

riations dont le type de chaque espèce est susceptible, et en tire des produits que les espèces, livrées à elles-mêmes n'auraient jamais donné.<sup>19</sup> That is to say, that there is a latent power of variation in each species. The study of domestic productions, therefore, shows to what extent this may be developed, and therefore has a very important bearing on the origin of species.

It is undoubtedly true that in nature the pronounced variations visibly under domestication are absent; but, on the other hand, it is equally true that there is no sudden change of external conditions to produce them. The breed is frequently of equal classed value with the species, as, for instance, in the case of pigeons, cattle, and the like. The power of breeding does not even afford a more definite definition; for, on the one hand, the same plants raised in different soils, and the same English and French hares, on the other hand, in the vegetable world, some species, such as *Salix*, *Saxifraga*, are even admitted to be capable of producing varieties, and therefore a parallel between domestication and the operation of natural selection on the same principles.

There is another point of view from which the adaptability of species may be examined. All the varied forms of life in the world, as we are exposed to, are adapted to the existing conditions, and either remain unchanged, or change so slowly as to be unnoticeable. An appeal to the earth confirms that the latter have been gradually changing; continents have been elevated and depressed, climates altered, at one time the sea has encroached on the land, at another the land on the sea.

There rolls the dew, where grew the tree,  
Oh, earth! what changes hast thou seen,  
There where the east ran, the west,  
The stillness of the central sea!

With each change of circumstance there is full geological proof that there has been a corresponding modification in the animal and vegetable world, and that harmony between life and its environment has been maintained. The common red deer, for instance, at the time when Britain formed part of the mainland of Europe, during the Post-glacial epoch, in consequence of the large extent of its feeding-grounds, grew to

an enormous size, and possessed antlers so much larger than those now living in the English varieties, that Professor Owen did not hesitate to ascribe it to a distinct species\* (*Strongylaceros spelæus*). It was a prehistoric animal, after the insulation of Britain and the consequent submergence of the low-lying districts, the restricted range manifested in its diminished size; but even then it was far superior to any now living in Great Britain, for the cultivated lands were but cases in one large forest. From that time down to the present day, the deer becoming smaller exactly in proportion to the restriction of its range. The difference in the size of the antlers is manifest, that it would be possible to ascertain approximately the antiquity of a deposit in which they might be found from that fact alone. There is also another cause of its reduction in size. During the post-glacial time deer were few, and the lion and hyena preyed only on the weakest and feeblest; while in the prehistoric time they increased and multiplied to such a degree that they made an impression on the mind of man, and, as far as he could, selected the largest and finest for his prey. At the present time in Scotland, it is steadily decreasing in size, because the largest bucks are invariably shot off. In this case there is a direct correlation between the size of the animal and its environment, from the Post-glacial epoch down to the present day.

If we deny that changes of conditions operated in the past, the latent power of adaptation is inadequate to the forming of new groups of mammals. We must then look upon the changes that the latter have been created in as being in harmony with the existing conditions from the very beginning of time. If this be true, how can we account for the destructions of old forms of life? The convulsions and convulsions of the earth, which were formerly invoked to the aid of the special creation theory, have now been banished from the schools of philosophic geology. A sudden destruction, overtaking the animal and flora, is unknown in the past history of the world. The horse, ox, and *Mylodon darwini*, for instance, that inhabited France, Germany, Italy, and Britain, escaped the destruction brought upon the world by the lowering of the temperature and the concomitant invasion of the mammoth, musk-ox, and other Arctic mammals. Their survival can only be accounted for on the hypothesis that their elasticity of organization adapted them to a new order of things, while certain species of rhinoceros and elephant, and many species of deer, be-

\* Discours sur les Révolutions, Oct. Foss. tom. i. p. 61. 4to. 1823.

\* Brit. Foss. Mammals.

ART. VI.—*L'Église Romaine et le Premier Empire, 1800-1814. Avec Notes, Corrections diplomatiques et Notes justificatives entièrement inédites.* Par M. d'HAUSSOUVILLE. 2 vols.

THROUGH the contest of Napoleon the Papacy is thrown into the glare and splendour of battle-field and military glory which fill the 'History of the Consulate and Empire,' it merits the attention which the writer of these notes has given to the subject; and the more since his diligent research has enabled him to elucidate the character of the struggle by the testimony of a great quantity of hitherto unexamined documents. The treaty of negotiation of the Napoleonist conquests forms the prelude to this eventful history. M. Thiers, in a note in his 'History of the Consulate and Empire,' had already observed that no negotiation offered a more interesting subject for political study than the Concordat, and he notified to the world the existence of a large body of correspondence in the French archives which might reveal details hitherto unsuspected, even to those best versed in the study of the history of the Empire. M. d'Haussonville has not only incorporated these texts, but has published in an appendix a large portion of this correspondence, the portion of which is found to justify the remark of M. Thiers, M. d'Haussonville bestows great praise on the precision and truth of the narrative by the author of the history of the Consulate and Empire. Nevertheless it is possible for two writers to differ in their appreciation of the same facts, and the editor is not in this respect an impartial party, regarded by the editor as matter fit for qualified praise, and by the other for absolute and deserved censure and suspicion. The two extremes of opinion probably overlooked some instances in his narrative highly discreditable to the important negotiators; whereas M. d'Haussonville, with considerable art and skill, never fails to lay a single point prejudicial to the character of the negotiators of the Concordat, or of the violence and unfaithfulness of the Pope. It is true that, on almost every point of dispute, Napoleon brought the Papacy to terms by persistent force and language in the language of a conqueror, but a timorous hesitancy, the weakness of the aged Cardinal, and the necessity to be overcome in any case, were all after the Concordat, and the subsequent disputes of Napoleon with the Holy See, that the pride and arrogance of the

despot became inflated to immeasurable limits by an astounding career of new victories, and dictated a system of usurpation devoid of all respect for justice or principle. Nevertheless, although his design of reducing the Papacy to a mere state of vassalage in his empire was probably only a subsequent conception, yet there can be no doubt that from the first he regarded the enrichment of the Catholic Church as a political measure, with the view of rendering the religious institutions of France as powerful engines as possible for the subjugation of its people.

