." My case appeared to me to fall precisely within this principle. I thought if this wicked woman should pursue me to Lauterbach, and do what she threatens, my honour is lost. I shall be disgraced throughout the diocese, the consistory will remove me, and my property will perish for want of my superintendence. Father Sattler's principle became, therefore, my *dictamen practicum*; but though, from the time of my return from Ratisbon until the perpetration of the

* We have not seen this work. Feuerbach describes it as consisting of six large volumes, containing almost a caricature of the sort of morals and casuistry usually called Jesuitical. He adds that it is a favourite text-book in many places of ecclesiastical education in the south of Germany.

act, it was never out of my thoughts, I had not arranged any plan for carrying it into execution.

The day of payment of the allowance for the child arrived and passed, and I could not send it. I had it not, and was unable to borrow it; and I lived in constant terror of Eichstaedter's appearance. At length, on the evening of All Soul's Day, as I was returning to my house with Magdalena, I saw a woman enter before us, whom I recognised as Eichstaedter. I overtook her in the passage, and took her up-stairs. Sattler's precept rushed on my mind; I was tempted to throw her down from the landing-place. And even now I cannot tell what prevented me. Perhaps it occurred to me that she might not be killed by the fall, and then matters would be worse than before. When we got into my room she renewed her demand, that the child's maintenance should be paid, and that I should take her into my house; and I showed to her again and again, that neither the one nor the other was possible. Finding her deaf to all reasoning, I left her on some pretext, went down-stairs, and armed myself with a knife and a razor. In doing this, I scarcely think that I was a free agent. Perplexity for the present, and terror for the future—horror at the necessity of acting on Sattler's principle, and inability to find any other means of extrication—so confused me, that I hardly knew what I was about. When I came back, she began again to storm and to threaten; and I came behind her as she was sitting, and tried to stab her in the throat with the knife. It was too blunt, and I let it fall and attempted to strangle her. It was then that I told her to repent, for that she must die, and that she prayed so earnestly for her life. I failed again, and then took the razor from my pocket, and made a deep cut in her neck. I immediately saw that this wound was mortal. She remained standing for an instant or two, and I said, "Anna, I beg forgiveness from God and from you. You would have it so. Pray to God to forgive your sins, and I will give you absolution." And I gave her absolution—this being a *casus necessitatis*. She was now beginning to fall, and I supported her under the arms, and laid her down softly on the floor. I knelt by her side, and gave her spiritual consolation until her breath was flown. Two days after, I buried her; and as the hands had stiffened in an attitude of entreaty, they rose above the grave, and I was forced to remove them.* I have nothing more to relate about this melancholy event, except that I have frequently applied† masses to her soul, and that her death has always been a source of grief to me, though the motives which led me to effect it were praiseworthy. These motives—my only motives—were to save the credit of my honourable profession, and to prevent the many evils and crimes which a scandalous exposure must have occasioned. Had I not stood so high with my people, I would have submitted to that exposure. But if

* This accounts for the bones of the hands having been the only parts of the skeleton deficient.

† The use of the technical word '*applicavit*,' 'applied,' is remarkable.

the faults of a priest, revered as I was, had been revealed, many men would have thought that my example justified their sins—others would have lost confidence in their clergy—and some, perhaps, might have thought religion a fable. As these calamities could be prevented only by the getting rid of Anna Eichstaedter, I was forced to get rid of her. The end was good—her death was the only means. Therefore I cannot believe that it was a crime. The same motive induced me to endure, year after year, the misery of a dungeon. As soon as I had reason to believe it to be the will of God that I should myself reveal what I had done, I made a full confession.*

So corrupt, indeed, was Riembauer's moral sense, that he believed even his hypocrisy to have been a virtue. 'My failings,' he said on another occasion, 'so far as they were failings, were the incidents of my position. They were the failings of celibacy, (*cælibatssuenden*.) They never disturbed my conscience; for I could defend them, both by reasoning and by examples taken from ecclesiastical history, and I think that I deserve credit for having so managed my conduct as to give no public offence.'

On the 1st of August 1818, more than five years after the trial began, and about eight months after it might have been supposed to have terminated by Riembauer's confession, judgment was pronounced. He was declared guilty of murder, and sentenced to indefinite imprisonment in a fortress.

As the regular punishment of murder is death, it was necessary that grounds should be assigned by the court for this mitigation. These grounds were, that the *that-bestand*, the fact that a murder had been committed, was not sufficiently proved, the skeleton showing no marks of mortal injury. And that this defect was not supplied by the prisoner's confession, as that confession was not supported, as the Code requires, 'by other well-established facts, showing the accused to be a man from whom the crime imputed to him may be expected.'*

Feuerbach admits, that if Riembauer's confession were rejected, the fact that a murder was committed (the *that-bestand*) was insufficiently proved. It is true that Anna Eichstaedter was never seen alive, except by the inhabitants of Thomashof, after she left P——, on All Soul's Day, 1807—that the umbrella of the priest of P——, marked with his initials, which he had lent to her that afternoon, was found in Riembauer's possession—that just below the floor of the outhouse, which had then been in

* *May be*, not *might have been*. *Kann*, not *könnte*. The difference is material.

Riembauer's occupation, was found a skeleton which was recognised as hers—that the floor of Riembauer's room was still stained with blood, and still retained the marks of the plane which had been used for the purpose of effacing it—that her death rescued Riembauer from exposure, disgrace, and ruin; and lastly, that he was privy to it, and had concealed it at a frightful risk. These facts, certainly, did not exclude the physical possibility that she might have died naturally; but they rendered it so improbable, that no one can doubt that they would have been sufficient to produce his conviction from an English jury, or indeed from any tribunal not fettered by irrational rules of evidence. Then came Catherine's testimony, who, though she did not see the wound inflicted, heard Riembauer's threats, heard the cries of his victim, and saw him come from the place where the death had occurred; his clothes, and the razor which he held, covered with blood.

Feuerbach, however, admits that all this amounted only to a half proof, or *semiplena probatio*; but he strongly censures the court for not having considered every defect supplied by Riembauer's confession. He first objects to the law which refuses credibility to a confession, unless the crime confessed agree with the previous conduct of the accused. 'How often,' he says, 'are men proved to have committed acts inconsistent with their previous character? How often does a judge, while he convicts, say to himself, "who could have expected such a crime from such a man?" And is a man who confesses his crime to escape its appropriate punishment, because, up to the time of committing it, he had sufficient hypocrisy to conceal his real disposition, or the good fortune not to meet with an adequate temptation?' He goes on to object to the application of the rule to the case before him. The rule, he says, is expressed in the present, not in the past tense. The confession is to be rejected, unless the crime confessed *may be*, not *might have been*, expected from the prisoner. Riembauer certainly was not a man from whom, *when he was first arrested*, the conduct which he confessed would have been expected. His real disposition and his real opinions were then unknown. He betrayed, or, to speak more correctly, he displayed them during the progress of the inquiry. He acknowledged principles of action, of which the crime which he confessed was a consequence almost inevitable, as soon as the appropriate temptation occurred. And so utter was his moral depravity, that neither experience nor the reflection of nearly five years of solitary imprisonment seems to have led him to doubt the soundness of his system; or, in the Christian sense of the word, to repent (*μετανοειν*) that he had obeyed it. 'Such a man,'

says Feuerbach, and we agree with him, 'is a man from whom a crime like that confessed by Riembauer *may be expected.*'

An English reader, however, is far more revolted by the conclusion drawn from the premises, than by any error in the premises themselves. That the same sentence should declare a man guilty, and mitigate his sentence on account of the insufficiency of the proof, appears to us a contradiction. We admit no gradation of proof. If there be any rational doubt as to the prisoner's guilt, he is to be acquitted. But when once the verdict has been pronounced, the question of proof has been disposed of; it is assumed to have been perfect, and consequently it would be a contradiction in terms if its quality were to affect the sentence. The Bavarian law, as we have seen, proportions the punishment, not only to the nature of the crime, but to the nature of the evidence. And so many are the requisites to perfect proof, that unless there remain, up to the time of the trial, traces of the crime, not merely visible but indubitable—unless it were committed in the presence of more than one witness—unless it be confessed by the accused—and unless he be a man of previously bad character, he generally escapes the punishment awarded to his offence by the law. He does not, indeed, escape altogether. It seems scarcely possible that a man really guilty can elude the dogged perseverance of an *untersuchungs richter*—unconfined as to the duration of his inquiry—restrained in its progress by no technicalities—allowed to collect evidence from hearsay and from accomplices, and to extort it by the moral torture of unremitting cross-examination, and the torture, both physical and moral, of solitary imprisonment. The German public escapes the evils which frequently arise in England, from the acquittal of a man whose guilt is undoubted; but, on the other hand, it often witnesses the inconsistency of a conviction on the ground that the crime has been proved, and a mitigation of punishment on the ground that the proof has been defective.

Riembauer's crimes appear to have arisen from the predominance of his will and of his intellect. He had a strong wish for all the objects of human desire—for power, for fame, for wealth, and for pleasure. The energy of his will enabled him to attain these objects in a degree which is very remarkable, when we recollect, first, that he started in the race at the utmost disadvantage; and secondly, that, in the course which he was forced to take, the objects themselves were almost incompatible. At the age of thirteen, without education, or friends, or money, the son of a day-labourer—a person who, in Germany, ranks between an ordinary peasant and a beggar, but approaches nearest to the latter—he conceived, and in a great measure

executed, a plan which would have raised him to the highest ecclesiastical dignities. He obtained the first elementary instruction by imploring it, to use Feuerbach's expression, on his knees. The rapid progress which, beginning so late, he made in a single year, procured him admission to the public college of Ratisbon. Feuerbach tells us, that he was there an *unverbesserlicher student*—a student who in every respect, in conduct, in diligence, and in intelligence, answered the utmost wishes of his instructors. A praise scarcely ever merited even by those who have enjoyed almost every advantage, was obtained by one who had to encounter almost every obstacle. If the Church of Rome had not prescribed celibacy to her priests, he would probably have been, to all outward appearance, one of her ornaments. But when he found the discipline of his Church opposed to his passions, the vehemence of his will impelled him to endeavour to elude restraints to which an humbler mind would have submitted. He engaged in the most fatal of attempts, the attempt to deceive his conscience; and his ingenuity and his casuistical knowledge and experience enabled him to succeed in that unhappy contest. He persuaded himself that what the rest of the world calls profligacy, was necessarily incidental to his priestly profession. His relations with his different mistresses he considered as temporary marriages; and he satisfied their scruples and his own by solemnizing them with the rites of his church. Catherine saw him go through this ceremony with her sister Magdalena. His numerous illegitimate children he appears to have provided for to the utmost extent of his means. The event, indeed, showed that only on this condition could he escape exposure; but while he could do this their birth did not disturb him. 'I considered,' he said, 'the matter often and deeply. I thought on the remark of Saint Clement of Alexandria, that man is never so obviously the image of God as when he assists God in the creation of a human being. To do so cannot be against the will of God, since thereby the number of the elect may be increased; nor against the will of the Church, since it adds one to the number of her communion; nor against that of the State, which gains a citizen and a subject. My conscience, therefore, gave me no uneasiness.'

We readily believe that it gave none. He was able to extract from what has been called the oracle within the breast, whatever responses he wished for. And this is the most instructive part of his story. He is the most remarkable instance that we know of the power and the danger of self-deception. Other men have committed crimes as atrocious and as premeditated as those of Riembauer; and with as little remorse; but their conscience has

been made torpid by ignorance and brutal unreflection, or has been seduced by example, or has been perverted by the flattery and apparent sympathy of those around them. The great mass of uneducated criminals belong to the first or the second class; tyrants, whether royal or revolutionary, to the third. Riembauer had not the sluggish disposition which does not hear the remonstrances of conscience, nor the carelessness which does not heed them. The nature of his actions and their consequences, not only in this world but in the next, seem to have been among his habitual subjects of meditation. He was not the victim of example or of sympathy. He knew that the moral code which, with the help of the modern casuists and the ancient fathers, he had constructed for himself, would not be accepted by the society in which he lived. His worst crimes, indeed, arose from his belief that if his general conduct were known he would be despised and degraded. He had no external aid in his contest with conscience; yet so complete was his victory that he forced her to admit the most glaring sophistry, and to sanction the foulest crimes—profligacy, robbery, perjury, and murder. We are inclined to believe, indeed, that if a man sets seriously to work to argue with his conscience, there is scarcely any error into which he cannot seduce her. Under no circumstances does she appear to be an infallible adviser; but when she opposes, she is generally a safe one. She frequently is mistaken when she actively approves, still more frequently when she barely acquiesces; but when she yields after a struggle she is almost always wrong.

It may be interesting to compare Riembauer's crime with one of perhaps still greater atrocity, perpetrated by persons who in almost every respect—in talents, in knowledge, in disposition, and in habits—were not merely dissimilar to him, but almost opposite. For this purpose, we shall avail ourselves of Feuerbach's history of the Schwartz-muhle family.

The scene of the remarkable events which we shall relate, was a valley in the Fichtel Gebirge, the mountainous plateau separating Franconia and part of Lusatia from Bohemia. Several causes have contributed to render the Fichtel Gebirge one of the rudest parts of Germany. The climate is uncertain, but generally severe; the inhabitants, when we visited their country, described to us their year as consisting of nine months winter and three months bad weather. Sharp frosts are frequent even in the latter end of June. Although there are fertile strips in many of the valleys and by the sides of many of the streams, the greater part of the soil is unproductive, either intrinsically, or from its height or steep inclina-

tion. Even now, when all Germany is bent on improving its communications, the roads are few and bad. At an earlier period they must have been almost impassable, except in hard frost, or after long dry weather. Under such circumstances, the population is thin, and more pastoral than agricultural; and they have frequently engaged in other pursuits which have not improved their character. The difficulty of the country, and its central position, filled it for some centuries with robber knights, who converted the granite peaks of the hills into almost inaccessible fortresses, and had at their mercy a great part of the transit between the north and south, and the east and west of Germany. The annals of the neighbouring towns, Eger, Wunsiedel, Hof, and Baireuth, are filled with narratives of contests with the freebooters, and of the expeditions by which they were all ultimately extirpated. A small wood among the roots of the Schneeberg, through which the road from Nuremberg to Eger winds, between the castles of Rudolphstein and Waldstein, became so dangerous as to receive the name of Hell (*Holle*;) a name which it still retains, though the robber castles were destroyed—the one by an expedition from Nuremberg, the other by the burghers of Eger, two centuries ago.

Then followed the search for mineral wealth. The mountains are generally metalliferous, and are supposed to have been the first scenes of mining operations in Germany—operations which continued for many centuries. The *detritus* of the streams, which of course are very numerous, afforded tin in considerable abundance, and was supposed to yield precious stones; and in many of the rivers, a mussel is still found which contains an inferior pearl. The tin washings, however, have shared the usual fate of metallic washings, and have become exhausted—the mines have been ruined by the rivalry of richer districts, or by the admission of water during the wars of which a frontier country is often the seat; and the pearls are no longer worth the expense of obtaining them.

Another industry, however, arose during the last century, and still continues to prosper—that of the smuggler. Half a dozen different states had their frontiers and their custom-houses among the roots of the Fichtel Gebirge; and although exchanges of territory, the absorption of the smaller sovereigns, and, above all, the union of Prussia, Saxony, and Bavaria, in the Zollverein, have legalized trade between the north and the south, the blind prohibitory system with which Austria was cursed by Joseph, and from which she is scarcely beginning to extricate herself, renders Bohemia an attractive market for contraband Saxon, and even French and English manufactures. The Austrian government is too poor to watch adequately her

enormous frontiers. We have ourselves entered by the Fichtel Gebirge without showing a passport, or meeting a custom-house officer, and in a carriage which (without our knowing it) was almost filled with prohibited goods. And there are some Bohemian products, particularly glass and porcelain, which supply the smuggler with a return cargo.

When we add that there are few towns, and no resident gentry, and that the clergy are raised but little by birth, or knowledge, or habits, above their flocks, the existence of an ignorant and superstitious population may be inferred.

Brownies are still found who do the housemaid's work. Dwarfs inhabit the clefts of the rock until they are driven away by the noise of the forges, and the profane language of the work-people. Kobbolds, and other malicious spirits, dwell among the ruined forts and heathen places of sacrifice,—mislead the traveller, destroy the cattle, and foretell misfortune by voices and screams in the night. Sometimes they flutter above the fields in the shape of ravens or of owls, and shed an evil influence on the crops over which they hover. An exorcist, therefore, (*geisterbanner*,) is to be found in almost every district, and at certain periods the whole population turns out against their unseen enemies. On St John's eve fires are lighted round every village, and the young people jump over them to preserve the flax from frost. On May-day eve they smack whips in the streets to frighten away witches, who, it seems, cannot abide that noise.

The most prevailing superstition regards the existence of hidden wealth, and the means of detecting and possessing it. They believe that the Pagan priests, who made the Fichtel Gebirge their last stronghold, and were not completely extirpated till the twelfth or even the thirteenth century, concealed vast treasures in their mountain fortresses and their Druidic temples. Others were buried by the robber chiefs, when they saw that their own destruction was imminent. Some of these have been discovered; but in general they are protected by spells. Our guide to the Louisenberg showed to us, in the Alte Schloss, one of the most remarkable points on that mountain in ruins, the spot under which one of these treasures still lies. It consists of a copper chest three feet square, full of golden florins, above which is a vessel, also of copper, containing a crown covered with diamonds, of which a king was robbed in the heathen times. It is to be won on the Epiphany by a monk dressed in black, dwarfish, and limping, by means of ceremonies which our guide could not or would not reveal. Indeed, the failure of many attempts to perform them leads to the suspicion that the tradition has been lost. The riches, however, still concealed in the virgin recesses of the

mountain, under the custody of the spirits of the earth, far exceed, as might be expected, all that have passed into the dominion of man. From time to time, human eyes have been dazzled by a glimpse of them. On the summit of the Ochsenkopf, immediately opposite to the church-tower of Bischofs-grun, on the other side of the valley, is a *geister-kirche* (a church for the use of supernatural beings,) adorned with unutterable wealth. The entrance is by a fissure in the rock, which begins to expand when the church-bell rings at Bischofs-grun, is wide open when the priest begins to read the gospel of the day, and closes with a crash as soon as he has finished. Several persons now living at Bischofs-grun are believed to have entered it, and to have taken away some of its treasures; but they would scarcely be safe if they were to talk about it. Some years ago, a new-married couple were wandering on their wedding-day over the mountain, and found a cave, from the roof of which pure gold hung in fringes. They gathered as much as they could carry, and at the foot of the mountain examined their spoil; but the instant they began to exult over it, it changed into mere gold-coloured moss.

In this wild region, on the side of the deep rocky glen through which the Sittenbach flows, stands a solitary corn and saw-mill, called the Schwartz-muhle or Black Mill. It was inhabited in 1817 by the Kleinschrot family, consisting of a father, about sixty years old, his wife, five years younger, two sons, Konrad and Frederic, aged twenty-eight and twenty-four, and two daughters, Margaret and Kunigunda, the first twenty-three, and the second eighteen. The only neighbouring building is a cottage within the yard, which was then inhabited by a labourer, Wagner, and his wife and children. With the exception of the father, the Kleinschrot family were eminently popular among their neighbours; they had a high reputation for integrity, industry, and friendliness. They had naturally indeed but little intelligence, and that little had not been much cultivated; they were therefore very ignorant and superstitious. But such were those around them, and their moral excellence more than made up for their intellectual deficiency.

The father, however, was in every respect a contrast to all the rest of his family. He was a man of considerable talent, and, for that country, well-informed, but almost as bad a man as can be conceived. He was indeed a regular church-goer, and a regular communicant, but these observances seem to have formed the whole of his religion. He had been an unnatural son—had threatened, and almost attempted his father's life, and forced him to protect himself by converting his bedroom into a kind of fortress. At the time of the events to which we proceed, the

door-posts retained the marks of the efforts made by the son to break into it. His wife he had so long and so frightfully ill-treated, as seriously to impair her mind. His children he seems to have hated from their birth. As they grew up, he made them his servants—for his temper was so violent that no one else could be hired to live with him—and rewarded their diligence by curses and blows, and by scarcely affording to them the necessities of life. More than once, when one of his sons, from his ill-treatment, was incapable of leaving his bed, he would not allow him to be fed. No one, he said, should eat who could not work. To complete the picture of a thoroughly selfish domestic tyrant, while he half-starved his family, he was wasting his property, the greater part of which he had derived from his wife, on his own unlawful pleasures. The neighbouring villages were full of his mistresses and of his illegitimate children.

The cruelties and threats of their common enemy, and their own affectionate dispositions, created the closest union between the rest of the family; and from the time that the sons were old enough to afford some protection to one another, and to their mother and sisters, the Schwartz-muhle became the scene of unintermitted domestic war between the father on the one side, and the mother, sons, and daughters, on the other. The latter several times endeavoured to obtain redress from the local authorities; but the answer of the landgericht, or provincial magistrate, always was, ‘Nothing is to be done for you—you have a bad husband and a bad father, and there is no cure for it while he lives.’ But of his death there seemed no chance; and both his profligacy and his ferocity increased as he grew older. He took a low woman into his house, and threatened to make her the mistress of it; he attacked his wife with an axe, wounded her severely, swore that he would kill her, and probably would have done so, if his younger son, Frederic, had not rescued her, at the cost of serious injury to himself. For some nights after that event, both mother and son slept in the stable, as they thought their lives in danger in the house. At length the family rose in open rebellion. They seized the keys, assumed the direction of the mill and farm, and in fact deposed the elder Kleinschrot. It was now his turn to invoke the law, and he did so with success. The court ordered the wife and children to restore to him the control over his own household; and, on his complaining that the order was disobeyed, commissioners were sent to the mill to enforce it. An apparent submission was yielded; but the mutual hatred of each party broke out, even in the presence of the commissioners; and the family expressed a settled determination to obtain redress for the profligacy, extra-

vagance, and cruelty of the father, and protection against his threats and violence.

This occurred in June 1817. In the following October, Barbara Kleinschrot, the mother, stated to the provincial magistrate, that on the 9th of the preceding August her husband had disappeared, taking with him all the money that was in the house. She prayed that he might be publicly summoned, and that orders for his arrest might be sent to all the neighbouring towns. This was done; and, as no result followed, a committee of his estate was appointed. A year passed not only without his appearance, but without any trace of the direction in which he had fled. No one had seen or heard of him since the 9th of August 1817. A rumour now spread that he was dead, and that his own family had been concerned in his death. It owed its origin to some remarkable expressions of Wagner the labourer. He had said to one of his fellow-workmen, ‘If you knew what I know, you would be astonished. If I were to tell what I can tell, the mill would be shut up, and all the family in prison. If I want money, they must give it to me. If I want to be the owner of my cottage, they must give it to me.’ A formal inquiry was set on foot. Wagner and the mother and sons were examined, but all protested their ignorance. A witness deposed, that during the hay harvest of 1817, Kleinschrot had employed him to accompany him to a neighbouring town, and to carry a bag of money, which, by its weight, must have contained more than 2000 florins. It seemed most probable that he was still alive, wasting in profligacy the property which he had carried off. Several years passed without his reappearing, or any trace being found of his fate. The mill and the estate were managed by the widow and her sons and daughters, whose wealth and high character rendered them the principal persons in their immediate neighbourhood. And but for a concurrence of remarkable accidents, they would probably have been now living, the objects of general esteem and regard.

In the autumn of 1821, the provincial judge of the district—the magistrate before whom all the legal proceedings which have been mentioned took place—was accused of malversation, and suspended. A member of the superior court, whom we believe to have been Feuerbach himself, was sent down to instal the successor, and to superintend the delivery of the records of the office. On the night of his arrival, a fire broke out in the archive-room, which destroyed a great portion of the documents, and was very near consuming the whole. Circumstances pointed out the suspended magistrate as the incendiary, and it was inferred that the archives must contain matter inculcating him. They were;

therefore, accurately examined, and among them were found all the proceedings relative to Kleinschrot and his family. It appeared to the judge that the inquiry as to the circumstances attending Kleinschrot's disappearance had been abruptly discontinued—so abruptly as to lead to a suspicion of bribery; and the four years which had now passed without his being heard of, rendered the story of his flight very improbable. He resolved, therefore, to recommence the investigation, and began by examining, separately, Wagner and his wife, Anna. Wagner's first examination produced no result. He merely repeated his protestations of ignorance. But the wife acknowledged her belief that Kleinschrot had been murdered by his sons, with her own husband's help, and even indicated the spot where the body was to be found. The judge now returned to Wagner, and re-examined him, with the usual success. He confessed that one morning in September 1817, the elder son, Konrad, told him that the whole family—mother, sons, and daughters—had determined, that in self-defence they must that night put to death the elder Kleinschrot, and had asked his assistance, which, after much hesitation, he had promised. That the thing had been done the same night, and the body at first buried in the saw-mill, and then among the rocks. This examination took place on the 6th of December 1821. Wagner and his wife were detained; and the next day, the magistrate, with his attendants, went to the mill, found the whole family assembled at evening prayer, and, as soon as that was finished, put them under arrest, each in a separate room. The mother and sons were examined, but confessed nothing. All they knew was that Kleinschrot had been absent and unheard of for several years.

The next day Wagner was required to point out the spot where the corpse was to be found. He led the party up the precipitous side of the ravine in which the mill is situated, and then along the table-land at the top, until they came to a cleft in the rocks, into which he said that the body had been thrown, and covered with moss and leaves, over which stones had been heaped. Accordingly, after some loose stones had been removed, they found a layer of leaves, earth, and moss. 'Now,' said Wagner, 'we shall soon come to the body.' And immediately below appeared, mixed with some remains of linen, a skull, several ribs and vertebræ, and some thigh and shin bones, which the accompanying surgeon declared to be those of a man, and which Wagner recognised as those of Kleinschrot, not only as having been present when they were thrown there, but from the remarkably fine teeth, which still remained uninjured, in the lower jaw. The bones were now arranged close to the cleft in which they had

been found, and the children were led to them, each separately. Konrad, as soon as he saw them, without waiting for a question, exclaimed—‘That is my father—but I was not the person that ‘did it!’ Frederic, the younger son, looked at them without apparent emotion, and to the question if he knew whose remains they were, answered, ‘I see some bones, but whether they belonged to a brute, or to a man, I cannot tell. I know nothing ‘about the bones of men, or of brutes.’ The younger daughter, Kunigunda, cried out, ‘I know about my father, but nothing about ‘what happened up here. I am innocent, quite innocent.’ All that the eldest daughter, Margaret, said, was—‘I am innocent of ‘the act. I knew nothing about the matter, till I heard my ‘father’s scream—and then it was too late. Since then I have ‘never had an hour of peace. Good God, what will become of us!’

The secret which had been kept for so many years, and, but for the indiscretion of Wagner, and the frankness of his wife, might have lasted for ever, was now revealed. A father of a family had fallen under the hands of an assassin, hired, and probably assisted, by his own wife, his own sons, and his own daughters.

The prisoners seem to have belonged to the class which Feuerbach states to be a very large one,—those who, when they see that detection is probable, give up all hope, and by a full avowal escape the labour of defence, and the anguish of doubt. Their different confessions contain few discrepancies, and those immaterial, and we extract from them the following narrative :

The remark of the magistrate, that they had nothing to hope while Kleinschrot lived, sank deep into the minds of his wife and children. It seemed to justify their desire for his death, and encouraged them in dwelling on it among one another. Among persons whose range of thought was narrow, this one idea became predominant. They ventured even to express it to strangers. About a year before the murder, one of the sons said to a neighbouring forester, that he wished some one would mistake his father for a deer; and the mother added, that a sportsman who had made such a mistake would never have to buy meal during his life. Similar expressions escaped from them in the presence of other persons; but the mother and sons, while they admitted the language, denied that it ever amounted to a serious proposal. They would have been glad if the thing could have been done, but were not prepared to be active in procuring it.

While they were in this state of mind, a tempter was thrown into their way. Wagner, the labourer, entered their service in the beginning of the year 1817. He had been born in the same

village, and was then aged about forty years, of which he had passed nearly twenty-five as a soldier, first in the Bavarian, and afterwards in the Prussian service. Of his military life, nothing more is known, but it was recollected that, as a boy, he had been remarkable for childish cruelty. One of his favourite amusements had been to catch birds, put out their eyes, and turn them free again.

Feuerbach himself, accustomed as he was to all the forms of depravity, seems to have been struck by his utter insensibility. He seems to have been without pity, or shame, or remorse, or even fear. Familiarized, by his long military service, to the infliction of death, and to the endurance of danger, he was as ready to undertake a murder as any other piece of task-work, provided the pay were equal to the risk. The year 1817, in which he entered the service of Kleinschrot, was the dreadful year of famine, which all Germany recollects with horror. Wagner had married a widow with two children, and two more had been born during the marriage; he had, therefore, six persons to support, and, as he was neither a skilful nor a diligent workman, his earnings became inadequate. He and his wife and children sometimes passed a day without food. Their common labours threw him and Konrad, the elder son, constantly together. He heard his bitter complaints of his father, and his wishes for his death. He knew how easily this could be effected, and he foresaw that, if he could make the family his accomplices, he should obtain not merely the nominal price of his services, but an indefinite command over their property. He seems to have begun the work of temptation on the 1st of May. On the evening of that day, as Wagner and Konrad were at work in the mill, Konrad complained that his father had left the house the night before, taking with him all the ready money, and that the family scarcely knew how they should manage till his return. 'It is a pity,' said Wagner, 'that somebody did not follow him, knock him on the head, and take the money. It would have been easy to catch him in the *Hinter Hof*, (a dark ravine, about two miles from the mill,) and bury him among the rocks.'—'Could you do such a thing?' said Konrad.—'Certainly I could,' answered Wagner. Konrad then objected that a murdered man, especially so wicked a man as his father, would not rest in his grave, and that they should be haunted by his ghost. To which Wagner replied, that he knew a way to keep ghosts quiet. It appears from Konrad's confession that the subject was often recurred to, and in time became the habitual subject of conversation whenever he was alone with Wagner. The only objections that he made were the fear of failure, or of being

detected, or of being haunted. All which Wagner treated with contempt.

It is probable that, finding Konrad unprepared for direct violence, Wagner thought that he could lead him to it gradually by engaging him in an indirect attempt on his father's life. The whole family supposed Anna Wagner to be a witch. Frederic assured Feuerbach, that with his own eyes he had seen her bewitch a haystack, and send it flying through the air. Acting on this belief, Wagner proposed to Konrad to get rid of Kleinschrot by witchcraft. For this purpose the mother, who thoroughly approved of the scheme, gave Anna Wagner one of her husband's stockings. The witch muttered some words over them, hung them in the smoke of her chimney, and promised that, in four weeks, Kleinschrot should wither away and die. Four weeks, however, and more elapsed, and Kleinschrot retained his usual health. To Konrad's complaint Wagner answered—'Well, since this has failed, I will get rid of him for you in 'some other way.' The ready acquiescence of the mother and sons in this attempt at incantation, and their regret at its failure, showed that their consciences offered no opposition to Wagner's temptation. They felt that the father's existence was a source of constant misery and danger to all concerned with him, and up to the last hour, up to the time when all trace of them is lost in their own civil death, they believed that they had a moral right to put an end to it.

Their fear of detection, however, and of the ghost of a murdered man, was unremoved; and it seems doubtful whether it would have been overcome by the mere continuance of Kleinschrot's ill treatment. But he took new measures, which filled them with well-founded terror. He proposed to use the right—we believe, on the whole, a mischievous one—which a German father possesses, of sending out his sons on *wanderschaft*; that is to say, to travel for three years, supporting themselves by work or by alms. The sons indeed, as regarded themselves, would have been ready to seize any means of escape from their domestic prison; but it was obvious that the mother and daughters, and especially the mother, would be utterly at his mercy; and his threats and his conduct had shown, that not merely would all the means of comfort which his brutality had left to her be destroyed, but that even her life would be in danger.

Kleinschrot, first verbally in June, and afterwards in July, requested the local authorities to compel his sons to travel; and having received a dilatory answer, employed himself for several days in the beginning of August, in writing what his family suspected to be a formal petition requiring the immediate interpo-

sition of the court. Early on the 9th of August, Frederic crept into his father's room, found the paper on which he was employed, and took it up-stairs, and read it to his mother and Konrad. It was destroyed after the murder, and no one at the trial could accurately state more of its contents, than that it was a requisition to the court to remove the sons. As soon as it had been read, the mother and Konrad declared that the time for getting rid of the husband of the one and the father of the other was now come. Which of them first gave utterance to their common feeling was forgotten at the time of the trial, but it was admitted that the other instantly assented. Frederic was not prepared for such an extremity. It would, he said, be a dreadful mischief, (*ein rechter Unheil*—there is no English equivalent;) but when he was reminded of the state of destitution and danger in which his mother would be left if her sons were forced to travel, he replied, 'Well, if you say it must be so, let it be so. I agree to every thing.' The means were then considered, and it was decided that the thing should be done by Wagner that very night, and that Konrad should go and engage him. The two sisters now came into the room, and Konrad told Margaret, the elder, that it was intended that their father should be got rid of by Wagner that night. Like Frederic, she objected. Their father, she said, was a bad man, but it would be better to leave his punishment to God and to his own conscience. Konrad's answer was, that it was quite true as far as their father was concerned, but what was to become of their mother when her sons were driven away? Then she said that Wagner was a wicked man, and would ruin them all if he could get any money by it. To which Konrad replied, that Wagner could not ruin them without ruining himself at the same time. Here the conversation seems to have ended. Kunigunda, the other sister, merely listened in silence, and Konrad went out to hire Wagner. Their bargain was very short. Konrad asked him if he was ready to kill Kleinschrot that very night. Wagner said that he was. Konrad then offered him two hundred florins for the job, and Wagner accepted the terms without remark. In the afternoon they met again, but Konrad's fears had returned. He asked Wagner if he really thought that he could do it, if he was sure that the ghost would not haunt them, and if he was certain that it would never be found out, and begged him to consult his wife. Wagner satisfied him on all these points, and they proceeded to arrange the details. Kleinschrot's bedroom opened into the kitchen. It was decided, that as soon as he went to it, which he usually did at ten at night, Wagner should be summoned by Konrad, and should post himself, armed with an axe,

in the kitchen, beside the bedroom door; that all the rest of the family, except Frederic, should go to bed, and that Frederic should go into the mill and ring the mill-bell. The sound, it was supposed, would immediately draw Kleinschrot from his bedroom, and, as he entered the kitchen, Wagner could strike him down with his axe. In the course of the evening this resolution was known to all parties. Frederic at first objected to the part assigned to him. His father, he said, always visited the mill in the course of the night; why could not Wagner wait till then? At length, however, he consented. The elder daughter maintained, in her examinations, that she had endeavoured to persuade Konrad to abandon the whole scheme; and the younger daughter, that she had objected to it; and Wagner's wife said, that she had tried to dissuade her husband. But the opposition of none of them went beyond a mere expression of disapprobation. They all were present at the supper-table that evening, where Kleinschrot sat surrounded by his wife, his sons, his daughters, and his two dependents, every one of whom knew that he was not to survive the night, but not one of them gave him the slightest warning.

After supper, Wagner and his wife returned to their cottage in the yard, and the two girls employed themselves in some domestic work. At ten Kleinschrot went into his bedroom. Konrad then desired his sisters to go to bed, sent his brother into the mill, and summoned Wagner, who took his station in the kitchen by the chamber-door. Konrad then went into his own room, and sat on the bed to wait the event. The mill-bell began to ring violently, and Kleinschrot came undressed from his room. Wagner struck him as he entered the kitchen, but not effectually. A wrestle followed, during which Wagner drew a knife from his pocket and stabbed him. Kleinschrot, however, was a very powerful man. Wagner had dropped both his axe and his knife, and it is doubtful what the result would have been, if Konrad, alarmed by his father's cries, and by the noise of the struggle, had not come from his room and handed to Wagner a billet of wood, with which he struck Kleinschrot on the head until he fell backwards on the hearth. Still he continued to groan, the blow, from the proximity of Wagner to its object, having lost part of its force. Wagner now seized one of the bricks on the hearth, and continued striking Kleinschrot's head with it, until, from his victim's ceasing to move or to groan, he supposed him to be dead. He then called in Konrad, who had run back into his bedroom, and Frederic, who was still in the mill; told them that he believed that the thing was done, and asked for a light. They found Kleinschrot still gasping.

Wagner asked for a string to strangle him. Frederic took one from his pocket, but before it could be applied Kleinschrot had ceased to breathe. The body was taken back into the bedroom. Wagner refreshed himself with a glass of brandy, and went home to rest after his work. Konrad went up to his mother, and cried out to her—‘Mother, it is done! But if it were not done, it never should be done.’ But the mother, according to her own confession, did not join in his grief, or in his repentance. Her husband, she said, had been so wicked a man, that she believed that God himself had moved them to put an end to him; and this belief never deserted her. At her last examination, when asked if she thought it would go well with her after death, she answered—‘I certainly think that it will. I have been so miserable in this life, that there would be no justice if I were not to be rewarded in the next.’ As for the two girls, knowing as they did what was to happen, they had gone quietly to bed and to sleep. They were awake by their father’s screams, but never stirred; and when the noise was over, slept again till the morning. The next day, which was Sunday, they passed at a fair in the neighbourhood, being afraid to remain at home in the same house with the unburied body. They never spoke to their mother or to their brothers about the events of the night, and seem to have remained ignorant of the details up to the time of their arrest. The two brothers, too, spent the day after the murder at a fair, not, as they said, for pleasure, but because they had been invited, and their absence would have been remarked; and several times during the day they escaped from the crowd, and knelt to pray forgiveness for what they had done. In the mean time Wagner’s wife washed away the traces of blood, and Wagner dug a pit under the floor of the mill, and the next day he and Konrad buried the body, and stamped the earthen floor even, while the mother stood at the door repeating prayers. In this grave it remained undisturbed until the family were alarmed by the inquiry which took place the next year. Konrad and Wagner then disinterred the remains, and concealed them in the cleft of the rock, where they were ultimately found.

In this case, as in Riembauer’s, we should have thought that the proof was complete, and that it only remained to pronounce the sentence. But, according to German notions, the evidence was imperfect.

There was the constantly recurring difficulty of the *thatbestand*. A large portion of the skeleton was wanting, probably having been carried away by foxes or wolves; only a part of the skull remained, and it was impossible to say whether the fractures which it showed had been made during life, or during

its repeated removals. For all that could be inferred from the inspection of the remains, (technically the *augenshein*,) Kleinschrot might have died a natural death. The confessions of the prisoners, which, according to the Bavarian law, were evidence not only against themselves respectively, but against one another, might have been supposed to supply this defect. But that law requires, as we have seen, that, when a violent death cannot be inferred from the remains, the witnesses should prove that they saw injuries inflicted which must in all cases cause death; or which actually did occasion death in the case in question. That Kleinschrot received several blows on the head and a stab in the body, and died immediately afterwards, was proved. But the nature of these injuries was not proved. It was not shown that separately or collectively they were necessarily mortal. And it appeared to the court, and to Feuerbach himself, that it was not proved that they had occasioned the death in question. He admits, indeed, that no reasonable man could doubt it; he suggests no other theory to account for Kleinschrot's death; but he maintains that the nature of the injuries being unknown, there was not judicial evidence, establishing between them and the death the relation of cause and effect. All parties, therefore, were acquitted of murder.

It is probable that, if there had been no other alternative, they would still have been punished, as Riembauer and several others, whose cases are related by Feuerbach were, as guilty, not of murder, but of being justly suspected of murder. But this strange sort of criminal equity was not necessary. The Bavarian law considers the attempt to commit murder a crime next in degree to murder itself. That this crime had been committed, there was proof sufficient even for a German court; and the only question was, to what extent the different prisoners were concerned in it. Wagner and Konrad were clearly principals, and as the murder which they had attempted was most aggravated—that of a father by a son, and of a master by a servant—they were sentenced to the severest punishment awarded by the law to that offence, civil death; which involves a forfeiture of all property, and perpetual and solitary imprisonment in heavy chains. The irons, says Feuerbach, in which they were to die, were riveted on them. According to us, Frederic was also a principal. Though he at first opposed the murder, he afterwards not only acquiesced in it, but rang the mill-bell, whose sound was intended to attract, and actually did attract, his father to the spot where Wagner was standing in wait for him. And when the result of the attack seemed doubtful, he supplied the string with which the assassination was to have been com-

pleted. The court, however, decided that he was only an accessory of the first class, and sentenced him to imprisonment for fifteen years. Next came Barbara, the mother. She would also, according to the English law, have been a principal. It was for her sake that the murder, or, according to the decision of the court, the attempt to murder, was perpetrated. She had long been anxious to bring it about—she had supplied the means of effecting it by magic. It is doubtful whether, when the paper found in Kleinschrot's desk was read over to her, she was not the first to suggest it. She admitted that she cordially approved it, and when Frederic remonstrated, she overruled him with the remark that it was useless to object, since no other course was open to them. This was the view taken by the judge who conducted the inquiry, and whom we believe, as we have already stated, to have been Feuerbach himself. But it was not that of the court. The decision was, that, as it was not proved that the prisoner was the person who, after the reading of Kleinschrot's paper, first proposed the murder; or that she formally authorized Konrad to employ Wagner to effect it; or that, after the family council was ended, she took any further active part in it—she could not be considered a principal, or even an accomplice of the first class. As an accomplice of the second class, she was sentenced to eight years' imprisonment in a house of correction. There remained the two daughters and Anna Wagner. None of them were parties to the conspiracy, or had ever assented to it, but all of them knew what was intended for many hours before it was effected; and all knew that the slightest hint to Kleinschrot would have been sufficient to prevent it. Anna Wagner seems to have been half tempted to give him one. She says in her confession that she could not help looking steadfastly at him during all the supper, which she knew, as every body else at table knew, was to be his last meal—but she was silent. By the Bavarian law, a person who knows that a crime is intended, and does not employ the means of prevention which are in his power, *provided their employment expose neither himself, nor any third person for whom he is interested, to danger*, is an accessory of the third class, and punishable by imprisonment from one to three years. The three prisoners claimed to be within each branch of the proviso. They said that if they had betrayed the plot, they would have incurred danger to themselves from Wagner's revenge; and would have exposed to danger in the one case a mother and two brothers, in the other a husband. This was assented to, and the two daughters, against whom this was the only charge, were released. The judgment as to Kunigunda was, that she had not been proved to be guilty.

Margaret merely obtained her discharge for want of evidence. But Anna Wagner was further charged with having assisted in concealing the crime ; she had washed away the stains of blood, and had prepared the sack in which the body was buried. It appeared also, that though she had disapproved of the murder before its perpetration, she had subsequently been most active in turning it to account, by extorting provisions, money, and services from the family. Against this, however, was to be set the merit of her confession, without which the second inquiry would have been as unproductive as the first, and Kleinschrot's disappearance would have remained an unexplained mystery. The result was, that she was sentenced, as an accessory of the third class, to one year's imprisonment.

There is much in the legal proceedings which we have related, which must excite and merit the disapprobation of an English reader. The doubt felt by the court, whether the murder of Kleinschrot was judicially proved, was puerile, and the distribution of punishment seems almost capricious. But if the Schwartz-muhle murder had occurred in England, would it have been dealt with in a more satisfactory manner? Without doubt, if an English tribunal had had the benefit of the full confessions which the Bavarian court obtained, it would not have taken ten months to come to a decision. It would have had no legal doubts whether Kleinschrot was or was not murdered. The mother, her two sons, and Wagner, would have been convicted of the murder, and the others of its concealment, or, to use the technical term, its misprision. The former would have been sentenced to death, the latter to fine and imprisonment, and any mitigation of punishment must have proceeded from the Crown. But would these confessions have been made under the English procedure? Certainly not. The accused would have been cautioned not to say any thing to their own disadvantage; and the conduct of all, except Anna Wagner, shows that they would have acted on that caution. It is probable that Anna Wagner would have done so too. That she could not resist or elude the severe and skilful cross-examination of an *untersuchungs richter*, does not prove that she would have volunteered to a passive English magistrate revelations dangerous to herself, and destructive to her husband and to the wealthy family which was under her control. But even if she had been ready to give her testimony, it could not have been received against her husband, and against the rest it amounted to little more than hearsay. She would have been stopped as soon as she began to repeat her husband's statements of the conferences with Konrad, in which the murder was planned; or the mode

in which it was effected. 'Don't tell me, sir, what Giles told 'you.' Her evidence would have amounted to this. That 'in consequence of something that she heard,' she went early on the Sunday morning to the kitchen of the mill; found the floor and hearth covered with blood, and was directed to wash them; and that, in consequence of something that she afterwards heard, she prepared a sack; and although she would not have been allowed to state as evidence what she knew only by hearsay, that the remains of Kleinschrot had been thrown into a ravine, she might have indicated the place where they were to be found. Their discovery—this evidence as to the state of the kitchen the morning after Kleinschrot's disappearance—the terms on which he was known to have lived with his family, and their avowed desire for his death—would have afforded strong grounds for suspecting that he had died unfairly, and that some of his household had effected his death, and that the others had a guilty knowledge of it. But they would not have enabled a jury to convict any individual as either principal or accessory.

We have heard with pleasure, that this highly interesting work is likely to be translated by a Lady, who has already given the public sufficient proofs of her competency for the task. Having gone over the same field, we venture to offer two suggestions. One is, that a selection from Feuerbach's narratives is likely to be more interesting to the English public than a translation of the whole. The whole consists of about thirteen hundred closely printed pages; and though it is diversified with great skill, yet the constant recurrence of crime, detection, and punishment; the often-repeated pictures of diseased imaginations, unrestrained desires, furious passions, or brutal insensibility, produce at length a fatiguing excitement. The reader is taken into a new world, in which all is grotesque and horrible. The strange figures by whom he is surrounded are influenced by feelings which never passed through his mind, and impelled by motives of which he scarcely knows the existence. His attention is roused by the novelty of the scene, and rewarded by the light thrown on the darkest portion of human nature. The secrets of the prison-house are opened to him. But at length he wishes to escape from its vaults, and to breathe the purer air of ordinary life. There are, however, students, and we ourselves are among the number, who regret that Feuerbach did not execute his purpose of adding to his work; but for the majority it is already too long. And, secondly, we believe that even as to the narratives which may be selected, it would be advisable to use considerable liberty of retrenchment. Feuerbach has the true German love

of detail, repetition, and disquisition. He tells a story in the words of one witness, he repeats it in those of a second and of a third, he re-states it as confessed by the prisoner, he recapitulates it in his own person, he goes over it again while examining the grounds of the verdict, and recurs to it when he considers the justice of the sentence. He traces up minute facts with a conscientiousness to which no error appears unimportant. All this gives a reality which would be wanting if the superfluous parts were omitted; but it gives that reality at the expense of a prolixity which is probably agreeable to the patient Professors of Giessen and Heidelberg, but would be intolerable in London or Paris. We are not without some fear that we may have wearied our readers by our detailed relation of the Thomashof and Schwartz-muhle tragedies; and yet we have compressed into thirty pages what fills, in the original, one hundred and sixty. Again, many of Feuerbach's general disquisitions—such as those on the nature of evidence, on the kinds and degrees of mental disease and of mental weakness, which render a criminal judicially irresponsible, and on the influence of passion—are of high philosophical merit. They are profound, and in many parts original; and his demonstrations, to use a technical word, of the characters which he dissects for the reader's instruction, show a knowledge of the morbid anatomy of the human mind almost approaching that of Shakspeare. But here, again, the national indifference to conciseness shows itself. When he is proving or illustrating a general principle, he leaves no link to be supplied by the reader. When he is describing an individual, he omits no portion of his character. When, at the conclusion of a trial, he reviews the *dramatis personæ*, he elaborates the moral and intellectual portrait of an ordinary ruffian with as much delicacy and force as if he were painting a Catiline or a Borgia. He ascertains the immediate and remote causes which produced the state of mind in which a half-witted idiot killed her mistress, as if he were accounting for the assassination of Cæsar by Brutus, or the execution of Charles by Cromwell. The remedies, of course, are excision and condensation, and in some cases, as incident to these, re-arrangement. As we know that the proposed translator, if she apply them at all, will apply them skilfully, we hope that she will apply them boldly. We trust that she will incur the labour and responsibility of retouching the work of a great artist, since it is the only means of enabling him to please and to instruct a new and dissimilar public.

ART. III.—*A Treatise on the Principles and Practical Influence of Taxation and the Funding System.* By J. R. M'CULLOCH, Esq. 8vo. London. 1845.

THIS work embraces one of the most extensive, and pre-eminently the most practical department of the all-important science to which it belongs; and it comes to us recommended by the authorship of one of the most distinguished cultivators of that science. He has here, in addition to his other great services, presented the Public with what is, strictly speaking, new in economical science; namely, a systematic and comprehensive survey of the whole field of Taxation, viewed under three main heads; the first treating of Direct, the second of Indirect Taxes, and the third of Funding. To the whole is superadded an Appendix of Reports and Statistical Tables, highly useful for reference.

It need hardly be said that a writer, at once so deeply versed in scientific deductions, and so thoroughly conversant with statistical details, is peculiarly qualified to treat such a subject as Taxation; in which conclusions drawn from abstract premises and general principles continually demand the correction of practical knowledge. And the reader of the work before us, if he meets with no great amount of absolute novelty—if he is somewhat disappointed in finding that so much deep study and careful observation have suggested to so able and experienced a writer but little in the way of practical amendment—will nevertheless derive great advantage from having the confused notions apt to be entertained of the *incidence* of taxation,—that is, the relative pressure of public burdens on different portions of the community, rectified and elucidated. He will be able to deduce from these pages a view, more than ordinarily clear and satisfactory, of the daily working of the great economical machine of society; and thus, and thus only, will be enabled to judge of the disturbances introduced by Taxation, and to ascertain in what manner, and by what parties, these disturbances are felt.

Of a work of this description, it would be in vain to attempt to exhibit any thing like a complete survey. The general reader would not thank us for such an attempt, however carefully executed; and they who are disposed to study the subject in all its extent, will themselves have recourse to the author's reasonings and deductions. Perhaps the best course that we can take, is to endeavour to condense Mr M'Culloch's views on that which will be the most interesting portion of the subject to most of

our readers—the manner in which taxation affects the labouring classes—that is, the great majority of the nation. The views which this part of the enquiry will disclose, will be a sufficient inducement to the real students of the science to examine the rest for themselves.