The conclave held at Venice in the Isola San Marco on the death of Pius VI. opened with a strong disposition to choose a Pope who should be received with favour by the Emperor of Vienna. A deceitful minister, of the Austrian representation, influenced the choice of a Pope for nearly a year, during which time the political position of Europe was completely changed by the unexpected appearance of Napoleon at the head of affairs in France. It ended, however, in electing a Pope, the appointment of at its commencement, and the Cardinal Chiaramonti was proclaimed Pope on the 14th of March, 1800. The Pope who was thus elected was one of the most distinguished prelates who have ever occupied the place of St. Peter. If he was not a great age, he certainly possessed a high degree of spiritual and moral qualities, and a great natural genius, and certainly more beneficial to the interests of all the sovereigns of Europe than any other Pope since Napoleon, and yet not less than Pius VII. He was an earnest Christian, of benevolence, humility, and Christian virtues of evange-lic sweetness, and an ardent antagonist of the ambitious of Curian force of will, and he thoroughly understood the character of this extraordinary Pontiff, it must be remembered that he did not, like his predecessor Pius VI., any avowed aversion to the new doctrines of the time; on the contrary, he had large sympathies with the phil-osophic migration of the leading spirits of the Revolutionary age, and believed that the new movement would, in spite of the errors and extravagances which accompanied it, prove ultimately beneficial to the spiritual as well as material interests of humanity; and that the principles of the new doctrine were irreconcilable with the traditions of the Papacy of Rome, the religious basis of the world. These descriptions Pius VII. expressed in a very remarkable manner, the most significant document, as far as study of himself is con-



**the holiest starfish**

by Thomas Michael Cassidy

once upon a time there was a star fish on a beach with lots of starfish

and the sun was coming up and the tide was going out and the little starfish prayed dear God at last today I'm finally

up the beach so high this husk will dry in sunlight and I'll die

at last be free and back inside the sacred orbiting sea dear God save me from any who might yank me from this sand

and forgive us our trespasses and let me die today to hasten my return as a welterweight boxer from Sigmund

*(pause for forgiveness)*

I'm a failure because I envy trust and covet you simply because you're not me

I'm a failure because I'm as normal as the sky

I'm a failure because I understand every word you're saying but I don't know what you're talking about

I'm a failure because most of my writing is overwritten and because haiku infuriates me as if simplicity isn't complicated

as if the water never boils

as if nature doesn't rage

as if poets climb the stairs when peaceful

I'm a failure because every grade school dropout alive can drive a car

and I can't and when people say that it's a matter of won't and not can't

I'm a failure because I can't—or won't—explain why but I am aware that many of the accidents are real ones that should have stopped lots of other people from driving as well as you see

survival of the fittest isn't just smug science it also mandates a thinning of the ranks

with any and all available skills and tools and strength

and yes the guy watching football highlights on his cellphone

is swayed by **natural law** to drive his Mercedes' ass-cushion into a wall

and the gal smoking low fat lipstick while chewing her toenails

is driven by **irrefutable metabolic guidance** into a train it is efficient for all of us

I'm a failure because you did/didn't think that was funny

I'm a failure because I know you're looking at me reading this and thinking

*what the hell can make someone get up in front of other people and yell about haiku?!?! U as my Mom would say there's something wrong with you*

I'm a failure because only a loser would use this repetitive line formula again

I'm a failure because I cannot finish this poem

AND NOW AT LONG LAST THE NEW PIECE:

**the man who owns the dollar store in Southdale**

is friendly but seems frightened maybe of teenagers who come before the movie to buy cheap candy pick up the plastic light sabers and put them down just anywhere

maybe he's afraid of looking Muslim

he has an entire aisle of plastic Jesus Virgin Mary holy candle things

a calendar with Jesus saving that idiot kid flying a kite over Niagara Falls

I'd buy it if he'd build the kid a barrel

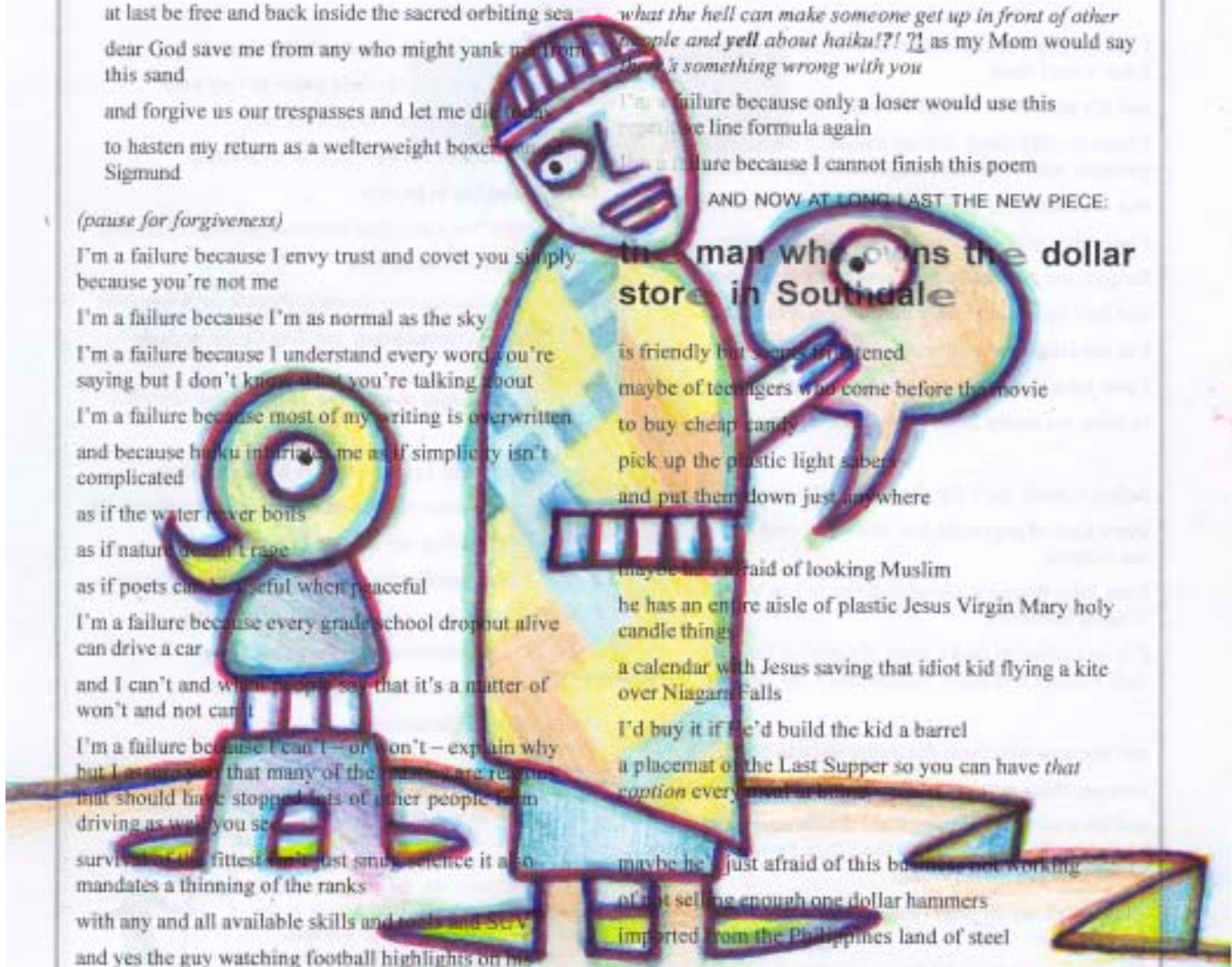
a placemat of the Last Supper so you can have *that caption* every meal at home

maybe he's just afraid of this business not working of not selling enough one dollar hammers

imported from the Philippines land of steel

COME ON KEEP MOVING STOP GAWKING

ANOTHER IDEA TO MAKE LIFE A WEE BIT HAPPIER: LET'S CALL THE ICE AGE THE NICE AGE



To a mind so constituted, and views so entertained, the situation, it must be admitted, held out great and, as the result has shown, irresistible temptations. He had sagacity enough to see that the extension of the suffrage, although democratic, need not crowd out the Whig or Radical. He had courage and might not necessarily have sacrificed his history without any at all, to the combinations between the aristocracy and the populace, to balance the power of the middle classes. In a party sense he was perfectly right; and the policy was sagacious and wise. But then, he had long thought so; but he would have preached in Opposition to an incredulous audience. It was only when his party had to choose between ejection from office and reluctant assent, that there was any chance that the truth, so long excluded, should find admittance into their darkness understandings.

The country is jealous of conversions so sudden, and so well timed, on the part of their public men; and her statesmen ought to be jealous of them to themselves. It may sometimes be difficult even for an honourable man to say, when convenience and conviction concur in persuading, that he had the true merit of his change of opinion. But the safe course in individual public action, is to take care that the guidance by the change. Both his reason has been ever so well satisfied, and his conviction, though startling in its suddenness, have been over so permanent and profound—these things should never be associated with personal or party advantage. The consciousness of former error, when sincere, will lead to atonement for the past.

But whatever the merits of the Ministry, for the Parliament there was no excuse. Doubtless Mr. Disraeli calculated on the individual effect the proposition would have on the members of the House. Opposition to the Government would become opposition to household suffrage. Government proclaimed day after day that their system

to me that the primary plan of our ancient constitution was a relation of justice to the crown that we should be a nation of statesmen. It secured our popular rights by entrusting power, not to an illimitable multitude, but to the estate, or to the Commons; and a wise Statesman should be careful that the elements of this system should bear a due relation to the moral and political development of the country. Public opinion may not perhaps be yet ripe enough to legislate on this subject, but it is sufficiently interested in the question to ponder over it with advantage. For when the time comes for action, we may be able to show the best of every class, and not fall into the demerit, which is the prerogative of one class, and that one the least enlightened.

was drilled on the measure; and the more timid of the body could not face the phantom for it was nothing more substantial, of appearing to cadanger or to reject this wondrous boon, coming through it did from wondrous hands. Other elements also were at work. Every party must consider its potentialities, and its spirit. In a party warfare, it is not easy to be as indulgent to the opposition; but when the adverse Greeks came bearing gifts in their hands, there were Trojans, as there were certain to be, with their own means for admitting them.

We think that the House should not, after the past history of the question, have gone into the consideration of the measure at all; but should at once have taken a just resentment by a vote of want of confidence in the Government which proposed it. Nothing could be more wanton, unsuitable, or disrespectful to the House, than the way in which the Government's suggestions had been made, and withdrawn; and the House of Commons should have arrested this scandalous course, for its own honour, and censuring those who had trifled with it. In this Session, and in the next, a signal opportunity was thrown away; and it never returned.