The condition of these classes has more and more attracted the attention of all serious observers, until it has become the great question of the day. This is a fact for which we have abundant evidence, even in the quackery and false sentiment daily expended on the subject; but well may it become a matter of deep concern to those who are far above the temptation to all vulgar displays, if Mr M'Culloch's belief be well founded, that their situation is growing gradually worse. 'Though there has,' says he, 'been a vast increase of production, and of wealth and comforts, among the upper classes engaged in business during the last twenty or thirty years, and a considerable diminution of taxation, the condition of the work-people during that period has certainly not been in any degree improved, but has rather, we incline to think, been sensibly deteriorated.' This opinion of our author we believe to be new, and it is connected with some prophecies of evil which he has lately promulgated, with reference to the extension of the manufacturing system. Perhaps, indeed, it would not be easy altogether to reconcile in Mr M'Culloch the theorist with the statistician. In some of his previous statistical enquiries, he seems, if we recollect rightly, to have proved, that, during a period in which the population of England has doubled, its agricultural produce, chiefly for the use of man, has quadrupled; and this although, in the interval, England has become an importing instead of an exporting country; from which it follows, that an Englishman at this day eats twice as much as his ancestor eighty years ago,—a fact difficult to digest in itself; more difficult still, when we are informed that for thirty years the condition of the great bulk of the people has been falling off. We confess, however, to much distrust of all such proofs; and certainly there are not wanting serious reasons for the more gloomy inference. One is noticed by Mr M'Culloch—namely, that the habit of early marriage was in great measure introduced by the extraordinarily sudden extension of the demand for manufacturing labour, after the discoveries of Watt and Arkwright; and, like most habits, has remained in force after the cause which produced it had lost much of its efficacy, and the demand for labour become less pressing. The children called into existence by Watt and Arkwright are now grown up, and ask for employment; and though the demand for

their services is still great, it is not so strong as that which was originally occasioned. Another cause, perhaps, of an over-rapid increase of population, is, that the comparative uncertainty of manufacturing labour has a tendency to produce on wages the well-known effect which great gains and great hazard have on profits. There is a disposition on the part of the labourer to bid too low, from an exaggerated expectation of the permanence of the employment. But whether these speculations be true or false, it is not the less the most important office of an English statesman to watch over the welfare of this vast and helpless body; and he who utterly disbelieves in any power possessed by the higher classes, or by individuals, to alter and improve, by human effort, the economical arrangements of society, may nevertheless allow that the state has a minor but still serviceable function to perform; by shifting the burdens which it imposes, so as to make them rest with greater weight on the shoulders of those who, it is conceded on all hands, have made much greater advances of late years in material prosperity than the great mass of the people.

It is a common opinion, that, under the system of indirect taxation which prevails amongst ourselves, the poorer classes contribute in reality much more to the revenue, in proportion to their means, than the richer. The taxes on tea, soap, and sugar alone—articles of which any ordinary labourer consumes, or ought to consume, nearly as much as the wealthiest inhabitant of the country—amount to nearly a fifth of its whole public income. To these must be added the enormously productive duties on beer, spirits, and tobacco—the luxuries, whatever moralists may urge respecting them, of the poor. It is necessary, further, to take into consideration the effect of the corn and sugar duties, in raising the price of these articles to the extent of a large additional tax paid to the producers, and to which labouring men contribute per head nearly as much as the capitalist and the landlord; also the duty on sea-borne coal, and possibly other items which do not figure in the annual Budget of the State. We are not aware that any Statistician has endeavoured to show how large a proportion of the earnings of a labouring family, say at twenty shillings per week, goes in the shape of duties on commodities; but we should imagine that it very far exceeds the proportion contributed by the possessor of L.1000 per annum in landed or funded property.

Such is the first appearance which the facts present; yet Dr Adam Smith was of opinion, that in reality the labouring classes ‘contribute nothing of consequence to the public revenue;’ and

this opinion has been pretty extensively shared by Political Economists. The principles on which it is maintained are, in themselves, perfectly true; but probably it would be found, were the subject worth analysing, that the problem, whether the labouring classes do or do not contribute towards the revenue, is little more than a question of words. The really important points of enquiry are, how those classes would be affected by the imposition of additional indirect taxes, or by the remission of those which exist; and if it appear that they must lose by the one operation and gain by the other, it is of little consequence whether a tax on the necessities and comforts of labourers be denominated with strict correctness a tax on wages or not.

Let us, however, guard against exaggeration. Suppose an additional duty laid on necessities consumed by the labouring class; it is plain, in the first place, that its effect on that large division of the class which consists of persons boarded by their masters or employers, would be very different from that on ordinary labourers. It is evident, for instance, 'that taxes on the articles consumed by domestic servants do not fall on them, but on their masters; probably, indeed, such taxes, when carried beyond their proper limits, may make fewer servants be employed; but, except in so far as they operate in this way, the duties on sugar, tea, beer, soap, and other articles used by household servants, are wholly paid by those with whom they live.' Mr M'Culloch might, perhaps, have added, that the tax would be injurious to this class in another way: Thus, if it directly affected the comforts and deteriorated the condition of other labourers, it would increase the competition for the situations of domestic servants, and lower their wages; but this, of course, would be an indirect result only.

In the next place—and this is a more important consideration—the effect of such a tax (say ten per cent on wages) 'must depend on the mode in which it is expended. If the produce of the tax be laid out in hiring additional troops or sailors, it is easy to see that it can be productive of no immediate injury to the labourer; for were such the case, the agents of government would enter the market for labour with means of purchasing, derived, not from the employers, but from the labourers themselves; and, in consequence of the greater competition, wages would be raised in exact proportion to the additional means in the hands of government, or, in other words, to the amount of the tax.' Perhaps Mr M'Culloch has here understated the case: a tax of considerable magnitude, thus expended, might probably have the effect of raising wages. When so many

hands were abstracted from the market for labour, capitalists would bid against each other in that market, as far as they possibly could do so by economizing out of their profits; and labour might thus become dearer than it was before by more than the amount of the tax. And in this way it seems evident, that taxes on wages or necessities, when imposed for the purpose of carrying on a war, can be but slightly felt as burdens by the labouring classes.

The case is different if the tax be laid out, not in hiring additional troops, but in 'increasing the pay of those already employed, or of the other functionaries employed by government;' or, we would add, in payments to the public creditor. Under these circumstances 'there would be no additional demand for labour. The individuals receiving the tax would, indeed, have a greater demand for the produce of labour; but their greater demand, being merely equivalent to the diminished demand of the labourers by whom the tax had been paid, would make no real addition to the total demand of the country.' It seems therefore undeniable, that the burden of the tax would be borne in the first instance, wholly or chiefly, by the great labouring class.

But would it be ultimately borne by that class? Some Economists support the doctrine of a 'necessary' rate of wages; that is, a rate of wages fixed by the circumstances and habits of a country, on less than which the labourers will not, in the language of the school, 'subsist and keep up their numbers.' Now, the theory of those who regard the labourers as contributing in no degree to the public revenue, seems to rest on the assumption that this very useful supposition represents a fact—that there is an actually subsisting rate of wages below which labourers will not be reduced. Therefore, they argue, the imposition of a tax on wages can only have the effect of diminishing their numbers; and then, again, wages will rise to the former level. But it is scarcely necessary to say, with Mr M'Culloch, that there is 'no such absolute standard of natural wages;' that the rate of remuneration which suffices for the great body of labourers in any country, is not of invariable amount; that if a portion of his earnings be taken from the workman, there is nothing absurd or inconsistent in the supposition, that, after struggling for a while against his destiny, he may resign himself to the inferiority of his new position, and live on, and propagate his species, in a lower condition than that enjoyed by his forefathers. And therefore, when we come to look closer into the matter, several possible results of such a tax present themselves to the mind.

1. If the rate of wages was already at or near the lowest point on which life could be supported, the tax could not be paid; the labourer must starve or migrate, like the peasants of Egypt and Hindostan when they cannot pay the land-tax.

2. If the rate of wages was such as to admit of diminution to the extent of the tax, without absolutely reducing the productive power of the labourer, the tax might be defrayed by his greater 'frugality'—a word of vague acceptance; but inasmuch as many among the labouring classes are 'frugal' enough already, it seems difficult to assign any other meaning to it, in the present instance, than that of a lowering, generally speaking, of the standard of comfort.

3. 'Such a tax,' says Mr M'Culloch, 'when first imposed, could hardly fail, by lessening the comforts, and perhaps also the necessaries, of the labourer, to check the progress of population; as well by retarding the period of marriage as by increasing the rate of mortality; and, in consequence of the diminution of labourers arising from these causes, wages might be raised so as to throw the tax either wholly or partially on the employers.' We confess that this solution seems to us rather possible than probable. As to the first effect—the retardation of the period of marriage—it must be remembered, as Mr M'Culloch has elsewhere reminded his readers, that this could not operate to any extent on the labour market, until some eighteen or twenty years after the imposition of the tax; and any speculation on such distant results, in discussing questions on the effect of taxation, seems too uncertain to be of practical value;—so many are the causes which might disturb the working out of the problem in the interim. And as to the increase of mortality, we doubt whether a tax on wages—unless we suppose it inordinately heavy, (in which case the evil would cure itself in some summary manner)—would be likely to have that effect. It is true that a rise in the price of the great necessary of life, corn, appears to be soon attended by an increase of deaths. But that is rather a peculiar case: the requirements of the labourer in respect of other articles being fixed by habit, it is likely that when a rise occurs in the price of bread, his first endeavour is to do with less of it, which his health will not bear. If the rise in the price of bread became permanent, he would learn to accommodate himself to circumstances, and distribute the privation occasioned by such rise over the whole range of his articles of consumption; and then, probably, no increased rate of mortality would permanently follow. However much there may be to deplore in the condition of the bulk of the community, it is certain that in this country

the small earnings of the labourer might be further intrenched upon without affecting his health or vital powers.

4. But if, without having this effect, the diminution of his comforts produced by the tax were such as to diminish his productive energies—to render him less valuable as a machine—in this case, again, it seems that wages must rise, and the tax, or a portion of it, be borne by the employers. They must economise out of their profits, and spend more on their labourers, in order to keep them in such working order as may be necessary for their own purposes.

These, however, are but at best very uncertain speculations on distant results,—liable to be defeated by a thousand unforeseen accidents. Enough for our purpose to show that the effect of a tax on wages, or on the necessities consumed by the labourer, *must* be to diminish his comfort, although that effect *may* be ultimately counteracted by other causes. And it is scarcely necessary to consider the reverse of the picture, and examine the effects of a rise of wages produced by the remission of such a tax. 'Speaking generally, no rise of wages can be counteracted by an increased supply of workmen coming into the market, till eighteen or twenty years after it has taken place; for there are few or no branches of industry in which an active and skilful labourer can be had in a shorter period. During all this time, therefore, the labourer is placed in an improved condition. He has a larger supply of food; he has better clothes and a better habitation; he is rendered more attentive to cleanliness; and, as he rises in the scale of society, he naturally uses more prudence and circumspection in the forming of matrimonial connexions. In short, his opinions respecting what is necessary for his decent and comfortable subsistence are raised, and the natural rate of wages is, in consequence, proportionally augmented.'

We have perhaps unnecessarily dwelt on this part of the subject; but it is important to point out, as Mr M'Culloch has done, the fallacy of supposing the rate of wages to be a fixed amount, determined altogether by causes over which government has no control, and that, consequently, all taxation imposed upon it falls ultimately on the income of another class of society. It is, on the contrary, a sufficiently accurate statement, for all practical purposes, that the burden of indirect taxation, in all countries, mainly falls on the shoulders of that great industrious class whose labour is the chief foundation of national wealth. It becomes, therefore, one of the most important questions which statesmen can have to consider, to

ascertain whether the condition of that class can be ameliorated by altering the *incidence* of taxation;—whether direct impositions on the holders of property can be substituted for Customs and Excise duties, with any advantage to the mass of the people. No doubt, the most popular argument which has ever been urged in behalf of an Income-Tax—that which has overcome, in many minds, all the well-known practical objections to it,—is founded on the notion that its effect is to shift the burden of taxation from the poorer to the wealthier members of the community.

Upon this point, Mr M'Culloch's comments are clear and decisive. He believes that no advantage whatever is derivable by the labouring classes from the change from Indirect to Direct taxation; that every shilling raised by the Income-Tax is so much deducted from the fund for the employment of labour.

‘Whatever may be the incidence of taxes laid directly on wages, or on necessities, there is not, we apprehend, much ground for supposing that the condition of the labourer would be sensibly improved by repealing such taxes, and replacing them by an equivalent tax on property or income. Without repeating what has been already said respecting its inequality and mischievous influence, let it be supposed that the taxes on tea, sugar, and soap, producing above ten millions a-year, are repealed, to be replaced by a tax on property or income. In this case we believe it may be safely affirmed, that from a half to two-thirds of the indirect taxes now referred to, are paid by parties who would not be directly affected by a property or income tax, commencing at the same point as the existing income-tax. And, taking this for granted, it follows that from L.5,000,000 to L.6,600,000 would be added, in the event of the supposed commutation taking place, to the taxes falling at this moment upon the upper classes, whose means of employing labour, or of buying its produce, would, of course, be diminished in a corresponding degree. Whatever, therefore, the labourers might gain on the one hand by such a measure as this, they would necessarily lose about as much on the other. Their interests are in this respect identical with those of their masters: and it is a contradiction to suppose that you can improve their condition by repealing the taxes that fall on them, to lay them directly on their employers. If you add L.100 or L.1000 a-year to the taxes falling on a capitalist, do you not lessen, directly or indirectly, his demand for labour, or for the produce of labour, to that extent?’—(Pp. 157, 158.)

‘If the rate of the present income-tax were increased, and corresponding abatements made from the duties on tea, sugar, tobacco, and suchlike articles, it is plain (unless a reduction were simultaneously made in their pay) that the condition of soldiers, sailors, and all other government servants with salaries of less than L.150 a-year, would be materially improved: for, if their pay were not diminished, it would buy a greater quantity of the articles on which it has been expended, in con-

sequence of their falling in price from the reduction or repeal of the duties; and, for the same reason, such a measure would be highly advantageous to the large body of funded proprietors who have incomes under L.150. But we may take leave to add, that it is more than doubtful whether the supposed change would be advantageous to any one else. It would certainly lessen the means of capitalists to employ labour, and increase the temptation to carry capital abroad; and it has not yet been shown how a measure productive of such results should be otherwise than injurious to the labouring classes.'—(P. 377.)

If this be true—and it would be very difficult to answer the reasoning by which it is supported—the main argument in favour of the imposition of property or income taxes fails. You cannot, if this position be correct, tax the opulent classes of a community so as thereby to favour the lower. The various expedients by which Democracies have in various times and places endeavoured to gratify the sovereign people, by making the maintenance of the republic fall in appearance on the rich, have been successful in appearance only, and have all reacted prejudicially on the labouring class. Nay—for we must not shrink from consequences, however strange their first aspect—it would seem to follow that the exemptions from personal taxation enjoyed by the nobility under the old French system, was not in reality injurious to the tax-paying class: since that exemption only had the effect of enabling the nobility to employ a greater quantity of labour. It seems to follow, also, that the well-known phrase which describes this country as having nearly reached the limits of indirect taxation, rests on a fallacy; for if there is income left to tax, it must be possible, at least, to raise the same tax from the commodities which the owner of that income would consume, if the tax were not imposed.

We are not sure that we could go as far as Mr M'Culloch does upon this subject; but the discussion would require more argument than we can now bestow upon it. Admitting, therefore, that an income-tax, founded on a full and fair national assessment, would in reality not vary in its ultimate incidence, as regards great classes of society, from the same amount of Customs and Excise duties, it cannot at all events be denied, that such a tax would be more obviously impartial, as well as less expensive in its collection, than any other. These are the true advantages in theory, whether they can be realized in practice or not, of direct taxes; and this much Mr M'Culloch, though strongly opposed to them, does not hesitate to admit.

'It is true that an income-tax is, at first sight, apparently the fairest of all taxes. It seems to make every one contribute to the wants of the

state in proportion to the revenue which he enjoys under its protection; while, by falling equally on all, it occasions no change in the distribution of capital, or in the natural direction of industry, and has no influence over prices. It were much to be wished that any tax could be imposed having such effects; but we are sorry to be obliged to state, that none such has hitherto been discovered; and those who expect that an income-tax, however imposed, should operate in the way now stated, will certainly be very much disappointed. An income-tax would, no doubt, have the supposed effects, were it possible fairly to assess it. But the practical difficulties in the uses of its fair assessment are not of a sort that can be overcome; and the truth is, that taxes on income, though theoretically equal, are, in their practical operation, most unequal and vexatious.—(P. 124.)

Mr M'Culloch, at considerable length, and with much power of illustration, endeavours to point out the inequality in question.

‘But it is said that this difficulty of taxing the incomes of professional men, and of the classes alluded to above, (traders,) is a good reason for exempting them wholly from the tax, which should fall only on the incomes of those possessed of real property. We take leave, however, to dissent entirely from this conclusion. The difficulty of assessing the incomes in question, may be a sufficient reason for rejecting an income-tax altogether; but it is assuredly no reason for making it partial, and consequently unjust. Professional men, and annuitants of all descriptions, contribute to taxes on commodities. And if these be repealed, and an income-tax, from which professional and these terminable incomes are exempted, be imposed in their stead, an obvious injustice will be done to the other classes, who will be saddled with the whole of a burden of which they have hitherto borne a part only, and which should press equally on all ranks and orders. It is plain, however, in this, as in the previous case, that were the classes already alluded to exempted from the tax, because of the admitted impossibility of fairly assessing their incomes, vast numbers of incomes derived from real property would have equal claims to be exempted, because of their being quite as evanescent as those of clergymen or lawyers, and still more difficult to assess. It is needless to say that no proposal for exempting the owners of cotton, woollen, or flax mills, breweries, distilleries, ships, warehouses, houses, &c., from taxes laid on the property or incomes of landlords, feuholders, mortgagees, &c., would be tolerated, or could be thought of for a moment. But in fairly assessing the incomes of the owners of ships, mills, and similar property, most of the difficulties would have to be encountered that make the fair taxing of professional incomes so impracticable, with others peculiar to the cases in question. An estate, abstracting from the buildings and improvements made upon it, may be regarded as a lasting source of revenue; but ships, houses, factories, mills, &c., are all perishable; and before the latter can be taxed in the same ratio as the former, the degree of their durability must be determined, and the in-

come arising from them reduced to a perpetuity. Suppose, for example, that a tax of ten per cent is imposed on revenue arising from lands, funds, and mortgages, and that it is required to lay a really equivalent tax on income arising from houses, shops, warehouses, mills, ships, canals, and suchlike property, in this case we should have to begin by estimating the present value of the shop, mill, ship, or other incomes, to property yielding the revenue proposed to be taxed. Having done this, we should next have to estimate the probable duration of such property; and then, in order to get at the net or taxable incomes, we should have to deduct from the gross income such a sum as would suffice, being accumulated at the ordinary interest of the day, to replace the shop, mill, &c., when it was worn out. An income-tax, imposed on fair principles, and made to press with the same severity on *all classes*, according to their ability to bear it, must be assessed in the way now mentioned. But the difficulties in the way of such a course are obviously insurmountable. There would evidently be great room for doubt, evasion, and fraud, in the valuation of the property; and though this were got over, how is its probable duration to be ascertained? The power to determine a point of this sort, could not be intrusted to officers, for, if so, it would open a door to every sort of abuse. Neither is there any standard to which to refer in estimating durability, seeing that it must vary in every case, from a thousand peculiar and almost inappreciable circumstances. Although, therefore, it were conceded that taxes on income are, in principle, the best of any, the above statements are sufficient to show that this circumstance should go for little in the way of recommending them. It is of very trifling consequence whether a tax be theoretically good or bad; it is in a practical point of view only that we have to deal with it; and, however well it may look in demonstrations on paper, if it be impossible fairly to assess it, it should, unless in peculiar cases, be rejected."—(Pp. 135, 136.)

Our objection to this mode of reasoning is, that it appears to us ill calculated to effect its object. By exaggerating the defects of the income-tax, you accustom the public rather to submit to these defects as irremediable, than to regard the tax itself as impracticable. For, let Political Economists reason as they will, it is undeniable that a heavily taxed country—(whether it has reached that *incognita Thule*, the 'limits of indirect taxation or not')—must, in times of pressure, have recourse either to this method of relieving its necessities, or to some other still more objectionable. And the objections to the inquisitorial and vexatious nature of the tax, strongly as they may be felt by the mercantile classes, are not so serious an inconvenience to the possessors of property and power; and will therefore weigh little in the balance, should the feeling, which appears to be on the increase, of the superior advantage of direct taxation in a higher political point of view, gain ground among us. This being the case, Mr M'Culloch's argument, that this kind of taxation cannot be justly

apportioned as regards individuals, rather proves too much. For the unavoidable retort is, that the very same objections apply in as high a degree, or higher, to every species of taxation. 'The income of two lawyers may be the same,' says Mr M'Culloch, 'but if their ages differ, they cannot be fairly taxed to the same extent.' But might it not just as fairly be argued, that when a new duty is imposed on sugar or spirits, the same duty cannot fairly be levied from an old as from a young consumer? the reason is the same. This dissection into infinitesimal fractions of difficulty, hurts, we fear, a good cause; for it will be observed that precisely the same arguments which Mr M'Culloch uses against all income-taxes, are used by the defenders of the existing income-tax against its impugners. When it was contended that the tax in question was extremely unequal in its pressure on different classes; the answer was, that, do what you may, it must still continue to press with unequal severity on individuals—an answer, in support of which, the very details gone into by Mr M'Culloch might be employed by an ingenious reasoner.

Our own view of the income-tax question, if we may cursorily express one, is different. We believe that an income-tax, *fairly assessed as regards classes*, might be advantageously substituted for much indirect taxation. We believe that an *approximation* might be made to such fair assessment, although not without some difficulty and preparation. We hold it to be an unstatesmanlike argument, that because a tax can never be quite fairly assessed as between individuals, therefore we must disregard the commission of injustice in the imposition of it as between whole classes of the people. And we consider the present income-tax, imposed as it is without reference to the different classes of incomes, to be unjust and oppressive, and therefore impolitic in the very highest degree.

It needs no proof (to take the broadest and plainest case of injustice) that a tax on professional income is a tax on capital of a very severe kind. The actual income of a clergyman, a lawyer, or an artist, is his all. Out of this, he is to replace the capital expended in his education. Out of this he is to provide for the casualties of ill health or ill success. Out of this he is to make future provision for his family. His death annihilates the income at once. His sickness, or the mere accident of a failure—a deranged nervous system at the moment when a cause is to be pleaded, or a work of art completed—is sufficient, not merely to interrupt, but even to destroy it. It is not truly called a life-income: it is an income confined to a few years of life. It was therefore with feelings of some indignation that we lately read in the Newspapers the complaint of an Engraver, who set forth, that in his business the eyesight will only

suffice for a very limited time; and that the years of income-tax falling within that limited time would nearly amount, in his case, to a confiscation of three per cent on his entire capital, not income, in seven or eight years! Nay, more than this: the professional man who lays by part of his income literally pays part of his income-tax twice over. He pays first on the income itself; and next, if he funds part of his surplus, he pays on every dividend arising out of his savings.

We have brought forward the instance of professional men as that of the most helpless and least influential class of subjects. Of course, the much more powerful body of the mercantile and manufacturing interest are partakers in the grievance, but perhaps to a less striking extent; inasmuch as their gain is greater from the remission of other duties on articles of consumption. The poor are exempt: their dissatisfaction might be dangerous. The higher class makes the law, and lays on the load with due regard to personal interest: the intermediate order must submit—the real *peuple taillable et corvéable à merci et à volonté*, of the nineteenth century.

On their part, then, we protest against that doctrine which seems to spring out of the very idleness of tyranny, that, because no arrangements will render direct taxation perfectly fair and equal, therefore the state is at liberty to impose it with circumstances of gross and wholesale inequality. In common justice, the income arising from trades or professions ought to be taxed at a lower rate than that derived from absolute property. This all admit. But then it is contended that life incomes, arising out of property, ought to be placed on the same footing with commercial and professional incomes, and enjoy a similar abatement. This we conceive to be just, except in the case where the holder of a life income has a power of appointment over the property after his death. In this instance, he is on the same footing with the absolute owner of the property, and ought to be treated accordingly. But how would it be possible to ascertain the rights and positions of the holders of such incomes with a view to the assessment of the tax? We apprehend, by the declarations of parties, just as the amount of a business income is now ascertained. There would be little temptation to fraud; no one would be very likely to conceal the fact of his having a power of appointment, seeing how difficult it would be to keep his secret afterwards. As far, indeed, as real property is concerned, Registration, the preliminary to so many other valuable reforms, would operate as a complete check on the declarants. And the case of holders of incomes terminable in a series of years, might be met by allowing abatements proportioned to the operation of

their interests ; which seems matter of very simple arithmetic. We must confess, that after all the ingenuity which has been used to perplex the subject, we cannot perceive the insuperable difficulty of these arrangements. And were they executed, the Income-Tax, though still subject to all the unanswerable objections against its *inquisitorial and vexatious provisions*, and the minor inequalities which are inevitable in every impost, would be in other respects fair and equitable. But if our practical statesmen laugh the idea of such modifications to scorn—if all-attempt to equalize the present most unjust assessment be regarded as merely visionary, and nothing is left for it but to submit to the simple and levelling operation of a despotic enactment—then we say that the tax is a discredit at once to the Ministry which imposes it, and the Country which submits to it. It has not—if Mr M'Culloch's reasoning be correct—the redeeming quality of relieving the labouring classes from any portion of their burdens. It has, in the present circumstances of the country, no plea of necessity to justify its imposition. It is simply an abuse of power—the violation by the strong of the rights of the weak ; for there cannot be a clearer right in civil society than that of bearing no more than an equal share of the public burdens. Were the amount of the injustice even far less than it is, still, injustice deliberately and unnecessarily perpetrated is a sin without excuse, and will ultimately prove to be no less a political fault than a sin.

Our readers will, we are aware, derive but little information, from the above brief discussion regarding the true character and value of the work of which we must here take leave. It is a work with which not only every Statesman and Legislator, but every reflecting member of the community, ought to make himself acquainted ; and we can have no hesitation, therefore, in saying, that Mr M'Culloch has, by the thought and labour he has devoted to its composition, added another strong claim to those he had before established upon the gratitude of his countrymen.

ART. IV.—1. *Essais sur l'Histoire de France*. Par M. GUIZOT, Professeur d'Histoire Moderne à l'Académie de Paris. Pour servir de complément aux Observations sur *Histoire de France* de Abbé de Mably. 8vo. Paris.

2. *Cours d'Histoire Moderne*. Containing, 1. *Histoire Générale de la Civilisation en Europe, depuis la chute de l'Empire Romain jusqu'à la Révolution Française*. 2. *Histoire de la Civilisation en France, depuis la chute de l'Empire Romain jusqu'en 1789*. Par M. GUIZOT. 6 vols. 8vo.

THESE two works are the contributions which the present Minister for Foreign Affairs in France has hitherto made to the philosophy of general history. They are but fragments: the earlier of the two is a collection of detached Essays, and is therefore of necessity fragmentary; while the later is all that the public possesses, or perhaps is destined to possess, of a systematic work cut short in an early stage of its progress. It would be unreasonable to lament that the exigencies or the temptations of politics have called from authorship and the Professor's Chair to the Chamber of Deputies and the Cabinet, the man to whom perhaps more than to any other it is owing that Europe is now at Peace. Yet we cannot forbear wishing that this great service to the civilized world had been the achievement of some other, and that M. Guizot had been allowed to complete his *Cours d'Histoire Moderne*. For this a very moderate amount of leisure would probably suffice. For although M. Guizot has written only on a portion of his subject, he has done it in the manner of one to whom the whole is familiar. There is a consistency, a coherence, a comprehensiveness, and what the Germans would term many-sidedness, in his view of European history; together with a full possession of the facts which have any important bearing upon his conclusions; and a deliberateness, a matureness, an entire absence of haste or crudity, in his explanations of historical phenomena—which we never see in writers who form their theories as they go on—which give evidence of a general scheme, so well wrought out and digested beforehand, that the labours both of research and of thought necessary for the whole work, seem to have been performed before any part was committed to paper. Little beyond the mere operation of composition seems to be requisite, to place before us as a connected body of thought, speculations which, even in their unfinished state, may be ranked with the most valuable contributions yet made to universal history.

Of these speculations no account, having any pretensions to completeness, has ever, so far as we are aware, appeared in the English language. We shall attempt to do something towards supplying the deficiency. To suppose that this is no longer needful, would be to presume too much upon the supposed universality of the French language among our reading public; and upon the acquaintance even of those to whom the language opposes no difficulty, with the names and reputation of the standard works of contemporaneous French thought. We believe that a knowledge of M. Guizot's writings is even now not a common possession in this country, and that it is by no means a superfluous service to inform English readers of what they may expect to find there.

For it is not with speculations of this kind as it is with those for which there exists in this country a confirmed and long-established taste. What is done in France or elsewhere for the advancement of Chemistry or of Mathematics, is immediately known and justly appreciated by the Mathematicians and Chemists of Great Britain. For these are recognised sciences, the chosen occupation of many instructed minds, ever on the watch for any accession of facts or ideas in the department which they cultivate. But the interest which historical studies in this country inspire, is not as yet of a scientific character. History with us has not passed that stage in which its cultivation is an affair of mere literature or of erudition, not of science. It is studied for the facts, not for the explanation of facts. It excites an imaginative, or a biographical, or an antiquarian, but not a philosophical interest. Historical facts are hardly yet felt to be, like other natural phenomena, amenable to scientific laws. The characteristic distrust of our countrymen for all ambitious efforts of intellect, of which the success does not admit of being instantly tested by a decisive application to practice, causes all widely extended views on the explanation of history to be looked upon with a suspicion surpassing the bounds of reasonable caution, and of which the natural result is indifference;—and hence we remain in contented ignorance of the best writings which the nations of the Continent have in our time produced; because we have no faith in, and no curiosity about, the kind of speculations to which the most philosophic minds of those nations have lately devoted themselves;—even when distinguished, as in the case before us, by a sobriety and a judicious reserve, borrowed from the safest and most cautious school of inductive enquirers.

In this particular, the difference between the English and the Continental mind forces itself upon us in every province of their respective literatures. Certain conceptions of history considered

as a whole, some notions of a progressive unfolding of the capabilities of humanity—of a tendency of man and society towards some distant result—of a *destination*, as it were, of humanity—pervade, in its whole extent, the popular literature of France. Every newspaper, every literary review or magazine, bears witness of such notions. They are always turning up accidentally, when the writer is ostensibly engaged with something else; or showing themselves as a background behind the opinions which he is immediately maintaining. When the writer's mind is not of a high order, these notions are crude and vague; but they are evidentiary of a tone of thought which has prevailed so long among the superior intellects, as to have spread from them to others, and become the general property of the nation. Nor is this true only of France, and of the nations of Southern Europe which take their tone from France, but almost equally, though under somewhat different forms, of the Germanic nations. It was Lessing by whom history was styled 'the education of the human race.' Among the earliest of those by whom the succession of historical events was conceived as a subject of science, were Herder and Kant. The latest school of German metaphysicians, the Hegelians, are well known to treat of it as a science which might even be constructed *a priori*. And as on other subjects, so on this, the general literature of Germany borrows both its ideas and its tone from the schools of the highest philosophy. We need hardly say that in our own country nothing of all this is true. The speculations of our thinkers, and the commonplaces of our mere writers and talkers, are of quite another description.

Even insular England belongs, however, to the commonwealth of Europe, and yields, though slowly and in a way of her own, to the general impulse of the European mind. There are signs of a nascent tendency in English thought to turn itself towards speculations on history. The tendency first showed itself in some of the minds which had received their earliest impulse from Mr Coleridge; and an example has been given in a quarter where many, perhaps, would have least expected it—by the Oxford-school of theologians. However little ambitious these writers may be of the title of philosophers; however anxious to sink the character of science in that of religion—they yet have, after their own fashion, a philosophy of history. They have, as Mr Carlyle would say, a theory of the world—in our opinion an erroneous one, but of which they recognise as an essential condition that it shall explain history; and they do attempt to explain history by it, and have constituted, upon the basis of it, a kind of historical system. By this we cannot but think that they

have done much good, if only in contributing to impose a similar necessity upon all other theorizers of like pretensions. We believe the time must come when all systems which aspire to direct either the consciences of mankind, or their political and social arrangements, will be required to show not only that they are consistent with universal history, but that they afford a more reasonable solution of it than any other system. In the philosophy of society, more especially, we look upon history as an indispensable test and verifier of all doctrines and creeds; and we regard with proportionate interest all explanations, however partial, of any important part of the series of historical phenomena—all attempts, which are in any measure successful, to disentangle the complications of those phenomena, to detect the order of their causation, and exhibit any portion of them in an unbroken series, each link cemented by natural laws with those which precede and follow it.

M. Guizot's is one of the most successful of these partial efforts. His subject is not history at large, but modern European history; the formation and progress of the existing nations of Europe. Embracing, therefore, only a part of the succession of historical events, he is precluded from attempting to determine the law or laws which preside over the entire evolution. If there be such laws; if the series of states through which human nature and society are appointed to pass, have been determined more or less precisely by the original constitution of mankind, and by the circumstances of the planet on which we live; the order of their succession cannot be determined by modern or by European experience alone: it must be ascertained by a conjunct analysis, so far as possible, of the whole of history, and the whole of human nature. M. Guizot stops short of this ambitious enterprise; but, considered as preparatory studies for promoting and facilitating it, his writings are most valuable. He seeks not the ultimate but the proximate causes of the facts of modern history; he enquires in what manner each successive condition of modern Europe grew out of that which next preceded it; and how modern society altogether, and the modern mind, shaped themselves from the elements which had been transmitted to them from the ancient world. To have done this with any degree of success, is no trifling achievement.

The Lectures, which are the principal foundation of M. Guizot's literary fame, were delivered by him in the years 1828, 1829, and 1830, at the old Sorbonne, now the seat of the *Faculté des Lettres* of Paris, on alternate days with MM. Cousin and Villemain; a triad of lecturers, whose brilliant exhibitions, the crowds which thronged their lecture rooms, and the stir they excited in

the active and aspiring minds so numerous among the French youth, the future historian will commemorate as among the remarkable appearances of that important era. The *Essays on the History of France* are the substance of Lectures delivered by M. Guizot many years earlier; before the Bourbons, in their jealousy of all free speculation, had shut up his class-room and abolished his Professorship; which was re-established after seven years' interval by the Martignac ministry. In this earlier production some topics are discussed at length, which, in the subsequent Lectures, are either not touched upon, or much more summarily disposed of. Among these is the highly interesting subject of the first Essay. The wide difference between M. Guizot and preceding historians is marked in the first words of his first book. A real thinker is shown in nothing more certainly, than in the questions which he asks. The fact which stands at the commencement of M. Guizot's subject—which is the origin and foundation of all subsequent history—the fall of the Roman Empire—he found an unexplained phenomenon; unless a few generalities about despotism and immorality and luxury can be called explanation. His Essay opens as follows:—

‘The fall of the Roman Empire of the West offers a singular phenomenon. Not only the people fail to support the government in its struggle against the Barbarians; but the nation, abandoned to itself, does not attempt, even on its own account, any resistance. More than this—nothing discloses that a nation exists; scarcely, even, is our attention called to what it suffers: it undergoes all the horrors of war, pillage, famine, a total change of its condition and destiny, without giving, either by word or deed, any sign of life.

‘This phenomenon is not only singular, but unexampled. Despotism has existed elsewhere than in the Roman Empire: more than once, after countries had been long oppressed by it, foreign invasion and conquest have spread destruction over them. Even when the nation has not resisted, its existence is manifested in history; it suffers, complains, and, in spite of its degradation, maintains some struggle against its misery: narratives and monuments attest what it underwent, what became of it, and if not its own acts, the acts of others in regard to it.

‘In the fifth century, the remnant of the Roman legions disputes with hordes of Barbarians the immense territory of the Empire; but it seems as if that territory was a desert. The Imperial troops once driven out or defeated, all seems over; one barbarous tribe wrests the province from another: these excepted, the only existence which shows itself, is that of the bishops and clergy. If we had not the laws to testify to us that a Roman population still occupied the soil, history would leave us doubtful of it.

‘This total disappearance of the people is more especially observable in the provinces most advanced in civilization, and longest subject to

Rome. The Letter called "the Groans of the Britons," addressed to Ætius, and imploring, with bitter lamentations, the aid of a legion, has been looked upon as a monument of the helplessness and meanness of spirit into which the subjects of the Empire had fallen. This is unjust. The Britons, less civilized, less Romanized than the other subjects of Rome, did resist the Saxons; and their resistance has a history. At the same epoch, in the same situation, the Italians, the Gauls, the Spaniards, have none. The Empire withdrew from those countries, the Barbarians occupied them, and the mass of the inhabitants took not the slightest part, nor marked their place in any manner in the events which gave them up to so great calamities.

'And yet, Gaul, Italy, and Spain, were covered with towns, which but lately had been rich and populous. Roads, aqueducts, amphitheatres, schools, they possessed in abundance; they were wanting in nothing which gives evidence of wealth, and procures for a people a brilliant and animated existence. The Barbarians came to plunder these riches, disperse these aggregations, destroy these pleasures. Never was the existence of a nation more utterly subverted; never had individuals to endure more evils in the present, more terrors for the future. Whence came it that these nations were mute and lifeless? Why have so many towns sacked, so many fortunes reversed, so many plans of life overthrown, so many proprietors dispossessed, left so few traces, not merely of the active resistance of the people, but even of their sufferings?

'The causes assigned are, the despotism of the Imperial government, the degradation of the people, the profound apathy which had seized upon all the governed. And this is true; such was really the main cause of so extraordinary an effect. But it is not enough to enunciate in these general terms, a cause which has existed elsewhere without producing the same results. We must penetrate deeper into the condition of Roman society, such as despotism had made it. We must examine by what means despotism had so completely stripped society of all coherence and all life. Despotism has various forms and modes of proceeding, which give very various degrees of energy to its action, and of extensiveness to its consequences.'

Such a problem M. Guizot proposes to himself; and is it not remarkable, that this question not only was not solved, but was not so much as raised, by the celebrated writers who had treated this period of history before him—one of those writers being Gibbon? The difference between what we learn from Gibbon on this subject, and what we learn from Guizot, is a measure of the progress of historical enquiry in the intervening period. Even the true sources of history, of all that is most important in it, have never until the present generation been really understood and freely resorted to. It is not in the *Chronicles*, but in the *Laws*, that M. Guizot finds the clue to the immediate agency in the 'Decline and Fall' of the Roman empire. In the legislation

of the period M. Guizot discovers, under the name of *curiales*, the middle class of the Empire, and the recorded evidences of its progressive annihilation.

It is known that the free inhabitants of Roman Europe were almost exclusively a town population; it is in the institutions and condition of the municipalities that the real state of the inhabitants of the Roman empire must be studied. In semblance, the constitution of the town communities was of a highly popular character. The *curiales*, or the class liable to serve municipal offices, consisted of all the inhabitants (not specially exempted) who possessed landed property amounting to twenty-five *jugera*.

This class formed a corporation for the management of local affairs. They discharged their functions, partly as a collective body, partly by electing, and filling in rotation, the various municipal magistracies. Notwithstanding the apparent dignity and authority with which this body was invested, the list of exemptions consisted of all the classes who possessed any influence in the state, any real participation in the governing power. It comprised, first, all senatorial families, and all persons whom the Emperor had honoured with the title of *clarissimi*; then, all the clergy, all the military, from the *præfectus prætorii* down to the common legionary, and all the civil functionaries of the state. When we look further, indications still more significant make their appearance. We find that there was an unceasing struggle between the government and the *curiales*—on their part to escape from their condition, on the part of the government to retain them in it. It was found necessary to circumscribe them by every species of artificial restriction. They were interdicted from living in the country, from serving in the army, or holding any civil employment which conferred exemption from municipal offices, until they had first served all those offices, from the lowest to what was called the highest. Even then, their emancipation was only personal, not extending to their children. If they entered the church, they must abandon their possessions, either to the *curia*, (the municipality,) or to some individual who would become a *curialis* in their room. Laws after laws were enacted for detecting and bringing back to the *curia* those who had secretly quitted it and entered surreptitiously into the army, the clergy, or some public office. They could not absent themselves, even for a time, without the permission of superior authority; and if they succeeded in escaping, their property was forfeit to the *curia*. No *curialis*, without leave from the governor of the province, could sell the property which constituted him such. If his heirs were not members of

the *curia*, or if his widow or daughter married any one not a *curialis*, one fourth of their property must be relinquished. If he had no children, only one fourth could be bequeathed by will, the remainder passing to the *curia*. The law looked forward to the case of properties abandoned by the possessor, and made provision that they should devolve upon the *curia*; and that the taxes to which they were liable should be rateably charged upon the property of the other *curiales*.

What was it, in the situation of a *curialis*, which made his condition so irksome, that nothing could keep men in it unless caged up as in a dungeon—unless every hole or cranny by which they could creep out of it was tightly closed by the provident ingenuity of the legislator?

The explanation is this. Not only were the *curiales* burdened with all the expenses of the local administration beyond what could be defrayed from the property of the *curia* itself—property continually encroached upon and often confiscated by the general government, but they had also to collect the revenue of the state; and their own property was responsible for making up its amount. This it was which rendered the condition of a *curialis* an object of dread; which progressively impoverished and finally extinguished the class. In their fate, we see what disease the Roman empire really died of; and how its destruction had been consummated even before the occupation by the Barbarians. The invasions were no new fact, unheard of until the fifth century; such attempts had been repeatedly made, and never succeeded until the powers of resistance were destroyed by inward decay. The Empire perished of misgovernment, in the form of over-taxation. The burden, ever increasing through the necessities occasioned by the impoverishment it had already produced, at last reached this point, that none but those whom a legal exemption had removed out of the class on which the weight principally fell, had any thing remaining to lose. The senatorial houses possessed that privilege, and accordingly we still find, at the period of the successful invasions, a certain number of families which had escaped the general wreck of private fortunes;—opulent families, with large landed possessions and numerous slaves. Between these and the mass of the population there existed no tie of affection, no community of interest. With this exception, and that of the church, all was poverty. The middle class had sunk under its burdens. ‘Hence,’ says M. Guizot, ‘in the fifth century, so much land lying waste, so many towns almost depopulated, or filled only with a hungry and unoccupied rabble. The system of government which I have described, contributed much more to this result, than the ravages of the Barbarians.’

In this situation the northern invaders found the Roman empire. What they made of it is the next subject of M. Guizot's investigations. The Essays which follow are, 'On the origin and establishment of the Franks in Gaul'—'Causes of the fall of the Merovingians and Carolingians'—'Social state and political institutions of France, under the Merovingians and Carolingians'—'Political character of the feudal *régime*.' But on these subjects our author's later and more mature thoughts are found in his Lectures; and we shall therefore pass at once to the more recent work, returning afterwards to the concluding Essay in the earlier volume, which bears this interesting title: 'Causes of the establishment of a representative system in England.'

The subject of the Lectures being the history of European Civilization, M. Guizot begins with a dissertation on the different meanings of that indefinite term; and announces that he intends to use it as equivalent to a state of improvement and progression, in the physical condition and social relations of mankind, on the one hand, and in their inward spiritual development on the other. We have not space to follow him into this discussion, with which, were we disposed to criticize, we might find some fault; but which ought, assuredly, to have exempted him from the imputation of looking upon the improvement of mankind as consisting in the progress of social institutions alone. We shall quote a passage near the conclusion of the same Lecture, as a specimen of the moral and philosophical spirit which pervades the work, and because it contains a truth for which we are glad to cite M. Guizot as an authority:—

'I think that in the course of our survey we shall speedily become convinced that civilization is still very young; that the world is very far from having measured the extent of the career which is before it. Assuredly human conception is far from being, as yet, all that it is capable of becoming; we are far from being able to embrace in imagination the whole future of humanity. Nevertheless, let each of us descend into his own thoughts, let him question himself as to the possible good which he comprehends and hopes for, and then confront his idea with what is realized in the world; he will be satisfied that society and civilization are in a very early stage of their progress; that in spite of all they have accomplished, they have incomparably more still to achieve.'

The second Lecture is devoted to a general speculation, which is very characteristic of M. Guizot's mode of thought, and, in our opinion, worthy to be attentively weighed both by the philosophers and the practical politicians of the age.

He observes, that one of the points of difference by which modern civilization is most distinguished from ancient, is the

complication, the multiplicity, which characterizes it. In all previous forms of society, Oriental, Greek, or Roman, there is a remarkable character of unity and simplicity. Some one idea seems to have presided over the construction of the social framework, and to have been carried out into all its consequences, without encountering on the way any counterbalancing or limiting principle. Some one element, some one power in society, seems to have early attained predominance, and extinguished all other agencies which could exercise an influence over society capable of conflicting with its own. In Egypt, for example, the theocratic principle absorbed every thing. The temporal government was grounded on the uncontrolled rule of a caste of priests; and the moral life of the people was built upon the idea, that it belonged to the interpreters of religion to direct the whole detail of human actions. The dominion of an exclusive class, at once the ministers of religion and the sole possessors of letters and secular learning, has impressed its character on all which survives of Egyptian monuments—on all we know of Egyptian life. Elsewhere, the dominant fact was the supremacy of a military caste, or race of conquerors: the institutions and habits of society were principally modelled by the necessity of maintaining this supremacy. In other places again, society was mainly the expression of the democratic principle. The sovereignty of the majority, and the equal participation of all male citizens in the administration of the state, were the leading facts by which the aspect of those societies was determined. This singleness in the governing principle had not, indeed, always prevailed in those states. Their early history often presented a conflict of forces. ‘Among the Egyptians, the Etruscans, even among the Greeks, the caste of warriors, for example, maintained a struggle with that of priests; elsewhere’ (in ancient Gaul for example) ‘the spirit of clanship against that of voluntary association; or the aristocratic against the popular principle. But these contests were nearly confined to ante-historical periods; a vague remembrance was all that survived of them. If at a later period the struggle was renewed, it was almost always promptly terminated; one of the rival powers achieved an early victory, and took exclusive possession of society.

‘This remarkable simplicity of most of the ancient civilizations, had, in different places, different results. Sometimes, as in Greece, it produced a most rapid development: never did any people unfold itself so brilliantly in so short a time. But after this wonderful outburst, Greece appeared to have become suddenly exhausted. Her decline, if not so rapid as her elevation, was yet strangely prompt. It seemed as though the creative force of the principle of Greek civilization had spent itself, and no other principle came to its assistance.

‘Elsewhere, in Egypt and India for example, the unity of the dominant principle had a different effect; society fell into a stationary state. Simplicity produced monotony: the state did not fall into dissolution; society continued to subsist, but immovable, and as it were congealed.’

It was otherwise, says M. Guizot, with modern Europe—

‘Her civilization,’ he continues, ‘is confused, diversified, stormy: all forms, all principles of social organization coexist; spiritual and temporal authority, theocratic, monarchic, aristocratic, democratic elements, every variety of classes and social conditions, are mixed and crowded together; there are innumerable gradations of liberty, wealth, and influence. And these forces are in a state of perpetual conflict, nor has any of them ever been able to stifle the others, and establish its own exclusive authority. Modern Europe offers examples of all systems, of all attempts at social organization; monarchies pure and mixed, theocracies, republics more or less aristocratic, have existed simultaneously one beside another; and, in spite of their diversity, they have all a certain homogeneity, a family likeness, not to be mistaken.

‘In ideas and sentiments, the same variety, the same struggle. Theocratic, monarchic, aristocratic, popular creeds, check, limit, and modify one another. Even in the most audacious writings of the middle ages, an idea is never followed to its ultimate consequences. The partisans of absolute power unconsciously shrink from the results of their doctrine; democrats are under similar restraints. One sees that there are ideas and influences encompassing them, which do not suffer them to go all lengths. There is none of that imperturbable hardihood, that blindness of logic, which we find in the ancient world. In the feelings of mankind, the same contrasts, the same multiplicity: a most energetic love of independence, along with a great facility of submission; a rare fidelity of man to man, and at the same time an imperious impulse to follow each his own will, to resist restraint, to live for himself, without taking account of others. A similar character shows itself in modern literatures. In perfection of form and artistic beauty, they are far inferior to the ancient; but richer and more copious in respect of sentiments and ideas. One perceives that human nature has been stirred up to a greater depth, and at a greater number of points. The imperfections of form are an effect of this very cause. The more abundant the materials, the more difficult it is to marshal them into a symmetrical and harmonious shape.”*

Hence, he continues, the modern world, while inferior to many of the ancient forms of human life in the characteristic excellence of each, yet in all things taken together, is richer and more developed than any of them. From the multitude of elements to be reconciled, each of which during long ages spent the greater part of its strength in combating the rest, the progress of modern civilization has necessarily been slower; but it

has lasted, and remained steadily progressive, through fifteen centuries; which no other civilization has ever done.

There are some to whom this will appear a fanciful theory, a cobweb spun from the brain of a *doctrinaire*. We are of a different opinion. There is doubtless, in the historical statement, some of that pardonable exaggeration, which, in the exposition of large and commanding views, the necessities of language render it so difficult entirely to avoid. The assertion that the civilizations of the ancient world were each under the complete ascendancy of some one exclusive principle, is not admissible in the unqualified sense in which M. Guizot enunciates it; the limitations which that assertion would require, on a nearer view, are neither few nor inconsiderable. Still less is it maintainable, that different societies, under different dominant principles, did not at each epoch coexist in the closest contact; as Athens, Sparta, and Persia or Macedonia; Rome, Carthage, and the East. But after allowance for over-statement, the substantial truth of the doctrine appears unimpeachable. No one of the ancient forms of society contained in itself that systematic antagonism, which we believe to be the only condition under which stability and progressiveness can be permanently reconciled to one another.

There are in society a number of distinct forces—of separate and independent sources of power. There is the general power of knowledge and cultivated intelligence. There is the power of religion; by which, speaking politically, is to be understood that of religious teachers. There is the power of military skill and discipline. There is the power of wealth; the power of numbers and physical force; and several others might be added. Each of these, by the influence it exercises over society, is fruitful of certain kinds of beneficial results; none of them is favourable to all kinds. There is no one of these powers which, if it could make itself absolute, and deprive the others of all influence except in aid of and in subordination to its own, would not show itself the enemy of some of the essential constituents of human well-being. Certain good results would be doubtless obtained, at least for a time; some of the interests of society would be adequately cared for; because, with certain of them, the natural tendency of each of these powers spontaneously coincides. But there would be other interests, in greater number, which the complete ascendancy of any one of these social elements would leave unprovided for; and which must depend for their protection on the influence which can be exercised by other elements.

We believe with M. Guizot that modern Europe presents the only example in history, of the maintenance, through many ages, of this co-ordinate action among rival powers naturally tending in different directions. And, with him, we ascribe chiefly to this cause the spirit of improvement which has never ceased to exist, and still makes progress, in the European nations. At no time has Europe been free from a contest of rival powers for dominion over society. If the clergy had succeeded, as in Egypt, in making the kings subservient to them; if, as among the Mussulmans of old, or the Russians now, the supreme religious authority had merged in the attributes of the temporal ruler; if the military and feudal nobility had reduced the clergy to be their tools, and retained the burgesses as their serfs; if a commercial aristocracy, as at Tyre, Carthage, and Venice, had got rid of kings, and governed by a military force composed of foreign mercenaries; Europe would have arrived much more rapidly at such kinds and degrees of national greatness and well-being as those influences severally tended to promote; but from that time would either have stagnated like the great stationary despotisms of the East; or have perished for lack of such other elements of civilization as could sufficiently unfold themselves only under some other patronage. Nor is this a danger existing only in the past; but one which may be yet impending over the future. If the perpetual antagonism which has kept the human mind alive, were to give place to the complete preponderance of any, even the most salutary, element; we might yet find that we have counted too confidently upon the progressiveness which we are so often told is an inherent property of our species. Education, for example—mental culture—would seem to have a better title than could be derived from any thing else, to rule the world with exclusive authority; yet if the lettered and cultivated class, embodied and disciplined under a central organ, could become in Europe, what it is in China, the government—unchecked by any power residing in the mass of citizens, and permitted to assume a parental tutelage over all the operations of life—the result would probably be a darker despotism, one more opposed to improvement, than even the military monarchies and aristocracies have in fact proved. And in like manner, if what seems to be the tendency of things in the United States should proceed for some generations unrestrained;—if the power of numbers—of the opinions and instincts of the mass—should acquire and retain the absolute government of society, and impose silence upon all voices which dissent from its decisions or dispute its authority; we should expect that, in such countries, the condition of human nature would become as stationary as in China, and perhaps at a still lower point of elevation in the scale.

However these things may be, and imperfectly as many of the elements have yet unfolded themselves, which are hereafter to compose the civilization of the modern world; there is no doubt that it already possesses, in comparison with the older forms of life and society, that complex and manifold character which M. Guizot ascribes to it.

He proceeds to enquire whether any explanation of this peculiarity of the European nations can be traced in their origin; and he finds, in fact, that origin to be extremely multifarious. The European world shaped itself from a chaos, in which Roman, Christian, and Barbarian ingredients were commingled. M. Guizot attempts to determine what portion of the elements of modern life derived their beginning from each of these sources.

From the Roman empire he finds that Europe derived both the fact and the idea of municipal institutions;—a thing unknown to the Germanic conquerors. The Roman Empire was originally an aggregation of towns; the life of the people, especially in western Europe, was a town life; their institutions and social arrangements, except the system of functionaries destined to maintain the authority of the sovereign, were all grounded upon the towns. When the central power retired from the Western Empire, town life and town institutions, though in an enfeebled condition, were what remained. In Italy, where they were less enfeebled than elsewhere, civilization revived not only earlier than in the rest of Europe, but in forms more similar to those of the ancient world. The south of France had, next to Italy, partaken most in the fruits of Roman civilization; its towns had been the richest and most flourishing on this side the Alps; and having, therefore, held out longer than those farther north against the fiscal tyranny of the Empire, were not so completely ruined when the conquest took place. Accordingly, their municipal institutions were transmitted unbroken from the Roman period to recent times. This, then, was one legacy which the Empire left to the nations which were shaped out of its ruins. But it left also, though not a central authority, the habit of requiring and looking for such an authority. It left 'the idea of the empire, the name of the emperor, the conception of the imperial majesty, of a sacred power inherent in the imperial name.' This idea, at no time becoming extinct, resumed, as society became more settled, a portion of its pristine power: towards the close of the middle ages, we find it once more a really influential element. Finally, Rome left a body of written law, constructed by and for a wealthy and cultivated society; this served as a pattern of civilization to the rude invaders, and assumed an ever increasing importance as they became more civilized.

In the field of intellect, and purely mental development, Rome, and through Rome, her predecessor Greece, left a still richer inheritance, but one which did not come much into play until a later period.

‘Liberty of thought—reason taking herself for her own starting-point and her own guide—is an idea essentially sprung from antiquity, an idea which modern society owes to Greece and Rome. We evidently did not receive it either from Christianity or from Germany, for in neither of these elements of our civilization was it included. It was powerful on the contrary, it predominated, in the Græco-Roman civilization. That was its true origin. It is the most precious legacy which antiquity left to the modern world: a legacy which was never quite suspended and valueless; for we see the fundamental principle of all philosophy, the right of human reason to explore for itself, animating the writings and the life of Scotus Erigena, and the doctrine of freedom of thought still erect in the ninth century, in the face of the principle of authority.’*

Such, then, are the benefits which Europe has derived from the relics of the ancient Imperial civilization. But along with this perishing society, the Barbarians found another and a rising society, in all the freshness and vigour of youth—the Christian Church. In the debt which modern society owes to this great institution is to be first included, in M. Guizot's opinion, all which it owes to Christianity.

‘At that time none of the means were in existence by which, in our own days, moral influences establish and maintain themselves independently of institutions; none of the instruments whereby a pure truth, a mere idea, acquires an empire over minds, governs actions, determines events. In the fourth century nothing existed which could give to ideas, to mere personal sentiments, such an authority. To make head against the disasters, to come victoriously out of the tempests, of such a period, there was needed a strongly organized and energetically governed society. It is not too much to affirm that at the period in question the Christian Church saved Christianity. It was the Church, with its institutions, its magistrates, its authority, which maintained itself against the decay of the empire from within, and against barbarism from without; which won over the barbarians, and became the civilizing principle, the principle of fusion between the Roman and the barbaric world.’

That, without its compact organization the Christian hierarchy could have so rapidly taken possession of the uncultivated minds of the Barbarians; that, before the conquest was completed, the conquerors would have universally adopted the religion of the vanquished, if that religion had been recommended to them by nothing but its intrinsic superiority—we agree with M. Guizot in thinking incredible. We do not find that other savages, at other

erars, have yielded with similar readiness to the same influences; nor did the minds or lives of the invaders, for some centuries from their conversion, give evidence that the real merits of Christianity had made any deep impression upon them. The true explanation is to be found in the power of intellectual superiority. As the condition of secular society became more discouraging, the Church had more and more engrossed to itself whatever of real talents, as well as of sincere philanthropy, existed in the Roman world. 'Among the Christians of that epoch,' says M. Guizot, 'there were men who had thought of every thing—to whom all moral and political questions were familiar; men who had on all subjects well-defined opinions, energetic feelings, and an ardent desire to propagate them and make them predominant. Never did any body of men make such efforts to act upon the world and assimilate it to themselves, as did the Christian Church from the fifth to the tenth century. She attacked Barbarism at almost all points, striving to civilize it by her ascendancy.'

In this the Church was aided by the important temporal position, which, in the general decay of other elements of society, it had assumed in the Roman empire. Alone strong in the midst of weakness, alone possessing natural sources of power within itself, it was the prop to which all things clung which felt themselves in need of support. The clergy, and especially the Prelacy, had become the most influential members of temporal society. All that remained of the former wealth of the Empire had for some time tended more and more in the direction of the Church. At the time of the invasions, we find the bishops very generally invested, under the title of *defensor civitatis*, with a high public character—as the patrons, and towards all strangers the representatives, of the town communities. It was they who treated with the invaders in the name of the natives; it was their adhesion which guaranteed the general obedience; and after the conversion of the conquerors, it was to their sacred character that the conquered were indebted for whatever mitigation they experienced of the fury of conquest.

Thus salutary, and even indispensable, was the influence of the Christian clergy during the confused period of the invasions. M. Guizot has not overlooked, but impartially analysed, the mixed character of good and evil which belonged even in that age, and still more in the succeeding ages, to the power of the Church. One beneficial consequence which he ascribes to it is worthy of especial notice;—the separation (unknown to antiquity) between temporal and spiritual authority. He, in common with the best thinkers of our time, attributes to this fact the happiest influence on European civilization. It was the

parent, he says, of liberty of conscience. 'The separation of temporal and spiritual is founded on the idea, that material force has no right, no hold, over the mind, over conviction, over truth.' Enormous as have been the sins of the Catholic Church in the way of religious intolerance, her assertion of this principle has done more for human freedom than all the fires she ever kindled have done to destroy it. Toleration cannot exist, or exists only as a consequence of contempt, where, church and state being virtually the same body, disaffection to the national worship is treason to the state; as is sufficiently evidenced by Grecian and Roman history, notwithstanding the fallacious appearance of liberality inherent in Polytheism, which did not prevent, as long as the national religion continued in vigour, almost every really free thinker of any ability in the freest city of Greece, from being either banished or put to death for blasphemy.* In more recent times, where the chief of the state has been also the supreme pontiff, not, as in England, only nominally, but substantially, (as in the case of China, Russia, the caliphs, and the sultans of Constantinople,) the result has been a perfection of despotism, and a voluntary abasement under its yoke, which have no parallel elsewhere except among the most besotted barbarians.

It remains to assign, in the elemental chaos from which the modern nations arose, the Germanic or barbaric element. What has Europe derived from the barbarian invaders? M. Guizot, answers—the spirit of liberty. That spirit, as it exists in the modern world, is something which had never before been found in company with civilization. The liberty of the ancient commonwealths did not mean individual freedom of action; it meant a certain form of political organization; and instead of asserting the private freedom of each citizen, it was compatible with a more unbounded subjection of every individual to the state, and a more active interference of the ruling powers with private conduct, than is the practice of what are now deemed the most despotic governments. The modern spirit of liberty, on the contrary, is the love of individual independence; the claim for freedom of action, with as little interference as is compatible with the necessities of society, from any authority other than the conscience of the individual. It is in fact the self-will of the savage, moderated and limited by the demands of civilized life; and M. Guizot is not mistaken in believing that it came to us, not from ancient civilization, but from the savage element infused into that enervated civilization by its barbarous conquerors.

* Anaxagoras, Protagoras, Socrates, Aristotle, &c.

He adds, that together with this spirit of liberty, the invaders brought also the spirit of voluntary association; the institution of military patronage, the bond between followers and a leader of their own choice, which afterwards ripened into feudality. This voluntary dependence of man upon man, this relation of protection and service, this spontaneous loyalty to a superior not deriving his authority from law or from the constitution of society, but from the voluntary election of the dependent himself, was unknown to the civilized nations of antiquity; though frequent among savages, and so customary in the Germanic race as to have been deemed, though erroneously, characteristic of it.

To reconcile, in any moderate degree, these jarring elements; to produce even an endurable state of society, not to say a prosperous and improving one, by the amalgamation of savages and slaves, was a work of many centuries. M. Guizot's Lectures are chiefly occupied in tracing the progress of this work, and showing by what agencies it was accomplished. The history of the European nations consists of three periods; the period of confusion, the feudal period, and the modern period. The Lectures of 1828 include, though on a very compressed scale, all the three; but only in relation to the history of society, omitting that of thought, and of the human mind. In the following year, the Professor took a wider range. The three volumes which contain the Lectures of 1829, are a complete historical analysis of the period of confusion; expounding, with sufficient fulness of detail, both the state of political society in each successive stage of that prolonged anarchy, and the state of intellect as evidenced by literature and speculation. In these volumes, M. Guizot is the philosopher of the period of which M. Augustin Thierry is the painter. In the Lectures of 1830—which, having been prematurely broken off by the political events of that year, occupy (with the *Pièces Justificatives*) only two volumes—he commenced a similar analysis of the feudal period; but did not quite complete the political and social part of the subject: the examination of the intellectual products of the period was not even commenced. In this state this great unfinished monument still remains. Imperfect, however, as it is, it contains much more than we can attempt to bring under even the most cursory review within our narrow limits. We can only pause and dwell upon the important epochs, and upon speculations which involve some great and fertile idea, or throw a strong light upon some interesting portion of the history. Among these last we must include the passage* in which M. Guizot describes the manner in

* Vol. ii. pp. 386-8.

which the civilization of the conquered impressed the imagination of the victors.

‘ We have just passed in review the closing age of the Roman civilization, and we found it in full *décadence*, without force, without fecundity, incapable almost of keeping itself alive. We now behold it vanquished and ruined by the barbarians; when on a sudden it reappears fruitful and powerful: it assumes over the institutions and manners which are brought newly into contact with it, a prodigious empire; it impresses on them more and more its own character; it governs and metamorphoses its conquerors.

‘ Among many causes, there were two which principally contributed to this result: the power of a systematic and comprehensive body of civil law; and the natural ascendancy of civilization over barbarism.

‘ In fixing themselves to a single abode, and becoming landed proprietors, the barbarians contracted, both with the Roman population and with each other, relations more various and durable than any they had previously known; their civil existence assumed greater breadth and stability. The Roman law was alone fit to regulate this new existence; it alone could deal adequately with such a multitude of relations. The barbarians, however they might strive to preserve their own customs, were caught, as it were, in the nets of this scientific legislation, and were obliged to bring the new social order, in a great measure, into subjection to it, not politically indeed, but civilly.

‘ Further, the spectacle itself of Roman civilization exercised a great empire over their minds. What strikes our modern fancy, what we greedily seek for in history, in poems, travels, romances, is the picture of a state of society unlike the regularity of our own; savage life, with its independence, its novelty, and its adventure. Quite different were the impressions of the barbarians. What to them was striking, what appeared to them great and wonderful, was civilization; the monuments of Roman industry, the cities, roads, aqueducts, amphitheatres; that society so orderly, so provident, so full of variety in its fixity—this was the object of their admiration and their astonishment. Though conquerors, they were sensible of inferiority to the conquered. The barbarian might despise the Roman as an individual being, but the Roman world, in its *ensemble*, appeared to him something above his level; and all the great men of the age of the conquests, Alaric, Ataulph, Theodoric, and so many others, while destroying and trampling upon Roman society, used all their efforts to copy it.

But their attempt was fruitless. It was not by merely seating themselves in the throne of the Emperors, that the chiefs of the barbarians could reinfuse life into a social order to which, when already perishing by its own infirmities, they had dealt the final blow. Nor was it in that old form that peaceful and regular government could be restored to Europe. The confusion was too chaotic to admit of so easy a disentanglement. Before fixed institutions could become possible, it was necessary to have a fixed

population; and this primary condition was long unattained. Bands of barbarians, of various races, with no bond of national union, overran the Empire without mutual concert, and occupied the country as much as a people so migratory and vagabond could be said to occupy it; but even the loose ties which held together each tribe or band became relaxed by the consequences of spreading themselves over an extensive territory; fresh hordes, too, were ever pressing on behind; and the very first requisite of order, permanent territorial limits, could not establish itself, either between properties or sovereignties, for nearly three centuries. The annals of the conquered countries during the intermediate period, but chronicle the desultory warfare of the invaders with one another; the effect of which, to the conquered, was a perpetual renewal of suffering and increase of impoverishment.

M. Guizot dates the termination of this downward period from the reign of Charlemagne; others (for example, M. de Sismondi) have placed it later. We are inclined to agree with M. Guizot; no part of whose work seems to us more admirable than that in which he fixes the place in history of that remarkable man.*

The name of Charlemagne, says M. Guizot, has come down to us as one of the greatest in history. Though not the founder of his dynasty, he has given his name both to his race and to the age.

'The homage paid to him is often blind and undistinguishing—his genius and glory are extolled without discrimination or measure; yet, at the same time, persons repeat, one after another, that he founded nothing, accomplished nothing; that his empire, his laws, all his works perished with him. And this historical commonplace introduces a crowd of moral commonplaces on the ineffectualness and uselessness of great men, the vanity of their projects, the little trace which they leave in the world after having troubled it in all directions. . . . Is this true? Is it the destiny of great men to be merely a burden and a useless wonder to mankind?

'At the first glance the commonplace might be supposed to be a truth. The victories, conquests, institutions, reforms, projects, all the greatness and glory of Charlemagne, vanished with him; he seemed a meteor suddenly emerging from the darkness of barbarism, to be as suddenly lost and extinguished in the shadow of feudalism. There are other such examples in history. . . .

'But we must beware of trusting these appearances. To understand the meaning of great events, and measure the agency and influence of great men, we need to look far deeper into the matter.

‘ The activity of a great man is of two kinds ; he performs two parts ; two epochs may generally be distinguished in his career. First, he understands better than other people the wants of his time ;—its real, present exigencies ;—what, in the age he lives in, society needs, to enable it to subsist, and attain its natural development. He understands these wants better than any other person of the time, and knows better than any other how to wield the powers of society, and direct them skilfully towards the realization of this end. Hence proceed his power and glory ; it is in virtue of this, that as soon as he appears, he is understood, accepted, followed—that all give their willing aid to the work which he is performing for the benefit of all.

‘ But he does not stop here. When the real wants of his time are in some degree satisfied, the ideas and the will of the great man proceed further. He quits the region of present facts and exigencies ; he gives himself up to views in some measure personal to himself ; he indulges in combinations more or less vast and specious, but which are not, like his previous labours, founded on the actual state, the common instincts, the determinate wishes of society, but are remote and arbitrary. He aspires to extend his activity and influence indefinitely, and to possess the future as he has possessed the present.

‘ Here egoism and illusion commence. For some time, on the faith of what he has already done, the great man is followed in this new career ; he is believed in, and obeyed ; men lend themselves to his fancies ; his flatterers and his dupes even admire and vaunt them as his sublimest conceptions. The public, however, in whom a mere delusion is never of any long continuance, soon discovers that it is impelled in a direction in which it has no desire to move. At first the great man had enlisted his high intelligence and powerful will in the service of the general feeling and wish ; he now seeks to employ the public force in the service of his individual ideas and desires ; he is attempting things which he alone wishes or understands. Hence disquietude first, and then uneasiness ; for a time he is still followed, but sluggishly and reluctantly ; next he is censured and complained of ; finally, he is abandoned, and falls ; and all which he alone had planned and desired, all the merely personal and arbitrary part of his works, perishes with him.’

After briefly illustrating his remarks by the example of Napoleon—so often, by his flatterers, represented as another Charlemagne, a comparison which is the height of injustice to the earlier conqueror—M. Guizot observes, that the wars of Charlemagne were of a totally different character from those of the previous dynasty. ‘ They were not dissensions between tribe and tribe, or chief and chief, nor expeditions engaged in for the purpose of settlement or of pillage ; they were systematic wars, inspired by a political purpose, and commanded by a public necessity.’ Their purpose was no other than that of putting an end to the invasions. He repelled the Saracens : the Saxons and Sclavonians, against whom merely defensive arrangements were not sufficient, he attacked and subjugated in their native forests.

‘ At the death of Charlemagne, the conquests cease, the unity disappears, the empire is dismembered and falls to pieces ; but is it true that nothing remained, that the warlike exploits of Charlemagne were absolutely sterile, that he achieved nothing, founded nothing ?

‘ There is but one way to resolve this question—it is, to ask ourselves if, after Charlemagne, the countries which he had governed found themselves in the same situation as before ; if the twofold invasions which, on the north and on the south, menaced their territory, their religion, and their race, recommenced after being thus suspended ; if the Saxons, Slavonians, Avars, Arabs, still kept the possessors of the Roman empire in perpetual disturbance and anxiety. Evidently it was not so. True, the empire of Charlemagne was broken up, but into separate states, which arose as so many barriers at all points where there was still danger. To the time of Charlemagne, the frontiers of Germany, Spain, and Italy were in continual fluctuation ; no constituted public force had attained a permanent shape ; he was compelled to be constantly transporting himself from one end to the other of his dominions, in order to oppose to the invaders the moveable and temporary force of his armies. After him, the scene is changed ; real political barriers, states more or less organized, but real and durable, arose ; the kingdoms of Lorraine, of Germany, Italy, the two Burgundies, Navarre, date from that time ; and in spite of the vicissitudes of their destiny, they subsist, and suffice to oppose effectual resistance to the invading movement. Accordingly that movement ceases, or continues only in the form of maritime expeditions, most desolating at the points which they reach, but which cannot be made with great masses of men, nor produce great results.

‘ Although, therefore, the vast dominion of Charlemagne perished with him, it is not true that he founded nothing ; he founded all the states which sprung from the dismemberment of his empire. His conquests entered into new combinations, but his wars attained their end. The foundation of the work subsisted, although its form was changed.’

In the character of an administrator and a legislator, the career of Charlemagne is still more remarkable than as a conqueror. His long reign was one struggle against the universal insecurity and disorder. He was one of the sort of men described by M. Guizot, ‘ whom the spectacle of anarchy or of social immobility strikes and revolts ; whom it shocks intellectually, as a fact which ought not to exist ; and who are possessed with the desire to correct it, to introduce some rule, some principle of regularity and permanence, into the world which is before their view.’ Gifted with an unresting activity, unequalled perhaps by any other sovereign, Charlemagne passed his life in attempting to convert a chaos into an orderly and regular government ; to create a general system of administration, under an efficient central authority. In this attempt he was very imperfectly successful. The government of an extensive country from a central point

was too complicated, too difficult; it required the co-operation of too many agents, and of intelligences too much developed, to be capable of being carried on by barbarians. 'The disorder around him was immense, invincible; he repressed it for a moment on a single point, but the evil reigned wherever his terrible will had not penetrated; and even where he had passed, it recommenced as soon as he had departed.'

Nevertheless, his efforts were not lost—not wholly unfruitful. His instrument of government was composed of two sets of functionaries, local and central. The local portion consisted of the resident governors, the dukes, counts, &c., together with the vassals or *beneficiarii*, afterwards called feudatories, to whom, when lands had been granted, a more or less indefinite share had been delegated of the authority and jurisdiction of the sovereign. The central machinery consisted of *missi dominici*—temporary agents sent into the provinces, and from one province to another, as the sovereign's own representatives;—to inspect, control, report, and even reform what was amiss, either in act or negligence, on the part of the local functionaries. Over all these the prince held, with a firm hand, the reins of government;—aided by a national assembly or convocation of chiefs, when he chose to summon it, either because he desired their counsel or needed their moral support.

'Is it possible that of this government, so active and vigorous, nothing remained—that all disappeared with Charlemagne, that he founded nothing for the internal consolidation of society?

'What fell with Charlemagne, what rested upon him alone, and could not survive him, was the central government. After continuing some time under Louis le Debonnaire and Charles le Chauve, but with less and less energy and influence, the general assemblies, the *missi dominici*, the whole machinery of the central and sovereign administration, disappeared. Not so the local government, the dukes, counts, *vicaires*, *centeniers*, *beneficiarii*, vassals, who held authority in their several neighbourhoods under the rule of Charlemagne. Before his time, the disorder had been as great in each locality as in the commonwealth generally; landed properties, magistracies, were incessantly changing hands; no local positions or influences possessed any steadiness or permanence. During the forty-six years of his government, these influences had time to become rooted in the same soil, in the same families; they had acquired stability, the first condition of the progress which was destined to render them independent and hereditary, and make them the elements of the feudal régime. Nothing, certainly, less resembles feudalism than the sovereign unity which Charlemagne aspired to establish; yet he is the true founder of feudal society: it was he who, by arresting the external invasions, and repressing to a certain extent the intestine disorders, gave to situations, to fortunes, to local influences, sufficient time to take real possession of

the country. After him, his general government perished like his conquests, his unity of authority like his extended empire; but as the empire was broken into separate states, which acquired a vigorous and durable life, so the central sovereignty of Charlemagne resolved itself into a multitude of local sovereignties, to which a portion of the strength of his government had been imparted, and which had acquired under its shelter the conditions requisite for reality and durability. So that in this second point of view, in his civil as well as military capacity, if we look beyond first appearances, he accomplished and founded much.

Thus does a more accurate knowledge correct the two contrary errors, one or other of which is next to universal among superficial thinkers, respecting the influence of great men upon society. A great ruler cannot shape the world after his own pattern; he is condemned to work in the direction of existing and spontaneous tendencies, and has only the discretion of singling out the most beneficial of these. Yet the difference is great between a skilful pilot and none at all, though a pilot cannot steer save in obedience to wind and tide. Improvements of the very first order, and for which society is completely prepared, which lie in the natural course and tendency of human events, and are the next stage through which mankind will pass, may be retarded indefinitely for want of a great man to throw the weight of his individual will and faculties into the trembling scale. Without Charlemagne, who can say for how many centuries longer the period of confusion might have been protracted? Yet in this same example it equally appears what a great ruler can *not* do. Like Ataulph, Theodoric, Clovis, all the ablest chiefs of the invaders, Charlemagne dreamed of restoring the Roman Empire.

‘This was, in him, the portion of egoism and illusion; and in this it was that he failed. The Roman *imperium*, and its unity, were invincibly repugnant to the new distribution of the population, the new relations, the new moral condition of mankind. Roman civilization could only enter as a transformed element into the new world which was preparing. This idea, this aspiration of Charlemagne, was not a public idea, nor a public want—all that he did for its accomplishment perished with him.

‘Yet even of this vain endeavour something remained. The name of the Western Empire revived by him, and the rights which were thought to be attached to the title of Emperor, resumed their place among the elements of history, and were for several centuries longer an object of ambition, an influencing principle of events. Even, therefore, in the purely egotistical and ephemeral portion of his operations, it cannot be said that the ideas of Charlemagne were absolutely sterile, nor totally devoid of duration.’

M. Guizot, we think, is scarcely just to Charlemagne in this implied censure upon his attempt to reconstruct civilized society upon the only model familiar to him. The most intelligent con-

temporaries shared his error, and saw in the dismemberment of his Empire, and the fall of his despotic authority, a return to chaos. Though it is easy for us to see, it was difficult for them to foresee, that European society, such as the invasions had made it, admitted of no return to order but through something resembling the feudal system. By the writers who have come down to us from the age in which that system arose, it was looked upon as nothing less than universal anarchy and dissolution. 'Consult the poets of the time, consult the chroniclers; they all thought that the world was coming to an end.' M. Guizot quotes one of the monuments of the time, a poem by Florus, a deacon of the church at Lyons, which displays with equal *naïveté* the chagrin of the instructed few at the breaking up of the great unsolid structure which Charlemagne had raised, and the satisfaction which the same fact caused to the people at large; not the only instance in history in which the instinct of the people has been nearer the truth than the considerate judgment of the instructed. That renewal of the onward movement, which even a Charlemagne could not effect by means repugnant to the natural tendencies of the times, took place through the operation of ordinary causes; as soon as society had assumed the form which alone could give rise to fixed expectations and positions, and produce a sort of security.

'The moral and the social state of the people at this epoch equally resisted all association, all government of a single and extended character. Mankind had few ideas, and did not look far around. Social relations were rare and restricted. The horizon of thought and of life was exceedingly limited. Under such conditions, a great society is impossible. What are the natural and necessary bonds of political union? On the one hand the number and extent of the social relations; on the other, of the ideas, whereby men communicate and are held together. Where neither of these are numerous or extensive, the bonds of a great society or state are non-existent. Such were the times of which we now speak. Small societies, local governments, cut, as it were, to the measure of existing ideas and relations, were alone possible; and these alone succeeded in establishing themselves. The elements of these little societies and little governments, were ready made. The possessors of benefices by grant from the king, or of domains occupied by conquest, the counts, dukes, governors of provinces, were disseminated throughout the country. These became the natural centres of associations coextensive with them. Round these was agglomerated, voluntarily or by force, the neighbouring population, whether free or in bondage. Thus were formed the petty states called fiefs; and this was the real cause of the dissolution of the empire of Charlemagne.' *

We have now, therefore, arrived at the opening of the feudal period ; and have to attempt to appreciate what the feudal society was, and what was the influence of that society, and of its institutions, on the fortunes of the human race ; what new elements it introduced ; what new tendencies it impressed upon human nature ; or to which of the existing tendencies it imparted additional strength.

M. Guizot's estimate of feudalism is among the most interesting, and most completely satisfactory of his speculations. He observes,* that sufficient importance is seldom attached to the effects produced upon the mental nature of mankind by mere changes in their outward mode of living :—

‘ Every one is aware of the notice which has been taken of the influence of climate, and the importance attached to it by Montesquieu. If we confine ourselves to the direct influence of diversity of climate upon mankind, it is perhaps less than has been supposed ; the appreciation of it is, at all events, difficult and vague. But the indirect effects, those for instance which result from the fact, that in a warm climate the people live in the open air, while in cold countries they shut themselves up in their houses—that they subsist upon different kinds of food, and the like—are highly important, and, merely by their influence on the details of material existence, act powerfully on civilization. Every great revolution produces in the state of society some changes of this sort, and these ought to be carefully observed.

‘ The introduction of the feudal *régime* occasioned one such change, of which the importance cannot be overlooked ; it altered the distribution of the population over the face of the country. Till that time, the masters of the soil, the sovereign class, lived collected in masses more or less numerous—either sedentary in the towns, or wandering in bands over the country. In the feudal state these same persons lived insulated, each in his own habitation, at great distances from one another. It is obvious how great an influence this change must have exercised over the character and progress of civilization. Social preponderance and political power passed from the towns to the country ; private property and private life assumed pre-eminence over public. This first effect of the triumph of the feudal principle, appears more fruitful in consequences the longer we consider it.

‘ Let us examine feudal society as it is in its own nature, looking at it first of all in its simple and fundamental element. Let us figure to ourselves a single possessor of a fief in his own domain ; and consider what will be the character of the little association which groups itself around him.

‘ He establishes himself in a retired and defensible place, which he takes care to render safe and strong ; he there erects what he terms his castle. With whom does he establish himself there ? With his wife and

his children; probably also some few freemen, who have not become landed proprietors, have attached themselves to his person, and remain domesticated with him. These are all the inmates of the castle itself. Around it, and under its protection, collects a small population of labourers—of serfs, who cultivate the domain of the seigneur. Amidst this inferior population religion comes, builds a church and establishes a priest. In the early times of feudality this priest is at once the chaplain of the castle and the parish clergyman of the village; at a later period the two characters are separated. This, then, is the organic molecule—the unit, if we may so speak, of feudal society. This we have to summon before us, and demand an answer to the two questions which should be addressed to every fact in history—what was it calculated to do towards the development, first of man, and next of society?

The first of its peculiarities, he continues, is the prodigious importance which the head of this little association must assume in his own eyes, and those of all around him. To the liberty of the man and the warrior, the sentiment of personality and individual independence, which predominated in savage life, is now added the importance of the master, the landed proprietor, the head of a family. No feeling of self-importance comparable to this, is habitually generated in any other known form of civilization. A Roman patrician, for example, 'was the head of a family, was a master, a superior; he was, besides, a religious magistrate, a pontiff in the interior of his family.' But the importance of a religious magistrate is not personal; it is borrowed from the divinity whom he serves. In civil life the patrician 'was a member of the senate—of a corporation which lived united in one place. This again was an importance derived from without; borrowed and reflected from that of his corporation.'

'The grandeur of the ancient aristocracies was associated with religious and political functions; it belonged to the situation, to the corporation at large, more than to the individual. That of the possessor of a fief is, on the contrary, purely personal. He receives nothing from any one; his rights, his powers, come from himself alone. He is not a religious magistrate, nor a member of a senate; all his importance centres in his own person; whatever he is, he is by his own right and in his own name. Above him, no superior of whom he is the representative and the interpreter; around him, no equals; no rigorous universal law to curb him; no external force habitually controlling his will; he knows no restraint but the limits of his strength, or the presence of an immediate danger. With what intensity must not such a situation act upon the mind of the man who occupies it? What boundless pride, what haughtiness—to speak plainly, what insolence—must arise in his soul?'

We pass to the influence of this new state of society upon the development of domestic feelings and family life.

History exhibits to us the family in several different shapes. First, the patriarchal family, as seen in the Bible and the various monuments of the East. The family is here numerous, and amounts to a tribe. The chief, or patriarch, lives in a state of community with his children, his kindred (of whom all the various generations are grouped around him,) and his domestics. Not only does he live with them, but his interests and occupations are the same with theirs; he leads the same life. This is the situation of Abraham, of the patriarchs, of the chiefs of Arab tribes, who are in our own days a faithful image of patriarchal society.

Another form of the family is the clan—that little association, the type of which must be sought in Scotland and Ireland, and through which, probably, a great part of the European world has at some time passed. This is no longer the patriarchal family. Between the chief and the rest of the people there is now a great difference of condition. He does not lead the same life with his followers: they mostly cultivate and serve; he takes his ease, and has no occupation save that of a warrior. But he and they have a common origin; they bear the same name; their relationship, their ancient traditions, and their community of affections and recollections, establish among all the members of the clan a moral union, a kind of equality.

Does the feudal family resemble either of these types? Evidently not. At first sight it has some apparent resemblance to the clan; but the difference is immense. The population which surrounds the possessor of the fief are perfect strangers to him; they do not bear his name; they have no relationship to him, are connected with him by no tie, historical or moral. Neither does he, as in the patriarchal family, lead the same life and carry on the same labour as those about him: he has no occupation but war; they are tillers of the ground. The feudal family is not numerous; it does not constitute a tribe; it is confined to the family in the most restricted sense; the wife and children; it lives apart from the rest of the people, in the interior of the castle. Five or six persons, in a position at once alien from, and superior to, all others, constitute the feudal family. * * Internal life, domestic society, are certain here to acquire a great preponderance. I grant that the rudeness and violent passions of the chief, and his habit of passing his time in war and in the chase, must obstruct and retard the formation of domestic habits; but that obstacle will be overcome. The chief must return habitually to his own home; there he always finds his wife, his children, and them alone, or almost alone; they, and no others, compose his permanent society—they alone always partake his interest, his destiny. It is impossible that domestic life should not acquire a great ascendancy. The proofs are abundant. Was it not in the feudal family that the importance of women took its rise? In all the societies of antiquity, not only where no family spirit existed, but where that spirit was powerful, for instance in the patriarchal societies, women did not occupy any thing like the place which they acquired in Europe under the feudal polity. The cause of this has been looked for in the peculiar manners of the ancient Germans; in a characteristic respect which it is affirmed that, in

the midst of their forests, they paid to women. German patriotism has built upon one sentence of Tacitus a fancied superiority, a primitive and ineffaceable purity of German manners in the relations of the sexes to each other. Mere chimeras! Expressions similar to those of Tacitus; sentiments and usages analogous to those of the ancient Germans, are found in the recitals of many observers of barbarous tribes. There is nothing peculiar in the matter, nothing characteristic of any particular race. The importance of women in Europe arose from the progress and preponderance of domestic manners; and that preponderance became, at an early period, an essential character of feudal life.'

In corroboration of these remarks, he observes in another place, that in the feudal form of society (unlike all those which preceded it) the representative of the chief's person and the delegate of his authority, during his frequent absences, was the *châtelaine*. In his warlike expeditions and hunting excursions, his crusadings and his captivities, she directed his affairs, and governed his people with a power equal to his own. No importance comparable to this, no position equally calculated to call forth the human faculties, had fallen to the lot of women before, nor, it may be added, since. And the fruits are seen in the many examples of heroic women which the feudal annals present to us; women who fully equalled, in every masculine virtue, the bravest of the men with whom they were associated;—often greatly surpassed them in prudence, and fell short of them only in ferocity.

M. Guizot now turns from the seigneurial abode to the dependent population surrounding it. Here all things present a far worse aspect.

'In any social situation which lasts a certain length of time, there inevitably arises between those whom it brings into contact, under whatever conditions, a certain moral tie—certain feelings of protection, of benevolence, of affection. It was thus in the feudal society: one cannot doubt, that in process of time there were formed between the cultivators and their seigneur some moral relations, some habits of sympathy. But this happened in spite of their relative position, and nowise from its influence. Considered in itself, the situation was radically vicious. There was nothing morally in common between the feudal superior and the cultivators; they were part of his domain, they were his property. * * Between the seigneur and those who tilled the ground which belonged to him, there were (as far as this can ever be said when human beings are brought together) no laws, no protection, no society. Hence, I conceive, that truly prodigious and invincible detestation which the rural population has entertained in all ages for the feudal régime. * * Theocratic and monarchical despotism have more than once obtained the acquiescence, and almost the affection, of the population subject to them. The reason is; theocracy and monarchy exercise their dominion in virtue of some belief common to the master with his subjects; he is the representative and

minister of another power superior to all human powers; he speaks and acts in the name of the Deity, or of some general idea, not in the name of the man himself, of a mere man. Feudal despotism is a different thing; it is the mere power of one individual over another, the domination and capricious will of a human being. * * Such was the real, the distinctive character of the feudal dominion, and such the origin of the antipathy it never ceased to inspire.'

Leaving the contemplation of the elementary molecule (as M. Guizot calls it) of feudal society—a single possessor of a fief with his family and dependents—and proceeding to consider the nature of the larger society, or state, which was formed by the aggregation of these small societies, we find the feudal *régime* to be absolutely incompatible with any real national existence. No doubt the obligations of service on the one hand, and protection on the other, theoretically attached to the concession of a fief, kept alive some faint notions of a general government, some feelings of social duty. But, in the whole duration of the system, it was never found practicable to attach to these rights and obligations any efficient sanction. A central government, with power adequate to enforce even the recognised duties of the feudal relation, or to keep the peace between the different members of the confederacy, did not and could not exist consistently with feudalism. The very essence of feudality was (to borrow M. Guizot's definition) the fusion of property and sovereignty. The lord of the soil was not only the master of all who dwelt upon it, but he was their only superior, their sovereign. Taxation, military protection, judicial administration, were his alone; for all offices of a ruler, the people looked to him, and could look to no other. The king was absolute, like all other feudal lords, within his own domain, and only there. He could neither compel obedience from his feudatories, nor impose his mediation as an arbitrator between them. Among such petty potentates, the only union compatible with the nature of the case was a federal union—the most difficult to maintain of all political organizations; one which, resting almost entirely on moral sanctions, and an enlightened sense of distant interests, requires, more than any other social system, an advanced state of civilization. The middle age was nowise ripe for it; the sword, therefore, remained the universal umpire; all questions were decided either by private war, or by that judicial combat which was the first attempt of society (as the modern duel is the last) to subject the prosecution of a quarrel by force of arms to the moderating influence of fixed customs and ordinances.

The following is M. Guizot's summary of the influences of feudalism on the progress of the European nations.

'Feudality must have exercised a considerable, and on the whole a salutary, influence on the internal development of the individual; it raised up in the human mind some moral notions and moral wants, some energetic sentiments; it produced some noble developments of character and passion. Considered in a social point of view, it was not capable of establishing legal order or political securities; but it was indispensable as a recommencement of European society, which had been so broken up by barbarism as to be unable to assume any more enlarged or more regular form. But the feudal form, radically bad in itself, admitted neither of being expanded nor regularized. The only political right which feudalism has planted deeply in European society, is the right of resistance. I do not mean legal resistance; that was out of the question in a society so little advanced. The right of resistance which feudal society asserted and exercised, was the right of personal resistance—a fearful, an anti-social right, since it is an appeal to force, to war, the direct antithesis of society; but a right which never ought to perish from the breast of man, since its abrogation is simply equivalent to submission to slavery. The sentiment of this right had been lost in the degeneracy of Roman society, from the ruins of which it could not again arise; as little, in my opinion, was it a natural emanation from the principles of Christian society. Feudality reintroduced it into European life. It is the glory of civilization to render this right for ever useless and inactive; it is the glory of the feudal society to have constantly asserted and held fast to it.'

There is yet another aspect, and far from an unimportant one, in which feudal life has bequeathed, to the times which followed, a lesson worthy to be studied. Imperfect as the world still remains in justice and humanity, the feudal world was far inferior to it in those attributes, but greatly superior in individual strength of will, and decision of character.

'No reasonable person will deny the immensity of the social reform which has been accomplished in our times. Never have human relations been regulated with more justice, nor produced a more general well-being as the result. Not only this, but, I am convinced, a corresponding moral reform has also been accomplished; at no epoch perhaps has there been, all things considered, so much honesty in human life, so many human beings living in an orderly manner; never has so small an amount of public force been necessary to repress individual wrong-doing. But in another respect we have, I think, much to gain. We have lived for half a century under the empire of general ideas, more and more accredited and powerful; under the pressure of formidable, almost irresistible events. There has resulted a certain weakness, a certain effeminacy, in our minds and characters. Individual convictions and will are wanting in energy and confidence in themselves. Men assent to a prevailing opinion, obey a general impulse, yield to an external necessity. Whether for resistance or for action, each has but a mean idea of his own strength, a feeble reliance on his own judgment. Individuality, the inward and personal energy of man, is weak and timid. Amidst

the progress of public liberty, many seem to have lost the proud and invigorating sentiment of their own personal liberty.

‘Such was not the Middle Age. The condition of society was deplorable, the morality of mankind much inferior to what is often asserted, much inferior to that of our own time. But in many persons, individuality was strong, will was energetic. There were then few ideas which ruled all minds, few outward forces which, in all situations and in all places, weighed upon men’s characters. The individual unfolded himself in his own way, with an irregular freedom: the moral nature of man shone forth here and there in all its ambitious aspirations, with all its energy. A contemplation not only dramatic and attaching, but instructive and useful; which offers us nothing to regret, nothing to imitate, but much to learn; were it only by awakening our attention to what is wanting in ourselves—by showing to us of what a human being is capable when he will.’*

The third period of modern history, which is emphatically the modern period, is more complex and more difficult to interpret than the two preceding. Of this period, M. Guizot had only begun to treat; and we must not expect to find his explanations as satisfactory as in the earlier portions of his subject. The origin of feudalism, its character, its place in the history of civilization, he has discussed, as has been seen, in a manner which leaves little to be desired: but we cannot extend the same praise to his account of its decline, which (it is but fair to consider) is not completed; but which, so far as it has gone, appears to us to bear few marks of that piercing insight into the heart of a question, that determination not to be paid with a mere show of explanation, which are the characteristic excellences of the speculations thus far brought to notice.

M. Guizot ascribes the fall of feudality mainly to its imperfections. It did not, he says, contain in itself the elements of durability. It was a first step out of barbarism, but too near the verge of the former anarchy to admit of becoming a permanent social organization. The independence of the possessors of fiefs was evidently excessive, and too little removed from the savage state. ‘Accordingly, independently of all foreign causes, feudal society, by its own nature and tendencies, was always in question, always on the brink of dissolution; incapable at least of subsisting regularly or of developing itself, without altering its nature.’†

He then sets forth how, in the absence of any common superior, of any central authority capable of protecting the feudal chiefs against one another, they were content to seek protection

* Vol. v. pp. 29-31.

† Vol. v. pp. 364-6.

where they could find it—namely, from the most powerful among themselves; how, from this natural tendency, those who were already strong, ever became stronger; the larger fiefs went on aggrandizing themselves at the expense of the weaker. ‘A prodigious inequality soon arose among the possessors of fiefs,’ and inequality of strength led, as it usually does, to inequality of claims, and at last, of recognised rights.

‘Thus, from the mere fact that social ties were wanting to feudality, the feudal liberties themselves rapidly perished; the excesses of individual independence were perpetually compromising society itself; it found in the relations of the possessors of fiefs, neither the means of regular maintenance, nor of ulterior development; it sought in other institutions the conditions which were needful to it for becoming permanent, regular, and progressive. The tendency towards centralization, towards the formation of a power superior to the local powers, was rapid. Long before the royal government had begun to intervene at every point of the country, there had grown up, under the name of duchies, counties, viscounties, &c., many smaller royalities, invested with the central government of this or that province, and to whom the rights of the possessors of fiefs, that is, of the local sovereignties, became more and more subordinate.’*

This sketch of the progressive decomposition of the feudal organization, is, no doubt, historically correct; but we desiderate in it any approach to a scientific explanation of the phenomenon. That is an easy solution which accounts for the destruction of institutions from their own defects; but experience proves, that forms of government and social arrangements do not fall, merely because they deserve to fall. The more backward and the more degraded any form of society is, the stronger is the tendency to remain stagnating in that state, simply because it is an existing state. We are unable to recognise in this theory of the decay of feudality, the philosopher who so clearly demonstrated its origin; who pointed out that the feudal polity established itself, not because it was a good form of society, but because society was incapable of a better; because the rarity of communications, the limited range of men’s ideas and of their social relations, and their want of skill to work political machinery of a delicate or complicated construction, disqualified them from being either chiefs or members of any organized association extending beyond their immediate neighbourhood. If feudality was a product of this condition of the human mind, and the only form of polity which it admitted of, no evils inherent in feudality could have hindered it from continuing so long

* Vol. v. pp. 370-71.

as that cause subsisted. The anarchy which existed as between one feudal chief and another—the inequality of their talents, and the accidents of their perpetual warfare—would have led to continual changes in the state of territorial possession, and large governments would have been often formed by the agglomeration of smaller ones, occasionally perhaps a great empire like that of Charlemagne; but both the one and the other would have crumbled again to fragments as that did, if the general situation of society had continued to be what it was when the feudal system originated. Is not this the very history of society in a great part of the East, from the earliest record of events? Between the time when masses could not help dissolving into particles, and the time when those particles spontaneously reassembled themselves into masses, a great change must have taken place in the molecular properties of the atoms. Inasmuch as the petty district sovereignties of the first age of feudality coalesced into larger provincial sovereignties, which, instead of obeying the original tendency to decomposition, tended in the very contrary direction, towards ultimate aggregation into one national government; it is clear that the state of society had become compatible with extensive governments; the unfavourable circumstances which M. Guizot commemorated in the former period, had in some manner ceased to exist; a great progress in civilization had been accomplished, under the dominion and auspices of the feudal system; and the fall of the system was not really owing to its vices, but to its good qualities, to the improvement which had been found possible under it, and by which mankind had become desirous of obtaining, and capable of realizing, a better form of society than it afforded.

What this change was, and how it came to pass, M. Guizot has left us to seek. Considerable light is, no doubt, incidentally thrown upon it by the course of his investigations, and the sequel of his work would probably have illustrated it still more. At present, the philosophic interpreter of historical phenomena is indebted to him, on this portion of the subject, for little besides materials.

It was under the combined assaults of two powers—royalty from above, the emancipated commons from below—that the independence of the great vassals finally succumbed. M. Guizot has delineated with great force and perspicuity the rise of both these powers. His review of the origin and emancipation of the communes, and the growth of the *tiers-état*, is one of the best executed portions of the book; and should be read, with M. Thierry's Letters on the History of France, as the moral of the tale. In his sixth volume, M. Guizot traces, with considerable

minuteness, the progress of the royal authority, from its slumbering infancy in the time of the earlier Capetians, through its successive stages of growth—now by the energy and craft of Philippe Auguste, now by the justice and enlightened policy of Saint Louis—to its attainment, not indeed of recognised despotism, but of almost unlimited power of actual tyranny, in the reign of Philippe le Bel. But upon all these imputed causes of the fall of feudalism, the question recurs, what caused the causes themselves? Why was that possible to the successors of Capet, which had been impossible to those of Charlemagne? How, under the detested feudal tyranny, had a set of fugitive serfs, who congregated for mutual protection at a few scattered points, and called them towns, become industrious, rich, and powerful? There can be but one answer; the feudal system, with all its deficiencies, was sufficiently a government, contained within itself a sufficient mixture of authority and liberty, afforded sufficient protection to industry, and encouragement and scope to the development of the human faculties, to enable the natural causes of social improvement to resume their course. What these causes were, and why they have been so much more active in Europe than in parts of the earth which were much earlier civilized, is far too difficult an enquiry to be entered upon in this place. We have already seen what M. Guizot has contributed to its elucidation in the way of general reflection. About the matter of fact, in respect to the feudal period, there can be no doubt. When the history of what are called the dark ages, because they had not yet a vernacular literature, and did not write a correct Latin style, shall be written as it deserves to be, that will be seen by all, which is already recognised by the great historical enquirers of the present time—that at no period of history was human intellect more active, or society more unmistakeably in a state of rapid advance. From the very commencement of the so much vilified feudal period, every generation overflows with evidences of increasing security, growing industry, and expanding intelligence. But to dwell further on this topic, would be inappropriate to the nature and limits of the present article.

M. Guizot's detailed analysis of the history of European life, is, as we before remarked, only completed for the period preceding the feudal. For the five centuries which extended from Clovis to the last of the Carlovings, he has given a finished delineation, not only of outward life and political society, but of the progress and vicissitudes of what was then the chief refuge and hope of oppressed humanity, the religious society—the Church. He makes his readers acquainted with the legislation

of the period, with the little it possessed of literature or philosophy, and with that which formed, as ought to be remembered, the real and serious occupation of its speculative faculties—its religious labours, whether in the elaboration or in the propagation of the Christian doctrine. His analysis and historical exposition of the Pelagian controversy—his examination of the religious literature of the period, its sermons and legends—are models of their kind; and he does not, like the old school of historians, treat these things as matters insulated and abstract, of no interest save what belongs to them intrinsically, but invariably looks at them as component parts of the general life of the age.

Of the feudal period, M. Guizot had not time to complete a similar delineation. His analysis even of the political society of the period is not concluded; and we are entirely without that review of its ecclesiastical history, and its intellectual and moral life, whereby the deficiency of explanation would probably have been in some degree supplied, which we have complained of in regard to the remarkable progress of human nature and events during these ages. For the strictly modern period of history he has done still less. The rapid sketch which occupies the concluding lectures of the first volume, does little towards resolving any of the problems in which there is real difficulty.

We shall therefore pass over the many topics on which he has touched cursorily, and without doing justice to his own powers of thought; and shall only further advert to one question, which is the subject of a detailed examination in the Essay in his earlier volume, 'the origin of representative institutions in England'—a question not only of special interest to an English reader, but of much moment in the estimation of M. Guizot's general theory of modern history. For if the natural course of European events was such as that theory represents it, the history of England is an anomalous deviation from that course; and the exception must either prove, or go far to subvert, the rule. In England, as in other European countries, the basis of the social arrangements was, for several centuries, the feudal system; in England, as elsewhere, that system perished by the growth of the Crown, and of the emancipated commonalty. Whence came it, that amidst general circumstances so similar, the immediate and apparent consequences were so strikingly contrasted? How happened it, that in the continental nations absolute monarchy was at least the proximate result, while in England representative institutions, and an aristocratic government, with an admixture of democratic elements, were the consequence?