We have no desire, in the altered position of the party and the country, to go back on the circumstances attending the withdrawal

of Mr. Coleridge's proposed instruction to the Committee. A division between household suffrage and a 5s. rate would have been room for a fair difference of opinion. The former sounded the more liberal proposition; the two; and had been fairly tendered, and carried, it had made the said in its favour. We mainly regret the steps by which the result was accomplished, not because they were not incurred in by some earnest and honest liberals, but because they gave a doublet to the Liberal Organisation, and afforded an excuse to the wavering and the awkward to aid the enemy under colour of being more advanced than their friends. They had the effect of encouraging for the time individual action, and separate negotiation with the common adversary, instead of loyal discipline and concert. Private assurances of the lobbies were allowed to do duty for public declarations in the House; and the constitutional responsibilities of the Government, as well as the united action of the Opposition, were merged in a desultory series of individual treaties outside the walls of Parliament. We trust that a campaign so conducted may never again be witnessed. Next to the inconsistencies of the Conservatives, and the abdication of the just func-

Nor can we deny him many great qualifications for a Parliamentary leader, although he has some serious defects. He performed his great act of strategy in 1867 with never-failing tact and ability. A temper, naturally genial, and even when tried, under great command; a vivid sense of the humorous which lurks under his most pompous periods; and a certain inbred scorn, the fruit not unfrequently of early struggles, have made him a very effective general. He is better as a Ministerial than as an Opposition leader, and assumes in that position a vantage ground, a lofty though half comic superiority, which give point to his satiric javelins, and an ease which he seldom attained when on the opposite benches. Bold of thought, and daring in expedient, he fought his party battle with a dash and success which probably no other leader could have commanded.

That which detracts from his successes, and mars their complete effect, is an artificial air which pervades even his best efforts. He does not sound in earnest when he is so. He plays his part in a consummate address; but it appears to clearly to be a part; and he has not yet, and probably never will reach, the inner struggle which touches the inner chord of sympathy, and transfers the enthusiasm of the speaker to the heart of his hearer. Much of this arises from the nature of the man; but it has been strengthened by the course he has been compelled to run, and the party he has been obliged to lead. His own convictions have been unduly softened in advance of the cause, and where he has been called upon to be heroic and to sacrifice, he has done so with a hesitancy which has done our cause no good.

But when we consider his justice to the masses, and his firmness in the face of Ministerial courses. He is the only man in the House who has shown a regard for the future. He is not likely to be a prolonged tenant of power. If he has, we should have great apprehensions as to what he should.

'Like the unequal ruler of the day,  
Mighty the seasons, and misty the way.'

But now comes the last chapter in our Parliamentary review, which has passed and almost reduced to oblivion the events of 1867.

In the debate on Mr. Maguire's motion, Lord Mayo made the Ministerial statement of the proposed policy for Ireland, which is a very simple fact, but the Government seem to have forgotten it. They had proposed a policy for Ireland, and Lord Mayo, in a speech of four hours, explained what it was to

be; and the House of Commons and the country found no difficulty in comprehending the plain and honest utterances of the new Governor-General of India. He is not given to deal in political enigmas; and speaking for the Cabinet that which the Cabinet had instructed him to speak, he performed his task with a candour and lucidity which has doubtless procured for him his recent distinction. There was the less possibility of mistake in this matter, that the statement not only possessed unusual interest from the crisis at which it was delivered, but also unusual significance from the political situation at the time.

Shortly before, Lord Russell had published a pamphlet on the state of Ireland, in which, among other recommendations, he suggested that the Government should often be seen in the measure of endowment of the Roman Catholic Church. The astute and experienced Minister, travelling in his business, did not too rapidly imagine that the proposal he described the result of the Liberal Opposition, and actually he wanted tactics which would be sufficient to outmanoeuvre the Government. Lord Mayo, in his instructions, was announced to be a public man, and that of the Government, which he shared out with the Opposition, but he with a very clear indication that the Government proposed to begin, but certainly to succeed.

Lord Mayo has explained that, in the view of the Government, the existing system of University education was not satisfactory. He said:

'There is a large number of persons who object to send their sons to a university where the only religion taught is one that they do not profess, and there are also many who will not send their sons to a college where religious instruction is not given a portion of the system of education. Are there persons in this House to consider, among us, there are many who would have the same objection to send their sons to universities where the Roman Catholic religion alone was taught, where all religious instruction was studiously omitted? That is the case here, and there have been various modes proposed for meeting these objections.'

He then went on to describe the Government plan for removing this difficulty:—

'It appears to me, then, that a third university should be founded in Ireland without injuring the existing institutions. I believe that what is wanted is that a university should be established in this country, which would, as far as possible, be in the same relation to the Roman Catholic religion as Trinity College does to the Protestant. We do not propose to found an imitation; but we do consider