M. Guizot's explanation of the anomaly is just and conclusive.

The feudal polity in England was from the first a less barbarous thing—had more in it of the elements from which a government might in time be constructed—than in the other countries of Europe. We have seen M. Guizot's lively picture of the isolated position and solitary existence of the seigneur, ruling from his inaccessible height, with sovereign power, over a scanty population; having no superior above him, no equals around him, no communion or co-operation with any, save his family and dependents; absolute master within a small circle, and with hardly a social tie or any action or influence beyond; every thing, in short, in one narrow spot, and nothing in any other place. Now, of this picture, we look in vain for the original in our own history. English feudalism knew nothing of this independence and isolation of the individual feudatory in his fief. It could show no single vassal exempt from the habitual control of government, no one so strong that the king's arm could not reach him. Early English history is made up of the acts of the barons, not the acts of this and that and the other baron. The cause of this is to be found in the circumstances of the Conquest. The Normans did not, like the Goths and Franks, overrun and subdue an unresisting population. They encamped in the midst of a people of spirit and energy, many times more numerous, and almost as warlike as themselves. That they prevailed over them at all, was but the result of superior union. That union once broken, they would have been lost. They could not parcel out the country among them, spread themselves over it, and be each king in his own little domain, with nothing to fear save from the other petty kings who surrounded him. They were an army, and in an enemy's country; and an army supposes a commander, and military discipline. Organization of any kind implies power in the chief who presides over it and holds it together. Add to this, what various writers have remarked—that the dispossession of the Saxon proprietors being effected not at once, but gradually, and the spoils not being seized upon by unconnected bands, but systematically portioned out by the head of the conquering expedition among his followers—the territorial possessions of even the most powerful Norman chief were not concentrated in one place, but dispersed in various parts of the kingdom; and, whatever might be their total extent, he was never powerful enough in any given locality to make head against the king. From these causes, royalty was from the beginning much more powerful among the Anglo-Normans than it ever became in France while feudality remained in vigour. But the same circumstances which rendered it impossible for the barons to hold their ground against regal encroachments except by combination, had kept up the

power and the habit of combination among them. In French history, we never, until a late period, hear of confederacies among the nobles; English history is full of them. Instead of numerous unconnected petty potentates, one of whom was called the King, there are two great figures in English history—a powerful King, and a powerful body of Nobles. To give the needful authority to any act of general government, the concurrence of both was essential—and hence Parliaments, elsewhere only occasional, were in England habitual. But the natural state of these rival powers was one of conflict; and the weaker side, which was usually that of the barons, soon found that it stood in need of assistance. Although the feudatory class, to use M. Guizot's expression, 'had converted itself into a real aristocratic corporation,'* the barons were not strong enough 'to impose at the same time on the king their liberty, and on the people their tyranny. As they had been obliged to combine for the sake of their own defence, so they found themselves under the necessity of calling in the people in aid of their coalition.'†

The people, in England, were the Saxons—a vanquished race, but whose spirit had never, like that of the other conquered populations, been completely broken. Being a German, not a Latin people, they retained the traditions, and some portion of the habits, of popular institutions and personal liberty. When called, therefore, to aid the barons in moderating the power of the Crown, they claimed those ancient liberties as their part of the compact. French history abounds with charters of incorporation, which the kings granted, generally for a pecuniary consideration, to town communities which had cast off their *seigneurs*. The charters which English history is full of, are concessions of general liberties to the whole body of the nation—liberties which the nobility and the commons either wrung from the king by their united strength, or obtained from his voluntary policy as the purchase-money of their obedience. The series of these treaties, for such they in reality were, between the Crown and the Nation, beginning with the first Henry, and ending with the last renewal by Edward I. of the Great Charter of King John, are the principal incidents of English history during the feudal period. And thus, as M. Guizot observes in his concluding summary—'In France, from the foundation of the monarchy to the fourteenth century, every thing was individual—powers, liberties, oppression, and the resistance to oppression. Unity,

* *Essais*, p. 419.

† *Ib.* p. 424.

'the principal of all government—association of equals, the principle of all checks—were only found in the narrow sphere of each *seigneurie*, or each city. Royalty was nominal; the aristocracy did not form a body; there were burgesses in the towns, but no commons in the state. In England, on the contrary, from the Norman conquest downwards, every thing was collective; similar powers, analogous situations, were compelled to approach one another, to coalesce, to associate. From its origin royalty was real, while feudality ultimately grouped itself into two masses, one of which became the high aristocracy, the other the body of the commons. Who can mistake, in this first travail of the formation of the two societies, in these so different characteristics of their early age, the true origin of the prolonged difference in their institutions and in their destinies?'

M. Guizot returns to this subject in a remarkable passage in the first volume of his *Lectures*,* which presents the different character of the progress of civilization in England and in Continental Europe, in so new and peculiar a light, that we cannot better conclude this article than by quoting it:—

'When I endeavoured to define the peculiar character of European civilization, compared with those of Asia and of antiquity, I showed that it was superior in variety, richness, and complication; that it never fell under the dominion of any exclusive principle; that the different elements of society coexisted and modified one another, and were always compelled to compromises and mutual toleration. This, which is the general character of European, has been above all that of English civilization. In England, civil and spiritual powers, aristocracy, democracy, and royalty, local and central institutions, moral and political development, have advanced together, if not always with equal rapidity, yet at no great distance after one another. Under the Tudors, for example, at the time of the most conspicuous advances of pure monarchy, the democratic principle, the power of the people, was also rising and gaining strength. The revolution of the seventeenth century breaks out; it is at once a religious and a political one. The feudal aristocracy appears in it, much weakened indeed, and with the signs of *décadence*, but still in a condition to take a part, to occupy a position, and have its share in the results. It is thus with English history throughout—no old element ever perishes entirely, nor is any new one wholly triumphant—no partial principle ever obtains exclusive ascendancy. There is always simultaneous development of the different social powers, and a compromise among their pretensions and interests.

'The march of Continental civilization has been less complex and less complete. The several elements of society, religious and civil, monar-

* Vol. i. Art. 14.

chical, aristocratic, and democratic, grew up and came to maturity not simultaneously, but successively. Each system, each principle, has in some degree had its turn. One age belongs, it would be too much to say exclusively, but with a very marked predominance, to feudal aristocracy, for example; another to the monarchical principle; another to the democratic. Compare the middle age in France and in England, the eleventh, twelfth, and thirteenth centuries of our history with the corresponding centuries north of the Channel. In France, you find, at that epoch, feudality nearly absolute—the Crown and the democratic principle almost null. In England, the feudal aristocracy no doubt predominates, but the Crown and the democracy are not without strength and importance. Royalty triumphs in England under Elizabeth, as in France under Louis XIV., but how many *ménagements* it is compelled to observe! How many restrictions, aristocratic and democratic, it has to submit to! In England also, each system, each principle, has had its turn of predominance, but never so completely, never so exclusively, as on the Continent. The victorious principle has always been constrained to tolerate the presence of its rivals, and to concede to each a certain share of influence.

The advantageous side of the effect of this more equable development is evident enough.

‘There can be no doubt that this simultaneous unfolding of the different social elements, has greatly contributed to make England attain earlier than any of the continental nations to the establishment of a government at once orderly and free. It is the very business of government to negotiate with all interests and all powers, to reconcile them with each other, and make them live and prosper together: now this, from a multitude of causes, was already in a peculiar degree the disposition, and even the actual state, of the different elements of English society: a general, and tolerably regular government had therefore less difficulty in constituting itself. So, again, the essence of liberty is the simultaneous manifestation and action of all interests, all rights, all social elements and forces. England, therefore, was already nearer to it than most other states. From the same causes, national good sense, and intelligence of public affairs, formed itself at an earlier period. Good sense in politics consists in taking account of all facts, appreciating them, and giving to each its place: this, in England, was a necessity of her social condition, a natural result of the course of her civilization.’

But to a nation, as to an individual, the consequences of doing every thing by halves, of adopting compromise as the universal rule, of never following out a general idea or principle to its utmost results, are by no means exclusively favourable. Hear, again, M. Guizot:—

‘In the continental states, each system or principle having had its turn of a more complete and exclusive predominance, they unfolded themselves on a larger scale, with more grandeur and *éclat*. Royalty and feudal aristocracy, for example, made their appearance on the conti-

mental scene of action with more boldness, more expansion, more freedom. All political experiments, so to speak, have been fuller and more complete.' [This is still more strikingly true of the present age, and its great popular revolutions.] 'And hence it has happened that political ideas and doctrines, (I mean those of an extended character, and not simple good sense applied to the conduct of affairs,) have assumed a loftier character, and unfolded themselves with greater intellectual vigour. Each system having presented itself to observation in some sort alone, and having remained long on the scene, it has been possible to survey it as a whole; to ascend to its first principles, descend to its remotest consequences; in short, fully to complete its theory. Whoever observes attentively the genius of the English nation, will be struck with two facts—the sureness of its common sense and practical ability; its deficiency of general ideas and commanding intellect, as applied to theoretical questions. If we open an English book of history, jurisprudence, or any similar subject, we seldom find in it the real foundation, the ultimate reason of things. In all matters, and especially in politics, pure doctrine and philosophy—science, properly so called—have prospered far more on the Continent than in England; they have at least soared higher, with greater vigour and boldness. Nor does it admit of doubt, that the different character of the development of the two civilizations has greatly contributed to this result.'

ART. V.—*The Letters of Philip Dormer Stanhope, Earl of Chesterfield; including Numerous Letters now first published from the Original Manuscripts.* Edited, with Notes, by LORD MAHON. 4 vols. 8vo. London: 1845.

THE name of Chesterfield has become a synonyme for good-breeding and politeness; it is associated in our minds with all that is graceful in manner and cold in heart, attractive in appearance and unamiable in reality. The image it calls up is that of a man rather below the middle height, in a court suit and blue riband, with regular features wearing an habitual expression of gentlemanlike ease. His address is insinuating, his bow perfect, his compliments rival those of *Le Grand Monarque* in delicacy: laughter is too demonstrative for him, but the smile of courtesy is ever on his lip; and by the time he has gone through the circle, the great object of his daily ambition is accomplished—all the women are already half in love with him, and every man is desirous to be his friend. But the name recalls little or nothing of the statesman, the orator, the wit. We forget that this same little man was one of the best Lords-Lieutenant Ireland ever knew, the best speaker in the House of Lords till Pitt and Murray en-

tered it, one of our most graceful Essayists, and the wittiest man of quality of his time—a time when wit meant something more than pleasantry or sparkle, and men of quality prided themselves on having dined in company with Swift, supped at Button's with 'the great Mr Addison,' or passed an evening at Pope's villa at Twickenham. *Nescia mens hominum fati, sortisque futurae*: what would be the feelings of the all-accomplished, eloquent, and lettered Earl himself, were he to wake from the dead and find his reputation resting on his confidential letters to his son! He would be little less astonished than Petrarch, were *he* to wake up and find his *Africa* forgotten, and his Sonnets the key-stone of his fame.

Dr Johnson has said, that whenever the public think long about a matter, they generally think right. Perhaps they do when they are familiar with the facts, and no twist or warp has been given to the judgment they found upon them. But the best of Lord Chesterfield was that of which he left no lasting or no easily accessible memorials; and Dr Johnson himself gave a warp to the judgment of the public when he said of his lordship, that he was 'a lord among wits and a wit among lords,' and pronounced his famous diatribe against the Letters, (that they taught the morals of a — and the manners of a dancing-master;) though we find him afterwards telling Boswell—'I think it might be made a very pretty book. Take out the 'immorality, and it should be put into the hands of every young gentleman.'

The authority of the Letters is certainly impaired by the popular notion entertained of his lordship as a mere courtier; and we are convinced that a short review of his life will form the best introduction to his writings, which are peculiarly of a class requiring to be read by the light that personal history throws upon them;—like Rochfoucauld's *Maxims*, which it is impossible to appreciate or apply without an intimate knowledge of the men and women of the *Fronde*. It is, moreover, good for literature to take retrospective views occasionally of books and characters that have obtained a prescriptive reputation; and there are passages in Lord Chesterfield's career which deserve to be dwelt upon, independently of their use in illustrating his rules of conduct and speculations on society. We propose, then, with the aid of Dr Maty and Lord Mahon, to bring this ornament of his order once more before that public for which he loved to drape himself—to sift his claims, and settle definitively his place and precedence as a writer, a moralist, and a man.

The 'Memoirs of the Life of the Earl of Chesterfield,' which occupies the whole of the first volume of the edition of his mis-

cellaneous works published in 1777, consists of six sections. The first five were written by Dr Maty; the sixth by Mr Justamond, who, on Dr Maty's death, took charge of the publication. This Memoir is a tolerably fair specimen of second-rate biography.

Lord Mahon has contented himself with prefixing to his edition of the Letters the sketch of Lord Chesterfield's life and character published in his (Lord Mahon's) *History of England*.* It is so well written that we could wish it had been longer. Lord Mahon, himself a Stanhope, has of course enjoyed ample opportunities of making his edition complete. He says he had two objects in view—to combine the scattered correspondence in one uniform arrangement, with explanatory notes; and to publish many characteristic letters which have hitherto been kept back. He has succeeded in both; the new matter is valuable, the arrangement judicious, and the only fault we are inclined to find with the notes is, that they are very short and far between. We will now proceed at once to the immediate purpose of this article.

The family of Stanhope is one of the best in England, and now boasts three peerages, Chesterfield, Stanhope, and Harrington. The date of the Earldom of Chesterfield is 1628. The first earl, a devoted Royalist, died in 1656, and the title descended to his grandson, the 'Milord Chesterfield' who plays so conspicuous a part in Grammont's *Memoirs*. His son, the father of the Earl, was unknown beyond the circles of private life. He is described as a man 'of a morose disposition and violent passions, 'who often thought that people behaved ill to him, when they did not in the least intend it.' He married one of the daughters of George Savile, Marquis of Halifax, by whom he had four sons and two daughters. She did not live long enough to take charge of their education, and in consequence of the unaccountable dislike or indifference of the father, the care of the eldest devolved on his grandmother, Lady Halifax, a woman of understanding, conduct, and sensibility. Dr Maty somewhat magniloquently compares her house to that of the mother of the Gracchi; and it was undoubtedly the resort of the leading politicians and best company, from whom much might be learnt by so apt a scholar and nice observer as Lord Chesterfield. 'He 'was very young' (says Dr Maty) 'when Lord Galway—who, 'though not a very fortunate general, was a man of uncommon 'penetration and merit, and who often visited the Marchioness of 'Halifax—observing in him a strong inclination for a political

* See Vol. III.

‘ life, but at the same time an unconquerable taste for pleasure, with some tincture of laziness, gave him the following advice— ‘ If you intend to be a man of business, you must be an early riser. In the distinguished posts your parts, rank, and fortune, will entitle you to fill, you will be liable to have visitors at every hour of the day, and unless you will rise constantly at an early hour, you will never have any leisure to yourself.’ He took the hint, and acted upon it through life; nor, though his education till his eighteenth year was strictly private, does he appear to have ever wanted the spur of emulation, which it is thought the peculiar privilege of a public school to apply. ‘ When I was at your age (eleven) I should have been ashamed if any boy of that age had learned his book better, or played at any play better than I did; and I should not have rested a moment till I had got before him.’

In 1712, being then in his eighteenth year, he was entered at Trinity Hall, Cambridge, and became a resident member of that university. We are tempted to translate a letter which he wrote in French to his language-master, M. Joumeau, soon after his arrival :—

‘ I had a lively pleasure in reading the letter which you were so kind as to write to me. It seemed as if you were speaking to me, and that I was in the company of the man in the world I esteem the most, and whom I wish most ardently to please. I should have answered it sooner, had I not been passing this week at the Bishop of Ely’s, who lives fifteen miles off. In this short time I have seen more of the country than I had seen before in all my life, and which is very agreeable in this neighbourhood.

‘ I continue constant to my studies, which as yet are but Latin and Greek, because the fair, which is to take place in ten days, would have interrupted them; but as soon as this diversion is over, I am to commence civil law, philosophy, and a little mathematics; but as for anatomy, it will not be in my power to learn it, for, although there is a poor devil that was hanged ready, the surgeon, who was wont to perform these operations, has objected this time because the *subject is a man*, and then he says the students are not desirous to attend. I find this college infinitely the best in the whole university, for it is the smallest, and it is filled with lawyers, who have been in the world, and understand life. *We have but one clergyman, who is also the only man in the college who gets drunk.* Let them say what they will, there is very little debauchery in this university, and particularly among people of condition; for it would require the taste of a porter to put up with it here.’

This Letter is curious, not merely as giving an insight into the writer’s habits, but as showing that, even at this early period, he possessed the same liveliness of remark, light humour, and careless ease of expression, which form the great charm of his Letters

in more advanced age, and which he himself would probably have attributed to persevering care in the formation of a style. For this reason it is difficult to believe the account he gives of his own tone and manner on leaving the university. ‘When I first came into the world at nineteen, I left the University of Cambridge, where I was an absolute pedant. When I talked my best I talked Horace; when I aimed at being facetious I quoted Martial; and when I had a mind to be a fine gentleman I talked Ovid.’

His object in thus exaggerating his own defects probably was, to show his son what pains could do in overcoming deficiencies. But there is no doubt he studied hard enough to justify a fair share of pedantry, so far as learning can justify it; and it seems that he paid particular attention to the great masters of oratory. ‘So long ago as when I was at Cambridge, whenever I read pieces of eloquence (and indeed they were my principal study,) whether, ancient or modern, I used to write down the shining passages, and then translate them as well and elegantly as ever I could; if Latin or French, into English; if English, into French. This, which I practised for some years, not only improved and formed my style, but imprinted in my mind and memory the best thoughts of the best authors.’ He remained about two years at Cambridge, and then started on the grand tour, unattended by a Governor. Nothing worth mentioning is recorded by others or himself, till his travels brought him, in the summer of 1714, to the Hague, where, for the first time, he began to play an independent part in society. The love of shining, which he so strongly inculcates, here broke out in a manner which shows it to be not unaccompanied by risk. ‘When I went abroad, I first went to the Hague, where gaming was much in fashion, and where I observed that many people of shining rank and character gained too. I was then young, and silly enough to believe that gaming was one of their accomplishments; and, as I aimed at perfection, I adopted gaming as a necessary step to it. Thus I acquired by error the habit of a vice, which, far from adorning my character, has, I am conscious, been a great blemish to it.’

From the Hague he repaired to Paris, where so much of the college rust as still stuck to him was rapidly rubbed off. In December 1714, he writes to M. Joumeau:—‘I shall not give you my opinion of the French, because I am very often taken for one, and many a Frenchman has paid me the highest compliment they think they can pay to any one, which is—Sir, you are just like one of us. I will merely tell you that I am insolent; that I talk much, very loud, and in a dogmatical tone. I sing and

‘dance as I walk; and lastly, that I spend a monstrous deal of money in powder, feathers, and white gloves’—He after thought better of the French; and, like Marlow in *She Stoops to Conquer*, he must have kept his loud talking and gay rattle for the coffee-house and the barmaid; for on his first arrival at Paris he suffered under a most pitiable degree of *mauvaise honte* in the drawing-room.

—‘I got more courage soon afterwards, and was intrepid enough to go up to a fine woman, and tell her that I thought it a warm day; she answered me very civilly, that she thought so too; upon which the conversation ceased on my part for some time, till she, good-naturedly resuming, spoke to me thus. I see your embarrassment, and I am sure the few words you said to me cost you a great deal; but do not be discouraged for that reason and avoid good company. We see that you desire to please, and that is the main point; you want only the manner, and you think that you want it still more than you do. You must go through your noviciate before you can profess good breeding; and, if you will be my novice, I will present you to my acquaintance as such. You will easily imagine how much this speech pleased me, and how awkwardly I answered it; I hemmed once or twice (for it gave me a burr in my throat) before I could tell her that I was very much obliged to her; that it was true I had a great deal of reason to distrust my own behaviour, not being used to fine company; and that I should be proud of being her novice and receiving her instructions. As soon as I had fumbled out this answer, she called up three or four people to her, and said *Sçavez-vous*, (for she was a foreigner and I was abroad,) *que j’ai entrepris ce jeune homme et qu’il le faut rassurer? Pour moi, je crois en avoir fait la conquête, car il s’est emancipé dans le moment au point de me dire en tremblant qu’il faisoit chaud. Il faut que vous m’aidiez à le derouiller. Il lui faut nécessairement une passion, et s’il ne m’en juge pas digne, nous lui en chercherons quelque autre. Au reste, mon novice, n’allez pas vous encanaller avec des filles d’opera et des comédiennes, qui vous épargneront les frais et du sentiment et de la politesse, mais qui vous en coûteront bien plus à tout autre égard.*’

The death of Queen Anne opened a new career for every young man of an ambitious turn of mind, and Lord Stanhope (for this was his title till the death of his father in 1726) hurried home to assist in strengthening the new dynasty. He entered public life under the auspices of his relative, the first Earl Stanhope, the favourite minister of George I., who immediately appointed him one of the gentlemen of the bed-chamber to the Prince of Wales—a post well suited to his age and habits. It gave him an opportunity of observing the manners of a court; and his *Characters*, as well as numerous remarks scattered through his Letters, show that he made an excellent use of it.

He entered the House of Commons as member for St Germain in the first parliament of George I., and lost no time in trying the

efficacy of the system of training to which he had for years subjected himself with the view of becoming an orator. He spoke for the first time in support of the proposed impeachment of the Duke of Ormond, and attracted some attention by the decided tone of his opinions, as well as by the fluency of his declamation. But he had hardly done speaking when one of the opposite party took him on one side, paid him a high compliment on his *début*, and reminded him that, as he still wanted six weeks of being of age, he was liable to a heavy penalty for sitting or voting in the House, and must immediately absent himself for a brief interval, unless he wished his minority to be made known. Lord Stanhope made the gentleman a low bow, quitted the House directly without voting, and went to Paris, where he made himself extremely useful in procuring information regarding the Jacobite rising in 1715. On his return the year following, he took frequent part in the debates and proceedings of the House, and had gained sufficient distinction to justify the advancement which his friend and relation the Minister was anxious to confer upon him; when, unluckily, the Prince's quarrel with the King broke out, and Lord Stanhope remained faithful to the Prince, though some tempting offers were made to him. Among others, it was proposed to make his father a Duke, and the old earl was extremely angry with him for not closing with the proposal. Lord Stanhope, however, does not appear to have gone into systematic opposition; he occasionally lent his vote to the government, and in 1723 he was rewarded for coming to their aid on a critical occasion, by being appointed Captain of the Yeomen of the Guard. Lord Townshend, his predecessor in the post, advised him to make it more profitable than he himself had done, by disposing of the places. 'For once,' (was the answer,) 'I would rather follow your lordship's example than your advice.' He was also offered the red riband on the revival of the Bath in 1725; but he thought the order beneath his rank, and was even angry with his younger brother for accepting it. We need hardly say that he was too sensible a man to be averse from marks of honour, provided they really carried consideration along with them; and six years later we find him claiming the garter from Sir Robert Walpole, with the remark, 'I am a man of pleasure, and the blue riband would add two inches to my height.'

He probably owed his importance at this time to his rank and connexions, rather than to his powers as a speaker; for the House of Commons was certainly an uncongenial field for them. He was not fitted either by nature or study for a popular assembly. His style wanted the requisite degree of nerve and muscle, as much as his physical frame. His very taste and refinement

were against him; and it is impossible to conceive a man succeeding in that House, who made it his chief study to avoid giving way to strong excitement, or engaging in rough competition of any kind. It is also stated by Dr Maty, that there was another cause for his not appearing to advantage there. He is said to have stood in awe of a member who was in the habit of mimicking the tone and action of the more remarkable speakers; and this is not unlikely, for in his Letter to his godson he remarks, that 'ridicule, though not founded upon truth, will stick for some time, and if thrown by a skilful hand, perhaps for ever.' *Il n'y a rien qui tue comme un ridicule.* Late in life, however, he would hardly have suffered his sensitiveness on such a point to attract notice. The death of his father in 1726, at length placed him in a more appropriate sphere of action. The House of Lords at that period filled a very different position from what it does at present; and the fate of governments hung upon its debates and divisions nearly as often as on those of the House of Commons. Eighty or a hundred peers was not an unusual attendance, when the peerage was not much more than half as numerous as at present; but the character of the audience differed essentially from that of the representative body. Here his high-bred ease, delicate irony, fine humour, persuasive tones, and gracefully flowing periods, were appreciated: no unmannerly interruption or coarse freedom would be endured; and his total want of those energetic bursts and impulsive movements which are inseparable from the highest efforts of eloquence, was deemed rather a merit than a defect; for even Chatham, when he put forth his strength, has been known to ruffle their lordships' complacency, and was sometimes accused of compromising the dignity of their House. Lord Chesterfield particularly excelled in that graceful and urbane pleasantry which lightens up and relieves an argument, without appearing to trifle with the subject, or ever degenerating into what he would term the vulgarity of a joke; and many of the best political as well as social repartees of his times are attributed to him.

It was nearly five years, however, after his accession to the peerage, when he became one of the acknowledged leaders of the Upper House. George the First died in 1727, and it was then expected that Lord Chesterfield would reap the reward of his constancy to the new king whilst heir-apparent. But instead of being placed in high office at home, he was dispatched on an embassy to the Hague. This post, whatever the intention of the Ministry in sending him there, was well fitted to his abilities, and he contrived to add considerably to his reputation by means of it. In 1729, Lord Townshend, having formed a plan for

removing the Duke of Newcastle, advised Lord Chesterfield to wait on the king at Helvoet-Sluis on his return from Hanover, and desire permission to attend his Majesty to London on account of private business. This was done in the hope that the King might be won over by the charm of the Earl's conversation, and be prepared to appoint him in the Duke's place. The stratagem failed: Lord Townshend was forced to resign; and Lord Chesterfield went back to his embassy, after impressing Sir Robert Walpole so effectually with his entire innocence of the plot, and the prudence of keeping well with him, as to obtain the place of High Steward and the Garter. His predecessor in the place, who was suspected of having made money by the patronage attached to it, gave him a list of the persons he had appointed, and desired they might be continued. 'I have at present no thoughts of turning any one out,' was the answer; 'but, if I alter my mind, it will only be in relation to those who have bought in.'

Lord Chesterfield remained abroad till 1732, when he gave up his embassy. He had suffered both in health and fortune during his residence at the Hague, and it took him some months to gain strength enough to resume his parliamentary attendance, which now became unremitting. He at first supported the ministers, but was too fond of his own independence to fulfil the conditions which Sir Robert Walpole exacted from his adherents; and their friendship was consequently shortlived. On the introduction of the famous Excise Bill, Lord Chesterfield denounced the scheme in the strongest terms, and his three brothers voted against it in the House of Commons. So high was the popular excitement, that when Queen Caroline consulted Lord Scarborough as to the possibility of carrying the bill, he is reported to have told her that he could answer for his regiment against the Pretender, but not against the opposers of the excise; upon which the Queen, with tears in her eyes, said, 'Then we must drop it.' The Ministry was in imminent danger, and was only saved by the tact of the Premier in yielding willow-like to the storm. It was not at such a season that he could afford to make a show of magnanimity. Lord Chesterfield was summarily dismissed from his office of lord steward, and the ministerial papers fell upon him with more than usual asperity. One writer in a leading government print went the length of insinuating, that reasons for the removal unconnected with politics might be disclosed, if it were not dangerous to speak such truths of a peer as might be deemed *scandalum magnatum*. Lord Chesterfield met and silenced this attack by a message to the anonymous writer, formally authorizing him to say all he knew or what he pleased of him.

During the next two years Lord Chesterfield was one of the leaders of the opposition in the House of Lords, and left no means untried to effect the downfall of the minister who had insulted him. Dr Maty tells a curious story in illustration of his zeal :

‘ The late Lord R——, with many good qualities, and even learning and parts, had a strong desire of being thought skilful in physic, and was very expert in bleeding. Lord Chesterfield, who knew his foible, and on a particular occasion wished to have his vote, came to him one morning, and, after having conversed upon indifferent matters, complained of the headach, and desired his lordship to feel his pulse. It was found to beat high, and a hint of losing blood given. I have no objection ; and, as I hear your lordship has a masterly hand, will you favour me with trying your lancet upon me ? *Apropos*, said Lord Chesterfield after the operation, do you go to the House to-day ? Lord R—— answered, I did not intend to go, not being sufficiently informed of the question which is to be debated ; but you who have considered it, which side will you be of ? The Earl having gained his confidence, easily directed his judgment ; he carried him to the House, and got him to vote as he pleased. He used afterwards to say, that none of his friends had done so much as he, having literally bled for the good of his country.’

Though Lord Chesterfield contributed largely to the downfall of the Minister, he was left out of the new government, which lost considerably in public confidence for want of him. In ‘ An Ode to a Great Number of Great Men, lately made,’ he is thus apostrophised in company with his friend John Duke of Argyll :

‘ More changes, better times, this isle
Demands. Oh, Chesterfield, Argyll !
To bleeding Britain bring ‘em :
Unite all hearts, appease each storm ;
‘Tis yours such actions to perform,
My pride shall be to sing ‘em.’

He continued in opposition, and on more than one occasion (as on commenting on the want of *conduct*, as contradistinguished from *behaviour*, at Dettingen) gave such strong personal offence to George II., that his exclusion from public employment might have proved permanent, could his services have been dispensed with. In 1744, however, the King was obliged to give up his favourite minister, Lord Carteret, and to accept the coalition or ‘ broad-bottom’ party, at the head of which was Lord Chesterfield. The state of affairs abroad being just then the main difficulty, and the co-operation of the Dutch of vital importance, it was arranged that he should go first to Holland as Ambassador, and then to Ireland as Lord-Lieutenant ; a plan in which the King acquiesced the more readily on account of its removing his supposed enemy from court. He stood out for some time against

admitting the Earl into the cabinet, or granting him a personal interview, but was compelled to concede both points, and could only show his resentment by his manner, which he took care to make as ungracious as possible. The only words he uttered at the leave-taking audience, when the Earl requested to be honoured with his commands, were, '*You have received your instructions, my Lord.*'

The Earl succeeded tolerably well with his old friends their High Mightinesses; but we have no space to dwell upon this mission or its effects, and gladly hasten with him to Ireland, where he arrived towards the end of the year 1745—a most trying period for a new Lord-Lieutenant, as the Catholics were hourly expected to take arms to co-operate with the Pretender. It is impossible to speak too highly of the wise and enlightened policy which he there adopted and enforced. It was immeasurably in advance of his age. Indeed, we should be puzzled to name any other English statesman till we come to Burke, capable of conceiving such a scheme of government; much less of carrying it into effect with firmness, impartiality, and disinterestedness. All his more immediate predecessors had governed through '*managers*,' i. e., the heads of certain great Protestant families, who undertook to manage the two Houses, smooth down all difficulties, and make the viceregal office a pleasant sinecure; on condition of being permitted to domineer over the rival party, divide the entire patronage, job the revenue, and anticipate the resources of the country, as they thought fit. So well understood and so effectually carried out was this arrangement, that we find the Duke of Shrewsbury giving as a reason for accepting the lord-lieutenancy, that it was a place where a man had business enough to hinder him from falling asleep, and not enough to keep him awake. It was not even regarded as affording sufficient scope for an independent mode of thinking or acting, to make it worth the acceptance of a man of Lord Chesterfield's political eminence; and some surprise was expressed at his eagerness to get appointed to it. Lord Marchmont records in his Diary the reasons alleged in conversation by the Earl himself, which are all of a personal and not very elevated kind; but he may have thought a little dissimulation justifiable, and might have feared incurring ridicule or provoking opposition by explaining himself more fully. He certainly felt and expressed a full conviction of his own peculiar fitness for the post, and had it repeatedly in his thoughts at a long antecedent period. 'One morning (says Dr Chenevix) 'that I was with him, his Lordship was expressing how much he was concerned that I was so long without having better preferment,

‘and told me in his joking manner—Well, I have just thought of a way in which I am sure you’ll succeed with Sir Robert. Go and tell him from me, that I will accept of the lord-lieutenancy of Ireland, and I am sure he will then procure you a good living from the Crown!’

The first care of the new Lord-Lieutenant was to obviate the possibility of being impeded in his designs. He insisted on *carte blanche* in respect of every sort of patronage; and when, on his nominating his chaplain (Dr Chenevix) for a Bishopric, the King hesitated, and begged he would look out for another candidate, he desired the Secretary of State to say, that in that case his Majesty must look out for another Lord-Lieutenant. He was equally peremptory with the Irish placemen who were regarded as pledged supporters of the Crown. The Master of the Rolls (the place was then a sinecure) having given some trouble in the House of Commons, he sent for him and said—‘Master, you must do the King’s business, or be turned out of your employment; and if you are, I shall not do as they do in England, for you shall never come in again as long as I have any power.’ This sounds harsh, but decided steps were necessary to show that he had made up his mind not to be thwarted; or he would have been crossed at every turn by the disappointed managers and their friends. The office of principal Secretary had usually been conferred on some clever, active, enterprising person, who did the whole work and monopolized the chief power (without the responsibility) of his Chief. Lord Chesterfield chose a Secretary, as a Mayor of the Palace in the early days of the French monarchy would have chosen a King; he chose a secretary *fainéant*. The gentleman thus honoured was Mr Lyddel, a member of Parliament, and (to borrow his noble patron’s words) a very genteel pretty young fellow, but not a man of business. He was thus addressed on his first visit—‘Sir, you will receive the emoluments of your place; but I will do the business myself, being determined to have no first minister.’* The next step was to conciliate good-will and inspire confidence. His speech on opening the Session, was admirably adapted for this purpose; whilst the grace, dignity,

* When William the Fourth, then Duke of Clarence, was appointed Lord High Admiral in 1827, a certain Secretary was in the habit of dictating to the Board. His Royal Highness, having received a hint to that effect, spoke as follows, on first taking his seat—‘From you, gentlemen, (to his Colleagues,) I shall expect the most cordial co-operation; from you, (to the Secretaries,) the most implicit obedience.’

and apparent frankness with which it was delivered, had their full influence on a susceptible people like the Irish. The impression thus made, was much aided by the timely appearance of a supplemental Drapier's Letter, in which Swift's style was imitated with sufficient exactness to deceive the multitude. Dr Maty thinks that Lord Chesterfield had a hand in it. The Dean certainly had not; for he was then dying, and unable to hail the arrival of the only Lord-Lieutenant equal to any thing like an interchange of mind with him, to whom he would not have said as he said to Lord Carteret—'What in God's name do you do here? Get back to your own country, and send us our boobies again.'

It is told in the *Swiftiana*, that the Dean never could prevail on Lord Carteret to nominate him one of the trustees of the linen manufactory, or even a justice of peace. His lordship always replied, 'I am sure, Mr Dean, you despise those feathers, and would not accept of them.' The Dean answered, 'No; my lord, I do not, as I might be serviceable to the public in both capacities; but, as I would not be governed by your excellency, nor job at the board, or suffer abuses to pass there, or at a quarter-session's assizes, I know that you will not indulge me for the good of this unhappy nation; but if I were a worthless member of parliament, or a bishop, and would vote for the court, and betray my country, then you would readily grant my request.' Lord Carteret replied, with equal freedom and politeness, 'What you say is literally true, and therefore you must excuse me.' We cannot describe Lord Chesterfield's administration better than by saying, that he would gladly have nominated the Dean to both; for he was a declared enemy to jobs of all kinds; he made it his principal study to find out, and correct abuses; and, far from discountenancing those who were likely to give trouble, he anxiously sought out and put himself into constant communication with all (like Bishop Berkely and Mr Prior) who had the good of the country at heart, and were qualified to give sound advice in advancing it. Two short extracts from his Letters to Mr Prior, will prove how just a view he took of the character and real wants of the Irish; and how singularly superior he showed himself to the cant and corruption of his day, which, alas! has hardly yet ceased to be the cant and corruption of our own.

—'These (schemes for manufactures of glass, paper, &c.) are the sort of jobs that I wish people in Ireland would attend to with as much industry and care, as they do to jobs of a very different nature. These honest arts would solidly increase their fortunes, and improve their estates upon the only true and permanent foundation, the public good.'

Leave us and your regular forces in Ireland to fight for you, think of your manufactures at least as much as of your militia, and be as much upon your guard against poverty as against Popery ; take my word for it, you are in more danger of the former, than of the latter.

‘ I hope my friend, the Bishop of Meath, goes on prosperously with his charter-schools. I call them his ; for I really think, that without his care and perseverance they would hardly have existed now. Though their operation is sure, yet, being slow, it is not suited to the Irish taste of the time present only ; and I cannot help saying, that except in your claret, which you are very solicitous should be two or three years old, you think less of two or three years hence, than any people under the sun.

* * * * *

‘ I believe you will allow that a claret board, if there were one, would be much better attended than the linen board, unless when flax seed was to be distributed. I am sensible that I shall be reckoned a very shallow politician, for giving my attention to such trifling objects as the improvement of your lands, the extension of your manufactures, and the increase of your trade, which only tend to the advantages of the public ; whereas an able lord-lieutenant ought to employ his thoughts in greater matters. He should think of jobs for favourites, sops for enemies, managing parties, and engaging parliaments to vote away their own and their fellow subjects’ liberties and properties. But these great arts of government, I confess, are above me, and people should not go out of their depth. I will modestly be content with wishing Ireland all the good that is possible, and with doing it all the good I can ; and so weak am I, that I would much rather be distinguished and remembered by the name of the Irish Lord-Lieutenant, than by that of the Lord-Lieutenant of Ireland.’

His opinions on the cardinal question, what is to be done with the Roman Catholics, are explained in another well-known letter. ‘ I came determined to proscribe no set of persons, and to ‘ be governed by none.’ He abided by these opinions throughout—turning a deaf ear to the remonstrances of the bigots, or parrying their remonstrances with a stroke of pleasantry. ‘ Why, my lord,’ said the Sir Harcourt Lees of that day, ‘ your ‘ own coachman is a Papist, and goes to mass every Sunday.’ ‘ Does he, indeed ! ’ replied the Lord-Lieutenant, ‘ I will take ‘ good care that he does not drive me there.’ One morning early, the vice-treasurer, Mr Gardner, a red-hot Orangemen, waited on him, and assured him on the best authority that the Papists in the province of Connaught were actually rising : upon which Lord Chesterfield took out his watch, and composedly observed, ‘ It is nine o’clock, and certainly time for them to rise ; ‘ I therefore believe your news to be true.’ All this time he was watching over the peace of the country with Argus eyes, and the slightest movement towards disaffection was observed.

On hearing that a Roman Catholic proprietor in the neighbourhood of Dublin was an agent of the Pretender, he privately sent for him to the Castle. ‘Sir,’ (said Lord Chesterfield,) ‘I do not wish to enquire whether you have any particular employment in this kingdom, but I know that you have a great interest among those of your persuasion. I have sent for you to exhort them to be peaceable and quiet. If they behave like faithful subjects, they shall be treated as such; but if they act in a different manner, I shall be worse to them than Cromwell.’

Yet he cannot be accused of carrying the principle of toleration to an undue extent; for (according to Dr Maty) he thought the only honest and effectual methods to be employed with regard to the Irish Roman Catholics, were good usage, supporting the charity schools, and adhering strictly to the Gavel Act—that act by which the estates of a Papist were to be divided equally among his nearest of kin, unless one of them should turn Protestant, in which case the convert was entitled to the whole! Was this carelessness, or politic compliance with a received prejudice, or real though partial bigotry to be set down among the follies of the wise? Sir Thomas More lent a hand to tighten the rack; Lord Bacon favoured judicial astrology; Sir Matthew Hale burnt witches; and the first Lord-Lieutenant who introduced the principles of justice and toleration into Ireland, thought it right to bribe men over to the true faith, by allowing them to rob their brothers and sisters of their patrimony! Yet with these startling examples of human fallibility before our eyes, we go on, day after day, unconscious of our errors, surprised at our weaknesses, loudly triumphing over the inconsistencies of others, and resorting to a thousand fallacies to palliate our own.

Upon leaving Ireland, he desired the Lord Chancellor, the Bishop of Elphin, and the Lord Chief-justice, to consider of any laws that might be for the advantage of the kingdom, and have them ready against his return. But in October 1746 he consented, much against his inclination, to exchange the Lord-Lieutenancy for the seals of Secretary of State. ‘His project,’ (adds Lord Mahon, on the first Lord Holland’s authority) ‘was to govern George the Second through Lady Yarmouth, as he once had hoped through Lady Suffolk.’ In this he failed, though his insinuating manners had their ordinary influence both with the lady and the King. It is said that he was once chosen, or volunteered, to conquer the King’s repugnance to an important appointment. On his producing the commission, and mentioning the name, the King angrily refused, and said, *I would rather have the devil.* ‘With all my heart,’ replied the Earl; ‘I

‘only beg leave to put your Majesty in mind, that the commission is addressed to our right trusty and well-beloved cousin.’ The King laughed, and said, *My Lord, do as you please.* Yet the awkward, shuffling, scrambling Duke of Newcastle managed to shuffle him out of his place, despite of all his tact; or at least made it impossible for him to keep it without a feeling of self-degradation; as he was not allowed to carry any one object, public or private, that he was known to have thoroughly at heart.

After trying for the fifth or sixth time, by way of testing his credit, to get a regiment for his cousin John Stanhope, he resigned in January 1748. ‘My horse, my books, and my friends,’ (he writes to Mr Dayrolles,) ‘will divide my time pretty equally. I shall not keep less company, but only better, for I shall choose it.’ He did not choose well at starting; for the very evening of his resignation he repaired to White’s, and resumed his old habits of deep play. He was fond of clubs; and being once asked why he was never seen at routs or assemblies, he answered, that he never went to conventicles where there was an established church. For some years subsequently to his resignation, he continued, as health permitted, and until quite incapacitated from deafness, to take a prominent part in the proceedings of the House of Lords; and in 1751 greatly distinguished himself by his speech in bringing in the bill for the reform of the Calendar. The undertaking did him honour on many accounts; for the difficulties of detail were great, and the prejudices against it strong. He was seconded by Lord Macclesfield, the President of the Royal Society, and assisted by Mr Bradley, the celebrated Mathematician. Lord Mahon relates, that three years afterwards, when Lord Macclesfield’s son stood a contested election in Oxfordshire, one of the most vehement cries raised against him was, ‘Give us back the eleven days we have been robbed of.’ Several years later, when Mr Bradley was dying of a lingering illness, the common people ascribed his sufferings to a judgment from Heaven for having taken part in that ‘impious undertaking.’

In 1752 Lord Chesterfield’s deafness became a fixed topic of complaint. ‘In spite of my strong hereditary right to deafness, how willingly would I part with it to any minister, to whom hearing is often disagreeable; or to any fine woman, to whom it is often dangerous.’ In 1775:—‘Retirement was my choice seven years ago; it is now become my necessary refuge. Public life and I are parted for ever.’

One resource remained to him. He had always professed a strong attachment to literature, and cultivated some of the

lighter branches with success. His drawing-room verses (*vers de société*) were in vogue for a period; and to be in vogue for a period is as much as the writer of drawing-room verses (even such as Luttrell's or William Spencer's) can expect. It is a lucky chance, a thing on which to plume himself, if a couplet descends to posterity; and one of Lord Chesterfield's (from *Advice to a Lady in Autumn*) is constantly quoted as a model of affected prettiness:

‘The dews of the evening most carefully shun,
Those tears of the sky for the loss of the sun.’

An extempore couplet in a different style has been preserved by a foreigner: ‘Sir Thomas Robinson,’ (says M. Dutens,) ‘very tall and thin, one day challenged Lord Chesterfield to make some verses on him. Lord Chesterfield wrote immediately—

“Unlike my subject now shall be my song,
It shall be witty, and it sha’n’t be long.”

But incomparably his best epigram is the famous one on seeing the full length picture of Beau Nash, between the busts of Pope and Newton, in the pump-room at Bath:

‘This picture placed the busts between,
Gives satire all its strength;
Wisdom and wit are little seen,
But folly at full length.’

Perhaps his best *bon-mot* was that on hearing of the marriage of a man of low family, with the daughter of a lady whose way of life threw doubts on the paternity. He observed that nobody’s son had married everybody’s daughter. Had he been only a lord among wits, as Johnson termed him, we do not think Pope would have paid him the celebrated compliment—

‘Accept a miracle instead of wit,
See two dull lines by Stanhope’s pencil writ.’

Or have exclaimed even in verse—

‘How can I Pulteney, Chesterfield forget,
While Roman spirit charms, or Attic wit?’

It is remarkable that, though Dr Maty expatiates largely on the familiar intercourse which Lord Chesterfield maintained with two generations of men of letters, he says nothing on the disputed question of the Earl’s reception of Dr Johnson; or of the papers in the ‘World’ recommending the Dictionary; or of the indignant letter which they provoked. This silence is ominous in a friendly biographer; but we incline to think that Mr Croker has offered the true solution; that no slight was intended, and

that the lexicographer took fire without a cause. Lord Chesterfield had the misfortune to offend another man of genius, who revenged himself in a less justifiable manner. The virtuoso Peer in *Peregrine Pickle* was said to be intended for the Earl. He married, in 1733, Melusina de Schulemburg, the reputed daughter of George the First by the Duchess of Kendal. She contributed little either to his comfort or discomfort; and his opinion of matrimony, which must be supposed to be tinged by his own experience, was far from encouraging. 'I have at least (he writes in 1763) done the best office that can be done for most married people; that is, I have fixed the separation between my brother and his wife, and the definitive treaty of peace will be proclaimed in about a fortnight.' They had no family, and all his parental interests were centred in his illegitimate son, Philip Stanhope; to whom the famous Letters, to which we are now coming, are addressed.

The mother was called Mrs Du Bouchet. She was a Frenchwoman of good birth, and the Earl always mentions her with respect. The son was born in 1732. Every branch and period of his education were minutely superintended by the father, who was resolved to make him a pattern of learning, eloquence, accomplishment, politeness, and grace. He turned out the precise opposite, except in the article of learning. Those who knew him best, describe him as a sensible, plain-mannered man, with a good deal of book knowledge, and no pretension to elegance in look, gesture, or tone. He failed in the House of Commons, and, with all his father's pushing, had only just contrived to reach a fifth-rate diplomatic station (that of Envoy at Dresden) when he died. On his death in 1768, (five years before the Earl's,) it appeared that he had been privately married for some years, and had left a wife and two children to be provided for. This piece of dissimulation went a little beyond what it was his Lordship's wish to inculcate, but he behaved liberally to the widow, who, notwithstanding, took the unpardonable step of selling the whole of the Letters to a bookseller. They fetched the large price of L.1575. The first edition, dedicated to Lord North, was published in 1774, and three large impressions were sold within the year. Dr Johnson accounts for this by saying, 'It was not to be wondered that they had so great a sale, considering that they were the letters of a statesman, a wit, one who had been so much in the mouths of mankind, one long accustomed *virum volitare per ora*.' But we think their real merit was quite sufficient to justify their reception; and we are convinced that the accidental circumstances connected with the

publication, have done it more harm than good upon the whole. Let us first examine the more popular and obvious objections to them.

It is said that they inculcate immorality, and on one point they do. The advice to form a *liaison* with a married woman by way of apprenticeship in the art of pleasing, and the enquiries about *la petite Blot*, are far from edifying; but such passages must be read in connexion with the persons and the time. We must not run away with the notion that Lord Chesterfield thought it a becoming or an improving thing for a young man to invade the peace of a family, corrupt the mind of a young woman engaged in the due discharge of the domestic duties, and lead her into ruin and disgrace. At the period in question, the female leaders of fashion at Paris were all more or less addicted to gallantry. The enjoyment of a certain license in this respect was regarded as a prescriptive right; and a husband who should have endeavoured to interfere with it, would have been regarded as a monster. 'Il lui faut nécessairement une passion,' (says Lord Chesterfield's own protectress, addressing the company,) 'et s'il ne m'en juge pas digne, nous lui en chercherons quelque autre.' It was in reference to this very state of things that Burke, a man of stern morals, laid down his celebrated axiom, that vice loses half its evil by losing all its grossness. Lord Chesterfield had been received on a familiar footing in the circle where such arrangements were a matter of course; he knew they were attended with neither risk nor scandal; and he knew, moreover, that a man of warm passions, in the heyday of youth, who did not form one at Paris, would probably fall into worse hands, and form connexions ruinous to health, fortune, manners, and morality. He therefore acted like a man of the world, and chose the least of two evils; just as many a more virtuous father would recommend his son to fight a duel if imperatively required by the law of honour, though perfectly aware that he was recommending an action forbidden by the law of God. We think Lord Chesterfield did wrong; we think the advice very bad advice; particularly as regarded the person to whom it was addressed; but we protest against its being argued that he disregarded virtue, or made light of principle, because he submitted to this compromise with expediency.

It is also objected that they teach dissimulation; but this is not to be understood as implying a low estimate of truth. It is impossible for the most pious or exemplary father to express himself more pointedly than he did against lying, in all its ramifications and varieties—

'There is nothing so delicate as your moral character, and nothing

which it is your interest so much to preserve pure. Should you be suspected of injustice, malignity, perfidy, lying, &c., all the parts and knowledge in the world will never procure you esteem, friendship, or respect. A strange concurrence of circumstances has sometimes raised very bad men to high stations; but they have been raised like criminals to a pillory, where their persons and their crimes, by being more conspicuous, are only the more known, the more detested, and the more pelted and insulted. If, in any case whatsoever, affectation and ostentation are pardonable, it is in the case of morality; though, even there, I would not advise you to a pharisaical pomp of virtue. But I will recommend to you a most scrupulous tenderness for your moral character, and the utmost care not to say or do the least thing that may, ever so slightly, taint it. Show yourself, upon all occasions, the advocate, the friend, but not the bully, of virtue. Colonel Chartres, whom you have certainly heard of, (who was, I believe, the most notorious blasted rascal in the world, and who had by all sorts of crimes amassed immense wealth,) was so sensible of the disadvantage of a bad character, that I heard him once say, in his impudent and profligate manner, that, though he would not give one farthing for virtue, he would give ten thousand pounds for a character; because he should get a hundred thousand pounds by it; whereas he was so blasted that he had no longer an opportunity of cheating people. Is it possible, then, that an honest man would neglect what a wise rogue would purchase so dear?

The only kind of dissimulation he teaches, is that absolutely indispensable for a diplomatist, (Mr Stanhope's intended profession,) and the concealment every prudent man practises. Burns has hit it off exactly in his 'Epistle to a Young Friend.'—

'Aye free, aff han' your story tell,
 When wi' a bosom crony;
 But still keep something to yoursel'
 Ye scarcely tell to ony.
 Conceal yoursel' as weel's ye can
 Frae critical dissection;
 But keek thro' every other man,
 Wi' sharpen'd sly inspection.'

It is remarkable that on the more delicate subject (immoral ties between the sexes) the Peasant, looking at it in a mere worldly point of view, has pointed out a consequence which escaped the penetration of the Peer.

'The sacred lowe o' weel-placed love,
 Luxuriantly indulge it;
 But never tempt th' illicit rove,
 Tho' naething should divulge it:
 I wave the quantum o' the sin,
 The hazard of concealing;
 But och! it hardens a' within,
 And petrifies the feeling!'

Another ground of objection is the undue stress laid on manner, and the eternal recurrence to the Graces. Lord Mahon meets this by the known fact that Philip Stanhope was diligent, nay eager, in the pursuit of solid knowledge, but careless to a culpable degree of both dress and address. There can be no doubt, however, that Lord Chesterfield was far too much impressed with the importance of superficial accomplishments, and too prone to undervalue the average information and understanding of society. At all events, we should not recommend any embryo Senator to suppose the following advice still applicable :

‘ I was to bring in this bill, (for the Reform of the Calendar,) which was necessarily composed of law jargon and astronomical calculations, to both which I am an utter stranger. However, it was absolutely necessary to make the House of Lords think that I knew something of the matter, and also to make them believe that they knew something of it themselves, which they do not. For my own part, I could just as soon have talked Celtic or Slavonian to them as astronomy, and they would have understood me full as well ; so I resolved to do better than speak to the purpose, and to please instead of informing them. I gave them, therefore, only an historical account of calendars, from the Egyptian down to the Gregorian, amusing them now and then with little episodes ; but I was particularly attentive to the choice of my words, to the harmony and soundness of my periods, to my elocution, to my action. This succeeded, and ever will succeed : they thought I informed, because I pleased, them ; and many of them said, that I had made the whole very clear to them, when, God knows, I had not even attempted it. Lord Macclesfield, who had the greatest share in framing the bill, and who is one of the greatest mathematicians and astronomers in Europe, spoke afterwards with infinite knowledge, and all the clearness that so intricate a matter would admit of ; but as his words, his periods, and his utterance, were not near so good as mine, the preference was most unanimously, though most unjustly, given to me. This will ever be the case ; every numerous assembly is a mob, let the individuals who compose it be what they will !

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‘ When you come into the House of Commons, if you imagine that speaking plain and unadorned sense and reason will do your business, you will find yourself most grossly mistaken. As a speaker, you will be ranked only according to your eloquence, and by no means according to your matter ; every body knows the matter almost alike, but few can adorn it.

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‘ I want to inculcate this known truth into you, which you seem by no means to be convinced of yet—that ornaments are at present your only objects. Weight without lustre is lead. You had better talk trifles elegantly to the most trifling woman, than coarse inelegant sense to the most solid man. You had better return a dropped fan genteelly, than give a thousand pounds awkwardly ; and you had better refuse a favour

gracefully, than grant it clumsily. Manner is all in every thing; it is by manner only that you can please, and consequently rise. All your Greek will never advance you from secretary to envoy, or from envoy to ambassador; but your address, your manner, your air, if good, very probably may. Marcel can be of much more use to you than Aristotle. I would, upon my word, much rather that you had Lord Bolingbroke's style and eloquence, in speaking and writing, than all the learning of the Academy of Sciences, the Royal Society, and the two Universities united.'

Lord Chatham was a striking example of the power of manner, and of all that Demosthenes meant by *action* in oratory; but then his fire, his boldness, his splendid imagination, and idiomatic English, were sterling qualities of the highest order. Lord Mansfield, 'the silver-tongued Murray,' again, was all grace, ease, suavity, and mellifluence; his bare narrative of circumstances was said to be worth any other man's argument; but this arose from the perfection of his logic, the excellence of his arrangement, and his thorough mastery of the subject in hand. The mistake consists in not seeing, or not saying, that there must be a foundation for the superstructure. There may be a great deal of difference between times when the House of Commons was filled with men of birth and fortune, taking little part in real business, and times like the present, when it is principally composed of real and (*volentes volentes*) hard-working representatives. But we doubt whether there ever was a time when plain unadorned good sense and reason, clearly expressed in appropriate language, would not (to borrow Lord Chesterfield's phrase) have done a man's business better than the most polished oration, tricked out with the choicest ornaments, where the obvious aim was less to convince or give information than to shine. His Lordship does himself and his illustrious audience great injustice in what he said about his speech. The truth is, he told them all it was necessary for them to know, and all any assembly but an assembly of *savans* could have understood, regarding the purpose of the Bill. It was not necessary to talk astronomy in order to prove the inconvenience of an erroneous calendar, or the propriety of adopting the best; and an historical account of calendars was the most judicious mode of disabusing the public, then clamouring against the measure, under a full conviction that the established calendar was a sacred thing, and no more a subject of legislative interference than the Decalogue. Lord Macclesfield's speech, subsequently printed, was addressed to the scientific world, and was equally useful in its way; but it ought to have been reserved for the Chair of the Royal Society, which the noble speaker was afterwards called upon to fill.

The same turn of mind that colours the remarks on oratory, pervades the practical advice on many other subjects; though the peculiar tendencies of Mr Stanhope make it difficult to say when Lord Chesterfield was expressing his real opinions on many of them. It is clear, however, that he fell into what strikes us to be a great error regarding the attention to be paid to natural character or genius, and the possibility or prudence of controlling it. He has an unlimited confidence in education; he thinks that the human mind and body may be trained to any thing; that it is our own fault if we do not obtain the entire control of our passions, the entire command of our faces, and the entire mastery of our limbs; that if we will but take pains, we may possess most of the good qualities, and avoid all the bad; that we may be as learned, eloquent, graceful, and agreeable as we please; that any young man may take his Degree in the art of pleasing as regularly as in the classics, and become in due course the darling of the women and the envy of the men; or, without the least reference to natural aptitude, confidently set about making himself a courtier, a diplomatist, or an orator—in short; any thing but a poet; which, possibly out of respect for the old maxim, is allowed to form an exception to the theory. Yet something may be done even with poets. ‘If Shakspeare’s genius had been cultivated, those beauties which we so justly admire would have been undisguised by those extravagancies and that nonsense with which they are frequently accompanied.’ Acting on these principles, Lord Chesterfield devotes his best energies, during a series of years, to the task of qualifying young Stanhope to play the very part of all others for which he was palpably unfit. A heavy-looking loutish lad, with good dispositions, and a taste for solid acquirements, is to be manufactured into an easy, graceful man of fashion; to be endowed *invitâ Minervâ* with all the superficial accomplishments, and inoculated, in his own despite, with all the lighter vices; in the hope (too often vain) that they will polish without hardening, and be abandoned at the proper season for the graver cares and higher duties of society. Lord Chesterfield might just as well have told such a son to be six feet high as to be eloquent, to have a Roman nose as to be graceful, to write like Pope as to bow like the Duc de Richelieu; and we strongly suspect that the donkey playing lapdog, was a fair type of the neophyte in the boudoir of *la petite Blot*, if indeed he ever got so far. The tenacity with which the Earl clung to his plan long after every one else had seen its hopelessness, is wonderful. The scales grew thicker and thicker instead of dropping from his eyes; his son must and shall be a modern Alcibiades; all his old friends and former mistresses are adjured to

make him one; and by way, we suppose, of putting the youth entirely at his ease, he is expressly told that a hundred eyes are watching him; and that, if he eventually falls short of the ideal standard, he may lay his account with finding all fatherly favour and affection at an end for ever.

The result is well known. The only one of his father's peculiar accomplishments which young Stanhope acquired and improved upon was dissimulation; and the skill with which he managed to conceal his private marriage during so many years, shows that he was no mean proficient in it. But we do not found our judgment on the result. The scheme was absurd from the beginning: the whole theory is radically wrong. *E quovis ligno non fit Mercurius*. No parent should begin telling a boy to be this thing or that thing before he sees what nature meant him for; that is, till the qualities, capabilities, or tendencies of the individual can be discriminated. It may be true that these are the effects of external circumstances, and not born with us; but they are commonly fixed at a period long antecedent to that at which education ever does or probably ever can begin.* Pope wrote excellent verses at fourteen. Lawrence painted beautifully when a mere boy. Madame de Staël was deep in the philosophy of politics at an age when an ordinary girl would have been dressing dolls. Nelson had made up his mind to be a hero before he was old enough to be a midshipman; and Napoleon was already at the head of armies when pelting snowballs at Brienne. Though character is less strongly marked among the common herd, an acute observer will constantly discover traces of it. Go through any large school, and you will have no difficulty in picking out the boys most remarkable for neatness or slovenliness, cleverness or stupidity, excess of spirit or the lack of it; though you may not prove a match in discrimination for Smollett's schoolmaster, who, when some of his neighbours were boasting the superior decorum and propriety of their young pupils, observed, 'It may be all very true, but give me before them all my 'ain bubbly-nosed callant with the stane in his pouch;'—words (adds Sir Walter Scott, for the benefit of southern readers) con-

* 'It is then a fact, that the early sequences to which we are accustomed form the primary habits, and that the primary habits are the fundamental character of the man. The consequence is most important; for it follows that, as soon as the infant, or rather the embryo, begins to feel, the character begins to be formed; and that the habits which are then contracted, are the most pervading and operative of all.'—(*Encyclopædia Britannica*—*Art. Education*.)

taining a faithful sketch of a negligent, unlucky, but spirited urchin, never without some mischievous prank in his head, and a stone in his pocket ready to execute it. Would any schooling in the world have made a staid, sober merchant, or a respectable Kirk Minister of Smollett? The moral is obvious. Pursue the best system of general education until some marked tendency or peculiarity of genius begins to show itself, and then be regulated by that. Make the best of a bad matter, if it be a bad matter, but do not get restless, impatient, unreasonable, and contradictory, because, instead of the good quality you had set your heart upon, you find another good quality of a different description in your son. Years after young Stanhope's character was stereotyped, Lord Chesterfield writes thus :

‘ Many fools (speaking of you) say to me, what, would you have him perfect? I answered, why not? What hurt would it do him or me? Oh, but that is impossible, say they! I reply, I am not sure of that : perfection in the abstract I admit to be unattainable ; but what is commonly called perfection in a character, I maintain to be attainable ; and not only that, but in every man's power. He has, continue they, a good head, a good heart, a good fund of knowledge, which will increase daily ; what would you have more? Why, I would have every thing more that can adorn and complete a character. Will it do his head, his heart, or his knowledge any harm, to have the utmost delicacy of manners, the most shining advantages of air and address, the most endearing attentions, and the most engaging graces? But as he is, say they, he is loved wherever he is known. I am very glad of it, say I ; but I would have him be liked before he is known, and loved afterwards. I would have him, by his first *abord* and address, make people wish to know him, and inclined to love him ; he will save a great deal of time by it.

‘ Come, come, say they, (substituting, as is frequently done, assertion instead of argument,) depend upon it, he will do very well ; and you have a great deal of reason to be satisfied with him. I hope and believe he will do well ; but I would have him to do better than well. I am very well pleased with him ; but I would be more—I would be proud of him. I would have him have lustre as well as weight. Did you ever know any body that reunited all these talents? Yes, I did : Lord Bolingbroke joined all the politeness, the manners, and the graces of a courtier, to the solidity of a statesman, and to the learning of a pedant. He was *omnis homo* ; and pray, what should hinder my boy from being so too, if he has, as I think he has, all the other qualifications that you allow him? Nothing can hinder him but neglect of, or inattention to, those objects, which his own good sense must tell him are of infinite consequence to him ; and which, therefore, I will not suppose him capable of either neglecting or despising. This (to tell you the whole truth) is the result of a controversy that passed yesterday between Lady Hervey and myself, upon your subject, and almost in these very words.’

Who can doubt that Lady Hervey had the best of the argument? and she might have pushed it still further. A man is not only more likely to succeed in life, but far more likely to please and inspire confidence among his intimates, by following the bent of his genius, and letting his true character be seen ;—always, of course, with due subordination to propriety. Eagerness, excitability, and vivacity, will be pardoned for the sake of earnestness, generosity, and truth. We not only esteem more, but actually like better, the friend who ruffles us with an occasional contradiction; and, let Lord Chesterfield say what he will about its not being gentlemanlike, a laugh is too good a thing to be sacrificed to the Graces, should they be cross and uncongenial enough to ask for it,—which (if one of their truest worshippers may be regarded as their interpreter) they would not—

‘ While her laugh, full of mirth, without any control
But the sweet one of gracefulness, rung from her soul ;
And where it most sparkled no glance could discover,
In lip, cheek, or eye, for she brighten’d all over,—
Like any fair lake that the breeze is upon,
When it breaks into dimples and laughs in the sun.’

If a pretty woman and a lake may laugh, it seems hard that a gentleman should be restricted to a smile. But the prohibition is absolute :—‘ Laughter is easily restrained by a little reflection; but as it is generally connected with the idea of gaiety, people do not attend to its absurdity. I am neither of a melancholy nor a cynical disposition; and am as willing, and as apt to be pleased as any body; but I am sure, that, since I have had the full use of my reason, nobody has ever heard me laugh.’

We suspect that his lordship himself would have done better if he had been heard to laugh ;—if occasionally he had given way to a natural flow of spirits, and not impressed the public with the notion that every thing he said or did was calculated. He was beyond all question the politest, best-bred, most insinuating man about the court; yet he was regularly outflanked and outmanœuvred by Sir Robert Walpole, who had the heartiest laugh in the kingdom, and the Duke of Newcastle, who had the worst manners in the world. The solution is, that he played too fine a game, and *finessed* too much. While he was coaxing Mrs Howard to take him up the back-stairs, Sir Robert Walpole had walked straight to the royal closet, and was telling Queen Caroline a coarse story; and the county member who had left the Earl with feelings of awkwardness akin to those of Squire Western among the fine company at Lady Bellaston’s, was soothed into self-complacency and put completely at his ease by the bear-

like hugs and cordial caresses of the Duke.* Lord Chesterfield's emphatic injunctions to his son, to take care and stand well with every human being about a petty German court, because even a valet or a waiting-maid might be a step on the ladder of preferment, reminds us of the interest on which Lieutenant Bowling calculated for getting Roderick Random the appointment of a surgeon's mate:—'The beadle of the Admiralty is my good friend, and he and one of the under-clerks are sworn brothers, and that under-clerk has a good deal to say with one of the upper-clerks, who, upon his recommendation, I hope will recommend my affair to the first secretary, and he again will speak to one of the lords in my behalf, so that you see I do not want friends to assist me on occasion.'

Moreover, in matters of court-craft, or any matters touching the finer parts of conduct, precepts only serve to embarrass, and no experience avails us but our own. It may be true as regards other branches of knowledge, but it is not true as regards what is called the knowledge of life, that a dwarf standing on a giant's shoulders will see farther than the giant. On the contrary, the chances are, that he will grow giddy and get a tumble, or not be able to see at all. Can maxims give quickness and delicacy of perception, sensibility, fancy, grace of movement, or that fine composite quality called *tact*? If not, all exhortations to be winning, attractive, seductive, agreeable—a *fortiori*, to practise particular methods of riveting the attention or engaging the affections—are preposterous. The poet may talk of snatching a 'grace beyond the reach of art;' but all graces are beyond the reach of art, except such art as is more than half nature; and the Mentor in manners must content himself with telling the pupil what he is not to do, leaving what he is to do to his own sense of fitness and sagacity. It would have been a curious spectacle to watch young Stanhope repeating his conned lessons of politeness or gallantry—to hear him expatiating 'unaffectedly and with a kind of *enjouement*' on the greatness of the House of Savoy to the courtiers at Turin—or to see him with *un ton du douceur*, and *des regards tendres*, endeavouring to win the favour of a Parisian coquette. We allude to such passages as these:—

'Make your court particularly, and show distinguished attentions to

'When at last he came into his levée room, he accosted, hugged, embraced, and praised every body, with a seeming cordiality, but at the same time with an illiberal and degrading familiarity.'—(Lord Chesterfield's *Characters*.—Duke of Newcastle.)

such men and women as are best at court, highest in the fashion, and in the opinion of the public; speak advantageously of them behind their backs, in companies who you have reason to believe will tell them again. Express your admiration of the many great men that the house of Savoy has produced; observe that nature, instead of being exhausted by these efforts, seems to have redoubled them in the persons of the present King and the Duke of Savoy; wonder at this rate where it will end, and conclude that it must end in the government of all Europe. Say this likewise where it will probably be repeated; but say it unaffectedly, and the last especially with a kind of *enjouement*.'—(Vol. i. p. 272.)

'Je vous conseille de débiter plutôt par Madame Dupin, qui a encore de la beauté plus qu'il n'en faut pour un jeune drôle comme vous; elle a aussi du monde, de l'esprit, de la délicatesse; son âge ne lui laisse pas absolument le choix de ses amans, et je vous réponds qu'elle ne rejetteroit pas les offres de vos très humbles services. Distinguez-la donc par vos attentions, et des regards tendres; et prenez les occasions favorables de lui dire à l'oreille que vous voudriez bien que l'amitié et l'estime fussent les seuls motifs de vos égards pour elle, mais que des sentimens bien plus tendres en sont les véritables sources. Que vous souffriez bien en les lui déclarant, mais que vous souffriez encore plus en les lui cachant.'—(Vol. ii. p. 151.)

The really useful hints are such as these :—

'In order to judge of the inside of others, study your own; but men in general are very much alike; and though one has one prevailing passion, and another has another, yet their operations are much the same; and whatever engages or disgusts, pleases or offends you in others, will, *mutatis mutandis*, engage, disgust, please, or offend others in you. Observe, with the utmost attention, all the operations of your own mind, the nature of your passions, and the various motives that determine your will; and you may, in a great degree, know all mankind. For instance, do you find yourself hurt and mortified when another makes you feel his superiority, and your own inferiority in knowledge, parts, rank, or fortune? You will certainly take great care not to make a person, whose good will, good word, interest, esteem, or friendship, you would gain, feel that superiority in you, in case you have it. If disagreeable insinuations, sly sneers, or repeated contradictions, tease and irritate you, would you use them where you wished to engage and please? Surely not; and I hope you wish to engage and please, almost universally. The temptation of saying a smart or witty thing, or *bon mot*, and the malicious applause with which it is commonly received, has made people who can say them, and, still oftener, people who think they can, but cannot, and yet try, more enemies, and implacable ones too, than any one other thing that I know of. When such things, then, shall happen to be said at your expense, (as sometimes they certainly will,) reflect seriously upon the sentiments, uneasiness, anger, and resentment, which they excite in you; and consider whether it can be prudent, by the same means, to excite the same sentiments in others against you. It is a decided folly to lose a friend for a jest; but, in my

mind, it is not a much less degree of folly to make an enemy of an indifferent and neutral person for the sake of a *bon mot*.

Or the hints on conversation :—

‘ Talk often, but never long ; in that case, if you do not please, at least you are sure not to tire your hearers. Pay your own reckoning, but do not treat the whole company ; this being one of the very few cases in which people do not care to be treated, every one being fully convinced that he has wherewithal to pay.

‘ Tell stories very seldom, and absolutely never but where they are very apt, and very short. Omit every circumstance that is not material, and beware of digressions. To have frequent recourse to narrative betrays great want of imagination.

‘ Never hold any body by the button, or the hand, in order to be heard out ; for, if people are not willing to hear you, you had much better hold your tongue than them.

‘ Take rather than give the tone of the company you are in. If you have parts, you will show them, more or less, upon every subject ; and if you had not, you had better talk sillily upon a subject of other people's than of your own choosing.

‘ Avoid, as much as you can, in mixed companies, argumentative polemical conversations ; which, though they should not, yet certainly do, indispose, for a time, the contending parties towards each other ; and if the controversy grows warm and noisy, endeavour to put an end to it by some genteel levity or joke. I quieted such a conversation hubbub once, by representing to them that, though I was persuaded none there present would repeat, out of company, what passed in it, yet I could not answer for the discretion of the passengers in the street, who must necessarily hear all that was said.

‘ Above all things, and upon all occasions, avoid speaking of yourself, if it be possible. Such is the natural pride and vanity of our hearts, that it perpetually breaks out, even in people of the best parts, in all the various modes and figures of the egotism.

‘ This principle of vanity and pride is so strong in human nature that it descends even to the lowest objects ; and one often sees people angling for praise, where, admitting all they say to be true, (which, by the way, it seldom is,) no just praise is to be caught. One man affirms that he has rode post an hundred miles in six hours : probably it is a lie ; but supposing it to be true, what then ? Why, he is a very good post-boy, that is all. Another asserts, and probably not without oaths, that he has drank six or eight bottles of wine at a sitting : out of charity, I will believe him a liar ; for, if I do not, I must think him a beast.

‘ Always look people in the face when you speak to them ; the not doing it is thought to imply conscious guilt ; beside that, you lose the advantage of observing by their countenances what impression your discourse makes upon them. In order to know people's real sentiments, I trust much more to my eyes than to my ears ; for they can say whatever they have a mind I should hear ; but they can seldom help looking what they have no intention that I should know.

‘ Neither retail nor receive scandal willingly ; for though the defama-

tion of others may for the present gratify the malignity or the pride of our hearts, cool reflection will draw very disadvantageous conclusions from such a disposition ; and in the case of scandal, as in that of robbery, the receiver is always thought as bad as the thief.

These volumes abound in such passages, in which, be it observed, the style is as much entitled to admiration as the sense ; and we could turn to page after page on which La Rochfoucauld would stop to meditate, or which La Bruyère would hail as an improvement on his own. But it requires knowledge and experience to appreciate them ; and, on the whole, we quite agree with Lord Mahon, that it is only persons whose principles are fixed and understandings matured, who can derive the full benefit, without risk of evil, from the Letters on education. We recommend every parent who is bringing up a son for public life to study them ; but we differ from Dr Johnson as to the propriety of placing them in the hands of any young gentleman, even after taking out the immorality. A premature second-hand knowledge of mankind, with its common accompaniments of caution and self-seeking, would be a poor exchange for the frankness, openness, frolic spirits, and confiding generosity of youth. The remarks on women, thickly scattered, and pointedly expressed, are alone sufficient to do an infinity of harm to readers who are not prepared by personal experience to weigh the sweetness, devotedness, and high principle of one-half of the sex, against the weakness or littleness of the other ; and it must not be forgotten for a moment, that, if we never glow with enthusiasm, and only arrive at virtue through expediency, the highest and most improving lesson we can ever teach is worldliness.

We regret that we have no space at present to criticize or make extracts from the Letters on general subjects ; but it may be as well to state that, besides the new Letters printed by Lord Mahon, some additions to the Chesterfield correspondence already before the world, have been recently made by Dr Phillimore, in his *Life of Lord Lyttelton*.

Lord Chesterfield died on the 24th of March 1773, in the 79th year of his age, and was succeeded in his title and estates by a distant kinsman, Philip Stanhope, the father of the present Earl. The concluding period of his life was far from happy, though he was apparently surrounded with all that should accompany old age. The son of his affections was no more, and had disappointed him ; he derived no comfort from his wife ; he had failed, according to his own notions, as a courtier ; and his deafness had deprived him of his chief enjoyment in society. M. Suard, who saw him in 1769, says—' Je viens d'être présenté au Comte de Chesterfield qui a été, comme vous savez, l'homme le plus

‘aimable, le plus poli, le plus spirituel des trois royaumes ;
 ‘mais, hélas ! *quantum mutatus ab illo !* Il est bien triste d’être
 ‘sourd, nous dit-il, quand on aurait beaucoup de plaisir à écouter.
 ‘Je ne suis pas aussisage que mon ami le President de Montes-
 ‘quieu. *Je sais être aveugle*, m’a-t-il dit plusieurs fois, et moi
 ‘je ne sais pas encore être sourd.’ He called his daily drive
 through the streets the rehearsal of his funeral, and used to
 say of Lord Tyrawley and himself : ‘Tyrawley and I have
 ‘been dead these two years, but we don’t choose to have it
 ‘known.’

The loss of sight was added to his other miseries ; but he retained his memory and his politeness to his latest breath. Only half an hour before he died, Mr Dayrolles came to see him, and the Earl had just strength enough to gasp out in a faint voice from his bed—‘*Give Dayrolles a chair.*’ ‘His good breeding,’ exclaimed Dr Warren, the physician in attendance, ‘only quits him with his life !’

ART. VI.—1. *Lessingiana von Dr GOTTLIEB MOHNIKE.* Leipzig : 1844.

2. *Lessing's Werke.* 10 Bände. Leipzig : 1841.

3. *The Literature of Germany, from the Earliest Period to the Present Time, historically developed.* By FRANZ THIMM. London : 1844.

THE study of German Literature in England is comparatively recent. At first only the worst specimens were imported ; but they ‘created a sensation,’ (to use the stereotyped phrase,) and created also a rash, but not very unnatural contempt for the whole. This was succeeded by an extravagant admiration on the part of a few ; and as these few were influential, the feeling at last extended to the public. German became the fashionable foreign language ; its literature was almost universally welcomed as a valuable and fruitful importation. Translations became numerous ; criticisms still more. In most sober minds this enthusiasm has now cooled down ; in some it has ceased altogether ; familiarity has ended the wonder. We confess it is not without satisfaction that we see this reaction. The good that is to be gained from the study of German literature we are very far from gainsaying ; but we are persuaded that this good is more than outweighed by the evils attending an indiscriminate admiration

of that study. It is one thing to visit a country, another to make it a home. It is one thing to cultivate an acquaintance with a foreign literature, another to adopt it as a model. In the first case, we enlarge our views by obliterating prejudices; in the second, we narrow our minds to the prejudices of others; and thus lose our own nationality without attaining the strength of that we imitate. What Burke says of moral masquerades, applies equally to literary imitations:—‘ Those who quit their proper characters to assume ‘ what does not belong to them, are for the greater part ignorant ‘ both of the character they leave and the character they assume.’ Deplorably ignorant of the English character, and of the inexhaustible energy and wealth of English literature, must they be, who could suppose that either could gain by the adoption of any foreign standard, least of all a German. If, as scholars and archæologists, we may study the works of the worthy Teutones with advantage; as thinkers, and as writers, we do so with peril. Their literature is of yesterday; and although its brief career has been prolific beyond example, it has not yet attained a tithe of the richness of our own, and will probably never attain its vigour.

The parent vice of German literature is want of distinct purpose; and as consequences of this, want of masculine character, and chastened style. It is this want of definite purpose—or call it want of culture—which generates their idle speculation, trivial research, spurious enthusiasm, and endless book-making? Where is the German who can write an ordinary-sized book? He knows not how the thing is to be accomplished; sees no advantage in accomplishing it. He writes to be read; and is certain that German readers will find time for any quantity; nay, justly suspects they would despise a small quantity. What we fashion into an essay, he developes into a system. Collaterals are of equal importance with principals; the verification of a citation as valuable as the resolution of a problem! * It is really a sad spectacle to contemplate the singular waste of learned industry daily exemplified in Germany. Menzel says that there are ten millions of volumes yearly printed in that country; and the number of living authors (in 1828,) he reckoned at fifty thousand. If we reflect on this prodigious activity, and ask what have been the results, we are amazed at the poverty of that literature, appa-

* We had lately occasion to consult an edition of Aristotle's little treatise *De Animâ*, by F. A. Trendelenburg. The treatise occupies 109 pages, a third of them devoted to *variorum* readings; the preface has 70 pages, and the commentary 450 !

rently so rich. Let any one run over a catalogue of German publications, and he will be struck with their universal tendency towards whatever is most remote from human interest,—indeed, from human comprehension. When Kant, their most practical philosopher, demonstrated that all human knowledge was necessarily limited to phænomena, the professors, in an uproar, declared, as they do to this day, that he had departed from the true aim of philosophy; which, they said, was *the knowledge of the absolute*. This naïve *petitio principii* exemplifies the tendency of the German mind; and it is curious to mark the triumph with which Hegel proclaims that all Europe has left to Germany the sole cultivation of metaphysics: ‘We have the exalted vocation,’ he says, ‘of guarding the holy fire, as the Eumolpids were the sole ‘guardians of the Eleusinian Mysteries in Athens.’ *

We have said that a want of definite purpose is the cause of the emptiness of German literature. This is shown by the excellence the Germans exhibit in those departments of intellectual activity, wherein only distinct purpose and proper culture can bestow any success. As chemists, anatomists, physiologists, and astronomers, they are certainly on an equality with France and England: in *belles lettres*, political economy, and morals, they are as certainly behind. When, therefore, we see this prodigious activity and manifest inferiority, we cannot but attribute it to a want of proper culture; and are reminded of Plato’s admirable saying, that ignorance itself is not so great an evil as misdirected learning.†

Such, broadly stated, appear to us the radical defects of German literature. In Gottlob Ephraim Lessing, there is no trace of them. If he has one characteristic which separates him from his successors, it is that of distinct purpose; the prominent peculiarity of his works, as contrasted with those of his countrymen, is their direct and practical tendency. His mind is of a quality eminently British. Of all Germans, he is the least German; yet he created German literature, and is the idol of his country. He has the qualities Englishmen most admire, because the history of our nation shows that with such qualities we have achieved our greatness. His mind is both clear and strong, free from *schwärmerei*, (a word untranslatable, because the thing itself is un-English,) free from cant and affectation of all kinds.

* Hegel—*Vorlesungen über die Geschichte der Phil.* i. p. 4.

† ‘Οὐδαμοῦ γὰρ δεινὸν οὐδὲ σφοδρὸν ἀπείρία τῶν πάντων οὐδὲ μέγιστον κακὸν, ἀλλ’ ἡ πολυπείρία καὶ πολυμαθία μετὰ κακῆς ἀγωγῆς γίγνεται πάλυ τούτων μίζων ζημία.’ *De Legibus*, vii. p. 62, ed. Bekker.

He valued books, but he valued action more. Few men have been so erudite, no man held erudition more cheaply. Nothing in his writings betrays that he ever thought of pandering either to morbid sensibility or irrational enthusiasm. Of how many German authors can this be said? If there be any German writer, communion with whom may be beneficial to Englishmen, that writer is Lessing;—not simply because he is one of the greatest of Germans, but because his greatness is of that kind which Englishmen best appreciate. He belongs, moreover, to that class of authors whose value consists in what they suggest or inspire more than in what they teach. The influence such men exercise, is indirect, but effective; and, consequently, the admiration they inspire is not always borne out by their works. If, therefore, in the course of this article, we use language which may appear too laudatory to those acquainted only with some of Lessing's works, our justification is, that our admiration is founded on an estimate of the entire man; and that we look at his works with reference to the time at which they were produced, and to the spirit pervading them.

Gottlob Ephraim Lessing was born at Cammenz in Pomerania, on the 22d July 1729. His father, a learned and pious clergyman, was a great admirer of artists and literary men, and very anxious to assemble them round him. The education of young Lessing early received a literary tinge. His progress in the classics gave great promise of future excellence; in consequence of which, he was sent to the University of Leipsig to study theology. It there became evident that the impetuous roystering youth was ill fitted for the sober studies and the grave deportment of a theological student. He was oftener seen with players and demireps than with grave professors. Arm-in-arm with his friend Mylius, whose disordered dress was significant of his loose disreputable life, did Lessing recklessly parade the streets of Leipsig. He tells us that he arrived at Leipsig fully persuaded that books were the most important things in the world; but he soon found they were only a fraction, and a small fraction, of what he had to study. He went out into the world to study it. He there became aware of his rustic manners, and grew ashamed of his provincial awkwardness. He learned fencing, riding, and dancing; perfected himself in French; began Italian and English. In a few months he had changed from a rustic boy into an accomplished cavalier. How much of this was due to the actresses, who doated on him, we cannot say. He relinquished theology, and devoted himself to medicine; but growing tired of that also, he obeyed his natural calling, and took to literature and philosophy. His passion

for the stage, which began early with the study of Plautus, was inflamed by his passion for Madame Neuberin, the principal actress of the Leipzig theatre. He gave himself up to the fascinations of the stage. He was the life and soul of the green-room ; tutored the actors, recommended plays, and wrote some himself. Gay, confident, good-humoured, and instructed, he was an universal favourite with the actors ; for he added great animal spirits and brilliant wit to extensive information and classical taste. He liked the reckless, improvident, but exciting life of the players ; he was charmed by the ease of their manners, and the sort of *prestige* attached to their art. His father heard of his way of life, and of his having written plays. He was shocked and irritated, wrote angrily to him, abused the stage ‘in good set terms,’ and endeavoured to prove that a playwright could not be a Christian. Their correspondence is curious, as showing the obstinate bigotry of the father, and the courteous obstinacy of the son. The father refusing to support his son, unless he resumed his theological studies ; the son sorry to be compelled to dispute his father’s wishes and judgment, but resolved to shift for himself rather than relinquish the objects of his ambition.

This was the starting-point of his career. He undertook to earn for himself a subsistence by his pen ; at all times a precarious undertaking, in those times a hopeless one. But he had the true spirit of independence ; he was no slave to his desires. Poverty was an evil, but it was endurable ; it was even preferable to a luxurious hypocrisy. He says, gaily enough, in one of his letters, ‘I have made such arrangements with booksellers, as will enable me to live comfortably through the winter in Berlin. I call comfort that which another would call penury. But what does it matter to me whether I have plenty or not, so that I live ? As to my meals, I have no sort of anxiety about them. I can procure a hearty meal for 1 groschen 6 pfennige,’ (three-halfpence.) This was no bravado. He gained his livelihood by translating, and by occasionally writing articles for periodical publications, the payment for which was miserable. It was a hard struggle for him even to gain bread ; but he did gain it, and was light-hearted.

His whole life was a combat,—at one time against poverty—at another, against pedantry and folly. He had to fight for bread, and to fight for truth. The object of his life was to create a National Literature ; and he created it. But he could only have achieved this by indomitable courage and activity, joined to many and rare abilities. He was made for a great polemic. The restless activity which urged him into all depart-

ments of literature, was accompanied by a rare acuteness in detecting every symptom of weakness, and every means of cure. He was aggressive, impetuous, but not destructive; for he never destroyed without at the same time erecting something better in the place of that which he demolished. His wit was inexhaustible—his erudition unfailing—his logic unfaltering—his style excellent. No polemic, except perhaps our Bentley, ever rivalled Lessing; and Bentley's field was extremely narrow in comparison; for Lessing carried his triumphant arms into the domains of philosophy, religion, the drama, and art in general, no less than into antiquity. All species of polemical warfare were welcome to him; for he succeeded in all. He was never at a loss for weapons, nor for skill to use them. He was the first German who gave to German literature its national tendencies and physiognomy. Klopstock had made it English. Wieland had made it French. Lessing made it German. With a daring hand, this iconoclast smote down the foreign idols from their pedestals, and, with a rarer talent, pointed out the way by which national idols might be formed.

The quality that most strikes the reader of Lessing, after his polemical tendency, is clearness. His intellect impresses you as being essentially clear, strong, direct. There is nothing mystical, vapoury, or affected about him. His clearness is seen in his taste, no less than in his diction. He had no tolerance for obscure, shadowy grandeur. When all Germany was mad about Ossian, whom they ranked higher even than Homer, Lessing continued to proclaim the inexhaustible wealth of Homer, and had nothing but contempt for Ossian. He first saw the greatness of Shakspeare. He preferred Sophocles to Æschylus and Euripides; Racine to Corneille. But although he scouted mysticism, and very properly appealed to Greek simplicity, he was not so simple as to suppose that every kind of simplicity was either Greek or admirable. His distinction was characteristic. 'It is the property of Greek simplicity,' says he, 'to be free from *superfluities*; but it is assuredly no property of it to be in want of any *necessary* part.'

It was owing to this clearness that he fell into none of his countrymen's mistakes of confounding the means with the end. Thus his very erudition was practical, and all turned to practical purposes: immense as it was, it was all fruitful. His mind was a storehouse of knowledge, wherein each subject had its fit compartment; not a lumber-room, wherein all things were huddled together, without method and without purpose. His was not the erudition of foot-notes, that cheapest of all displays, in which a man quotes every book he reads, though far from having read

every book he quotes. Lessing was one of the few Germans who did not read for reading's sake. In consequence of which, he never opened a book without finding something others had overlooked. As Glauber found a valuable salt in that which had been always thrown away, so did Lessing extract matter from the dullest book he took up.

The clearness of Lessing's mind is best seen in his style. To us it is very significant that German authors should have had so excellent a model, and nevertheless have written so heavily. Lessing's excellence has always been admitted, but it has not been imitated. The result has been, that (allowing for one or two great writers) German literature is, in respect of style, the most objectionable of any in Europe. With a model like Lessing, whose sentences are brief, pregnant, colloquial, and direct—admitting of no doubt as to meaning, yet eschewing all superfluous words—the Germans, with few exceptions, produce nothing but long lumbering sentences; the copiousness serving to darken, not to illustrate. Lessing's style we, on the whole, regard as the finest that has been written in Germany. It is superior, we think, to Göthe's, in being more colloquial, more vivacious, and more impetuous. There is that in Göthe's prose which betrays the care bestowed on it; though very beautiful, transparent, and harmonious, it wants somewhat of the freshness, and a great deal of the impetuosity of Lessing's. Schiller, again, writes with considerable power, and with care; but he wants precision and vivacity.

As a poet, Lessing has very slight pretensions; yet it is but justice to add, that no one ever held those pretensions more cheaply than he did himself. There is a passage in his *Dramaturgie* more truly modest, more honestly self-criticizing, than any thing of the sort in any other author we have met with. 'I am neither a dramatist nor a poet,' said he. 'It is true that people often do me the honour to account me the latter. But this is simply because they do not know me. From the few dramatic attempts that I have made, so flattering a conclusion must not be drawn. It is not every one who takes a brush, and daubs colours on a canvass, that can be called a painter. The earliest of those, my attempts, were written at that period of my life when facility is so readily mistaken for genius. And whatever is tolerable in my later attempt is, I am perfectly certain, owing entirely to my critical judgment. I do not feel within me the living fountains bubbling upwards by their own force, and by their own force gushing out in pure, fresh, and sparkling streams: I am forced to pump out every thing. I should be so poor, so cold, and so short-sighted! had I not fortunately

‘learned modestly to borrow the treasures of others, to warm myself by the fire of others, and to strengthen my eyesight by using the critical glasses of art. I am therefore always vexed and ashamed when I hear or read any thing against criticism. It is said to stifle genius; and I flattered myself to have obtained something from it which comes very near genius. I am one of the lame, and cannot consent to hear crutches vilified.’ This confession is to be received with some qualification. True, he was not a poet. He wanted the finer, subtler feelings, and the keen sensibility of the poetical temperament—qualities which cause that strange inter-penetration of thought and emotion justly considered the primary condition of all genuine poetry. He knew this well, and said so. He knew that in literature, many, as Plato says, bear the Thyrsus, but few are inspired by the God—‘*ναρθηκοφόροι μὲν πολλοί, βακχοί δὲ τε παῦροι*’; and he was not one of the few. In as far, then, as the poet is necessary to the dramatist, Lessing was not a dramatist. In as far as knowledge of life, character, and passion, joined to a knowledge of the drama as an art, could make him a dramatist, he was one. If he did not attain that exalted station to which his young ambition once aspired—if he did not become the German Molière—if he could not rank himself beside the great Dramatists—he unquestionably deserves a place beside those second only to the great poets. He was the first to give the Germans a national drama. His plays became national idols; and have survived nearly a century of changes without much diminution of favour. They owe their success to sterling character, and admirable construction; which, after all, are the primary requisites of the acting drama. Of fancy there is none; of imagination but little; and that little not of the high poetical kind. His plays are all, except *Nathan der Weise*, written in prose—inimitable prose. *Nathan* is written in blank verse; but is not the more poetical on that account.

Amongst the *Gedichte* which occupy the first volume of his works, few, except the epigrams, are now read, and few deserve to be read. Perhaps the best of all is that which is strangely enough printed amongst the epigrams, beginning *Ein rundes, tolles, nettes Ding*, which has great vivacity and concision. Of the hundred and sixty epigrams there collected, not more than half are good; a few are perfect. Martial is his great model, and many of his epigrams are but translations from the Roman poet. These are admirably rendered. For example—

‘Bellus homo et magnus vis idem, Cotta, videri;
Sed quis bellus homo est, ille pusillus homo est.’

Thus translated—

‘Gross willst du und auch artig seyn ?
Marull was artig ist, ist klein.’

One of the wittiest and neatest of Lessing’s epigrams is th
impromptu epitaph on a man in a gibbet :

‘Hier ruht er, wenn der Wind nicht weht.’
(He rests in peace, when the wind doth cease.)

This is his only monostich ; and it is not published in his
works. We are indebted to Dr Mohnike for its republication.
(*Lessingiana*, p. 133.)* Our readers will be glad to have a few
specimens of Lessing’s talent in epigram ; and for those who do
not read German, we shall venture to subjoin versions of our own,
claiming for them every indulgence.

I.

‘Ein einzig böses Weib lebt höchstens in der Welt :
Nur schlimm, dass jeder seins für dieses einz’ge hält.’
‘There is but one bad woman !’——With a groan
Each man assents, and thinks that one his own.

II.

‘Es hat der Schuster Franz zum Dichter sich entzückt
Was er als Schuster that, das thut er noch : er flickt.’
John Smith forsakes his awl and last,
For literary squabbles.
Styles himself Poet ; but his trade
Remains the same : he cobbles !

III.

‘Nur Neues liebest du ? nur Neues willst du machen ?
Du bist, mein guter Wesp, sehr neu in alten Sachen.’
You only care for novelty in what you write, I’m told !
You only are, my worthy friend, very new in what is old.

IV.

‘Verse, wie sie Bassus schreibt,
Werden unvergänglich bleiben :
Weil dergleichen Zeug zu schreiben
Stets ein Stümper übrig bleibt.’

* The rarity of monostichs is owing to the difficulty of compressing
into one line all the circumstances necessary for the explanation of the
joke, and the joke itself. Martial has about half a dozen, all admirable.
Here are two :—

‘Omnia, Castor, emis : sic fiet, ut omnia vendas.

And

‘Pauper videri vult Cinna, *et est pauper*.

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2 H

That poems *such* as thine can die,
 My credence quite surpasses.
 There ne'er can be a lack of men
 To 'write themselves down asses.'

V.

'Kaum seh ich den Donner die Himmel umziehen,
 So flieh ich zum Keller hinein.
 Was meint ihr? ich suchte den Donner zu fliehen?
 Ihr irrt euch; ich suche den Wein.'

As soon as the thunder-clouds darken the sky
 Or summer sun ceases to shine,
 I fly—lock myself in the cellar—secure—
 'From the thunder?'—No; *with* the wine!

The critical reader, desirous of information, should not omit to consult Lessing's investigation as to the nature of the Epigram; and his remarks on Martial, Catullus, and the Anthology. It is one of those Essays which exhaust a subject—equally admirable for acuteness, judgment, and scholarship. He modestly entitles it 'Desultory Remarks;' but the desultory remarks of such a writer are sometimes more coherent and instructive than the elaborate treatises of others.

His Dramas should always be read with reference to the epoch at which they were produced. We do not say they are deficient in intrinsic excellence; but thinking that they do not quite equal their reputation, we are disposed to attribute some of their reputation to their having been the first efforts of a national drama. They have an interest as *Mémoires pour servir*. Thus *Der Freigeist*, one of the earliest, as a comedy, is heavy, ill-conceived, and feebly executed; but it is a curious indication of the spirit of the times. The hero, a freethinker, is a man of many virtues. The leaven amidst these good qualities, is his uncompromising antipathy to Priests. He rejects the friendship and kindness of Theophan; insults him, and suspects him, only because he is a Priest. How truly is a large portion of the eighteenth century reflected in this antipathy! The bigotry which philosophy opposed to the bigotry it reprobated—the fierce intolerance it displayed against the intolerance of others—the indiscriminating odium with which it covered all men bearing the name of Priest—are well represented by the 'Free-thinker,' as they were in reality by our own Shelley;—one of the kindest of men, and one of the most sympathizing, but also one of the most indiscriminating priest-haters. This prejudice is not yet quite extinct. It was perhaps never more ably discriminated than in that pregnant passage of Burke, where, after speaking

of the savage exultation with which the *philosophers* had ransacked the annals of history for instances of priestly oppression and fanatical persecution, he adds—‘After destroying all other genealogies and family distinctions, these writers invent a sort of pedigree of crime. It is not very just to chastise men for the offences of their natural ancestors; but to take the fiction of ancestry in a corporate succession, as a ground for punishing men who have no relation to guilty acts except in names and general descriptions, is a sort of refinement in injustice, belonging to the philosophy of this enlightened century.’—In the conception of *Der Freigeist*, there is a token of Lessing’s manly impartiality. Although a freethinker himself, he exposed the intolerance of freethinkers. He had no party spirit,—no sectarian prejudices. No one was ever so passionate in the search after truth, who was also so tolerant of the opinions of others.

If we have thus had occasion to notice Lessing’s exemption from the intolerance of the age, we have next also to note a similar exemption from its sentimentality. *Miss Sara Sampson* is a domestic tragedy of the Kotzebue school—a school to which Göthe and Schiller, in their early pieces *Stella* and *Kabale und Liebe*, gave the sanction of their names. It has a subject so tempting for sentimentality, that Lessing’s having escaped that temptation is really wonderful. It is not a good play; but it exhibits the developed skill of a dramatist in comparison with *Der Freigeist*. The plot is improbable, but admirably conducted, and exhibits some very interesting situations. There is little skill shown in the delineation of character. Marwood is a mere fury. Sara, though *naïve*, is somewhat commonplace. On the whole, it was a great play for the period; and elicited universal applause. It contains some expressions which fall oddly upon English ears,—such as ‘*grausame Lady!*’ and ‘*grossmüthige Miss!*’

Philotas was his next attempt. It is a tragedy (if it can be so called) in one act. Aridæus, a Grecian King, has taken prisoner Philotas, the son of his rival; his own son being also a prisoner in the rival’s camp. He proposed to Philotas an interchange. Philotas, remarking his absorbing love, and concluding that it would cause him to make any sacrifices for the sake of recovering his son, resolves to immolate himself for his country. He sends a message to his father, bidding him extort the object in dispute between the two countries, as the ransom of the son of Aridæus. He then kills himself to prevent his father’s exchanging the prince for him. The character of the impetuous Philotas, half-boy, half-hero, is finely, even delicately sketched. The other characters are commonplace. A great fault was com-

mitted in writing this play in prose, which is incompatible with so ideal a subject, and such exalted motives.

Minna von Barnhelm succeeded. Of all German comedies, this has our preference. In no other have we seen such pure dramatic presentation of character, and that character so unmistakably German. Major Tellheim is said to be a portrait of Lessing's admirable friend Kleist. It is handled with great skill; and although criticism might perhaps object to the Major's extreme sensitiveness, we have no doubt that even this was true to the life. The play is very amusing, except towards the close, where there is a little too much delay in bringing about a *dénouement* perfectly foreseen. Otherwise it is very animated. The dialogue is excellent—direct, rapid, and sparkling. The great charm of the piece is its German individuality. There you see the German character, not in what is most elevated, nor in what is fantastic and cloudy, but in its real strength;—its simplicity, honesty, warmth of feeling, and unaffected expression of feeling. Written whilst Lessing was with the army at Breslau, it breathes a generous spirit of admiration; and urges pointedly the justice of rewarding the brave defenders of 'Fatherland.' Its effect on the army was electrical; its effect on all Germany was, and continues to be, immense.

Emilia Galotti is generally ranked higher than *Minna*, but with very little justice. It is, doubtless, a remarkable production, full of purpose and interest, and always successful on the stage. The plot is constructed with skill; the characters selected and contrasted with fine discrimination, and drawn with clear, sharp outlines. But, in spite of these merits, there is something in the play which is not genial; there is a want of that indefinable charm which *Minna* possesses—a charm that makes all the difference between creative and constructive genius. *Minna von Barnhelm* is a genuine comedy; we cannot call *Emilia Galotti* a genuine tragedy. The free spirit of mirth, the easy evolution of character, the adequacy of motive, current through the one, have no counterparts in the other. It is not that *Emilia* is deficient in strongly conceived character, or true and sufficient motive; it is that the want of a passionate fusion of the various elements into a poetical whole, causes the impression to be marred. The play is critical, not poetical. Moreover, there is a radical error in the conception, which surprises us in so great a critic. He has selected the story of Virginius; but he has placed it in modern times, and made the scene a petty Italian Principedom. The story is essentially a Roman story: to transplant it to another land, is to make it no longer probable. That Virginius should slay his daughter to preserve her from slavery,

is intelligible, being a Roman ; but that Odoardo should slay his daughter, and that, too, at her own bidding, to save her from the peril of dishonour, seems neither credible nor within the range of our sympathy. No Christian daughter could bid her father do so. She might kill herself ; she would never bid her father stain his hands with her blood. In one word, the *dénouement* of *Emilia Galotti* does not, to us, seem justified by modern feelings.

In making these objections, we are far from meaning to imply that *Emilia Galotti* is an indifferent play ; it is only not a great one. Judging it according to the tragedies which figure on the German stage, it may, however, be called great ; so admirably are the characters presented. The weak, vacillating prince, eager to profit by the villanies of Marinelli, but not daring to face the consequences—prone to crime, but always throwing the blame of it on others—utterly unprincipled—destitute even of the energy to be consistently base—signing a death-warrant with the same levity as a *billet-doux*—may be pronounced so far one of the best creations of the drama. Almost as good, in its way, is the handling of that curious figure the Countess Orsina, with her mixture of frivolity and intensity, of voluptuousness and fiery passion. She is the prototype of Schiller's Julia, Princess Von Eboli, and Lady Milford ; but Schiller has fallen many degrees short of his model. Marinelli, the supple courtier and smooth-faced villain, is drawn with effect. Odoardo is a more ambitious, but less successful sketch.