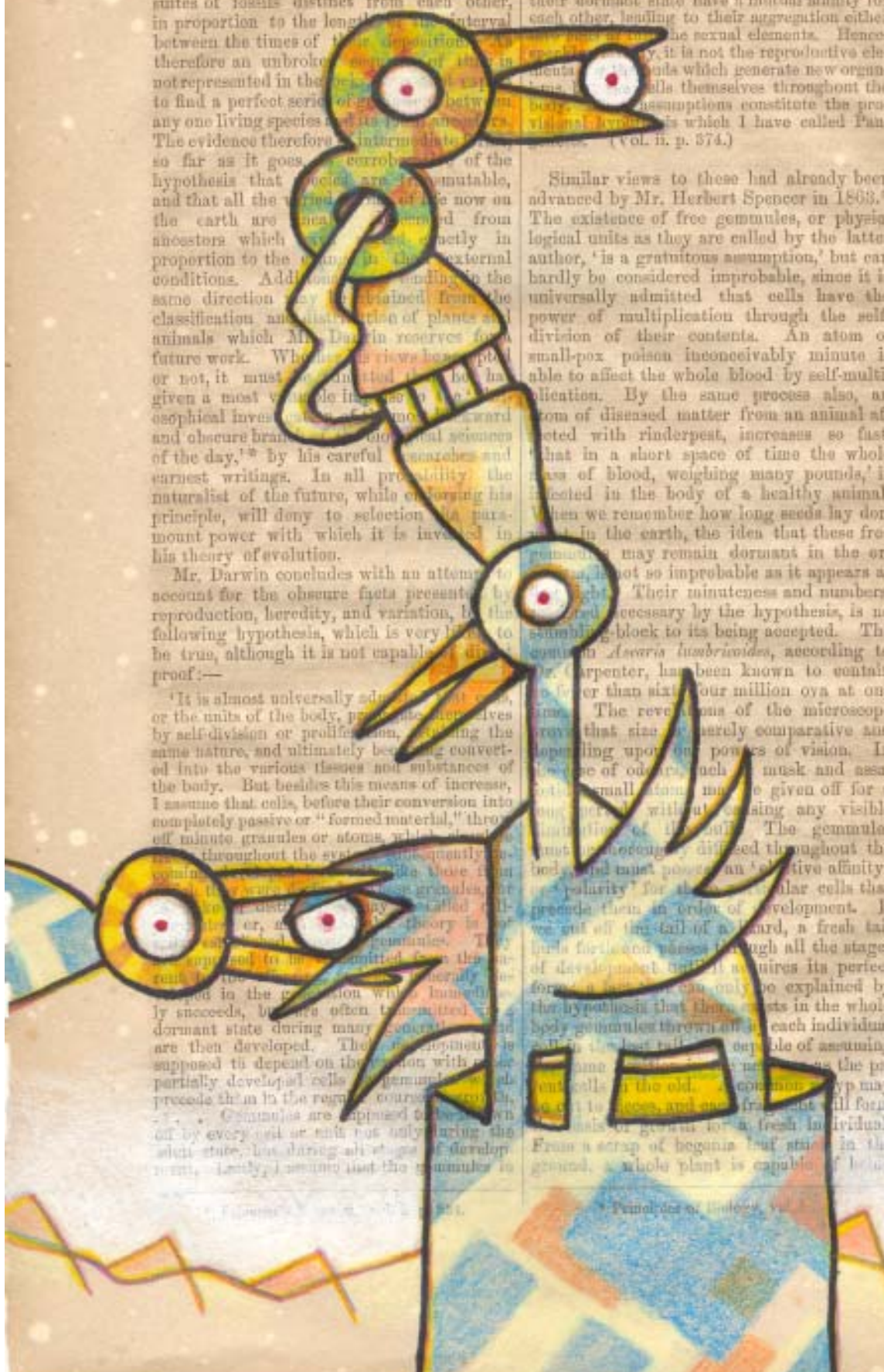
mites of fossils distinct from each other, in proportion to the length of the interval between the times of their deposition. Hence, therefore an unbroken series of them is not represented in the fossiliferous strata. To find a perfect series of genera between any one living species and its fossil ancestors. The evidence therefore of intermediate forms so far as it goes, corroborates the hypothesis that species are transmutable, and that all the varied forms of life now on the earth are really descended from ancestors which have existed successively in proportion to the change in the external conditions. Additional evidence in the same direction may be obtained from the classification and distribution of plants and animals which Mr. Darwin reserves for future work. Whether his views have been accepted or not, it must be admitted that he has given a most valuable impulse to zoological investigations, and that his clear and obscure brains have done great services of the day,\* by his careful searches and earnest writings. In all probability the naturalist of the future, while enforcing his principle, will deny to selection the paramount power with which it is invested in his theory of evolution.

Mr. Darwin concludes with an attempt to account for the obscure facts presented by reproduction, heredity, and variation, by the following hypothesis, which is very likely to be true, although it is not capable of direct proof:—

"It is almost universally admitted that cells, or the units of the body, propagate themselves by self-division or proliferation, retaining the same nature, and ultimately being converted into the various tissues and substances of the body. But besides this means of increase, I assume that cells, before their conversion into completely passive or "formed material," throw off minute granules or atoms, which are scattered throughout the system, and frequently remain in it. These granules, or atoms, are of the same nature as the cells from which they are derived, and may be regarded as either dormant or as partially developed gemmules. The former are supposed to be admitted into the system by the parent, and to be generally developed in the generation which immediately succeeds, but are often transmitted in a dormant state during many generations, and are then developed. The latter are supposed to depend on the union with other partially developed cells, gemmules which precede them in the reproductive course. Gemmules are supposed to be thrown off by every cell or unit not only during the adult state, but during all stages of development. Lastly, I assume that the gemmules in

their dormant state have a mutual affinity for each other, leading to their aggregation either by themselves, or by the attraction of the sexual elements. Hence, necessarily, it is not the reproductive elements which generate new organisms, but the gemmules themselves throughout the course of the life of the individual. These assumptions constitute the provisional hypothesis which I have called Panmixis" (Vol. II. p. 374.)