Frederick Schlegel, in a very offensive critique in the *Charakteristiken*, abuses other critics for not having viewed Lessing 'in his totality ;' and, if we remember rightly, only furnishes a few fragmentary remarks himself. He there examines *Emilia Galotti*, and insists on ranking it as the finest production of its author. The result of his examination may be thus summed up : Lessing confessed that he was not a poet ; that he owed all to criticism ; but, as his criticism was narrow and imperfect, (*i. e.* was not founded on 'romantic principles,') so were his plays necessarily indifferent. The conceit of this Essay is most offensive. It is an indirect eulogy on the 'New School,' as it was called ;—the school, namely, which, disdaining Lessing's clear and positive knowledge of art as cold and ungenial, launched into those extravagances which it christened *Romanticism*. Lessing had no tendencies *that way* ; he was therefore pronounced an indifferent critic by the Romanticists. It is very true, he did not entertain any of their celebrated 'principles ;' he loved the light, and shunned the twilight. 'The bats pronounced the eagle blind !' He, the clearest of thinkers, whose constant aim was to define the boundaries of each art, who

demanded precision as a primary condition of all literature, could never have fallen into the rash generalizations and misty ambiguities of the romantic school. In general, it is very unfair to judge of a man's criticism by his own productions; but it is surely fair to judge of the comparative value of two opposite systems of criticism, when shown in two similar attempts; and we may therefore compare the *Emilia Galotti* of Lessing with the *Alarcos* of Schlegel. Lessing's play has defects, but it has great and positive merits: hence it keeps possession of the stage. Schlegel's play is utterly without character—ambitious and vague—a 'forcible feeble'—which has long since ceased to excite any curiosity whatever.

Nathan der Weise is a work which still excites the deepest admiration in Germany; in fact, if you mention Lessing to a German, the chances are, that he will at once refer to *Nathan* for a proof of his genius, as he would to the *Faust* of Göthe for a proof of his. *Nathan* has not been a favourite elsewhere; and this difference in judgment would show that the work had some charm peculiarly national. In the dearth of great poems, *Nathan* is doubtless ranked high; for, as the Spaniards say, *en regno de ciegos el tuerto es Rey* (in the land of the blind the one-eyed is King.) Perhaps also the nature of the subject, the fine and weighty *γυμνασι* scattered through it, the grand and beautiful spirit of tolerance which pervades it, may cause the Germans to forgive its want of poetry. It is undoubtedly a charming work; but not a fine poem. Its conception is philosophical, its execution epigrammatic and polemical. A. W. Schlegel, who always speaks of Lessing with quiet malice, says of *Nathan* that it 'is curious, as being the only drama not written for the stage; and therefore, being uninfluenced by his critical principles, is more conformable to the genuine rules of Art.' What those genuine rules are, we should be happy to learn: he does not explain; and how Lessing could have written any drama without being influenced by his critical principles, we are at a loss to conceive. We notice the passage as a specimen of what Boileau calls

. . . . médire avec art,
C'est avec respect enfoncer le poignard.

Lessing had avowed himself no poet, and made his critical principles the stronghold of his fame. Whereupon one of the Schlegels asserts that his plays have no poetry; another asserts that he only wrote well, when writing uninfluenced by his critical principles. One told him that he was lame; the other told him, that nevertheless he walked better without crutches.

Nathan der Weise is not a great poem; it is nevertheless a very

remarkable work, imbued with deep and generous feeling, and full of profound thought. It is a work that exercises a strong influence on the reader;—a work which, though polemical, is nevertheless so tolerant—because indeed it only contends for tolerance, and contends generously—that all classes, however diversified their opinions, must unite in admiration of it. The leading design is to inculcate tolerance of the opinions of others: not by destroying the groundwork of all belief—(which is too often the method of those who preach tolerance)—but by showing that all creeds, if sincere, and accompanied by benevolence, are to be honoured; because although each cannot be the true creed, yet each will, in that way, fulfil the object of all religion. This is the moral of that beautiful story of the three rings, which Lessing has taken from Boccaccio: this moral is further developed by the whole piece. The *dénouement*—where Recha and the Templar are discovered to be brother and sister, Saladin their uncle, and Nathan their spiritual father, the three families united into one family—is a type of the three religions, Christianity, Judaism, and Mahometanism, harmoniously united;—of unity of purpose, not excluding diversity of character.

This tolerance doubtless springs from a profound scepticism; but a scepticism which has nothing sneering or disparaging in it;—scepticism as to the possibility of man's ever attaining absolute truth; not scepticism as to the virtue of the endeavour. Truth can only be sought, not found; indeed, in a memorable passage, Lessing declares that if the choice were offered him, he should prefer the search after truth to the attainment of truth; *—thus, according to him, the *aims* of action are but the fitting *stimulants* to action, and not otherwise very desirable. In the search of truth he spent his life. In *Nathan* he teaches us to do the same. Believe sincerely and act uprightly, then no creed will be foolishness. Such was his belief. Connected with this idea, there is another equally needful to be adverted to—we mean the independence of morality on religion. In many passages has Lessing enforced this; in none more openly than in the following:—

‘Go; but remember
How easier far devout enthusiasm is
Than a good action; and how willingly
Our indolence takes up with pious rapture,
Though at the time unconscious of its end,
Only to save the toil of useful deeds.’ †

* Plato, in his dialogue of the *Rivals*—if it be his—seems to have entertained a similar idea. See p. 134.

† *Nathan the Wise*; translated by W. Taylor.

The character of Nathan himself, is by critics considered a masterpiece. He certainly rivets attention, and retains our sympathies. He is a fine philosophical figure, whose wisdom and tolerance endow him with a dignity which strongly impresses the reader. But it seems to us that there is a fundamental error in the conception. Nathan is meant for a Jew, he is always called a Jew, but he is only a Jew in name. His sentiments and his religion are not those of a Jew; it was therefore worse than superfluous to give him the name. For let us distinctly understand Lessing's object. Toleration was to be taught. Christian intolerance was to be shamed by contrast with Judaic tolerance. The force of the contrast was artistically conceived, but it was in a great degree obliterated by the conception of Nathan's character; because, by that conception, he was exalted from out the sphere of Judaism, into that of Philosophy. If Nathan has none of the bigotry of his race, he cannot be a perfect type of that race. If he can regard Christianity with forbearance, he is no longer a Jew; and if he is no longer a Jew, the lesson meant to be conveyed is rendered inept. All know that Philosophy can be tolerant. Lessing is constantly applauded for having chosen a representative of the most exclusive and fiercely bigoted of all races, as the exemplar of tolerance; but this is surely either inconsistent or erroneous. Nathan is an exemplar of tolerance; but assuredly his tolerance is not that of a Jew. He would be denounced on all sides by his race; he would be hated by them as a heretic. The very qualities which make him fit to teach intolerant Christians a lesson, are those which separate him from the Jews. That which is great in Nathan, is not Jewish; it has grown up in his large soul in spite of Judaism. We are quite aware that Lessing is said to have copied his Nathan from Spinoza and Moses Mendelssohn; but we are also aware that, in respect of mental characteristics, no two men could with less propriety be styled Jews. Lessing's contrast, therefore, is not a new one; it is the old antagonism of philosophy and bigotry.

It is curious to turn from the calm and far-reaching tolerance of *Nathan der Weise*, to the impetuous onset upon existing tastes in the *Hamburgische Dramaturgie*—the work which, of all critical works ever published, perhaps achieved the most instantaneous victory. It is difficult to appreciate the 'sensation' this work caused, now that its fundamental ideas have been long popularised in all shapes. But on a slight examination of the state of public opinion at the time that Lessing wrote, the importance of his views will only appear equalled by their audacity. The German stage willingly, servilely, submitted to the yoke of France. Voltaire was not only

the favourite of Frederick, he was the Dictator of literature. His tragedies were thought perfect. *Zaire* was 'dictated by love itself.' *Semiramis* was the consummation of tragic taste—the highest flight of dramatic imagination. Voltaire's reign was undisputed. But at length a critic, with as much wit as audacity, and more sound judgment than wit or courage, raised his potent voice. With an eye to see, and courage to proclaim what he saw, Lessing undertook to examine the *chefs-d'œuvre* of the French stage. Great was the astonishment of the 'prince of wits,' the 'great master 'of ridicule,' to find himself the object of ridicule as sharp and cutting as his own. Great was the astonishment of the public. 'It is pleasant to introduce Herr Voltaire to the reader,' said his critic: 'there is always something to be learned from 'him, if not from what he says, then from what he should have 'said. I know of no writer from whom one could better ascertain whether one has reached the first stage of wisdom—*falsa 'intelligere*—as from Voltaire; but also of no writer from whom 'one could gain so little assistance in attaining the second stage, '*vera cognoscere*.' In this strain did he banter the great Poet; but the bantering was the smallest part of his polemics. Perhaps no man, except the late admirable and excellent Sydney Smith, ever bantered so much, who did not confine himself merely to banter. With him it was nothing but the pleasantry of argument; never did it stand in place of argument. The grand tragedy of *Semiramis* did not escape his searching criticism; he stripped it of its tinsel of mock grandeur, and exposed it to the derision of all Germany. Voltaire had imitated Shakspeare in this play; at least he said so. Lessing took him at his word,—contrasted Shakspeare's ghost with that of Voltaire; demonstrated the perfect artistic propriety of the one, and the absurdity of the other; and thus not only shattered the credit of Voltaire, but turned the eyes of his countrymen towards Shakspeare—a boon they are thankful for. In the same spirit he contrasted *Othello* with *Zaire*; and the *Merope* of Maffei with the *Merope* of Voltaire. The victory was triumphant. Lessing hit hard blows, and they fell where his antagonist was weakest. How different from the attack of Voltaire upon Shakspeare! Lessing's criticism was not only witty, but destructive. Voltaire's might indeed excite a laugh, but would not stand an examination. Lessing did not confine himself to Voltaire; Corneille was also his object. *Rodogune*, which was then held to be the masterpiece of its author, was mercilessly handled. By rigid logic, and cutting ridicule, did Lessing show his countrymen that *Rodogune* was not only many degrees from a masterpiece, but was a most pernicious model. From that day the reign of French taste ended.

The *Dramaturgie* has long fulfilled its object, and almost outlived its interest. To the English reader there can be no interest in wading through critiques on German plays, and German actors no longer known; nor can there be much attraction in witnessing the assault upon a tragic system which no living Englishman would pronounce a model. For our own parts we think Lessing unjustly severe on the French poets; and not at all willing to admit their peculiar merits. The critic, however, cannot glance over the *Dramaturgie* without profit; and scholars no less than critics will do well to read his discussion of Aristotle's definition of Tragedy.

Perhaps the characteristics of Lessing's mind are nowhere more distinctly visible than in his treatise on the *Laokoon*. The clearness and the directness of the style, are qualities so rare in such works, that one is apt to think lightly of its ideas; a journey, so easily performed, does not seem difficult; ideas, so easily grasped, seem obvious. But, on closing the book, if you compare the state of your opinions on art with those entertained previous to the perusal, you will be able to estimate its value. We have heard very eminent men declare, that it taught them more about art than all the other works they had read upon the subject put together. It is a book essentially instructive. The admirable analytical sagacity with which the boundaries of each art are distinguished, opens a vast field of criticism. The clear and piercing glance thrown upon the fog and vapour of critical prejudice, has the aid of keen wit and apposite learning in the demolition of grave absurdities. The book is made up of digressions; and yet these digressions are so well planned as to form constituent parts. He tacks away from the port, only to fill his sails with wind. He gains the summit of a mountain by winding round it, where direct ascent would be impracticable.

There is another little treatise which may be read in conjunction with the *Laokoon*, entitled *Wie die Alten den Tod gebildet*. It contains much curious matter, and satisfactorily establishes the fact of death never having been represented as a skeleton by the ancients: whenever a skeleton is represented, it means a larva, not death. Death was held to be the brother of sleep; and, like sleep, was depicted with wings, the feet crossed. He held a torch reversed, and a chaplet of flowers. He was always a young man. It is a mistake to suppose that all young figures with wings meant Cupids. There is a great deal of discussion, philological and critical, in this Essay; but Lessing had, above all men, the art of making such discussions amusing. Moreover, he has enlivened it with vivacious polemics. But as a specimen of how he handled an adversary, his *Vade Mecum*

für den Herrn Lange should be consulted. Herr Lange, a poet of some celebrity in those days, had translated Horace. Lessing criticized this translation in a letter to a friend. The letter got into the Newspapers. Lange, furious, replied in a fiery pamphlet, accusing Lessing of ignorance, of misrepresentation, of envy, of malice. Lessing was not the man to let such an opportunity slip. He dearly loved 'a taste of fighting.' It was wine to him. He replied in this *Vade Mecum*—a remarkable specimen of acute criticism, minute scholarship, and galling banter. While thus with Horace, the reader will do well to give his attention to the *Rettungen des Horaz*. In this Essay, Lessing undertakes to clear Horace from the charges of cowardice and licentiousness. It is paradoxical, but ingenious; and exhibits his usual amazing power of bringing remote passages to bear upon his argument. The same quality is visible in his *Life of Sophocles*; which still remains the best biography of that poet.

There is a peculiarity in these, which distinguishes them from all similar works. We allude to the supreme contempt of their learned author for learning. He, of whom it was said that he had read every thing worth reading, who knew every edition of the classics, and every modern work relating to them, was as completely independent of the trammels of authority, and of the prejudices of a book-devourer, as the most confident of unlettered thinkers. If he cites 'authorities,' it is merely to oppose them to the 'authorities' of some pedant whom he is chastising: willing as he is to meet an antagonist on any ground, and with any weapons, he escapes the reproach of inconsiderate levity, by showing that he is as familiar with texts and commentaries as any professor, without also being a slave to them.

The *Wolfenbüttel Fragments* made a great noise at the time; but the interest has now almost entirely passed away. Lessing's share in the controversy was valiantly and honourably borne. Those who wish to study the art of 'controversy,' as Gibbon studied it in Pascal, may do so in this portion of Lessing's writings;—no one else will find them palatable. The *Education of the Human Race* has had the very questionable honour of having been translated and adopted by the St Simonians, and by *les Humanitaires*; but in a sense which Lessing himself would have strongly repelled. Indeed, it is worthy of remark, that with so logical a mind, and with such strong philosophical tendencies, Lessing never gave himself up to what the Germans call *Metaphysics*. Many a worthy German has deplored that he did not give the world his solution of the problem of *Seyn und Denken*, and did not venture on the apodictic certainty of the absolute! To us this is but one of the many evidences of his clear

and practical mind. He was fond of speculation; but speculation about subjects unintelligible or beyond the reach of human cognizance, was too frivolous for him. Until his countrymen learn to think with him on this subject, they will never be able to imitate the good example he set them.

We shall here close this brief and rapid sketch of the characteristics of German Literature, and more particularly of the very eminent German writer before us. For dissent we are at all times prepared, but we have here, we suspect, to fear that our opinions may occasionally give offence, by us far from intended; for we have no interest, near or remote, in the subject, but that of truth and free enquiry; and we readily give up these opinions to be canvassed with the same freedom we have used in detailing them.

ART. VII.—*Dashes at Life with a Free Pencil*. By N. P. F. WILLIS. 3 vols. 8vo. London: 1845.

WHATEVER doubt or surprise the details and extracts with which we are about to amuse our readers, may seem to attach to the fact, we beg to assure those of them who do not already know it, that Mr Willis has actually written some rather clever books, occasionally marked by traits of genius. But, with respect to the present publication, we confess we have been frequently at a loss to judge whether his narratives were intended to be taken as serious, or only jocular—as what he himself believed to be truths, or intended only as amusing fancies. True, he writes, as he tells us, with ‘a free pencil;’ but it also is true that he writes as if he wished his readers to think that he is perfectly in earnest; that he speaks in his own proper person, and reveals his own adventures, or what he appears to wish to be taken as such; and we therefore feel it to be quite fair—indeed that we are bound—to take him at his word, and to deal with him accordingly.

The history of these ‘*Dashes at Life*,’ which some of our contemporaries have much extolled, is thus modestly given in the preface:—‘Like the sculptor who made toys of the ‘fragments of his *unsaleable Jupiter*, the author, in the following collection of brief tales, gives material, that, but for a single objection, would have been moulded into works of larger design. That objection is the unmarketableness of American books in America, owing to our (Mr Willis is an American) defective

'law of copyright.' And he proceeds to show, with pathetic accuracy, that as an American publisher can get all English books for nothing, he will not throw away his money on American writers: hence the only chance of a livelihood for the latter, is to contribute to periodical literature, and to transport works of bulk and merit to the English market.

So, after all, if a few authors and publishers grumble at piracy, the public gains. But for the pirates of New York and Boston, we should never have had Mr Willis's '*Dashes*.' And though the genius which might have perfected the Jupiter, has been thus partly balked—though Mr Willis has been forced to fritter away his marble and intellect in a commerce of toys; still the fragmented Jupiter has, with the frieze of the Parthenon, found an appropriate locality in the capital of the world.

But, to proceed with the history, we may state that it was Mr Willis's intention to work up some of these sketches into substantive Novels, but for the unsatisfactory state of the market for that commodity; and there can be no sort of doubt, that the genius which conceived, might have enlarged the '*Dashes*' to any size. In the first half of these volumes, there are some twenty tales illustrative of English and Continental life—true copies, Mr Willis states, of what he had seen there; and most of them of so strange and diverting a nature, that a man of genius might have made many scores of volumes out of the adventures recorded in only a few hundreds of these duodecimo pages. The Americans, by their piratical system, have robbed themselves of *that* pleasure; and the Union might have had a novelist as prolific as M. Dumas or Mr James, had it possessed the common generosity to pay him.

The European, as contradistinguished from the American views of society, we take to be by far the most notable of the '*Dashes*.' The judgment of foreigners has been called, by a happy blunder of logic, that of contemporary posterity. In Mr Willis we have 'a republican visiting a monarchical country for the first time, traversing the barrier of different ranks with a stranger's privilege, and curious to know how nature's nobility holds its own against nobility by inheritance, and how heart and judgment were modified in their action by the thin air at the summit of refinement.' That Mr Willis, in this exalted sphere, should have got on in a manner satisfactory to himself, is no wonder. Don Christopher Sly conducted himself, we all remember, with perfect ease in the Ducal chair. Another personage of somewhat humble rank in life, was, as we also know, quite at home at the court of Queen Titania, and inspired her Majesty with a remarkable passion. So also our republican

stranger appears to have been equally at his ease, when he appeared for the first time in European aristocratical society.

The great characteristic of high society in England, Mr Willis assures us, is admiration of literary talent. 'At the summit of 'refinement,' a natural nobleman, or a popular writer for the Magazines, is in all respects the equal of a Duke. As some captain of Free Lances of former days, elbowed his way through royal palaces, with the eyes of all womankind after him—so in the present time a man, by being a famous *Free Pencil*, may achieve a similar distinction. Of such a champion, the ladies don't say as in the times of the Free Lances, he fought at Hohenbeon or Pavia, but that he wrote that charming poem in *Colburn*, that famous article in *Blackwood*. Before that title to fame, all aristocratic heads bow down. The ladies do not care for rank, or marry for wealth—they only worship genius!

This truly surprising truth forms the text of almost every one of Mr Willis's 'Dashes' at English and Continental life. The heroes of the tales are all more or less alike—all 'Free Pencils.' Sometimes the tales are related in the first person, as befalling our American; sometimes a flimsy third person veils the author, but you can't but see that it is Caesar who is writing his own British or Gallic victories, for the 'Free Pencil,' always conquers. Duchesses pine for his love; modest virgins go into consumptions and die for him; old grandmothers of sixty forget their families and propriety, and fall on the neck of this 'Free Pencil.' If this be true, it is wonderful; if it is fiction, it is more wonderful still, that all a man's delusions should take this queer turn—that Alnaschar should be *always* courting the Vizier's daughter—courting! what do we say? it is the woe-worn creature who is always at Alnaschar's feet, and he (in his vision) who is kicking her.

The first of the pictures of London life is called 'Leaves from the Heart-book of Ernest Clay.' This, but for the unfavourable circumstances before alluded to, was to have been a novel of three volumes; and indeed it would have been hard to crowd such a hero's amours into a few chapters. Ernest is a great 'Free Pencil,' with whom Jules Janin himself (that famous chieftain of the French 'Free Pencils,' who translated Sterne, confessing that he did not know a word of English, and 'did' his own wedding-day in a *feuilleton* of the *Journal des Débats*) can scarcely compare. The 'Heart-book' opens in Ernest's lodgings, 'in a 'second floor front, No. —, South Audley Street, Grosvenor 'Square,' where Ernest is writing, before a three-halfpenny inkstand, an article for the next *New Monthly Magazine*. It was two o'clock, and the author was at breakfast—and to show what

a killing man of the world poor Ernest was, his biographer tells us, that—

‘On the top of a small leather portmanteau, *near by*, (the three-half-penny inkstand, the like of which you may buy “in most small shops in Soho,”) stood two pair of varnished-leather boots of a sumptuous expensiveness, slender, elegant, and without spot, except *the leaf of a crushed orange blossom clinging to one of the heels*. The boots and the inkstand were tolerable exponents of his (the fashionable author’s) two opposite but closely woven existences.’

A printer’s Devil comes to him for his Tale, and as the man of genius has not written a word of it, he begins to indite a letter to the publisher, which we print with what took place subsequently; that the public may be made acquainted with the habits of ‘Free Pencils’ in composition.

‘He had seized his pen and commenced:—

“Dear Sir,—The tale of this month will be called ____.” As it was not yet conceived, he found a difficulty in baptizing it. His eyebrows descended like the bars of a knight’s visor; his mouth, which had expressed only lassitude and melancholy, shut close, and curved downward, and he sat for some minutes dipping his pen in the ink, and at each dip adding a new shoal to the banks of the inky Azores.

‘A long sigh of relief, and an expansion of every line of his face into a look of brightening thought, gave token presently that the incubation had been successful. The gilded note-paper was pushed aside, a broad and fair sheet of “foreign post” was hastily drawn from his blotting-book, and forgetful alike of the *unachieved cup of tea* (!) and the waiting “devil” of Marlborough Street, the felicitous author dashed the first magic word on mid-page, and without title or motto, traced rapidly line after line, his face clearing of lassitude, and his eyes of their troubled langnor, as the erasures became fewer, and his punctuations further between.

“Any answer to the note, sir?” said the maid-servant, who had entered unnoticed, and stood close at his elbow, wondering at the flying velocity of his pen.

‘He was at the bottom of the fourth page, and in the middle of a sentence. Handing the wet and blotted sheet to the servant, with an order for the messenger to call the following morning for the remainder, he threw down his pen and abandoned himself to the most delicious of an author’s pleasures—*revery in the mood of composition*. He forgot *work*. Work is to put such reveries into words. His imagination flew on like a horse without his rider—gloriously and exultingly, but to no goal. The very waste made his indolence sweeter—the very nearness of his task brightened his imaginative idleness. The ink dried upon his pen. Some capricious association soon drew back his thoughts to himself. His eye dulled. His lips resumed their mingled expression of pride and voluptuousness. He started to find himself idle, remembered that he had left off the sheet with a broken sentence, without retaining even the concluding word, and with a sigh more of relief than vexation, he drew on his boots. Presto!—the world of which his penny-

halfpenny inkstand was the immortal centre—the world of heaven-born imagination—melted from about him! He stood in patent leather, human, handsome, and liable to debt!

‘And thus fugitive and easy of decoy; thus compulsory, irresolute, and brief, is the unchastised toil of genius—the earning of “the fancy-bread” of poets!’

‘It would be hard if a man who has “made himself a name,” (beside being paternally christened,) should want one in a story—so, if you please, I will name my hero in the next sentence. Ernest Clay was dressed to walk to Marlborough Street to apply for his “guinea a page” in advance, and find out the concluding word of his MS., when there was heard a footman’s rap at the street door. The baker on the ground-floor ran to pick up his penny loaves jarred from the shelves by the tremendous rat-a-tat-tat, and the maid ran herself out of her shoes to inform Mr Clay that Lady Mildred—wished to speak with him. Neither maid nor baker were displeased at being put to inconvenience, nor was the baker’s hysterical mother disposed to murmur at the outrageous clatter which shattered her nerves for a week. There is a spell to a Londoner in a coroneted carriage which changes the noise and the impudence of the unwhipped varlets who ride behind it into music and condescension.

‘“You were going out,” said Lady Mildred, “can I take you any where?”

‘“You can *take* me,” said Clay, spreading out his hands in an attitude of surrender, “when and where you please; but I was going to my publisher’s.”

‘The chariot steps rattled down, and his foot was on the crimson carpet, when a plain family-carriage suddenly turned out of Grosvenor Square, and pulled up as near his own door as the obstruction permitted.’—

Both the carriages, the coroneted chariot and the plain coach ‘out of Grosvenor Square,’ contain ladies who are wildly in love with the celebrated writer for the *Magazines*. He is smitten by the chariot; he has offered marriage to the family coach; which of the two vehicles shall carry him off? The rival owners appear in presence, (at Mrs Rothschild’s ball!) and after a slight contest between vice and virtue, the well-principled young man of genius finishes the evening by running away with the coronet to a beautiful retreat in Devonshire, leaving his bride-elect to wear the willow. This may be considered as Volume I. of the ‘Heart-book.’ Who would not be interested in reading the secrets of such a heart—who would not pardon its poetic vagaries?

In Volume II. the ‘Free Pencil,’ seeing in the newspapers the marriage of an old flame, merely in joke writes the lady a letter so thrilling, tender, and impassioned, that she awakens for the first time to a sense of her exquisite beauty, and becomes a coquette for ever after. The ‘Free Pencil’ meets with

her at Naples; is there kissed by her in public; crowned by her hand, and proclaimed by her beautiful lips the prince of poets; and as the lady is married, he, as a matter of ordinary gallantry, of course wishes to push his advantages further. But here (and almost for the only time) he is altogether checked in his advances, and made to see that the sovereign power of beauty is even paramount to that of 'free penciling' in the genteel world. By way of episode, a story is introduced of a young woman who dies of love for the poet, (having met him at several balls in London.) He consoles her by marrying her on her death-bed. In Volume III., the Free Pencil recovers his first love, whom he left behind in the shawl-room at Mrs Rothschild's Ball, and who has been pining and waiting for him ever since. The constancy of the beautiful young creature is rewarded, and she becomes the wife of the highly-gifted young man.

Such briefly is the plot of a tale, purporting to be drawn from English life and manners; and wondering readers may judge how like the portrait is to the original; how faithfully the habits of our society are here depicted; how Magazine writers are the rulers of fashion in England; how maids, wives, and widows, are never tired of running away with them. But who can appreciate the powers of description adorning this likely story; or the high-toned benevolence and morality with which the author invests his hero? These points can only be judged of by a perusal of the book itself. Then, indeed, will new beauties arise to the reader's perception. As, in *St Peter's*, you do not at first appreciate the beautiful details, so it is with Mr Willis's masterpiece. But let us, for present recreation, make one or two brief extracts—

A Lady arriving at a tea-party.—'Quietly, but with a step as elastic as the nod of a water-lily, Lady Mildred glided into the room, and the high tones and unharmonized voices of the different groups suddenly ceased, and were succeeded by a low and sustained murmur of admiration. A white dress of faultless freshness of fold, a snowy turban, from which hung on either temple a cluster of crimson camellias still wet with the night-dew; long raven curls of undisturbed grace falling on shoulders of *that undescrivable and dewy coolness which follows a morning bath (!)* giving the *skin* the texture and the opaque whiteness of the lily; lips and *skin* redolent of the repose and purity, and the downcast but wakeful eye so expressive of recent solitude, and so peculiar to one who has not spoken since she slept—these were attractions which, in contrast with the paled glories around, elevated Lady Mildred at once into the predominant star of the night.'

What a discovery regarding the qualities of the 'morning bath'—how *naïvely* does the 'nobleman of nature' recommend the use of that rare cosmetic! Here follows a description of the triumphs of a 'Free Penciller':—

—‘We are in one of the most fashionable houses in May Fair . . . On the heels of Ernest, and named with the next breath of the menial’s lips, came the bearer of a title laden with the emblazoned honours of descent. Had he entered a hall of statuary, he could not have been less regarded. All eyes were on the pale forehead and calm lips that had entered before him; and the blood of the warrior who made the name, and of the statesmen and nobles who had borne it, and the accumulated honour and renown of centuries of unsullied distinctions—all these concentrated glories in the midst of the most polished and discriminating circle on earth, paled before the lamp of yesterday, burning in the eye of genius. Where is distinction felt? In secret, amidst splendour? No! In the street and the vulgar gaze? No! In the bosom of love? *She* only remembers it. Where, then, is the intoxicating cup of homage—the delirious draught for which brain, soul, and nerve are tasked, tortured, and spent—where is it lifted to the lips? The answer brings me back. Eyes shining from amid jewels, voices softened with gentle breeding, smiles awakening beneath costly lamps—an atmosphere of perfume, splendour, and courtesy—these form the poet’s Hebe, and the hero’s Ganymede. These pour for ambition the draught that slakes his fever—these hold the cup to lips, drinking eagerly, that would turn away, in solitude, from the ambrosia of the gods.

‘Clay’s walk through the sumptuous rooms was like a Roman triumph. He was borne on from lip to lip—those before him anticipating his greeting, and those he left still sending their bright and kind words after him.’

We shall next notice a wonderful history of foreign life, containing the development of a most wonderful idiosyncrasy. It is that of an author—our ‘Free Penciller!’ His life is but a sleeping and forgetting—the new soul that rises in him has had elsewhere its setting, and cometh again from afar. He has not only a Pythagorean belief, but sometimes a consciousness of his previous existence, or existences—nay, he has not only a consciousness of having lived formerly, but often believes that he is living somewhere else, as well as at the place where at the present moment he may be. In a word, he is often conscious of being *two gentlemen at once*;—a miraculous *égarement* of the intellect described in the following manner:—

‘Walking in a crowded street, for example, in perfect health, with every faculty gaily alive, I suddenly lose the sense of neighbourhood. I see—I hear—but I feel as if I had become invisible where I stand, and was, at the same time, present and visible elsewhere. I know every thing that passes around me, but I seem disconnected, and (magnetically speaking) unlinked from the human beings near. If spoken to at such a moment, I answer with difficulty. The person who speaks seems addressing me from a world to which I no longer belong. At the same time, I have an irresistible inner consciousness of being present in another scene of every-day life—where there are streets, and houses, and people—where I am looked on without surprise as a fam

liar object—where I have cares, fears, objects to attain—a different scene altogether, and a different life from the scene and life of which I was a moment before conscious. I have a dull ache at the back of my eyes for the minute or two that this trance lasts, and then slowly and reluctantly my absent soul seems creeping back, the magnetic links of conscious neighbourhood, one by one, re-attach, and I resume my ordinary life, but with an irrepressible feeling of sadness. It is in vain that I try to fix these shadows as they recede. I have struggled a thousand times in vain to particularise and note down what I saw in the strange city to which I was translated. The memory glides from my grasp with preternatural evasiveness.

This awakening to a sense of previous existence is thus further detailed. ‘*The death of a lady in a foreign land*,’ says Mr Willis, ‘leaves me at liberty to narrate the circumstances which follow.’ Death has unsealed his lips; and he may now tell, that in a previous state of existence he was in love with the beautiful Margaret, Baroness R—, when he was not the present ‘free penciller,’ but Rodolph Isenberg, a young artist of Vienna. Travelling in Styria, Rodolph was taken to a *soirée* at Gratz, in the house of a ‘certain lady of consequence there,’ by ‘a very courteous and well-bred person, a gentleman of Gratz,’ with whom Mr Willis had made acquaintance in the *coupé* of a diligence. No sooner was he at the *soirée* than he found himself on the balcony talking to a ‘very quiet young lady,’ with whom he ‘discoursed away for half-an-hour very unreservedly,’ before he discovered that a third person, ‘a tall lady of very stately presence, and with the remains of remarkable beauty,’ was earnestly listening to their conversation, ‘with her hand upon her side, in an attitude of repressed emotion.’ On this, the conversation ‘languished;’ and the other lady, his companion, rose, and took his arm to walk through the rooms. But he had not escaped the notice of the elder lady.

‘Later in the evening,’ says he, ‘my friend came in search of me to the supper room. “*Mon ami!*” he said, “a great honour has fallen out of the sky for you. I am sent to bring you to the *beau-reste* of the handsomest woman of Styria—Margaret, Baroness R—, whose château I pointed out to you in the gold light of yesterday’s sunset. She wishes to know you—*why*, I cannot wholly divine—for it is the first sign of ordinary feeling that she has given in twenty years. But she seems agitated, and sits alone in the Countess’s boudoir. *Allons-y!*” As we made our way through the crowd, he hastily sketched me an outline of the lady’s history: “At seventeen, taken from a convent for a forced marriage with the baron whose name she bears; at eighteen a widow, and, for the first time, in love—the subject of her passion a young artist of Vienna on his way to Italy. The artist died at her château—they were to have been married—she has ever since worn weeds for him. And the remainder you must imagine—for here we are!” The Baroness

leaned with her elbow upon a small table of *or-moulu*, and her position was so taken that I seated myself necessarily in a strong light, while her features were in shadow. Still the light was sufficient to show me the expression of her countenance. She was a woman apparently about forty-five, of noble physiognomy, and a peculiar fulness of the eyelids—something like to which I thought I remembered to have seen in a portrait of a young girl, many years before. The resemblance troubled me somewhat. "You will pardon me this freedom," said the Baroness, with forced composure, "when I tell you that—a friend—whom I have mourned twenty-five years—seems present to me when you speak." I was silent, for I knew not what to say. The Baroness shaded her eyes with her hand, and sat silent for a few moments, gazing at me. "You are not like him in a single feature," she resumed, "yet the expression of your face, strangely, very strangely, is the same. He was darker—slighter." "Of my age?" I enquired, to break my own silence. For there was something in her voice which gave me the sensation of a voice heard in a dream. "O God! that voice! that voice!" she exclaimed wildly, burying her face in her hands, and giving way to a passionate burst of tears. "Rodolph," she resumed, recovering herself with a strong effort, "Rodolph died with the promise on his lips that death should not divide us. And I have seen him! Not in dreams—not in reverie. Not at times when my fancy could delude me. I have seen him suddenly before me in the street—in Vienna—here—at home at noonday—for minutes together, gazing on me. It is more in latter years that I have been visited by him; and a hope has latterly sprung into being in my heart—I know not how—that in person, palpable and breathing, I should again hold converse with him—fold him living to my bosom. Pardon me! You will think me mad!" I might well pardon her; for as she talked, a vague sense of familiarity with her voice, a memory, powerful, though indistinct, of having before dwelt on those majestic features, an impulse of tearful passionateness to rush to her embrace, wellnigh overpowered me. She turned to me again. "You are an artist?" she said, enquiringly. "No; though intended for one, I believe, by nature." "And you were born in the year —?" "I was!" With a scream she added the day of my birth, and, waiting an instant for my assent, dropped to the floor, and clung convulsively and weeping to my knees. "Rodolph! Rodolph!" she murmured faintly, as her long grey tresses fell over her shoulders, and her head dropped insensible upon her breast. Her cry had been heard, and several persons entered the room. I rushed out of doors. I had need to be in darkness and alone.

"It was an hour after midnight when I re-entered my hotel. A chasseur stood sentry at the door of my apartment with a letter in his hand. He called me by name, gave me his missive, and disappeared. It was from the baroness, and ran thus:—

"You did not retire from me to sleep. This letter will find you waking. And I must write, for my heart and brain are overflowing.

"Shall I write to you as a stranger?—you whom I have strained so often to my bosom—you whom I have loved and still love with the utmost idolatry of mortal passion—you who have once given me the

soul that, like a gem long lost, is found again, but in a newer casket ! Mine still—for did we not swear to love for ever !

“But I am taking counsel of my own heart only. You may still be unconvinced. You may think that a few singular coincidences have driven me mad. You may think that though born in the same hour that my Rodolph died, possessing the same voice, the same countenance, the same gifts—though by irresistible consciousness I *know* you to be *him*—my lost lover returned in another body to life—you may still think the evidence incomplete—you may, perhaps, even now, be smiling in pity at my delusion. Indulge me one moment.

“The Rodolph Isenberg whom I lost possessed a faculty of mind, which, if you are he, answers with the voice of an angel to my appeal. In that soul resided, and wherever it be, must *now* reside, the singular power.

* * * * *

[The reader must be content with my omission of this fragment of the letter. It contained a secret never before clothed in language—a secret that will die with me, unless betrayed by what indeed it may lead to—madness ! As I saw it in writing—defined accurately and inevitably in the words of another—I felt as if the innermost chamber of my soul was suddenly laid open to the day—I abandoned doubt—I answered to the name by which she called me—I believed in the previous existence of which my whole life, no less than these extraordinary circumstances, had furnished me with repeated evidence. But to resume the letter.]

“And now that we know each other again—now that I can call you by name, as in the past, and be sure that your inmost consciousness must reply—a new terror seizes me ! Your soul comes back, youthfully and newly clad, while mine, though of unfading freshness and youthfulness within, shows to your eye the same outer garment, grown dull with mourning, and faded with the wear of time. Am I grown distasteful ? Is it with the sight only of this new body that you look upon me ? Rodolph !—spirit that was my devoted and passionate admirer ! soul that was sworn to me for ever !—Am I—the same Margaret, refound and recognised—grown repulsive ? O God ! what a bitter answer would this be to my prayers for your return to me !

“I will trust in Him whose benign goodness smiles upon fidelity in love. I will prepare a fitter meeting for two who parted as lovers. You shall not see me again in the house of a stranger, and in a mourning attire. When this letter is written, I will depart at once for the scene of our love. I hear my horses already in the court-yard, and while you read this I am speeding swiftly home. The bridal dress you were secretly shown the day before death came between us is still freshly kept. The room where we sat—the bowers by the stream—the walks where we projected our sweet promise of a future—they shall all be made ready. They shall be as they were ! And I—O Rodolph ! I shall be the same. My heart is not grown old, Rodolph ! Believe me, I am unchanged in soul ! And I will strive to be—I will strive to look—God help me to look and be—as of yore !”

“Farewell now ! I leave horses and servants to wait on you till I send to bring you to me. Alas, for any delay ! but we will pass this life

and all other time together. We have seen that a vow of eternal union may be kept—that death cannot divide those who *will* to love for ever! Farewell now!

MARGARET."

Such are the pictures of European society which this Free Penciller has sketched. Of the truth of his descriptions of his own country and countrymen, it is not for us to speak. We shall only mention, that, in characterising them, he remarks that they are much more French than English in many of their qualities. 'They are,' says he, 'in dressing, dancing, congregating, in chivalry to women, facility of adaptation to new circumstances, elasticity of recuperation from trouble,' (a most delicious expression!) 'in complexion and figure, very French!' Had the 'Dashes' been the work of a native genius, we might have hinted, perhaps, some slight occasional objections, pointed out a very few blunders, questioned, very diffidently, the great modesty of some statements, and the truth and accuracy of others. But, as the case stands, we feel that we are bound to excuse much to a young 'republican visiting a monarchical country for the first time.'

ART. VIII.—1. *The Novels and Miscellaneous Works of Daniel De Foe ; with a Biographical Memoir of the Author, Literary Prefaces to the various pieces, and illustrative Notes ; including all contained in the Edition attributed to the late Sir Walter Scott, with considerable additions.* 20 vols. 8vo. Oxford : 1842.

2. *The Works of Daniel De Foe ; with a Memoir of his Life and Writings.* By WILLIAM HAZLITT, jun. 3 vols. Royal 8vo. London : 1843.

IT is with De Foe dead, as it was with De Foe living. He stands apart from the circle of the reigning wits of his time. Along with their names, his name is not called over. What in this respect was the fashion formerly, is the fashion still ; and whether sought for in the Histories of Smollett or of Lord Mahon, his niche is vacant. He is to be found, if at all, aloof from his great contemporaries. His life, to be fairly written, should be written as the 'Life and Strange Surprising Adventures of Daniel De Foe, who lived above Seventy Years all alone, in the Island of Great Britain.'

He was born much about the time of that year of grace, 1661, when Mr Pepys and his wife, walking in Whitehall Gardens,

saw 'the finest smocks and linen petticoats of my Lady Castlemaine, laced with rich lace at the bottom,' that ever they saw: 'it did me good to look at them,' adds the worthy man. There was but little in those days to do any body good. The people, drunk with the orgies of the Restoration, rejoiced in the gay dissoluteness of the court. To be a bad Englishman and a worse Christian, was to be a good Protestant and a loyal subject. Sheldon governed the Church, and Clarendon the State; the Bishop having no better charity than to bring a Presbyterian preacher into contempt, and the Chancellor no better wisdom than to reduce him to beggary. While Sheldon entertained his dinner-table with caricatures of a dissenting minister's sermon, 'till,' says one of his guests, 'it made us all burst;' Clarendon was drawing up that Act of Uniformity, by which, in one day, he threw out three thousand ministers from the benefices they held.

This was in 1662; and the beginning of that system of religious persecution, under which, with God's blessing, the better part of the English character reawakened, and the hardy virtues of Dissent struck root and flourished. Up to this time, vast numbers of the Presbyterians, strongly attached to Monarchy, desired but a reasonable settlement of Episcopacy; and would have given in their adherence to any moderate system. The hope of such a compromise was now rudely closed. In 1663 the Conventicle Act was passed, punishing with transportation a third offence of attendance on any worship but that of the Church; and while the plague was raging, two years after, the Oxford Act banished five miles from any corporate town all who should refuse a certain oath, which no Nonconformist could honestly take. Secret, stealthy worship was the resource left; and other things throve in secret with it, which would less have prospered openly. Substantial citizens, wealthy tradesmen, even gossiping Secretaries to the Admiralty, began to find other employment than the criticism of Lady Castlemaine's lace, or admiration of Mistress Nell Gwynne's linen. It appeared to be dawning on them at last, that they were really living in the midst of infamy and baseness; that buffoons and courtesans were their rulers; that defeat and disgrace were their portion; that a Dutch fleet was riding in their Channel, and a perjured and pensioned Popish despot sitting on their Throne.

The indulgence granted to Dissenters in the year of the Dutch war, (the previous year had been one of fierce persecution,) opened, among other meeting-houses, that of Little St Helen's, Bishopsgate; where the Rev. Dr Annesley, ejected from his living of Cripplegate by the Act of Uniformity, administered his

godly lessons. Under him there sate, in that congregation of earnest listeners, the family of a wealthy butcher of St Giles, Cripplegate; and the worthy minister would stop approvingly, as he passed the seats of Mr Foe, to speak to that bright-eyed lad of eleven, by name Daniel, whose activity and zeal in the good cause were already such, that, in fear their Popish governors might steal away their printed Bibles, he had 'worked like a horse till he had written out the whole Pentateuch.' For the gleam of liberty to Dissenters had been but a veil for the like indulgence to Papists; and it was known at this very time, that the high-minded Richard Baxter had refused a bribe of £50 a year, to give in his public approval of these questionable favours of the crown.

Mr James Foe seems to have been proud of his son Daniel. He gave him the best education which a Dissenter had it in his power to give. He sent him to the then famous Academy at Newington Green, kept by Mr Charles Morton, an excellent Oxford scholar, and a man of various and large ability; whom Harvard College in New England afterwards chose for vice-president, when driven by ecclesiastical persecution to find a home beyond the Atlantic. Here the lad was put through a course of theology; and was set to study the rudiments of political science. These things Mr Morton reckoned to be a part of education. He also acquired a competent knowledge of mathematics and natural philosophy; of logic, geography, and history; and when he left the school, was reasonably accomplished in Latin and Greek, and in French and Italian. He had made himself known, too, as a 'boxing English boy;' who never struck his enemy when he was down. All this he recounted with no immodest or unmanly pride, when assailed in after life for his mean Dissenter's education; and he added that there was a fifth language, beside those recounted, in which it had been Mr Morton's endeavour to practise and improve his scholars. 'He read all his lectures; gave all his systems, whether of philosophy or divinity; and had all his declaimings and dissertations; in English. We were not critics in the Greek and Hebrew, perfect in languages, and perfectly ignorant, if that term may be allowed, of our mother tongue. We were not destitute of languages, but we were made masters of English; and more of us excelled in that particular, than of any school at that time.'

So passed the youth of Daniel Foe, in what may be well accounted a vigorous and healthy English training. With sharp and strong faculties, with early and active zeal, he looked out from his honest father's home and his liberal teacher's study,

upon a course of public events well fitted to enforce, by dint of bitter contrast, the value of high courage, of stern integrity, and of unbending faithfulness. He would be told, by all whom he esteemed, of the age of great deeds and thoughts which had lately passed away; and thus early would learn the difference, on which he dwelt in one of his first writings, between the grand old blind schoolmaster of Bunhill-fields, just buried in his father's parish of Cripplegate, and the ribald crowd of profligate poets lounging and sauntering in St James's. There is no better school for the love of virtue, than that of hatred and contempt for vice. He would hear discussed, with fervid and honest indignation, the recall of the indulgence in 1674, after the measures for relief of Dissent had been defeated; the persecution of Baxter and Manton in the following year; the subsequent gross interference of the Bishops against a final effort for accommodation; and the fierce cruelty of the penal laws against Nonconformists, between 1676 and 1678. Then, in the latter memorable year, he would find himself involved in that sudden and fierce reaction of the Anti-Papist feeling of the time, which, while Protestants and Presbyterians were groaning under a Popish prince, sent numberless innocent Roman Catholic gentlemen to Protestant and Presbyterian scaffolds.

When the rage of the so-called Popish Plot burst forth, Mr Morton's favourite pupil was in his seventeenth year. We need not say how freely we condemn that miserable madness; or in what scorn we hold the false-hearted spies and truculent murderers, whose worthless evidence sacrificed so many noble and gentle lives. But we as little doubt that, to honest Presbyterians then existing, the thing was not that cruel folly it now seems to us; and we can understand their welcoming at last, in even that wild frenzy, a popular denunciation of the faith which they knew to be incompatible with both civil and religious liberty, yet knew to be the faith of him who held and of him who was to succeed to the throne. Out of the villany of the Court sprang this counter villany of Titus Oates; and the meetings in which that miscreant harangued the London citizens, were the first effectual demonstration against the government of Charles II. We will not wonder, then, that there was often to be seen among his crowds of excited listeners, but less excited than they, a middle-sized, spare, active, keen-eyed youth—the son of Mr Foe of Cripplegate.

At these meetings were first heard bandied from side to side, the two not least memorable words in English history. Then broke forth, when the horrible cruelties of Lauderdale were the theme, groans of sympathy for those tortured Cameronians who lived on

the refuse, the 'weak' of the milk, and so had got the Scotch name of *Whigs*; then, when justification was sought for like cruelties and tortures against the opposite faith, shouts of execration were hurled against the Papists who would murder Titus Oates, and who, for their thieving and villanous tendencies, had got the Irish name of *Tories*. Young Foe remembered this in after life; and described the blustering hero of these scenes, with a squat figure, a vulgar drawling voice, and (right in the centre of his broad flat face) a mouth of fit capacity for the huge lies it uttered, 'calling every man a Tory that opposed him in discourse.' For be it noted to the credit of the youth's sagacity, he did not even now, to adopt his own expression, 'come up to all the extravagances of some people in their notions of the 'Popish plot.' He believed, indeed, that wherever sincere Popery was, a conspiracy to act in conformity with it would not be far off. 'I never blame men who, professing principles destructive of the constitution they live under, and believing it their just right to supplant it, act in conformity to the principles they profess. I believe, if I were a Papist, I should do the same. But when we ran up that plot to general massacres, fleets of pilgrims, bits and bridles, knives, handcuffs, and a thousand such things, I confess, though a boy, I could not then, nor can now, come up to them. And my reasons were, as they still are, because I see no cause to believe the Papists to be fools, whatever else we had occasion to think of them.'

So saved from the general folly of the Presbyterian party, and intolerant only because a larger toleration was at stake, this manly and sagacious lad needed neither knife nor handcuff to save himself from a Papist. He walked through the thick of the riots with reliance on a stout oaken cudgel, which he called his 'Protestant flail'; and laughed at the monstrous lies that fed the vulgar cravings, and kept taverns agape with terror. See him enter one, and watch the eager group. A fellow bawls forth the last invention against 'the Papishes.' It concerns the new building honest men took such pride in, and Papists, for a reason, hated so. It is about the 'tall bully' of a Monument; and every body pricks up his ears. What has happened? 'Why, last night, six Frenchmen came up and stole away the Monument; and but for the watch, who stopped them as they were going over the bridge, and made them carry it back again, they might, for aught we know, have carried it over into France. These Papishes will never have done.' Is the tale incredible? Not half so much, as that some of those assembled should stare and doubt it. But now steps forward 'Mr Daniel Foe.' He

repeats the story ; and tells the unbelievers to satisfy their doubts by going to the spot, ' where they'd see the workmen ' employed in making all fast again.' The simpletons ' swallowed the joke, and departed quite satisfied.' The touch of reality sent it down. A genius for homely fiction had strolled into the tavern, and found its first victims. They deserved a ripe old age, and the reading of *Robinson Crusoe*.

But the strolling into taverns? It is little likely that Mr Morton or the elder Mr Foe would have sanctioned it ; but the Presbyterian ministry was no longer, as it once had been, the youth's destination. He seems to have desired a more active sphere ; and was put to the business of commerce. His precise employment has been questioned ; but when his libellers in later life called him a hosier, he said he had never been apprentice to that craft, though he had been a trader in it ; and it is tolerably certain that, in seven years from the present date, he had a large agency in Freeman's Court, Cornhill, as a kind of middleman between the manufacturer and the retail trader. He was a freeman of London by his birth ; on embarking in this business of hose-factor, he entered the livery ; and he wrote his name in the Chamberlain's book, ' Daniel Foe.'

Seven eventful years. Trade could not so absorb him, but that he watched them with eager interest. Nor without hope. Hope would brighten in that sensible manly heart, when it most deserted weaker men's. When the King, alarmed, flung off his lounging sloth for crueller enjoyments ; when lampoons and ballads of the streets became fiercer than even Portsmouth's impudence ; when such serious work was afoot, that a satire by Dryden counted more at court than an indecency by Rochester ; when bills to exclude a Popish succession were lost in the Upper House but by a phalanx of Protestant Bishops, and the Lower House, that had passed them, rudely dissolved by a furious Monarch and intemperately assailed by his servile churchmen, was calmly defended by a Sydney and a Somers ; when, the legitimate field of honest warfare closed, dark conspiracies and treasons took its place, and the boasts of the reckless Shaftesbury passed from mouth to mouth, that he'd walk the King leisurely out of his dominions, and make the Duke of York a vagabond on the earth like Cain ;—no fear was likely to depress, and no bragging was needed to keep in hope, a shrewd, clear intellect. The young Cornhill merchant told his countrymen afterwards, how it had gone with him then ; how tyranny had taught him the value of liberty, Popery the danger of passive pulpits, and oppression how to prize the fence of laws ; with what interest he had observed the sudden visit of the King's

nephew, William of Orange, already the hero of the Protestant liberties of Europe, and lately wedded to the presumptive heiress of the throne; of what light esteem he held the monarch's disregard of that kinsman's prudent counsel; and with what generous anger, yet unshrinking spirit, he saw the men who could not answer Algernon Sydney's Book, erect a scaffold to take off his Head.

It was his first brave impulse to authorship of his own. In the year made infamous by the judicial murders of Russell and Sydney, he published his first political essay. It was a prose lampoon on High Church absurdities; and, with much that would not bear present revival, bore the stamp of a robust new mind, fresh from the reading of Rabelais. It stirred the veteran libeller L'Estrange, and pamphlet followed pamphlet. It needs not to touch the controversy now. It is dead and gone. Oxford herself repudiates, with shame, the decree she passed in full Convocation on the day of Russell's execution; promulgating, on pain of infamy here and damnation hereafter, the doctrines of divine right and passive obedience; and anathematizing twenty-seven propositions from Milton, Baxter, and Godwin, Bellarmine, Buchanan, and Hobbes, as seditious, scandalous, impious, blasphemous, heretical, and damnable.

Having fleshed his maiden pen, the young merchant soon resumed it, in a cause again involving religious liberty; with a spirit in advance of his party; and with force, decision, and success. The reign of Charles was now setting, in a sullen, dire persecution. Chapels were shut; ministers dying in jail; congregations scattered. A man who would not take the sacrament was whipped or pilloried; a man who would not take it kneeling, was plundered or imprisoned. 'See there!' cried the sharp strong sense of Daniel Foe, (business had taken him to Windsor, and he had sauntered into St George's Chapel with a friend)—'See that altar-piece! Our Saviour administers his last supper 'to his disciples sitting round the table; and, because we would 'copy that posture, the government oppresses us.' Almost as he spoke, the end was approaching. Evelyn had seen the King the past Sunday evening, sitting and toying with his concubines, Portsmouth, Cleveland, and Mazarine. A French boy sang love-songs in a glorious gallery; and, round a table groaning with a bank of two thousand golden pieces, a crew of profligate courtiers drank and gambled. 'Six days after, all was in the dust;' and caps in the air for James the Second.

Of the new monarch's greetings, the most grovelling were the churchmen's and the lawyers'. The Bishop of Chester preached the divinity and infallibility of Kings; the Temple

benchers and barristers went to court with the assurance that high prerogative, 'in its fullest extent,' was the subject's best security for liberty and property; and in every pulpit thanksgivings resounded. In the first months of the reign, our hose-factor of Freeman's Yard heard it publicly preached from one of these pulpits, that if the King commanded the subject's head, and sent his messengers to fetch it, the subject was bound to submit, and, as far as possible, facilitate his own decapitation. Close upon this came the sudden tidings of Monmouth's ill-fated landing; and of a small band of daring citizens who took horse and joined him, Daniel Foe was one. Perhaps he thought his head nearer danger than it was, and worth a stroke for safety. He knew, at any rate, but the better sides of Monmouth's character. He admired his popular manners. 'None so beautiful, so brave 'as Absolon.' He had seen him among the people in their sports; at races and at games; and thought his bearing sensible and manly. What matter if Lucy Waters was his mother? He knew him a sincere Protestant, and a lover of civil freedom. He remembered the more kindly his disgrace in the reign just passed, for having vainly striven to moderate Episcopal cruelties in Scotland, when he saw the first Scottish act of the reign just begun, in a law to inflict death on conventicle preachers. In a word, our incipient rebel made no nice balance of danger and success. He saw what seemed to him liberty on the one side, and slavery on the other; and resolved, with whatever fortune, to strike a blow for the good cause. He mounted horse and joined the invaders; was with them in Bristol and at Bath; and very narrowly escaped the crash that followed.

There is little doubt that while Bishops Turner and Ken were prolonging Monmouth's agonies on the scaffold, for the chance of a declaration in favour of divine right and non-resistance; and while Jeffreys' bloody campaign, through the scenes of the late rebellion, was consigning his master and himself to eternal infamy; the young rebel-citizen had effected a passage over seas. At about this time, he certainly was absent from England; as certainly had embarked some capital in the Spanish and Portuguese trade; and no one has questioned his narrow escape from the clutch of Jeffreys. The mere escape had been enough for other men. *His* practical, unwearying, versatile energy, made it the means of new adventure; the source of a larger experience; the incentive to a more active life. He had seen Spain, Germany, and France, before he again saw Freeman's Court, Cornhill; and when he returned, it was with the name he has made immortal. He was now Daniel *De Foe*.

Whether the change was a piece of innocent vanity picked up

in his travels, or had any more serious motive, it would be idle to enquire. By both names he was known to the last; but his books, in almost every instance, bore that by which he is known to posterity. He found a strange scene in progress on his return. The power of the King to dispense with the laws, had been affirmed by eleven out of the twelve judges; and he saw this monstrous power employed to stay the as monstrous persecution of Nonconformists and Dissenters. A license purchased for fifty shillings had opened the prison doors of Richard Baxter; but the sturdy lovers of freedom who purchased that license, acknowledged, in the act of doing it, that they placed the King above the laws. It was a state of things in which men of the clearest sight had lost their way, and the steadiest were daily stumbling. William Penn had gone up to court with a deputation of thanks; he was seconded by not a few Presbyterians; he had the support of all those classes of Dissent whose idea of religion rejected altogether the alliance of civil government; and though the main Presbyterian body stood aloof, it was in an attitude of deference and fear, without dignity, without self-reliance. For a while De Foe looked on in silence; and then resolutely took his course.

Of James the Second's sincerity there is no doubt; and as little of his bigotry and meanness. He had the obstinate weakness of his father. 'There goes an honest gentleman,' said the Archbishop of Rheims, some year or two later, "who lost three 'kingdoms for a mass.' His unwearied, sole endeavour, from the hour in which he ascended the throne to that in which he was hurled from it, was to establish the Roman Catholic religion in England. When the church that had declared resistance unchristian, and proffered him unconditional obedience, refused him a single benefice, fat or lean, and kept his hungering Popish doctors outside the butteries of her Oxford Colleges; the Dissenters became his hope. If he could array Dissent against the Church, there was an entrance yet for Rome. It was his passion. He had none other. It stood him in the stead of every other faith. When the game went wholly against him, he had no better courage. He thought but of 'raising the Host,' and winning it that way.

De Foe understood both game and gambler. We could name no man of the time who understood them so clearly as this young trader of Cornhill. He saw the false position of all parties; the blundering clash of interests, the wily complications of policy. He spoke with contempt of a Church that, with its 'fawning, whining, canting sermons,' had played the Judas to its Sovereign. He condemned the address-making Dissenters, who, in

their zeal for religious liberty, had forgotten civil freedom. He exposed the conduct of the King, as, in plain words, a fraudulent project, 'to create a feud between Dissenters and the Establishment, and so destroy both in the end.' And, with emphatic eloquence, he exhorted the Presbyterian party, that now, if ever, they should make just and reasonable terms with the Church; that now, if ever, should her assumption of superiority, her disdain of equal intercourse, her denial of Christian brotherhood, be effectually rebuked; that between the devil sick and the devil well, there was a monstrous difference; and that, failing any present assertion of rights and guarantees, it would be hopeless to expect them when she should have risen, once more strengthened, from her humble diet and her recumbent posture.

The advice and warning were urged in two masterly publications. The Dissenters condemned them, and took every occasion to disclaim their author. De Foe had looked for no less. In his twenty-sixth year, he found himself that solitary, resolute, independent thinker, which, up to his seventieth year, he remained. What he calls the 'grave, weak, good men' of the party, did not fail to tell him of his youth and inexperience; but for all that fell out, he had prepared himself abundantly. 'He that will serve men, must not promise himself that he shall not anger them. I have been exercised in this usage even from a youth. I had their reproaches when I blamed their credulity and confidence in the flatteries and caresses of Popery; and when I protested against addresses of thanks for an illegal liberty of conscience founded on a dispensing power.' He was thus early initiated in the transcendent art of thinking and standing ALONE.

Whoso can do this manfully, will find himself least disposed to be alone, when any great good thing is in progress. De Foe would have worked with the meanest of the men opposed to him, in the business of the nation's deliverance. He knew that Dyckvelt was now in England, in communication with the leaders of both parties in the state. He had always honoured the steady-purposed Dutchman's master as the head of the league of the great European confederacy, which wanted only England to complete its noble purposes. He believed it to be the duty of that prince, connected both by birth and marriage with the English throne, to watch the course of public affairs in a country, which by even the natural course of succession he might be called to govern. But he despised the Tory attempt to mix up a claim of legitimacy with the greater design of elective sovereignty; and laughed with the hottest of the Jacobites at the miserable warming-pan plot. He felt, and was the first to state

it in print at the time, that the title to the throne was but in another form the more sacred title of the people to their liberties. So he mounted his 'rebel' horse once more when he heard of the landing at Torbay. He was with the army of William when James precipitately fled; he was at the bar of the House of Lords when Hampden took up the vote of non-allegiance to a Popish sovereign, and when the memorable resolution of the 13th of February declared that no King had reigned in England since the day of James's flight; he heard William's first speech to the Houses five days later; and, 'gallantly mounted and richly accoutred,' he was foremost in the citizen troop of volunteer-horse, who were William and Mary's guard of honour at their first visit to Guildhall.

De Foe never ceased to commemorate William's bearing in these passages of his life. While the Convention debates were in progress, the calmly resolute Stadtholder had staid, secluded, at St James's. Sycophants sought access to him, counselors would have advised with him in vain. He invited no popularity; he courted no party. The only Tory chief who spoke with him, came back to tell his friends that he set 'little value on a crown.' The strife, the heat, the violent animosity, the doubtful success—all which in these celebrated debates seemed to affect his life and fortune—moved him not. He desired nothing to be concealed from him: he said nothing to his informants. This only was known—he would not hold his Crown by the apron-strings of his wife. He would not reign but as an independent sovereign. 'They are an inconstant people, Mar-shal,' he quietly observed to Schomberg.

Here, then, was a man who could also stand alone. Here was a King for such a subject as De Foe. And the admiration conceived of him by the citizen merchant deepened into passion. He revered him, loved, and honoured him; and kept as a festive day in his house, even to the close of his life, the day on which he was born and landed. Its first celebration was held at a country house in Tooting, which it would seem De Foe now occupied; and the manner of it was in itself some proof of what we do not need to be told, that the resolute, practical habits of this earnest, busy man, were not unattended by that genial warmth of nature which alone gives strength of character such as his, and without which never public virtue, and rarely private, comes quite to its maturity. In this village, too, in this year of the Revolution, we find him occupied in erecting a meeting-house; in drawing together a Nonconformist congregation; and in providing a man of learning for their minister. It was an object always near his heart. For every new foundation of

that kind went some way toward the rendering Dissent a permanent separate interest, and an independent political body, in the State; and the Church's reviving heats made the task at once imperative and easy. Wherever intemperate language, and overbearing arrogant persecution, are characteristics of the highest churchmen—should we marvel that sincere church-goers turn frightened from the flame incessantly flickering about those elevated rods, which they had innocently looked to for safe conductors?

But in the midst of his labours and enjoyments, there came a stroke of evil fortune. He had married some little time before this, (nothing further is known on that head, but that in the course of his life he had two wives, the first named Mary, and the second Susannah;) and, with the prospect of a family growing up around him, he saw his fortune swept suddenly away by a large unsuccessful adventure. One angry creditor took out a Commission of Bankruptcy; and De Foe, submitting meanwhile to the rest a proposition for amicable settlement, fled from London. A prison paid no debts, he said. 'The cruelty of your laws against debtors, without distinction of honest or dishonest, is the shame of your nation. He who is unable to pay his debts at once, may be able to pay them at leisure; and you should not meanwhile murder him by law.' So, from himself to his fellow men, he reasoned always. No wrong or wretchedness ever befell De Foe, which he did not turn to the use and profit of his kind. To what he now struggled with, through two desperate years, they mainly owed seven years later, that many most atrocious iniquities prevailing in the bankrupt refuges of *Whitefriars* and the *Mint* were repressed by statute; and that the small relief of William's act was at least reluctantly vouchsafed. He had pressed the subject with all his power of plain strong sense; and with a kind of rugged impressiveness, as of the cry of a sufferer.

His place of retreat appears to have been in Bristol. Doubtless he had merchant friends there. An acquaintance of his last excellent biographer, (Walter Wilson,) mentions it as an honourable tradition in his family, that at this time one of his Bristol ancestors had often seen and spoken with 'the great De Foe.' They called him the *Sunday Gentleman*, he said; because, through fear of the bailiffs, he did not dare to appear in public upon any other day; while on that day he was sure to be seen, with a fine flowing wig, lace ruffles, and a sword by his side, passing through the Bristol streets. But no time was lost with De Foe: whether watched by bailiffs, or laid hold of by their betters. He wrote, in his present retirement, that famous Essay, which went far to form the intellect and direct the pursuits of

the most clear and practical genius of the succeeding century. 'There was also,' says Benjamin Franklin, describing the little library in his uncle's house, 'a book of De Foe's, called an *Essay on Projects*, which perhaps gave me a turn of thinking that had 'an influence on some of the principal future events of my life.'

He composed the *Essay* here; though it was not published until two years later. What the tendency of the age would be (partly by the influence of the Revolution, for commerce and religious freedom have ever prospered together; partly by the financial necessities of the war, and the impulse thereby given to projects and adventure) he had promptly discerned, and would have turned to profitable uses in this most shrewd, wise, and memorable piece of writing. It suggested reforms in the system of banking, and a plan for central country banks; it pointed out the enormous advantages of an efficient improvement of the public roads, as a source of public benefit and revenue; it recommended, for the safety of trade, a mitigation of the law against the honest bankrupt, and a more effectual law against practised knavery; it proposed the general establishment of offices for insurance, 'in every case of 'risk; it impressively enforced the expediency of Friendly Societies, and of a kind of Savings Bank, among the poor; and, with eloquence and clear-sightedness far in advance of the time, it urged the solemn necessity of a greater care of Lunatics, which it described as 'a particular rent-charge on the great family of 'mankind.'

A man may afford to live alone who can make solitude eloquent with such designs as these. What life there is in them! what a pregnant power and wisdom, thrown broad-cast over the fields of the future! It might not be ill, it seems to us, to transfer to this bankrupt fugitive, this Sunday Gentleman and everyday earnest Workman, with no better prospect than a bailiff visible from his guarded window, some part of that honour and glory we too freely assign to more prosperous actors in the busy period of the Revolution. Could we move by the four days' Bristol coach to London, from the side of our hero, it would be but a paltry scene that awaited us there. We should find the great sovereign obliged to repose his trust where no man could trust with safety. There would be the first rank growth of the new-gotten Liberty greet us in its most repulsive forms. There we should see the double game of treachery to the reigning and to the banished sovereign, played out with unscrupulous perfidy by rival statesmen; opposition and office but varying the sides of treason, from William to James. There would be the versatile Halifax, receiving a Jacobite agent 'with open arms.' There would be the dry, reserved Godolphin, engaged in double ser-

vice, though without a single bribe, to his actual and to his lawful sovereign. There would be the soldier Churchill, paid by William, taking secret gold from James, and tarnishing his imperishable name with an infamous treachery to England.

And all this, wholly unredeemed by the wit and literature which graced the years of noisy faction to which it was the prelude. As yet Pope was an infant in the cradle; Addison and Steele were boys at school; Bolingbroke was reading Greek at Christ Church; and Swift was amanuensis in Sir William Temple's house, for his board and twenty pounds a-year. The laureateship of Dryden has fallen on Shadwell; even Garth's *Dispensary* has not yet been writ; Mr Tate and Mr Brady are dividing the town; the noble accents of Locke on behalf of toleration are inaudible in the press;—but Sir Richard Blackmore prepares his Epics; and Bishop Burnet sits down in some terrible passion, to write a character in his History. We are well content to return to Bristol, and take humbler part with the fortunes of Daniel De Foe.

We have not recounted all the projects of his *Essay*. The great design of Education was embraced in it, and a furtherance of the interests of Letters. It proposed an Academy, on the plan of that founded in France by Richelieu, to 'encourage polite learning, establish purity of style, and advance the so much neglected faculty of correct language;'—urging upon William, how worthy of his high destiny it would be to eclipse Louis Quatorze in the peaceful arts, as much as he had eclipsed him in the field of battle. Nor let us omit recital of the military college he would have raised; of his project for abolition of impressment; and of his college for the education of women. His rare and high opinion of women had given him a just contempt for the female training of his time. He could not think, he said, that God ever made them so delicate, so glorious creatures, to be only stewards of our houses, cooks, and slaves. 'A woman, well-bred and well taught, furnished with the additional accomplishments of knowledge and behaviour, is a creature without comparison. Her society is the emblem of sublimer enjoyments; she is all softness and sweetness, love, wit, and delight.' The passage reminds us of the best writings of Steele.

His Bristol exile was now closed, by the desired arrangement with his creditors. They consented to compound his liabilities for five thousand pounds, and to take his personal security for the payment. In what way he discharged this claim, and what reward they had who trusted him, an anecdote of thirteen years later date (set down in the book of an enemy) will tell. While the coffee-houses raged against him at the opening of the reign

of Anne, a knot of intemperate assailants in one of them were suddenly interrupted by a person who sat at a table apart from theirs. 'Come, gentlemen,' he said, 'let us do justice. I know 'this De Foe as well as any of you. I was one of his creditors; 'compounded with him, and discharged him fully. Years after-ward he sent for me; and though he was clearly discharged, 'he paid me all the remainder of his debt voluntarily, and of his 'own accord; and he told me, that, so far as God should enable 'him, he meant to do so with every body.' The man added, that he had placed his signature to a paper of acknowledgment, after a long list of other names. Of many witnesses to the same effect, only one other need be cited. Four years later, when the House of Lords was the scene of a libel worse than that of the coffee-house disputants, but with no one to interrupt it, De Foe himself made an unpretending public statement, to the effect that the sums he had at that time discharged of his own mere motion, without obligation, 'with a numerous family, and no help but 'his own industry,' amounted to upwards of twelve thousand pounds. Not as a matter of pride did he state this, but to intimate that he had not failed in duty. The discharge of law could not discharge the conscience. 'The obligation of an honest 'mind can never die.'

He did not return to Freeman's Court. He had other views. Some foreign merchants, by whom he was held in high esteem, desired to settle him as a large factor in Cadiz; but he could not be induced to leave England. It was his secret hope to be able to serve the King. Nor had many months passed before we find him 'concerned with some eminent persons at home,' in proposing ways and means to the government for raising money to supply the occasions of the war. Resulting in some sort from this employment, seems to have been the office he held for four years, (till the determination of the commission,) of Accountant to the Commissioners of the glass duty. And without violence, one may suppose it to be not distantly a part of the same desire to draw round him a certain association with the interests and fortunes of his sovereign, that he also at this time undertook a large adventure in the making of what were called Dutch pan-tiles. He established extensive tile-kiln and brick-kiln works at Tilbury, on the Thames; where it was his boast, for several years, to have given employment 'to more than a hundred poor 'workmen.' He took a house, too, by the side of the river, and amused himself with a sailing boat he kept there.

We fancy him now, not seldom, among the rude, daring men who made the shore of the great London river, in those days, a place of danger and romance:—'Friends of the sea, and foes of all

‘that live on it.’ He knew, it is certain, the Kyds as well as the Dampiers, of that adventurous, bucaniering, Ocean breed. With no violent effort, we now imagine him fortifying his own resolution and contempt of danger by theirs; looking, through their rough and reckless souls, face to face, with that appalling courage they inherited from the vikings and sea-conquerors of old; listening their risks and wanderings for a theme of robust example, some day, to reading landsmen; and already, it may be, throwing forward his pleased and stirred imagination into solitary wildernesses and desert islands, ‘placed far amid the melancholy main.’

But for the present, he turns back with a more practical and earnest interest to the solitary resident at St James’s. It will not be too much to say, that the most unpopular man in England now, was the man who had saved England. The pensioner of France, the murderer of Vane and Sydney, had more popularity for lounging about with his spaniels, and feeding the ducks in St James’s Park, than was ever attained by him who had rescued and exalted two great countries; to whom the depressed Protestant interest throughout the world owed its renovated hope and strength; and who had gloriously disputed Europe with Louis XIV.

We are far from thinking William a faultless Prince; but what to Princes who have since reigned has been a plain and beaten path, was rendered so by his experience and example; and our wonder is, not that he stumbled, but that he was able to walk at all in the dark and thorny road he travelled. He undertook the vexed, and till then unsolved, problem of Constitutional Government; but he came to rule as a monarch, and not as a party chief. He, whom foolish bigots libel with their admiration, came to unite, and not to separate; to tolerate, and not to persecute; to govern one people, and not to raise and depress alternate classes. Of the many thousand Churchmen who had been preaching passive obedience before his arrival, only four hundred refused to acknowledge his government of resistance; but he lived to find those four hundred his most honourable foes. He was overthrown by his Church in his first attempt to legislate in a spirit of equal religious justice. His Whig ministers withdrew from him what they thought an unjust prerogative, because they had given him what they thought a just title; his Tory opposition refused him what they counted a just prerogative, on the ground of what they held to be an unjust title. Tories joined with Whigs against a standing army; Whigs joined with Tories against a larger toleration. ‘I can see no difference between them,’ said William to the elder Halifax, ‘but that the Tories

‘ would cut my throat in the morning, and the Whigs in the ‘ afternoon.’

And yet there *was* a difference. The Whigs would have given him more than that ‘ longer day.’ In the Tory ranks there was no public character so pure as that of Somers; in the High-Church Bishops there was no intellect equal to Burnet’s; among the Tory financiers, there was no such clear accomplishment and wit as those of Charles Montagu, the later Halifax. When De Foe flung himself into the struggle on the King’s behalf, he was careful to remember this. In all his writings he failed not to enforce it. When he most grieved that there should be union to exact from the Deliverer of England what none had ever thought of exacting from her Enslavers, it was that men so different should compose it. When he supported a moderate standing army against the Whigs, it was with a Whig reason; that ‘ not the King, but the sword of England ‘ in the hand of the King, should secure peace and religious ‘ freedom.’ When he opposed a narrow civil-list against the Whigs, it was with no Tory reason; but because ‘ William’s ‘ perils have been our safety, his labours our ease, his cares our ‘ comfort, his continued harassing and fatigue our continued ‘ calm and tranquillity.’ Nay, when he opposed the King himself in his *Reasons against a War with France*, it was on a ground which enabled the Whigs, soon after, to prosecute and direct the mighty struggle which for ever broke the tyranny and supremacy of France. ‘ He that desires we should end the war ‘ honourably, ought to desire also that we begin it fairly. Natural antipathies are no just ground of a war against nations; ‘ neither popular opinions; nor is every invasion of a right a ‘ good reason for war, until redress has first been peaceably demanded.’

If William was to find himself again reconciled to the Whigs, it would be by the influence of such Whiggery as this. Indeed it soon became apparent to him, even in the midst of general treachery, by which of the traitors he could most efficiently be served; and when, aware of the Jacobite correspondence of the Whig Duke of Shrewsbury, he sent him a colonel of Guards with the seals of office in one hand and a warrant of treason in the other, to give him choice of the Cabinet or the Tower, he but translated, in his decisive fearless way, the shrewd practical counsel of Daniel De Foe.

That this merchant financier and speculator, this wary advocate, this sagacious politician, this homely earnest man of business, should soon have made his value known to such a sovereign, we cannot doubt. It was not till a later service, indeed, that

the private cabinet of William was open to him ; but, before the Queen's death, it is certain he had access to the palace, and that she had consulted him in her favourite task of laying out Hampton Court Gardens. It is, to us, very pleasing to contemplate the meeting of such a sovereign and such a subject, as William and De Foe. There was something not dissimilar in their physical and moral aspect. The King was the elder by ten years ; but the middle size, the spare figure, the hooked nose, the sharp chin, the keen grey eye, the large forehead, and grave appearance, were common to both. William's manner was cold, except in battle ; De Foe's, unless he spoke of civil liberty. There would be little recognition of Literature on either hand ; and less expected. When the Stadtholder, in his practical way, complimented St Evremont on having been a major-general in France, the dandy man of letters took offence ; but if the King merely spoke to De Foe as one who had borne arms with Monmouth, we would answer for it there was no disappointed vanity. Here, in a word, was profound good sense on both sides ; substantial scorn of the fine and the romantic ; impassive firmness ; a good, broad, buffeting style of procedure ; and dauntless force of character :—A King who ruled by popular choice ; and a Subject who represented that choice without a tinge of faction.

Of how few then living, but De Foe, might that last remark be made ! Of how few even of the best Whigs, that their Whiggism found no support in personal spite ! At this very time, old Dryden could but weep when he thought of Prior and Charles Montagu, (‘ for two young fellows I have always been ‘ civil to, to use an old man in so cruel a manner :’) but De Foe, even while assailing the license of the stage, spoke respectfully of Dryden, and when condemning his changes in later years, made admission of his ‘ extraordinary genius.’ At this time, Prior, so soon to become a Jacobite, was writing to Montagu that he had ‘ faced old James and all his court, the other ‘ day, at St Cloud ; *vive Guillaume !* You never saw such a ‘ strange figure as the old bully is ; lean, worn, and riv’led :’ but De Foe, in the publication wherein he most had exalted William, had described with his most manly pathos James’s personal mal-treatment and desertion.

We repeat that the great sovereign would find, in such a spirit as this, the nearest resemblance to his own ; and, it may be, the best ultimate corrective of that weary impatience of the Factions, which made his English sovereignty so hard a burden. It was better discipline, on the whole, than he had from his old friend, Sir William Temple, whom, on his difficulty with the

ultra-factionous Triennial bill, he went to Moor Park to consult. The wary diplomatist could but set his Irish amanuensis to draw up wise precedents for the monarch's quiet digestion of the bill, Whigs, Tories, and all; and the monarch could but drily express his thanks to Mr Jonathan Swift, by teaching him to digest asparagus, against all precedent, by swallowing stalks and all.

These great questions of Triennial bill, of Treason bill, of Settlement Securities bill, whether dictated by wisdom or by faction, we need touch but lightly here. All worked wisely. Urged by various motives, they tended to a common end. Silently, steadily, securely, while the roar of dispute and discontent raged and swelled above, the solid principles of the Revolution were rooting themselves deep in the soil below. The censorship of the press expired in 1694; no man in the state was found to suggest its renewal; and it passed away for ever. What, before, it had been the interest of government to impeach, it was now its interest to maintain; what the Tories formerly would have checked in the power of the House of Commons, their interests now compelled them to extend. All became committed to the principle of resistance; and, whether for party or for patriotism, liberty was the cry of all. De Foe turned aside from politics, when their aspect seemed for a time less virulent; and applied himself to what is always of intimate connexion with them, and of import yet more momentous—the moral aspects of the time.

We do not, however, think he always penetrated with success to the heart of a moral question. He was somewhat obstructed, at the threshold, by the more formal and limited points of Presbyterian breeding; and there were depths in morals and in moral causes, which undoubtedly he never sounded. The more practical and earnest features of his character, had in this respect brought their disadvantages; and on some points stopped him short of that highest reach and grace of intellect, which in a consummate sense constitute the ideal, and take leave of the merely shrewd, solid, acute, and palpable. The god of matter-of-fact and reality, is not always in these things a divine god. But there was a manliness and courage well worthy of him, in the general tone he took, and the game at which he flew. He represented in his essay, the *Poor Man*; his object was to show that Acts of Parliament were useless, which enabled those who administered them to pass over in their own class what they punished in classes below them; he arraigned that tendency of our laws, which has since passed into a proverb, to 'punish men for being poor;' and he set forth a petition, pregnant with sense and wit, that the stocks and house of correction should be

straightway abolished, 'till the nobility, gentry, justices of the peace, and clergy, will be pleased to reform their own manners.' He lived in an age of Justice Midases and Parson Trullibers, and assails both with singular bitterness. 'The parson preaches a thundering sermon against drunkenness, and the justice sets my poor neighbour in the stocks; and I am like to be much the better for either, when I know that this same parson and this same justice were both drunk together but the night before.'

He knows little of De Foe who would suspect him of a class-prejudice of his own in this. When, in the present year, the Presbyterian Lord Mayor, going in his robes and chain in the morning to the church, and in the afternoon to the Pinners' Hall meeting-house, raised a vehement and bitter discussion on the question of Occasional Conformity; ardent Dissenter though he was, De Foe did not hesitate to take part with the Church. He could not see, he said, why Sir Humphrey Edwin should wish, like a boy upon a holiday, to display his fine clothes at either church or meeting-house. In a religious view, he thought that if it was a point of conscience with a Dissenter not to conform to the Established Church; he could not possibly receive a dispensation to do so from the mere fact of his holding a civic office; in a political view, he thought what was called Occasional Conformity, a surrender of the dignity and independence of Dissent, likely to lead to larger and dangerous concessions; and he maintained these opinions with great force of argument. He was in the right; and the party never forgave him. On no question, no matter how deeply affecting their common interests, could they afterwards bring themselves to act cordially with De Foe. Ministers took his moral treatises into their pulpits with them, but they were careful to suppress his name.

Another point of attack in his publications on the manners of his time, had reference to the Stage. With whatever views we approach the consideration of this subject, there can be but one opinion of the existing condition of the theatres. They were grossly profligate. Since that year after the Restoration in which Mr Evelyn saw the performance of *Hamlet*, and had reason to note that 'the old plays begin to disgust this refined age, since his Majesty's being so long abroad,' vice had made its home in the theatres. Nor had any check been at this time given to it. The severe tone of William's Court had made the contrast but more extreme. Collier had not yet published his *Short View*. Burnet had not yet written that volume of his *Own Time* wherein he described, with perhaps more sense than logic, the stage as the corrupter of the town, and the bad people

of the town as the corrupters of the stage; and proclaimed it 'a shame to our nation and religion to see the stage so reformed in France, and so polluted still in England.' Neither was the evil merely left unrestrained. It had lately received potent assistance from the unequalled wit of Congreve, whose *Mashwell* and *Lady Touchwood* were now affecting even the Lobbies with a touch of shame. Nevertheless, while we admit his excellent intention, we cannot think De Foe made any figure in the argument. He many times returned to it, but never with much effect. His objections would as freely have applied to the best-conducted theatre. Nor, in the special immoralities assigned, had he hit the point exactly. To bring women into the performance of characters, was a decided improvement. The morals of Charles II.'s age, though openly and generally worse, were, in special respects, not so bad as those of James I.; neither was the stage of even Wycherley and Etherege so deeply immoral as that of Beaumont and Fletcher.

We do not know if the Muses resented, in De Foe's case, this unfriendliness to one of their favourite haunts; but, when he attempted to woo them on his account, they answered coyly to his call. A collection of Fugitive Verses, published by Duntton, appeared at this time—'made,' says the eccentric bookseller, 'by the chief wits of the age; namely, Mr Motteux, Mr De Foe, Mr Richardson, and, in particular, Mr Tate, now poet-laureat.' (Swift was among them too, but not important enough to be named.) And we must confess, of De Foe's contribution to the memory of his old Presbyterian pastor, that it seems to us rightly named fugitive; whether we apply the word actively to the poetry that flies away, or passively to that which makes the reader do the same. He lost a part of his strength, his facility, and his fancy, when he wrote in verse. Yet, even in verse, he made a lucky, nervous hit, now and then; and the best of his efforts was the *True-born Englishman*.

It appeared in 1701. It was directed against the bitter attacks from which William at that time suffered, on the ground of his birth and the friends he had ennobled. They were no true-born Englishmen: that was the cant in vogue. Mr Tutchin's poem of *The Foreigners* was on every body's tongue. The feeling had vented itself, in the previous year, on that question of the dismissal of the Dutch Guards, which the King took so sorely to heart. The same feeling had forced the Tories into power; it had swelled their Tory majority with male-content Whigs; and it now threatened the fair and just rewards which William had offered to his deserving generals. It is recorded of him at this juncture, that even his great, silent

heart gave way at last. 'My guards have done for them what ' they could not do for themselves, and they send them from me.' He paced his cabinet in uncontrollable emotion. He would have called out his assailants, he said, if he had been a private man. If he had not had the obligation of other than private duties, he would have resigned the crown.

Then it was that De Foe stepped in with his timely service. The *True-born Englishman* was a doggerel, but a fine one. It was full of earnest, weighty sense; of excellent history; of the nicest knowledge of our English character; and it thrust right home at the point in issue. It proved the undeniable truth, that, so far from being of pure birth and blood, Englishmen are the most mixed race on the earth; and owe their distinction over other feebler races to that very circumstance. While it exposed a vulgar prejudice, it flattered a reasonable vanity; and few things of a merely temporary interest have ever equalled its success. Its first two lines—

' Wherever God erects a house of prayer,
The Devil always builds a chapel there '—

are all that can be said to have survived, of couplets that were then shouted from street to street. Beside the nine editions of which De Foe himself received the profit, upwards of twelve editions were pirated, printed, and sold, in defiance of his interdict. More than eighty thousand copies, we are told, were thus disposed of in the streets alone. But it is more important to have to remark, that it destroyed the cant against which it was directed. 'Whereas, before, you had it in the best writers, and 'in the most florid speeches, before the most august assemblies, 'upon the most solemn occasions,'—now, without a blush or a laugh, you never heard it named.

It may be doubted if this great King had ever so deeply felt a service. His opportunities were few. De Foe has recorded how he was sent for to the palace, on the special occasion of his book; with what kindness he was received; 'how employed; 'and how, above his capacity of deserving, rewarded.' His free access to William's cabinet never ceased from this time. There are statements throughout his writings of the many points of public policy he had been permitted frankly to discuss with the sovereign. On the agitated questions of the partition-treaties, he was throughout consulted; and there was one grand theme, nobly characteristic of the minds of both, often recurred to in these interviews. It was the Union of Scotland with England. 'It shall be done,' said William; 'but not yet.' Other things more nearly and closely pressed him then.

The rapid growth and march of the Revolution might be aptly

measured by the incidents and disputes of the last year of his reign. They turned solely on the power claimed by the Lower House of legislature. In several ably-written pamphlets, and particularly in a *Letter* distinguished for its plain and nervous diction, (and in which the grounds of popular representation were so happily condensed and clearly stated, that it has been a textbook of political disputants from the expulsion of Walpole and of Wilkes to the days of the Reform Bill,) De Foe impugned the full extent of the claim on the ground of a non-representation of the people; but a power had lately arisen within that House itself, indicative of the changed relations of the government of England; wiser in effect than the wisdom of Somers, more cunning than the cunning of Sunderland. 'The Tories,' said the latter to William, 'are better speakers than the Whigs in the *House of Commons*.' It had arisen into a peculiar art—the art of oratory—there. Confessedly one of the most influential of its members was he whom the last three Parliaments of William elected for their Speaker; yet no man would have listened patiently for five minutes to Robert Harley, any where but in the House of Commons. There, he was supreme. The country gentlemen voted for him, though they remembered that his family went to a meeting-house. The younger members put forth their most able and graceful representative to honour him, when Henry St John seconded his third nomination. Posterity had cause to be grateful to him, when he joined Tory and Whig in a common demand for the best securities of the Act of Settlement. It was not genius, it was not eloquence, it was not statesmanship, that had given Harley this extraordinary power. It was House of Commons tact. A thing born of the Revolution; and destined, through whatever immediate effects, to strengthen and advance it in the end. For it rested on the largest principles, even while it appealed to the meanest passions.

There was something very striking in the notion of De Foe, to bring it suddenly face to face with those higher principles. His *Kentish Petition* and *Legion Memorial*, are in all the histories which relate the Tory impeachment of William's four Whig lords. It was creating a people, it is true, before the people existed; but it was done with the characteristic reality of genius, and had a startling effect. As Harley passed into the house, a man, muffled in a cloak, placed the *Memorial* in his hands. The Speaker knew De Foe's person, and is said by the latter to have recognised him; but he kept his counsel.

No one has doubted, that in the excitement of the debates that followed, the Whigs and William recovered much lost ground; and the coffee-houses began to talk mightily of a pam-

phlet, wherein Lord Portland figured as *Phocion*, Lord Oxford as *Themistocles*, Lord Halifax as *Pericles*, and Lord Somers as *Aristides*. The subsequent declaration of war against France, still further cheered and consoled the King. He sent for De Foe, received from him a scheme for opening new 'channels of trade,' in connexion with the war, and assigned to him the main office of its execution. He felt that he ruled at last, and was probably never so reconciled to his adopted kingdom. But, in the midst of grand designs and hopes, he fell from his horse in hunting, sickened for a month, and died.

There are many *Mock Mourners* at royal deaths, and, in a poem with that title, De Foe would have saved his hero's memory from them. He claimed for him nobler homage than such tributes raise, 'to damn their former follies by their praise.' He told what these mourners were, while yet their living King appeared, 'and what they knew they merited, they feared.' He described what has since become matter of history, that toast of 'William's horse' which had lightened their festivities since his accident:—'twould 'lessen much our woe, had Sorrel stumbled thirteen years ago.' And he closed with eloquent mention of the heroic death which Burnet's relation made so distasteful to High Church bigotry—

' No conscious guilt disturb'd his royal breast,
Calm as the regions of eternal rest.'

The sincerity of the grief of De Foe had in this work lifted his verse to a higher and firmer tone. It was a heartfelt grief. There was no speeding the going, welcoming the coming sovereign, for De Foe. Nothing could replace, nothing too gratefully remember, the past. 'I never forget his 'goodness to me,' he said, when his own life was wearing to its close. 'It was my honour and advantage to call him master as well as sovereign. I never patiently heard his memory slighted, 'nor ever can do so. Had he lived, he would never have suffered me to be treated as I have been in this world.' Ay! good, brave, Daniel De Foe! There is indeed but sorry treatment now in store for you.

The accession of Anne was the signal for Tory rejoicings. She was thirty-seven, and her character was formed and known. It was a compound of weakness and of bigotry, but in some sort these availed to counteract each other. Devotion to a High Church principle was needful to her fearful conscience; but reliance on a woman-favourite was needful to her feeble mind. She found Marlborough and Godolphin in office, where they had been placed by their common kinsman, Sunderland; and she raised Godolphin to the post of Lord-Treasurer, and made Marlborough Captain-General. Even if she had not known them

to be Tories, she would yet have done this; for she had been some years under the influence of Marlborough's strong-minded wife, and that influence availed to retain the same advisers when she found them converted Whigs. The spirit of The Great lives after them; and this weak, superstitious, 'good sort of woman,' little thought, when she uttered with so much enjoyment the slighting allusions to William in her first speech from the throne, that the legacy of foreign administration left by that great-minded sovereign, would speedily convert the Tories, then standing by her side, into undeniable earnest Whigs.

At first, all was well with the most highflying Churchmen. Jacobites came in with proffered oaths of allegiance; the 'landed interest' rubbed its hands with anticipation of discountenance to trade; tantivy parsons cried their loudest halloo against dissent; the martyrdom of Charles became the theme of pulpits, for comparison of the martyr to the Saviour; and, by way of significant hint of the royal sanctity, and the return of the throne to a more lineal succession, the gift of the royal touch was solemnly revived. Nor did the feeling explode in mere talk, or pass without practical seconding. The Ministry introduced a bill against Occasional Conformity, the drift of which was to disqualify Dissenters from all civil employments; and though the ministers themselves were indifferent to it, court bigotry pressed it so hard, that even the Queen's husband, himself an occasional conformist, was driven to vote for it. 'My heart is *vid* you,' he said to Lord Wharton, as he divided against him. It was very charmingly *foreign* to the purpose.

The bill, passed by the Tory House of Commons, (where Harley had again been chosen Speaker,) was defeated by the Whig lords, to the ministers' great comfort. But the common people, having begun their revel of High Church excitement, were not to be balked so easily. They pulled down a few dissenting chapels; sang High Church songs in the streets; insulted known Dissenters as they passed; and otherways orthodoxly amused themselves. It seemed to De Foe a little serious. On personal grounds he did not care for the bill, its acceptance, or its rejection; but its political tendency was unsafe; it was designed as an act of oppression; the spirit aroused was dangerous; and the attitude taken by Dissenters wanted both dignity and courage. Nor let it be supposed, while he still looked doubtfully on, that he had any personal reason which would not strongly have withheld him from the fray. He had now six children; his affairs were again thriving; the works at Tilbury had reasonably prospered; and passing judgment, by the world's most favoured tests, on the house to which he had lately

removed at Hackney, on the style in which he lived there, and on the company he kept, it must be said that Daniel De Foe was at this time most 'respectable' and well to do. He kept his coach, and visited county members. But as the popular rage continued, he waived prudential considerations. There was a foul-mouthed Oxford preacher named Sacheverell, who had lately announced from his pulpit to that intelligent University, that he could not be a true son of the Church who did not lift up her banner against the Dissenters; who did not hang out 'the bloody flag and banner of defiance;' and this sermon was selling for twopence in the streets. It determined him, he tells us, to delay no longer. He would make an effort to stay the plague. And he wrote and published his *Shortest Way with the Dissenters*—without his name, of course.

Its drift was to personate the opinions and style of the most furious of the high-flying Church party, and to set forth, with perfect gravity and earnestness, the extreme of the ferocious intolerance to which their views and wishes tended. We can conceive nothing so seasonable, or in the execution so inimitably real. We doubt if a finer specimen of serious irony exists in the language. In the only effective mode, it stole a march on the blind bigotry of the one party, and on the torpid dulness of the other. To have spoken to either in a graver tone, would have called forth a laugh or a stare. Only discovery could effect prevention. A mine must be sprung, to show the combustibles in use, and the ruin and disaster they were fraught with. 'Tis in vain,' said the *Shortest Way*, 'to trifle in this matter. We can never enjoy a settled 'uninterrupted union in this nation, till the spirit of Whiggism, 'faction, and schism, is melted down like the old money. Here 'is the opportunity to secure the Church, and to destroy her 'enemies. I do not prescribe fire and faggot, but *Delenda est Carthago*. They are to be rooted out of this nation, if ever 'we will live in peace or serve God. The light foolish handling of them by fines, is their glory and advantage. If the 'gallows instead of the comptroller, and the galleys instead of the 'fines, were the reward of going to a conventicle, there would 'not be so many sufferers. The spirit of martyrdom is over. 'They that will go to church to be chosen sheriffs and mayors, 'would go to forty churches rather than be hanged.'

If a justification of this masterly pamphlet were needed, would it not be strikingly visible in the existence of a state of society wherein such arguments as these could be taken to have grave intention? Gravely, they were so taken. Sluggish, timid, cowardly Dissenters were struck with fear; rabid High Churchmen

shouted approval. A Cambridge Fellow wrote to thank his bookseller for having sent him so excellent a treatise, it being, next to the Holy Bible and the Sacred Comments, the most valuable he had ever seen. But then came a whisper of its true intention, and the note suddenly changed. There arose a clamour for discovery and punishment of the writer, unequalled in its vehemence and intensity. To the lasting disgrace of the Dissenters, they joined the cry. They took revenge for their own dulness. That the writer was De Foe, was now generally known; and they owed his wit no favour. It had troubled them too often before their time. They preferred to wait till Sacheverell's bloody flag was hoisted in reality: such a pamphlet, meanwhile, was a scurrilous irreverence to religion and authority, and they would have none of it. A worthy Colonel of the party said, 'he'd undertake to be hangman, rather than 'the author should want a pass out of the world;' and a self-denying chairman of one of the foremost Dissenters' clubs professed such zeal, that if he could find the libeller he would deliver him up without the reward. For government had now offered a reward of fifty pounds for the apprehension of Daniel De Foe. There is no doubt that the moderate chiefs were disinclined to this; but they were weak at that time. Lord Nottingham had not yet been displaced; there was a Tory House of Commons, which not even Harley's tact could always manage, and by which the libel had been voted to the hangman; nor had Godolphin's reluctance availed against the wish of the Court, that office should be given to the member most eminent for opposition to the late King while he lived, and for insults to his memory. De Foe had little chance; and Nottingham, a sincere bigot, took the task of hunting him down. The proclamation in the *London Gazette* described him, 'a middle-sized, spare man, about forty years old, of a brown complexion, and dark-brown coloured hair, but wears a wig; a hooked nose, a sharp chin, grey eyes, and a large mole near his mouth; owner of the brick and pan-tile works near Tilbury Fort, in Essex.' But it was not immediately successful. Warrants then threw into custody the printer and the bookseller; and De Foe concealed himself no longer. He came forth, as he says, to brave the storm.

He stood in the Old Bailey dock in July 1703. Harcourt, who before had carried up the impeachment of Somers, and was afterwards counsel for Sacheverell, prosecuted. 'A man without shame,' says Speaker Onslow, 'but very able.' It was his doctrine, that he ought to prosecute every man who should assert any power in the people to call their governors to account;—

taking this to be a right corollary from the undoubtedly existing law of libel, that no man might publish a writing reflecting on the government, or even upon the capacity and fitness of any one employed in it. The Revolution had not altered this law; and it was in effect the direct source of the profligate and most prolific personal libels of the age we are entering on. For Harcourt's policy was found impracticable, and retaliation was substituted for it;—as the denial of all liberty in theory will commonly produce extreme licentiousness in practice. We do not know who defended De Foe; but he seems to have been ill defended. He was advised to admit the libel, on a loose assurance in the court that a high influence was not indisposed to protect him. He was declared guilty, and sentenced to pay a fine of two hundred marks, to stand three times in the pillory, to be imprisoned during the Queen's pleasure, and to find sureties for good behaviour for seven years. Alas for the fate of Wit in this world! De Foe was taken back to Newgate, and told to prepare for the pillory. The high influence whispered of made no sign now. But some years after, when it was her interest to say it, the Queen condescended to say, that 'she left all that matter to 'a certain person, and did not think he would have used Mr De Foe in such a manner.'

But what was the manner to Mr De Foe? He went to the pillory, as in those after years he went to the palace, with the same quiet temper. In truth, writers and thinkers lived nearer to it then than we can well fancy possible now. It had played no ignominious part in the grand age passed away. Noble hearts had been tried and tempered in it. Daily had been elevated in it, mental independence, manly self-reliance, robust athletic endurance. All from Within that has undying worth, it had, in those times, but the more plainly exposed Without. The only Archbishop that De Foe ever truly revered, was the son of a man who, in it, had been tortured and mutilated; and the saintly character of that Prelate was even less saintly than his father's. A Presbyterian's first thought would be of these things; and De Foe's preparation for the pillory was to fortify his honest dignity by remembrance of them, in the most nervous and pointed verses he had ever written.

On the 29th of July 1703, there appeared, in twenty-four quarto pages, *A Hymn to the Pillory*, by Daniel De Foe; and on that day, we are informed by the *London Gazette*, Daniel De Foe stood in the pillory before the Royal Exchange in Cornhill; on the day following, near the conduit in Cheapside; and on the 31st, at Temple-Bar. A large crowd had assembled to provide themselves sport; but the pillory they most enjoyed was not

of the government's erecting. Unexpectedly they saw the Law pilloried, and the Ministers of State; the dulness which could not comprehend, and the malice which on that account would punish, a popular champion. They veered quickly round. Other missiles than were wont to greet a pillory reached De Foe; and shouts of a different temper. His health was drunk with acclamations as he stood there; and nothing harder than a flower was flung at him. 'The people were expected to treat me very ill,' he said; 'but it was not so. On the contrary, they were with me; wished those who had set me there were placed in my room; and expressed their affections by loud shouts and acclamations when I was taken down.' We are told that garlands covered the platform where he stood; and that he saw the *Hymn* passed from hand to hand, and heard what it calmly said less calmly repeated,—

'Tell them the men that placed him here
Are scandals to the times;
Are at a loss to find his guilt,
And can't commit his crimes.'

An undeniable witness who was present (a noted Tory libeller of the day, Ned Ward) frankly admits this 'lofty *Hymn* to the 'wooden-ruff' to have been 'to the law a counter-cuff; and 'truly, without Whiggish flattery, a plain assault and downright 'battery.' Had not De Foe established his right, then, to stand there 'unabashed?' Unabashed by, and unabated in his contempt for, Tyranny and Dulness, was he not now entitled to return fearless (not 'earless,' O readers of *Dunciad*!) to his appointed home in Newgate?

A home of no unwise experience to the wise observer. A scene of no unromantic aspect to the minute and careful painter. It is a common reproach to the memory of William of Orange, that literature and art found no encouragement in him; but let us remember that Daniel De Foe and David Teniers acknowledged him for their warmest friend. There is higher art and higher literature: within the field selected by both, there is none so exact and true. But the war of politics has not yet released our English Teniers. He has not leisure yet for the more peaceful 'art of rogues.'

In the Writings he now rapidly sent forth from Newgate, we think we see something of what we may call the impatient restlessness of Martyrdom. He is more eager than was perhaps desirable, to proclaim what he has done, and what he will do. We can fancy, if we may so express it, a sort of reasonable dislike, somewhat unreasonably conceived against him now, by the young men of letters and incipient wits with whom the world

was going easily. His utmost address might seem to have some offence in it; his utmost liberality to contain some bigotry; his best offices to society to be rendered of doubtful origin, by what would appear a sort of everlasting pragmatism and delight in finding fault. It is natural, all this. We trample upon a man; plunder him; imprison him; strive to make him infamous; and wonder if he is only the more hardened in his persuasion that he has a much better case than ourselves. One of the pirate printers of the day, took advantage of the imprisoned writer's popularity to issue the *Works of the Author of the True-born Englishman*; and thought himself grossly ill-used, because the author retorted with a charge of theft, and a *True Collection corrected by Himself*. The very portrait he had affixed to this latter book was a new offence. Here was a large, determined, resolute face. Here was a lordly, full-bottomed wig;—flowing lower than the elbow, and rising higher than the forehead, with amazing amplitude of curl. Here was richly-laced cravat; fine loose flowing cloak; and surly, substantial, citizen aspect. He was proud of this portrait, by the way, and complains of that of the pirate volume as no more like himself than Sir Roger L'Estrange was like the dog Touzer. But was this the look of a languishing prisoner? Was this an image of the tyranny complained of? Neither Tutchin of the *Observator*, nor Leslie of the *Rehearsal*, could bring himself to think it. So they found some rest from the assailing of each other, in common and prolonged assaults upon De Foe.