Similar views to these had already been advanced by Mr. Herbert Spencer in 1863. The existence of free gemmules, or physiological units as they are called by the latter author, 'is a gratuitous assumption,' but can hardly be considered improbable, since it is universally admitted that cells have the power of multiplication through the self-division of their contents. An atom of small-pox poison inconceivably minute is able to affect the whole blood by self-multiplication. By the same process also, an atom of diseased matter from an animal affected with rinderpest, increases so fast, that in a short space of time the whole mass of blood, weighing many pounds, is infected in the body of a healthy animal. When we remember how long seeds lay dormant in the earth, the idea that these free gemmules may remain dormant in the organism is not so improbable as it appears at first sight. Their minuteness and numbers, rendered necessary by the hypothesis, is no stumbling-block to its being accepted. The common *Ascaris lumbricoides*, according to Mr. Carpenter, has been known to contain no fewer than six or four million ova at one time. The revelations of the microscope prove that size is merely comparative and depending upon our powers of vision. In the case of odors, such as musk and assafoetida, small atoms may be given off for a long period without causing any visible modification of the body. The gemmules must be extensively diffused throughout the body, and must possess an 'relative affinity' or 'polarity' for the particular cells that precede them in order of development. If we cut off the tail of a lizard, a fresh tail hurls forth and passes through all the stages of development until it acquires its perfect form. This can only be explained by the hypothesis that there exists in the whole body gemmules thrown off by each individual cell in the lost tail, capable of assuming the form of the tail, and that the parent cells of the old tail cannot multiply and form new tails, and one fragment will form a whole tail for a fresh individual. From a scrap of begonia leaf stuck in the ground, a whole plant is capable of being



\* *Philosophy of Language*, p. 102.

\* *Principles of Biology*, p. 102.

...was necessary... announcement struck terror into the bosom of the Papal Court. ...knowing that it was a ... to persuade Pius VII. to yield ... *ultimum*, de- ... great dignity ... to save the ... of ... proposed to ... himself was obliged ... Rome, Consalvi ... accompany him ... proceed from ... to ... to a ... This plan was ... not, however, without great ... for the idea still prevailed at Rome that Paris continued to be a den of ferocious ... and the Pope took ... friend and secretary with ... himself shared the apprehensions of the ... he wrote to the Cavalier ... the Minister of Ferdinand, King of ... of religion demands a victory ... the First Consul—I ... the will of God he accompanied ... sage of Consalvi's letter was ... communicated through the ... at Naples to the First Consul ... probably have had some share in ... for Consalvi the reception he met with in Paris.

Cardinal Consalvi was a finished ... of the old Roman ecclesiastical ... of manners, combined ... and proceeded to conduct towards another apartment. The Cardinal took breath. He was about surely to be introduced to the private cabinet of the First Consul; but alas! he was shown into another saloon, a ... appearance than ... Three individuals occupied ... These were evidently ... Consuls, of whom the ... advanced to ... after M. ... and had ... of presentation,

... France. ... when M. Cabanis called ... ' ... ' ... made a ... reply; after which, the First Consul, standing as he was before all present, spoke with energy, vivacity, and wonderful precision of language on all the topics in his

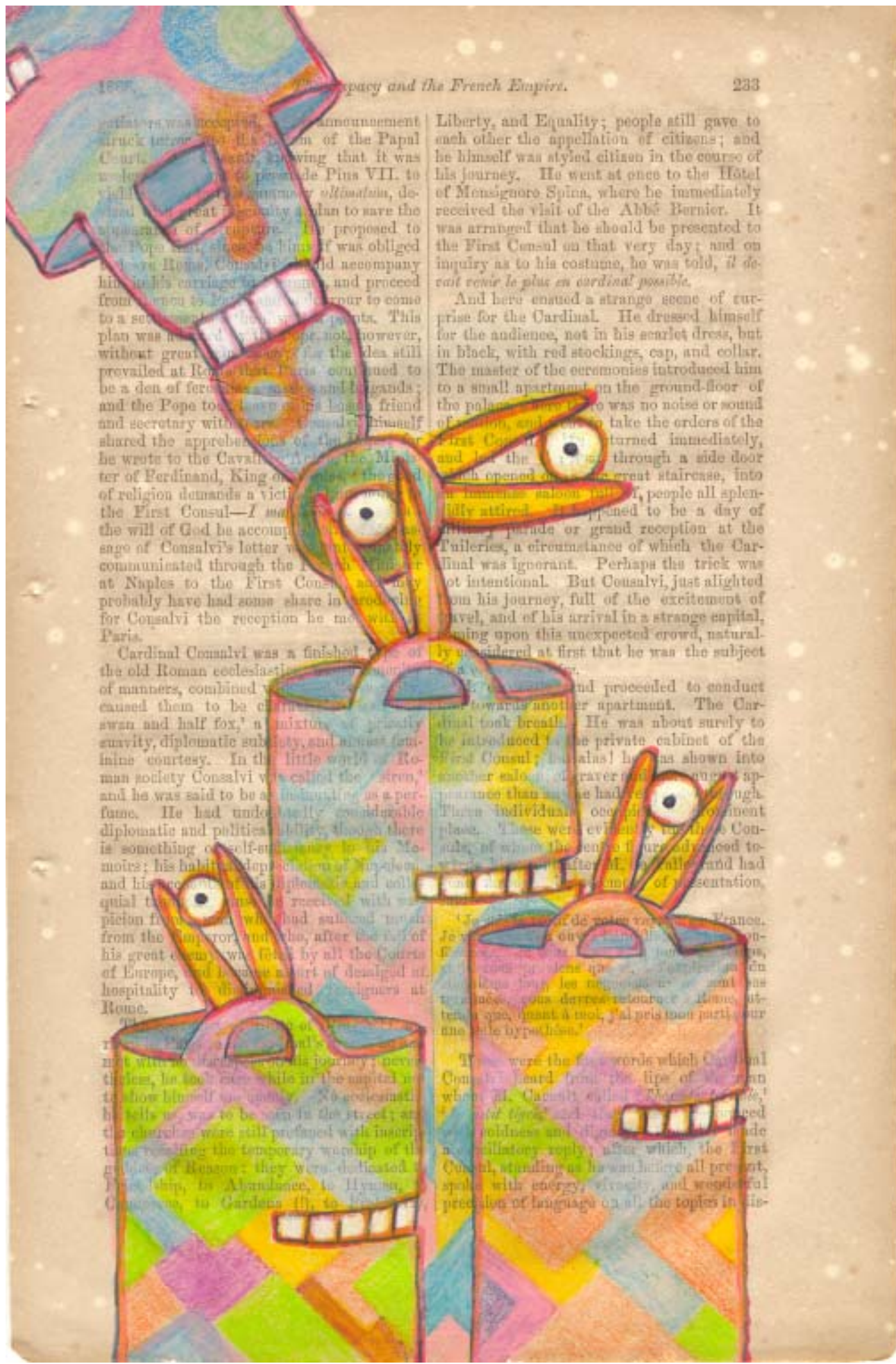
Liberty, and Equality; people still gave to each other the appellation of citizens; and he himself was styled citizen in the course of his journey. He went at once to the Hôtel of Monsignore Spina, where he immediately received the visit of the Abbé Bernier. It was arranged that he should be presented to the First Consul on that very day; and on inquiry as to his costume, he was told, *il devait venir le plus en cardinal possible.*

And here ensued a strange scene of surprise for the Cardinal. He dressed himself for the audience, not in his scarlet dress, but in black, with red stockings, cap, and collar. The master of the ceremonies introduced him to a small apartment on the ground-floor of the palace, where there was no noise or sound of ... to take the orders of the First Consul. He returned immediately, and left the ... through a side door ... into ... a ... people all splendidly attired ... appeared to be a day of ... parade or grand reception at the Tuileries, a circumstance of which the Cardinal was ignorant. Perhaps the trick was not intentional. But Consalvi, just alighted from his journey, full of the excitement of travel, and of his arrival in a strange capital, coming upon this unexpected crowd, naturally considered at first that he was the subject

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... France. ... when M. Cabanis called ... ' ... ' ... made a ... reply; after which, the First Consul, standing as he was before all present, spoke with energy, vivacity, and wonderful precision of language on all the topics in his



which underlies all legislation, that, if the two parties to a contract do not meet on equal terms, the law is to prevent the party which has the superiority from abusing his power. A little less tenacity on the part of the landlords, and the means of rapidly adjusting the claims by the tenant would be done to his crops, without the question of the Game Laws, and moderate and reasonable compass.

Of Vote by Ballot we shall say nothing here. Perhaps the aspect of the subject has been somewhat modified by the extension of the suffrage, and the experience of this impending election may suggest some grounds for the adoption of a remedy which did not exist before. But in all events the question is not new, nor can it at all be regarded as belonging to any great political category.

The Permissive Bill, as it is called, has the questions in regard to it, and it is to be thought likely to be discussed in the course of the Reformed Parliament. It is not clear that either of the measures now before the subject of wretched legislation. The temperance of the Government will not, we apprehend, be prevented by sumptuary laws, nor will legislation in this country ever take the form of a prohibition which may be applied to the sale of merchandise, according to the regulations of the Legislature for the time being. The usage of this country cannot be gradually reformed by education, and the upper classes. We have no faith in anything of this kind being effected by Parliament. Minor remedies, no doubt, may be applied, and we are not in a hurry to say that as far as the provisions of legislation may legitimately go, there is no important field upon which Parliament can exert its authority. But the proposition to elect a majority of the rate-payers of a particular district to judge of their own interests, what their neighbours shall drink, and which would be sure to be grossed down.

Serious questions have arisen in regard to Trades' Unions, and the relations of master and workman. There are very important principles embraced in these subjects, probably the result of the legislation will be, as we think it should be, to relieve the relations of master and workman from all statutory or legislative fetters, and to leave them on the ordinary principles of mer-

cantile contract. As to Trades' Unions, it appears to us that legislation is not called for, because there is no reason for treating an association of workmen for a particular object as anything different from any other association, provided the object be a lawful one. In all such cases it has been found that the trust to the ordinary law to repress any attempt to violate the rights of others, and the disabilities or special penalties which are recognised principles of commerce to protect the rights and interests of employers and the employed. But we feel pretty well convinced that the object of the deliberations of Parliament is not that the subject which had been left alone. The law is quite strong enough to prevent any addition or undue interference with the rights and liberties of others; and we do not see privileges bestowed, nor are we aware of any ordinary principles of juris-

We have alluded to these questions, not in the course of discussing them, but merely in the observation which we have already made—that the more salient and popular topics in the various countries are not likely to progress in this country more than in any other, and superficially. It is indeed, although we have not space to say so, the Tory Government have had to thank to the operation of the Act of 1832, and the subsequent Liberal Governments, that the country has been left with no more of this species of legislation at the time when that popular infusion was poured into the central system. Our own Government, therefore, we think that the measure is not and will be in itself not a very important one; and we see no reason for its passing, or of any other of its kind.

Having thus traced somewhat cursorily the probable operation of the measure which the late Parliament has recently passed, we return to a consideration of the contemplation of the measure, in so much as it respects the prospects of benefit to the country. We have shown that the Parliament has done well to go on about this point, and that the measure which it has passed, reviewing the whole course which that Legislature has run from its election unprincipledly, we have not hesitated to say that we have not seen in the form of the representation of the people, it is not the core of the principles of the Constitutional Government and the standard of political morality.

It is mainly of the Parliament that we





Meanwhile it must be owned that, apart from the two important topics to which we have referred, the programme is scanty enough. The second-rate performers occupy the stage until the real stars arrive. Primogeniture, and Game, and Vote by Ballot, and the Permissive Bill, are the sort of grievances which this general election has called forth. Happy is the nation which has none more serious. We doubt if any of them will survive the grave and empty times which are at hand.