He did not spare them in return. He wrote satires; he wrote polemics; he wrote politics; he discussed Occasional Conformity with Dissenters, and the grounds of popular right with Highfliers; he wrote a famous account of the *Great Storm*; he took part in the boldest questions of Scotch and Irish policy; he canvassed with daring freedom the measures of the Court, on whose pleasure the opening of his prison-doors depended; he argued with admirable force and wit against a proposed revival of the censorship of the press; he put the claims of authors to be protected in their copyright with irresistible force; and finally he set up his *Review*.

Its plan was curious, and, at that time, new to English literature. It was at first a quarto sheet, somewhat widely printed, published weekly, and sold for a penny. After the fourth number, it was reduced to half a sheet and sold for twopennee, in smaller print and with double columns. After the eighth number, it was published twice a-week, on Tuesdays and Saturdays. Before the close of the first volume, it sent forth monthly supplements. And at last it appeared on the Tuesday, Thursday,

and Saturday, of every week ; and so continued, without intermission, and written solely by De Foe, for nine years. He wrote it in prison and out of prison ; in sickness and in health. It did not cease when circumstances called him from England. No official employment determined it ; no politic consideration availed to discontinue it. Through all the vicissitudes of men and ministries, from 1704 to 1713 ; amid all the contentions and the shouts of party, he kept with this homely weapon his single-handed way, a solitary watchman at the portals of the commonwealth. Remarkable for its rich and various knowledge, its humour, its satire, its downright hearty earnestness, it is a yet more surprising monument of inexhaustible activity and energy. It seems to have been suggested to him, in the first instance, as a resource against the uncertainties of his imprisonment, and their disastrous effect on his trade speculations, (he had lost by this prosecution more than L.4000 ;) and there is no doubt it assisted him in the support of his family for several of these years. But he had no efficient protection against its continued piracy. The thieves counted it by thousands, when worthy Mr Mathews the publisher could only account by hundreds ; and hence the main and most substantial profit its writer derived from all the anxiety and toil it cost him, was expressed in the proud declaration of one of its latest Numbers. ‘ I have
‘ here espoused an honest interest, and have steadily adhered to
‘ it all my days. I never forsook it when it was oppressed ;
‘ never made a gain by it when it was advanced ; and, I thank
‘ God, it is not in the power of all the courts and parties in
‘ Christendom to bid a price high enough to buy me off from it,
‘ or make me desert it.’

The arrangement of its plan was not less original than that of its form. The path it struck out in periodical literature was, in this respect, entirely novel. It classed the minor and the larger morals ; it mingled personal and public themes ; it put the gravities of life in an entertaining form ; and at once discussed the politics, and corrected the vices of the age. We will best indicate the manner in which this was done by naming rapidly the subjects treated in the first volume ; beside those of political concern. It condemned the fashionable practice of immoderate drinking ; in various ways, ridiculed the not less fashionable habit of swearing ; inveighed against the laxity of marital ties ; exposed the licentiousness of the stage ; discussed, with great clearness and sound knowledge, questions affecting trade and the poor ; laughed at the rage for gambling speculations ; and waged inveterate war with the barbarous practice of the duel. Its machinery for matters non-political was a so-called

Scandalous Club, organized to hear complaints, and entrusted with the power of deciding them. Let us show how it acted. A gentleman appears before the club, and complains of his wife. She is a bad wife; he cannot exactly tell why. There is a long examination, proving nothing; when suddenly a member of the club begs pardon for the question, and asks if his worship was a good husband. His worship, greatly surprised at such a question, is again at a loss to answer. Whereupon, the club pass three resolutions. That most women that are bad wives are made so by bad husbands: That this society will hear no complaints against a virtuous bad wife from a vicious good husband: That he that has a bad wife, and can't find the reason of it in her, 'tis ten to one that he finds it in himself. And the decision finally is, that the gentleman is to go home, and be a good husband for at least three months; after which, if his wife is still uncured, they will proceed against her as they shall find cause. In this way, pleas and defences are heard on the various points that present themselves in the subjects named; and not seldom with a lively dramatic interest. The graver arguments and essays too, have an easy, homely vigour; a lightness and pleasantry of tone; very different from the ponderous handling peculiar to the Ridpaths and the Dyers, the Tutchins and the Leslies. We open at an essay on trade, which would delight Mr Cobden himself. De Foe is arguing against impolitic restrictions. We think to plague the foreigner, he says; in reality, we but deprive ourselves. 'If you vex me, I'll eat no dinner, said I, when I was a little boy: till my mother taught me to be wiser by letting me stay till I was hungry.'

The reader will remember the time when this *Review* was planned. Ensign Steele was but a loungee in the lobbies of the theatres; Addison had not emerged from his garret in the Haymarket. The details of common life had not yet been invested with the graces of literature; the social and polite moralities were still disregarded in the press; the world knew not the influence of my Lady Betty Modish, and Colonel Ranter still swore at the waiters. Where shall we look for 'the first 'sprightly runnings' of *Tatlers* and *Spectators* then, if we have not found them in De Foe's *Review*? The earlier was indeed the ruder workman; but wit, originality, and knowledge were yet the tools he worked with; and the later 'twopenny authors,' as Mr Dennis is pleased to call them, found the way well struck out for their finer and more delicate art. What had been done for the citizen-classes, they were to do for the beauties and the wits. They had watched the experiment, and seen its success. The *Review* was enormously popular. It was stolen, pirated

hawked about every where; and the writer, with few of the advantages, paid all the penalties of success. He complains that his name was made 'the hackney title of the times.' Hardly a penny or twopenny pamphlet was afterwards cried in the streets to which the scurrilous libeller, or witless dunce, had not forged that popular name. Nor was it without its influence on the course of events which now gradually changed the aspect and the policy of Godolphin's government. De Foe has claimed for himself large share in preparing a way for what were called the 'modern Whigs;' and the claim was undoubtedly well founded.

Nottingham and Rochester had resigned; and the great House of Commons tactician was now a member of the government. The seals of the Home and War Offices had been given to Harley and his friend Henry St John. The Lord-Treasurer could not yet cross boldly to the Whigs, and would not creep back to the Tories. To join with Robert Harley was to do neither of these things. This famous person appears to us to have been the nearest representative of what we might call the practical spirit of the Revolution, of any who lived in that age. In one of his casual sayings reported by Pope, we seem to find a clue to his character. Some one had observed of a measure proposed, that the people would never bear it. 'None of us,' replied Harley, 'know how far the good people of England will bear.' All his life he was engaged in attempts upon that problem. If he had thought less of the good people of England, he would have been a less able, a more daring, and certainly a more successful statesman. We do not think he was a Trimmer, in the ordinary sense of the word. When he went to church, and sent his family to the meeting-house; when he never asked a clergyman to his Sunday table, without providing a clergyman 'of another sort' to meet him; we should try to find a better word for it, if we would not find a worse for the Revolution. The Revolution trimmed between two parties. The Revolution, to this day, is but the grand unsolved experiment of how much the people of England will bear. To call Harley a mere court intriguer, is as preposterous as to call him a statesman of commanding genius. He had less of mere courtliness than any of his colleagues. The fashionable French dancing-master who wondered what the devil the Queen should have seen in him to make him an Earl and Lord-Treasurer—for he attended him two years, and never taught such a dunce—gives us a lively notion of his homely, *bourgeois* manners. Petticoat politics are to be charged against him; but to no one who thoroughly knew the Queen can it be matter of severe

reproach, that he was at the pains to place Abigail Hill about her person. He knew the impending downfall of Marlborough's too imperious wife; and was he to lose a power so plainly within his grasp, and see it turned against him? His success in the Bedchamber never shook his superior faith in the agencies of Parliament and the Press. These two were the levers of the Revolution; and they are memorably associated with the government of Robert Harley.

As soon as he joined Godolphin, he seems to have turned his thoughts to De Foe. He was not, indeed, the first who had done so. More than one attempt had been already made to capitulate with that potent prisoner. Two lords had gone to him in Newgate! says Oldmixon; in amaze that one lord could find his way to such a place. He says the same thing himself, in the witty narrative at the close of the *Consolidator*. But they carried conditions with them; and there is a letter in the British Museum, (Addit. MS. 7421,) wherein De Foe writes to Lord Halifax, that he 'scorned to come out of Newgate at the price of betraying a dead master.' Harley made no conditions: it was not his way. He sent to De Foe because he was a man of letters, and in distress. His message was 'by word of mouth;' and to this effect—'Pray, ask Mr De Foe what I can do for him.' Nor was the reply less characteristic. The prisoner took a piece of paper and wrote the parable of the blind man in the gospel. 'I am blind, and yet ask me what thou shalt do for me! My answer is plain in my misery. Lord, that I may receive my sight!' What else could such a man wish for but his Liberty? Yet four months passed before a further communication. It seemed to imply reluctance in a higher quarter. Within four months, however, 'her Majesty was pleased particularly to enquire into my circumstances, and by my Lord-Treasurer Godolphin to send a considerable supply to my wife and family; and to send to me the prison-money, to pay my fine and the expenses of my discharge.'

His health was shattered by his long confinement. He took a house at Bury in Suffolk, and lived there a little while retired. But his pen did not rest; nor could he retire from the notorieties that followed him. His name was still hawked about the London streets; and it was reported, and had to be formally denied, that he had escaped from Newgate by a trick. Then came the exciting news that Blenheim was won, France humbled, Europe saved; and De Foe, in verses of no great merit, but which cost him only 'three hours' to compose, gave public utterance to his joy. Then the dry unlettered Lord-Treasurer went in search of the most graceful wit among the Whigs, to get advice for a regular

poet to celebrate the Captain-General. Then Halifax brought down Addison from his garret; the *Campaign* was exchanged for a comfortable government salary; and communications again opened with De Foe. Two letters of this date, from himself to Halifax, have escaped his biographers. In the first he is grateful for that lord's unexpected goodness, in mentioning him to my Lord-Treasurer; but would be well pleased to wait till Halifax is himself in power. He speaks of a government communication concerning 'paper credit,' which he is then handling in his *Review*. He regrets that some proposal his lordship had sent, 'exceeding pleasant to me to perform, as well as useful to be 'done,' had been so blundered by the messenger that he could not understand it; and from this we get a glimpse of a person hitherto unnamed in his history—a brother, a stupid fellow. In the second letter, he acknowledges the praise and favours of Lord Halifax; and thus manfully declares the principle on which his own services are offered. 'If to be encouraged in giving 'myself up to that service your lordship is pleased so much to 'overvalue; if going on with the more cheerfulness in being 'useful to, and promoting the general peace and interest of this 'nation; if to the last vigorously opposing a stupid, distracted 'party, that are for ruining themselves rather than not destroy 'their neighbours; if this be to merit so much regard, your 'lordship binds me in the most durable, and to me the most 'pleasant engagement in the world, because 'tis a service that, 'with my gratitude to your lordship, keeps an exact unison with 'my reason, my principle, my inclinations, and the duty every man 'owes to his country, and his posterity.'

Harley was at this time in daily communication with Halifax, and doubtless saw these letters. But he managed all things warily. He had not appeared in De Foe's affairs since he effected his release; and that release he threw upon the Queen. In the same temper he sent to him now. The Queen, he said, had need of his assistance. He offered him no employment to fetter his future engagements. He knew that in the last of his publications (the *Consolidator*, a prose satire remarkable for the hints it threw out to *Gulliver*) he had laughed at Addison for refusing to write the *Campaign* 'till he had £200 a-year secured to him;'—an allusion never forgiven. He sent for him to London; told him the Queen 'had the goodness to think of taking him into her service;' and did what the Whigs were vainly endeavouring to do for an Irish Priest who had written the most masterly satire since the days of Rabelais—took him to Court to kiss hands. We see in all this but the truth of the character we would assign to Harley. On grounds independent of either party, except so far as 'reason, 'principles, inclination, and duty to his country' should prompt,

he had here enlisted this powerful, homely, and popular writer in the service of the government of the Revolution. Compared with Harley, we cannot but think the old Whigs, with every honest inclination, little better than bunglers in matters of this kind. It is true that not even Harley could carry the Vicar of Laracor to the palace;—but he could carry him in his coach to country ale-houses; he could play games of counting poultry on the road, or ‘who should first see a cat or an old woman;’ he could loll back on his seat with a broad ‘Temple’ jest; or he could call and be called *Jonathan* and *Harley*;—and the old Whigs were much too chary of these things. So they had lost Prior, and were losing Parnell and Swift; and he who had compared Lord Somers to *Aristides*, was soon to talk of him as little better than a rascal.

We next see De Foe in the house of Mr Secretary Harley. He has been named to execute a secret commission in the public service, which requires a brief absence on the Continent. He is making preparations for his departure; proposing to travel as *Mr Christopher Hurt*; giving Harley advice for a large scheme of secret intelligence; and discussing with him a proposed poetical satire (afterwards published as the *Diet of Poland*) against the High Church faction. In a subsequent farewell letter he adverts to these things; and, after naming some matters of public feeling, in which one of the minister’s Tory associates was awkwardly involved, characteristically closes with an opinion, that it was needful Harley should know in this, as well as any thing else, *what the people say*.

The foreign service was one of danger. ‘I ran as much danger of my life as a grenadier upon the counterscarp.’ But it was discharged successfully; and, in consideration of the risk, the government offered him what seems to have been a small sinecure. He took it as a debt; and at a later period, when opposed to the reigning ministry, complains that large arrears were then unpaid. On his return he had found the Tory House of Commons dissolved, and the new elections in progress. He threw himself into the contest with characteristic ardour. He wrote; he canvassed; he voted; he journeyed throughout the country on horseback, he tells us, more than eleven hundred miles; and, in addresses to electors every where, still counselled the necessity of laying aside party prejudices, of burying former animosities, and of meeting their once Tory ministers at least half-way. He found many arguments on his road, he adds. He found people of all opinions, as well Churchmen as Dissenters, living in Christian neighbourhood; and he had very often the honour, ‘with small difficulty, of convincing gentlemen over a bottle of wine, that the author of the *Review* was really no

'monster, but a conversable, social creature.' His Essays, meanwhile, written in the progress of this journeying, were admirable. They were read in every coffee-house and club; often they were stolen from these houses by Highfliers, that they might *not* be read; they were quoted on every popular hustings; the Duchess of Marlborough sent them over to the camp in Flanders; and the writer, on peril of his life, was warned to discontinue them. His tributes of this latter kind were numerous. Highflying justices followed him about the country with false warrants of arrest; sham actions were brought against him in shoals; compounded debts of long past years were revived; and only his own unequalled and irresistible energy could have stayed the completion of his ruin. But no jot of heart or hope was abated in him. 'He is not,' says no friendly critic, 'daunted with multitudes of enemies; for he faces as many every Tuesday, Thursday, and Saturday, as there are foes to moderation and peace. He *Reviews* without fear, and acts without fainting. He is a person of true courage.'

The elections confirmed the power of the Whigs. The Duke of Buckingham and Sir Nathan Wright retired to make way for the Duke of Newcastle and Lord Cowper; and a renegade Whig and former Dissenter, Lord Haversham, led the first attack upon the ministers. De Foe was dragged forward by this lord as the 'mean and mercenary prostitute of the *Review*;' as making his fortune by the way of 'scribbling;' and as receiving both 'encouragement and instructions' from Godolphin. There was a quiet dignity and eloquence in his answer. He reminds the turncoat peer that Fate, which makes footballs of men, kicks some men up stairs and some down; that some are advanced without honour, others suppressed without infamy; that some are raised without merit, some crushed without crime; and that no man knows, by the beginning of things, whether his course shall issue in a peerage or a pillory. To the charge of writing for bread, he asks what are all the employments in the world pursued for, but for bread? 'The lawyer pleads, the soldier fights, the musician fiddles, the players act, and, no reflexion 'on the tribe, the clergy preach, for bread.' For the rest, he reminds him that *he* had never betrayed his master (William had given Lord Haversham his peerage) nor his friend; that he had always espoused the cause of truth and liberty; that he had lived to be ruined for it; that he had lived to see it triumph over tyranny, party rage, and persecution principles; and that *he was sorry to see any man abandon it.*

Beside the *Review*, he had published in the current year works on trade; on the conduct and management of the poor;

on toleration; and on colonial intolerance in North America. It would be difficult to name a more soundly reasoned or shrewdly written pamphlet than his *Giving Alms No Charity*. He claimed to be heard on that subject, he said, as an English freeholder. His town tenements had been taken from him; the Tilbury works were gone; and the Freeman's Yard house was his no longer; but he still possessed one English freehold. He does not tell us in what county; but he had moved his family to Newington, and it was doubtless in some way connected with that scene of his boyhood. To this date, also, belong several pamphlets on Dissenters' questions; his attempted enforcement of a better scheme for the regulation of madhouses; and his *Jure Divino*. The latter appeared with a large subscription, and was impudently pirated on the very day of its publication. Now, too, there went to him that worthy and much distressed bookseller, who had published a large edition of a very dull and heavy book, called *Drelincourt on Death*, 'with several directions how to prepare ourselves to die well;' which the public, not appearing to relish unauthorized directions of that nature, had stubbornly refused to buy. What was to be done with the ponderous stock under which his shelves were groaning: De Foe quieted his fears. Nothing but a ghost from the grave, it was true, could recommend such a book with effect; but a ghost from the grave the worthy bookseller should have. As speedily done as said: De Foe sent him, in a few days, *The True History of the Apparition of one Mrs Veal the next day after her Death, to one Mrs Bargrave, at Canterbury, the 8th of September 1705*. If such a thing was ever to be believed, here it was made credible. The business-like, homely, earnest, commonplace air of truth, was perfectly irresistible. And what said the ghost to Mrs Bargrave? The ghost, in the course of a long gossip, filled with the *says I* and *thinks I*, the *says she* and *thinks she*, of the tea-table of a country town, said—with all the confident dogmatism of her recent mortuary experience—that Drelincourt's book on death was the best book ever written on that subject. Doctor Sherlock was not bad; two Dutch books had merit; several others were worth mention; but Drelincourt, she protested, had by far the clearest notions of death and the future state, of any one who had handled the matter. The narrative was appended to the book, and a new Edition advertised. It flew like wildfire. The copies, to use an illustration of Sir Walter Scott's, (with whom the narrative was an immense favourite,) which had hung on the bookseller's hands as heavy as a pile of lead bullets, now traversed the town in every direction like the same bullets discharged from a field-piece. Nay, the book has

been popular ever since. More than fifty editions have not exhausted its popularity. Mrs Veal's ghost is still believed by thousands. And the hundreds of thousands who have bought the silly piece of *Drelincourt*, (for hawking booksellers have made their fortunes by traversing the country with it in six-penny numbers,) have borne unconscious testimony to the genius of De Foe.

It was now engaged once more in the service of the Ministry. He had, in various writings, prepared his countrymen for the greatest political measure of the time; he was known to have advised the late King on a project for the Scottish Union; and Godolphin, about to immortalize his administration by that signal act of statesmanship, called in the services of De Foe. He describes the Lord-Treasurer's second introduction of him to her Majesty, and to the honour of kissing her hand. 'Upon this second introduction, her Majesty was pleased to tell me, with a goodness peculiar to herself, she had such satisfaction in my former services, that she appointed me for another office.' The greater part of the next two years was passed in this office; which seems to have combined, with the duties of Secretary to the English Commissioners, considerable power and influence derived from the Ministry at home. It was an important appointment, and Godolphin was assailed for it. 'An under spur-leather, forsooth, sent down to Scotland to make the Union!' It carried De Foe at various intervals between Edinburgh and London; involved him in continual discussion leading to or rising out of the measure, as well as in the riots which marked the excitement of the time; procured for him what seems to have been the really cordial and friendly attentions of the Duke of Queensberry and Lord Buchan; directed his attention to various matters which he believed to be essential to Scottish prosperity; and grounded in him a high respect and liking for the Scottish people. He wrote a poem in eulogy of them; busied himself earnestly with suggestions for their commercial and national advancement; and spent some well-devoted labour, in after years, on the compilation of a very minute, and, so to speak, highly dramatic *History of the Union*. We rejoice to have to couple that act, so eminently in the best spirit of the Revolution, so large-minded and so tolerant, with his name. It changed turbulence to tranquillity; rude poverty to a rich civilization; and the fierce atrocities of a dominant church, to the calm enjoyment of religious liberty.

A strange scene was meanwhile going on in London. The easy, indolent Prince George, (whom Charles II. said he had tried drunk and sober, and could do nothing with him,) had been

heard to complain one day, in the intervals of his dinner and his bottle, that the Queen came very late to bed. This casual remark falling on the already sharp suspicions of the Duchess of Marlborough, discovered the midnight conferences of the Queen with Abigail Masham and her kinsman, Secretary Harley; and the good Mrs Freeman, knowing that her dear Mrs Morley had not a stock of amity to serve above one object at a time, at once peremptorily insisted on the suspension of the Abigail, and the dismissal of the Secretary. We state the fact without comment; but it may be remarked, that if Harley's back-stairs midnight visits implied treachery to his colleagues, it was not of that black kind which would have ruined men who trusted him. It had been clear to the Secretary for some time, that the Whigs would *not* trust him. He says himself, and there is no reason to doubt it, that he was not enough of a party-man for them. One smiles, indeed, with a kind of sympathy for him, to read in Lord Cowper's diary of two years' date before this, his devotion of his best tokay ('good, but thick') to the hapless effort of Whig conciliation. The accession of strength received from the great measure of the Union, had been straightway used to weed his friends from office. Hedges had made way for Sunderland; and even Prior and his colleagues, in the Board of Trade, had been removed. Nor was that an age in which party warfare was scrupulous on either side. In the session just begun, the party motion supported by Rochester and Buckingham, to ruin the Whig chiefs of the ministry, was supported by Somers and Wharton with the sole hope of ruining Harley. In now retiring, the Secretary's principal mortification would seem to have been the necessity it laid him under of joining an ultra-faction. He made a last attempt to conciliate Cowper and Somers. But the arrangements were made. To the ill-concealed grief and distress of the Queen, he and his friend St John retired; Robert Walpole entered the ministry; Somers was made Lord Chancellor; and the imperious Duchess of Marlborough thought herself triumphant. She had known Anne now forty years, but she did not know the strength of her sullen obstinacy. In a few months more, the death of the Prince threw fresh power into Whig hands. Somers became President of the Council, and Lord Wharton went to Ireland. He took with him, as his secretary, Joseph Addison.

Mr Addison was, at this time, less distinguished by the fame of his writings than of his sayings. He was the most popular man in the little commonwealth of Whig wits, who now met nightly (Button's was not yet established) at Will's coffee-house in Covent Garden. They were a kind of offshoot from the more

dignified club who eat mutton-pies at Kit Katt's the pastry-cook's; and of which the principal literary members were Congreve, Garth, Vanbrugh, Steele, and Addison. The Revolution gave a new character, in giving new duties, to associations of this kind. They were no longer what they were, when, in this same coffee-house, then called 'The Rose,' Dryden ruled the town wits from his Tory chair. They were a recognised class, with influence before unknown. In sketching the career of De Foe, we have indicated its rise and growth. The People were beginning to be important, and it was the only direct means of communication with the People. Thus the little party at Will's were not sought or courted for the graces of their wit and literature alone. That pale, bright-eyed, sickly, deformed youth of one-and-twenty, whose *Pastorals* are so much talked of just now, may seek them for no better reason; but not for this are they sought by that tall, stern-looking, dark-faced Irish priest, whose forty-two years of existence have been a struggle of ill-endured dependence and haughty discontent, which he now desires to redeem in the field of political warfare. Here, meanwhile, he amuses himself and the town with Mr Bickerstaff's joke against Mr Partridge, suggesting to hearty Dick Steele those pleasant *Lucubrations* of Isaac, which, in a few months more, are to take the town by storm; or, it may be, showing privately to Addison that bitter sneer against De Foe, which he was about now to give to the world. 'One of those authors, (*the fellow who was pilloried, I have forgot his name,*) is indeed so grave, sententious, dogmatical a rogue, that there is no enduring him.' That was it! There was profiting by his labour; there was copying the suggestions of his genius; there was travelling to wealth and power along the path struck out by his martyrdom; but, for this very reason, there was no enduring him. A man who will go into the pillory for his opinions, is not a 'club-able' man. Yet at this very moment De Foe was labouring for the interests of the literary class. For twenty years he had urged the necessity of a law to protect an author's property in his writings, and in this session the Copyright act was passed. The common law recognised a perpetual right, but gave no means of enforcing it; the statute limited the right, and gave the means. It was a sort of cheat, but better than unlimited robbery.

Notwithstanding Harley's retirement, De Foe continued in the service of Godolphin's ministry. But at the special desire of Harley himself; to whom, as the person by whom he had been first employed for Anne, and whose apparently falling fortunes were a new claim of attachment, he considered himself bound. 'Nay, not so, Mr De Foe,' said Harley, 'I shall not take it ill

‘from you in the least. Besides, it is the Queen you are serving, who has been very good to you.’ The words were well selected for continuance of the tenure by which the sagacious diplomatist had first engaged his service. Upon this, he went to the Lord-Treasurer, who received him with great friendliness, and told him, ‘smiling,’ he had not seen him a long while. De Foe frankly mentioned his obligations to Harley, and his fear that his interest might be lessened on that account. ‘Not at all, Mr De Foe,’ rejoined Godolphin; ‘I always think a man honest till I find the contrary.’ The scrupulous author, nevertheless, considered it his duty entirely to cease communication with the rival statesman, till he again appeared as a public minister.

It was not very long. Nor had the Ministry, on the score of moderation at any rate, profited greatly by his absence; while he, by the position of parties, was driven to the extreme of opposition. Despairing of the Queen’s power to second her well-known inclination, the High Church trumpet had again sounded to battle, and De Foe had again buckled on his armour of offence against both ultra-parties. It was now he told the world that fate of the unbiassed writer, with which a witty admirer of modern days has familiarized his readers. ‘If he tells the crimes of great men, they fall upon him with the iron hands of the law; if he tells them of their virtues, when they have any, then the mob attacks him with slander. But if he regards truth, let him expect martyrdom on both sides, and then he may go on fearless. *And this is the course I take myself.*’ It was now, describing his personal treatment by one of the Tory mobs, he told them the destiny of all that had ever served them. ‘He that will help you, must be hated and neglected by you, must be mobbed and plundered for you, must starve and hang for you, and must yet help you. *And thus I do.*’ Then came again upon the scene his old friend Dr Henry Sacheverell. This brawling priest attacked Godolphin in the pulpit by the name of *Volpone*; inveighed against Burnet and other bishops for not unfurling the bloody flag against Dissent; abused the Revolution as unrighteous; and broadly reasserted non-resistance and passive obedience. The man was such a fool and madman, that a serious thought should not have been wasted on him, whatever might be needful to discountenance his atrocious doctrines. This was the feeling of De Foe. When Harley called the sermon a ‘circumgyration of incoherent words,’ (in a speech thought to merit the same description,) it seems to have been his feeling too. It was certainly that of Somers, and of the best men in the cabinet. They all knew his noisy ignorance. His illustration of ‘paral-

'l'el lines meeting in a centre,' was a standing joke with the wits. But *Volpone* stuck to Godolphin, and an impeachment was resolved upon. He little thought, when he took to what Burnet calls the luxury of roasting a parson, that the fire would blaze high enough to roast himself and his colleagues.

Harley made a shrewder guess. He was dining with a friend in the country when the news reached him. 'The game is up!' he cried; left the dinner-table, and hurried to London. In vain De Foe still urged, 'Let us have the crime punished, not the man. The bar of the House of Commons is the worst pillory in the nation.' In that elevated pillory Sacheverell was placed; well dressed, with clean gloves, white handkerchief well managed, and other suitable accomplishments; Atterbury, who secretly despised him, in affected sympathy by his side; the mob without, screaming for their martyr; and women, high and low, frantic with admiration. 'You could never embark the ladies,' said De Foe, 'till you fell upon the clergy. As soon as you pinch the parson, the women are one woman in his defence.' His description of the interest created by the impeachment is one of his happiest pieces of quiet irony. It has also historic value. The ladies, he tells us, laid aside their chocolate, their china, and their gallantries, for state business; the *Tatler*, the immortal *Tatler*, the great Bickerstaff himself, (to whom, let us remark by the way, De Foe, in his hearty admiration, had lately resigned the offices of his own *Scandal Club*,) was fain to leave off talking to them; they had no leisure for Church;—little Miss, still obliged to go, had the Doctor's picture put into her prayer-book; even Punch laid aside his domestic broils, to gibber for the holy man; and not only were the churches thinned, and the parks, but the very playhouses felt the effects, and Betterton died a beggar. Well had it been, however, if this were all. A series of horrible riots followed. Meeting-houses were pulled down; the bloody flag was in reality unfurled; mounted escorts, carrying Martyr Sacheverell about the country, were every where the signal for the plunder and outrage of Dissenters; the printed defence (filled with abuse of De Foe and his *Reviews*) circulated by tens of thousands; and Lord Treasurer Godolphin was ordered to break his staff and make way for Harley.

He took office; and at once began the work, which, whatever the motives we assign to him, and whatever the just faults we may find with the absence of decision in his mind and in his temper, we must admit that he continued to the last, of opposing, against his own interests, the exterminating policy of the party who had borne him into power. While several leading Whigs

yet retained office, he again unsuccessfully attempted a coalition with Cowper and Walpole; and it was not till wholly rebuffed in this quarter that he completed his High Tory cabinet, and determined to risk a dissolution. St John was made secretary; Harcourt had the great seal; and he himself took the treasurer's staff. The elections gave him a majority, though not very decisive; and Anne's celebrated 'last administration' began its career. A man might predict in some sort the course of it, who had seen the new Premier on the first of October; the eve of the meeting of Parliament. He was not at the palace of the Queen, nor in his office of business with Harcourt or St John; he was stopping in his coach at the St James's coffee-house, to set down Jonathan Swift. 'He knew my Christian name very well,' says the *Journal to Stella*. On that day the ex-Whig partisan had sent forth a lampoon against Godolphin, and paid his first visit to Harley. On the 4th, he dined with him. Afterwards, his visits were daily welcomed. The proud and long-neglected Priest found himself, on the same hopeful October day, dining for tenpence in his old chop-house; then going 'reeking' from thence to the first minister of state; and then, in charity, sending a *Tatler* to Steele, 'who is very low of late.' Others were 'low' too. There was Congreve, a resolute Whig, and member of the Kit Katt, whose little place depended on the ministry. But Harley quieted his fears with a happy quotation from Virgil.

'Our hearts are not so cold, nor flames the fire
Of Sol so distant from the race of Tyre.'

Whatever else were the objections to this statesman, they did not lie on the score of his indifference to genius. The administration organized, he sent for De Foe. A different course was needful with Daniel from that taken with Jonathan. Harley knew De Foe thoroughly; and was not grieved to know that the High Church majority in the Commons might have been much larger but for his unwearied personal and public exertions against that faction, in the elections recently closed. De Foe distinctly states the result of the interview to have been, that he capitulated for liberty to speak according to his own judgment of things, and that he had that liberty allowed him. Nor did he wait on Harley till he had first consulted the dismissed Godolphin, who counselled him to consider himself the Queen's servant, to wait till he saw things settled, and then to take her Majesty's commands from the new minister. In the same tone Harley conferred with him now. And if we couple the interview with the paper sent forth in the *Review*, and which first opened the fury of the Whig batteries on De Foe, we shall find every thing to

confirm the impression here taken of it; of the character of Harley himself; and of the honourable grounds of De Foe's conditional support. He states his opinion to be, that the Ministry must be carried on upon the foundation and with the principles of the Revolution. This, he adds, can be the only safe guide where so many parties alternately govern; and where men of the same party have so often been of several opinions about the same thing. He states that he shall not go along with the Ministry unless they go along with him. He exults in Harley's known inclination to the Whigs; and, indeed, he argues, 'the constitution is of such a nature, that, whoever may be in it, if they are faithful to their duty, it will either find them Whigs or make them so.' And upon these plain principles he acted. They were principles professed by Swift two years later; but never, later or earlier, acted on by him. 'I hear all the ministry try to be my witnesses,' he wrote to Steele, in whose *Correspondence* the letter may be found, 'that there is hardly a man of wit of the adverse party, whom I have not been so bold as to recommend often and with earnestness to them; for I think principles at present are quite out of the case, and that we dispute wholly about persons. In these last, you and I differ; but in the other I think we agree; for I have in print professed myself in politics to be what we formerly called a Whig.' And in two months from the date of the letter, he was covering this very 'Dick Steele' with the most lavish contempt, for no better reason than that he held Whig principles. But he wrote for his deanery, and got it; De Foe wrote for what he believed to be the public service, and had no reward or fee but the consciousness of having done so.

Compare Swift's *Examiner* with De Foe's *Review*, and the distinction is yet more plain. It is earnest and manly reasoning against a series of profligate libels. Libels, too, in which the so-called advocate of Harley is denounced by Harley's confidential writer, as an *illiterate idiot*. 'Much wit in that!' quietly answered De Foe; who never was seduced into party lampooning, and, even at moments like these, held Swift's wit and genius in honour. 'Now I know a learned man at this time, an orator in the Latin, a walking index of books, who has all the libraries in Europe in his head, from the Vatican at Rome to the learned collection of Doctor Salmon at Fleet Ditch; but he is a cynic in behaviour, a fury in temper, unpolite in conversation, abusive in language, and ungovernable in passion. Is this to be learned? Then may I still be illiterate.' It was the calm spirit of every return vouchsafed by the author of the *Review* to the cross-fire which now assailed him. He was content,

whether defending or opposing, to stand alone. He did not think the *Brothers' Club* had helped the ministry, nor that the *Scriblerus Club* would be any service to literature. He preferred to stand where he did; 'unplaced, unpensioned, no man's heir or 'slave;' in frank and free communication with his countrymen. Let us briefly state his debtor-and-creditor account with the Administration of Robert Harley.

He supported him against the October Club; a party of a hundred country gentlemen, who drank October ale, and would have driven things to extremes against the Whigs. He supported him against the bigot Rochester; and against the fiery, impatient Bolingbroke. He supported him against the Whigs; when the Whigs, to avenge their party disappointments, laid aside their noblest principles, and voted with Lord Findlater for the dissolution of the Scottish Union. He supported him also against the Whigs, when, for no nobler reason, they joined with his old enemy Lord Nottingham to oppress and disable the Dissenters. And again he supported him against the Whigs, when, speaking through their ablest and most liberal representatives, the Walpoles and the Stanhopes, they declared emphatically, and in all circumstances, for a total prohibition of trade with France. It was on this latter question De Foe would seem to have incurred their most deadly hatred. He had achieved the repute of a great authority in matters of this kind; and he threw it all into the scale in favour of Bolingbroke's treaty. He wrote on it often, and largely; with eminent ability, and with great effect. His view briefly was, that the principle of a free trade, unencumbered by prohibitions, and with very moderate duties, was 'not only 'equal and just, but proceeding on the true interest of trade, and 'much more to the advantage of Britain than of France.' What disadvantages of unpopularity such reasoning then had, we need not say; the cry of 'trade and wool' did as much for the Whigs as that of 'Sacheverell and the Church' had done for the Tories; but De Foe opposed both alike, and it is little likely he will be traduced for it now. But we have not yet stated the reverse of the account. It is not less honourable to him.

He did not oppose the Peace when settled; but while it was in progress he opposed the terms. He desired peace; but did not think the Spanish guarantees sufficient. He thought that Europe had been saved by the policy of William and the Whigs, and by the genius of Marlborough; but he did not approve the violent method of winding up the war. He was, in short, glad when it was done; but would have been ashamed to take part in the doing. And the best judgment of posterity, we believe, confirms his judgment. He opposed the creation of Peers. He

opposed strongly, while the Whigs made the feeblest resistance, the Parliamentary Qualification act; which he condemned for a lurking tendency to give preponderance to the landed interest. He opposed the Occasional Conformity bill; though his position respecting it was such that he might fairly have kept his peace. He opposed the tax upon papers; and bitterly denounced the false attack upon the press which signalized Bolingbroke's few days' Ministry. He concentrated all his strength of opposition against the same statesman's Schism Bill; in which an attempt was made to deprive Dissenters of all share in the work of education; grounded on those preposterous High Church claims which we have seen flagrantly revived in more recent days. Let us show, by a memorable passage from the *Review*, how little Church pretences and extravagances alter, while all else alters around them. 'Who are they that at this juncture are so clamorous against the Dissenters, and are eagerly soliciting for a further security to the Church? Are they not that part of the clergy who have already made manifest advances towards the synagogue of Rome? They who preach the independency of the Church on the State; who urge the necessity of auricular confession, sacerdotal absolution, extreme unction, and prayer for the dead? who expressly teach the real presence in the Lord's Supper, which they will have to be a proper sacrifice; and contend for the practice of rebaptizing, wherein they overshoot the Papists themselves? Are they not they who are loudly clamorous for those church lands which, to the unspeakable detriment of the public, were in the days of ignorance given to impudent begging friars?' Finally, when it was imagined that the leading ministers were intriguing for the succession of the Pretender; and when it was reported everywhere that the Manifesto of the Jacobites against a Protestant succession lay splendidly bound in the Queen's closet at Windsor; De Foe wrote and published those three pamphlets, which, for prompt wit and timely satire, may reckon with his best efforts—*A Seasonable Caution. What if the Pretender should come? and What if the Queen should die?*

It is almost inconceivable that the Whigs should have led the cry against him on the score of these admirable pieces; but it is another proof of the blindness of party malice. A great Whig light commenced a prosecution against him, at his private cost, for desiring by these works to favour the Jacobite succession. Their mode of recommending the Jacobite succession having been to say, that it would confer on every one the privilege of wearing wooden shoes, and ease the nobility and gentry of the hazard and expense of winter journeys to Parliament! Yet the prosecutors found judges to tell De Foe, 'that they contained matter for

‘ which he might be hanged, drawn, and quartered ;’ he was thrown again into Newgate ; and might possibly again have been taken thence to the pillory, but for the interposition of Harley, now Lord Oxford. He represented the matter to the Queen ; and made known to De Foe the opinion expressed by Anne. ‘ She saw nothing but private pique in it.’ A pardon was issued by Bolingbroke, and the prisoner released. But not till, with an instinct that the end was now approaching, he had brought his *Review* to a close, within the hard ungenial walls wherein it had begun. It was with a somewhat sorrowful retrospect he closed it, but not without a dignified content. In the school of affliction, he bethought him, he had learned more philosophy than at the academy, and more divinity than from the pulpit ; in prison he had learned to know that liberty does not consist in open doors, and the free egress and regress of locomotion. He had seen the rough and smooth sides of the world, and tasted the difference between the closet of a King and the Newgate dungeon. Here, in the dungeon, he had still ‘ with humblest acknowledgments’ to remember that a glorious Prince had ‘ loved’ him ; and whatever fortune had still in store, he felt himself not unfit, by all this discipline, for serious application to the great, solemn, and weighty work, of resignation to the will of Heaven.

He needed it when the crisis came. It is not here our province to dwell on the memorable scenes of 1714, which consigned Oxford to the Tower and Bolingbroke to exile ; shattered the Tory party ; settled the succession of Hanover ; and fixed the Whigs in power. The principles for which De Foe had contended all his life were at last securely established ; and for his reward he had to show the unnoticed and unprotected scars of thirty-two years’ incessant political conflict. But he retired as he had kept the field—with a last hearty word for his patron Harley ; and with a manly defence against the factious slanders which had opened on himself. He probably heard the delighted scream of Mr Boyer as his figure disappeared ; to the effect of how fully he had been ‘ confuted by the ingenious and judicious Joseph Addison, ‘ esquire.’ Doubtless he also smiled to observe what Whig rewards for Whig services were now most plentifully scattered. The ingenious Mr Addison, Secretary of State ; Steele, *Sir* Richard and Surveyor of the royal stables ; Mr Tickell, Irish Secretary ; Mr Congreve, twelve hundred a-year ; Mr Rowe, Mr Hughes, Mr Ambrose Philips, all comfortably sinecured. For himself, he was in his fifty-fourth year ; and, after a life of bodily and mental exertion that would have worn down a score of ordinary men, had to begin life anew.

Into that new life we shall enter but briefly. It is plain to all the world. It is the life by which he became immortal. It is contained in his works; and there the world may read it. What we sought to exhibit here, we trust we have made sufficiently obvious. After all the objections which may be justly made to his opinions, on the grounds of shortcoming or excess, we believe that, in the main features of the career we have set before the reader, will be recognised a noble English example of the qualities most prized by Englishmen. De Foe is our only famous politician and man of letters, who represented, in its inflexible constancy, sturdy resolution, unwearied perseverance, and obstinate contempt of danger and of tyranny, the great Middle-class English Character. We believe it to be no mere national pride to say, that, whether in its defects or its surpassing merits, the world has had none other to compare with it. He lived in the thickest stir of the conflict of the four most violent party reigns of English history; and if we have at last entered into peaceful possession of most part of the rights at issue in those party struggles, it the more becomes us to remember such a man with gratitude, and with wise consideration for what errors we may find in him. He was too much in the constant heat of the battle, to see all that we see now. He was not a philosopher himself; but he helped philosophy to some wise conclusions. He did not stand at the highest point of toleration, or of moral wisdom; but with his masculine active arm, he helped to lift his successors over obstructions which had stayed his own advance. He stood apart and alone in his opinions and his actions from his fellow men; but it was to show his fellow men of later times the value of a juster and larger fellowship, and of more generous modes of action. And when he now retreated from the world Without to the world Within, in the solitariness of his unrewarded service and integrity, he had assuredly earned the right to challenge the higher recognition of posterity. He was walking toward History with steady feet; and might look up into her awful face with a brow unabashed and undismayed.

His last political Essay was written in 1715; and, while the proof sheets lay uncorrected before him, he was struck with apoplexy. After some months' danger, he rallied; and in the three following years sent forth a series of works, chiefly moral and religious, and of which the *Family Instructor* and the *Religious Courtship* may be mentioned as the types; which were excellently adapted to a somewhat limited purpose, and are still in very high esteem. They have before been remarked upon in this Journal, in an Article on Mr Wilson's Biography of the great writer; and may be briefly dismissed here. They had extraordinary popularity; went

through countless editions; and found their way, not only in handsome setting forth to the King's private libraries, but on rough paper to all the fairs and markets of the kingdom. They were generally, up to the beginning of the century, among the standard prize-books of schools; and might be seen lying, in coarse workman garb, with *Pomfret's Poems* or *Hervey's Meditations*, on the window-seat of any tradesman's house. Grave moral and religious questions had, in truth, not before been approached with any thing like that dramatic liveliness of manner. To the same popularity were also in later years committed, such half satirical, half serious books, as the *Political History of the Devil*; of which strong plain sense, and a desire to recommend, by liveliness of treatment, the most homely and straightforward modes of looking into moral and religious questions, were again the distinguishing characteristics. Other works of miscellaneous interest will be found recited in the careful catalogue of De Foe's writings (upwards of two hundred in all!) prefixed to his Edition by Mr Hazlitt; who has so gracefully inherited, in this and other subjects, his father's tastes. The most remarkable of these works was probably the *Complete English Tradesman*; in which you see distinctly reflected many of the most solid and striking points of De Foe's own character; and, let us add, of the general character of our middle-class countrymen. The plays of Heywood, Massinger, and Ben Jonson do not give us the citizens of their time more vividly, nor better contrast the staidness and the follies of old and young, than De Foe has here accomplished for the traders of William and Anne. We are surprised to be told that this book was less popular than others of its class. Perhaps a certain surly vein of satire which was in it, was the reason. A book which tends, however justly, to satirize any general community, readers included, is dangerous to the author's popularity, however the public may like satire in particular, or when aimed at certain classes. Our hasty recital would be incomplete, without a reference to his many publications on points of domestic economy, and questions of homely domestic morals; or to a timely and powerful series of strictures on London Life, in which he earnestly suggested the necessity of a Metropolitan University, of a Foundling Hospital, and of a well-organized system of Police. He also again attacked the stage on the success of the *Beggar's Opera*; and here, confusing a little the prose and poetry of the matter, made that excellent piece responsible for a coarse drama on the subject of the recently hanged 'Jack Sheppard.' In this discussion he again encountered his old enemy, the Dean of St Patrick's; and, moving the spleen of Swift's dearest friend, got

himself niched in the *Dunciad*. But the assailant lived to regret it more than the assailed.

Meanwhile, concurrently with these works, there had appeared a more memorable series from the same untiring hand. In 1719, being then in his fifty-eighth year, he had published *Robinson Crusoe*. In 1720, the *Life and Piracies of Captain Singleton*; the *Dumb Philosopher*; and *Duncan Campbell*. In 1721, the *Fortunes and Misfortunes of Moll Flanders*. In 1722, the *Life and Adventures of Colonel Jack*; and the *Journal of the Plague Year*. In 1723, the *Memoirs of a Cavalier*. In 1724, *Roxana*. In 1725, the *New Voyage round the World*. And in 1728, the *Life of Captain Carleton*. He was at work upon a new production at the close of 1729, and apologises to his printer for having delayed the proofs through "exceeding illness." It never appeared.

Of *Robinson Crusoe* it is needless to speak. Was there ever any thing written by mere man but this, asked Doctor Johnson, that was wished longer by its readers? It is a standard Piece in every European language; its popularity has extended to every civilized nation. The traveller Burckhardt found it translated into Arabic, and heard it read aloud among the Arabs in the cool hours of evening. It is devoured by every boy; and, as long as a boy exists, he will clamour for *Robinson Crusoe*. It sinks into the bosom, while the bosom is most capable of pleasurable impressions from the adventurous and the marvellous. It is not, perhaps, too much to say, that neither the *Iliad* nor the *Odyssey*, in the much longer course of ages, has incited so many to enterprise, or to reliance on their own powers and capacities. We need scarcely repeat, what has been said so well by many critics, that the secret of its fascination is its Reality. The same is to be said, in a no less degree, of the *History of the Plague*; which, for the grandeur of the theme, and the profoundly affecting familiarity of its treatment, is one of the noblest prose epics of the language. These are the masterpieces of De Foe. But, while open to objections on another score, the *Moll Flanders*, the *Colonel Jack*, and the *Roxana*, are not less decisive examples of a wonderful genius. In their day, too, they had no unwise or hurtful effect. They had a tendency to produce a more indulgent morality, and larger fair play to all. But we question the wisdom of now reviving them as they were written, we will frankly confess. As models of fictitious narrative, in common with all the writings of De Foe, they are supreme; the art of natural story-telling has had no such astonishing illustrations. High authorities have indeed thought them entitled to still

higher dignity. Some one asked Doctor Robertson to advise him as to a good historical style. 'Read De Foe,' replied the great historian. Colonel Jack's life has been commonly reprinted in the genuine accounts of Highwaymen; Lord Chatham thought the Cavalier a real person, and his description of the Civil Wars the best in the language; Doctor Mead quoted the book of the Plague as the narrative of an eyewitness; and Doctor Johnson sat up all night over Captain Carleton's Memoirs, as a new work of English history he wondered not to have seen before. In particular scenes, too, of the three tales we are more immediately considering, (those of the Prison in *Moll Flanders*, of Susannah in *Roxana*, and of the Boyhood in *Colonel Jack*,) the highest masters of prose fiction have never surpassed them. But it will remain the chief distinction of De Foe, in these minor tales of English life, to have been the father of the illustrious family of the English Novel. Swift directly copied from him; Richardson founded his style of minute narrative wholly upon him; Fielding, Smollett, and Goldsmith, Godwin, Scott, and Dickens, have been more or less indebted to him. Shall we scruple to add, then, that while he remains unapproached in his two great masterpieces, he has been surpassed in his minor works by these his successors? His language is as easy and copious, but less elegant and harmonious; his insight into character is as penetrating, but not so penetrating into the heart; his wit and irony are as playful, but his humour is less genial and expansive; and he wants the delicate fancy, the richness of imagery, the sympathy, the pathos, which will keep the later Masters of our English Novel the delightful companions, the gentle monitors, the welcome instructors, of future generations. So true it is, that every great writer promotes the next great writer one step; and in some cases gets himself superseded by him.

While his gigantic labours were in progress, De Foe seems to have lived almost wholly at his favourite Newington. His writings had been profitable. He got little for *Robinson Crusoe*, but was paid largely for its successors. We have occasional glimpses of him still engaged in mercantile speculation; purchasing and assigning leases; disposing of South Sea stock; and otherwise attending to worldly affairs. But we do not see him steadily till 1724. A gentleman named Baker, afterwards known as a somewhat celebrated philosophical enquirer, had then occasion to go to Newington, where he fell in love with a pretty girl, the youngest of three daughters who lived in a large and handsome house in Church Street, which their father had newly built. The father was an old gentleman of sixty-four years, afflicted with gout and stone, but very cheerful, still very

active, with mental faculties in sharp abundance, keeping a handsome coach, paying away much money in acts of charity, and greatly given to the cultivation of a large and pleasant garden. This was Daniel De Foe. We know nothing more with certainty till six years later; when, from one of the most affecting letters which the English language contains, we learn that the conduct of De Foe's second son was embittering the closing days of his long and checkered life. He had violated some large trust reposed in him by his father, and had reduced his mother and sisters to beggary. De Foe writes from a place near Greenwich, where he seems to have been some time wandering about alone, in want, and with a broken heart. The letter is to his son-in-law Baker; possessor of his 'best gift,' his dear daughter; and closes thus:—"I would say, I hope with comfort, that it is yet well I am so near my journey's end, and am hastening to the place where the weary are at rest, and where the wicked cease to trouble; be it that the passage is rough, and the day stormy. By what way soever He please to bring me to the end of it, I desire to finish life with this temper of soul in all cases—*Te Deum laudamus*. Kiss my dear Sophy once more for me, and, if I must see her no more, tell her this is from a father that loved her above all his comforts, to his last breath.'

The money was recovered, and the family again prosperous; but Daniel De Foe was gone. In his seventy-first year, on the 24th of April 1731, he had somehow found his way back to LONDON—to die in that parish of St Giles, Cripplegate, wherein he was born; and, as long as the famous old city should live, to live in the memory and admiration of her citizens.

ERRATA.

Page 56, line 7, for "Quané," read "Quant;" and line 8, for "cretés," read "créées."

— 450, line 33, for "Dr Phillimore," read "Mr Phillimore."

— — line 34, for "Lyttelton," read "Lyttleton."

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