As to Primogeniture, and what we call the Land Question, we doubt if any of them will survive the grave and empty times which are at hand. Entails are fast becoming deprecated because they impoverish the proprietor, and often ruin the land. But as long as the power of settlement is in the hands of the aristocracy, the abolition of the Law of Primogeniture is the narrowest of narrow questions. If the right to settle on the eldest son remains, the matter little to the community. The only objection comes of the Law of Primogeniture.

There are indeed those who would see the land much more readily sold than is, and some who would see it sold for this result. But we do not see how such a sale could be effected, or how to justify the sale of the great property on any principle. The only principle that can be adopted is that the effect of the upper and middle classes in the country has been beneficial. It has stimulated the love of enterprise, and caused the energy of young men in every Department of intelligent exertion. We do not wish to change this machinery for a multitude of small but impoverished men, devoured from year to year by petty misfortunes, without means to make the most of their land, and bringing up their children in constant struggle to make both ends meet. But our wishes on this head are of little moment, for in this country the appeal is impracticable. To exchange great entails for a class of petty entails, and prevent the landowner from selling his land, is this age of free trade a measure worthy of attention. A free trade in land had be free—and let the transfer of it be cheap. Give easy and available credit, and then let the ordinary principles of supply and demand regulate the price. If land give a remunerative return to the small capitalist, as compared with other investments, the small capitalist will invest in it. If it do not, an ordinary commercial principle it will belong to those who are rich enough to afford to give only 2 or 2½ per cent. for their money. No legislation to the contrary can do anything but harm.

The Game Laws are the second grievance upon our list; but the same observation seems to apply to them that is true of the question we have just considered. The great body of the people have but little interest in a controversy which has much more of sentiment than of substance in it. The question of the Game Laws presents itself in two aspects, which are too often confounded. The old doctrine that *ferre nature*

belongs to the person who is skilful or fortunate to capture them, has been clung to by the law with wonderful tenacity, and the result of the jealousy of those laws among the general community are contending views. On the other view, that the Game Laws are to preserve what may be considered as the property of the farmer, is a class question. It is one deserving no doubt of consideration, and perhaps calling for legislation. It is one in which the people have comparatively little interest.

As regards the Game Laws are considered, they are frequently left out of view in the discussion of the law, and what the Game Laws are, and what they consist of, are not generally known. They consist of a close time, which is one which is to kill the game, and a second, which is a provision imposing a certain duty on those who take game, and finally, certain laws in regard to illegal trespass, which takes place in pursuit of game. It may be quite true that the social results of these laws are in many instances unfortunate, but as regards the laws themselves it is difficult to see how their abolition would in any respect benefit the people.

As regards the first, namely, the enactment of a close time, if this is directed against the community, there can be nothing unfair or partial in it. If it were desirable to extinguish the wild animals which inhabit this island, it would be desirable to abolish a law which tends to their preservation, but if the law is not an injury, then the law is not to be abolished, and their preservation are necessarily free from objection.

As regards the second, viz. the legal duty imposed upon those who kill game, it is a law open to objection. One who thought fit to become irreproachable of the law, its operation would unquestionably be to make the enjoyment of the right the privilege of the rich only. But as no one can take game without being upon the land on which the game is, and as no one is entitled by law to be upon the land of another without his

tions by the Ministry, the severest legacy of evil which the expiring Parliament has left the country, is the example it afforded of party disloyalty.

It is not uncommon to hear among unattached Liberals the sentiment, that the country will gain more from the necessities of the Tories than from the principles of the Whigs. The sentiment is plainly expressed, and just or not, is that the latter will act on their convictions, the former on their interest. But rarely there never was a more unwholesome principle of action, or one more certain to bring about inevitable calamity. These short-sighted politicians forget that the moral honesty of public men is the only security this country has for the stability of its great fabric of freedom. It is not, however, necessary to state the internal machinery of our institutions; but the influence of party allegiance is the inheritance of Britain alone. Once proclaimed the pretences for timidity and timidity, and the system of mainly recede, and not all the measures of beneficence and utility which are lightened upon, and even a system could be adequate to value to the price paid for them. The price is often the best up to auction, and obtained by the highest bidder would cease to have value for the honourable; and politics would be reduced to what Bellingbrooke once called a lottery of stockjobbing.

Mr. Disraeli said Mr. Disraeli said 'The phrase is not a pompous and... of principle or... of the character of... of Fox and North... political inconsistency... what was... witness... caused... provided these statements... with the termination of the American war; but the memory of... animosity was too recent; and Fox felt... end of his life the effects—unjust in... but not unwarranted—of this political error. The lesson cannot be too soon or too thoroughly repeated.

The main mistake, however, which these dissentients committed, as well as the most practical evil which has been the result of their action, is the retention of the poor and foolish condition of personal payment rates as part of the electoral qualification. There never was anything more weak and unstatesmanlike than this protest, which dignified by the name of a principle, played for the time the part of a great constitutional question. As between a rental line, and the

personal payment of a particular tax, viewed as a test of the position and intelligence of the elector, there can be no dispute. If it was necessary to qualify household suffrage by some criterion, none could be more reasonable than a rental line, which had not only the advantage of condition, but that of the Government itself in their proposals of the course to be pursued to support it. It was simple and well understood, and not more unequal than the general test must be. On the other hand, nothing could possibly be a worse expedient for that purpose than the personal payment of the Poor-law; and it discloses a fair example of the manner which have been recently substituted for a system of rating, to trace the progress of the posterous enactment. The original question between rating and rental had nothing of the element about it. At the time of the 1866 personal payment of rates had nothing to do with the dispute. The rating system adopted by the Conservatives simply made a mode of getting a higher rental; the rating being equivalent to a 8% 10% rental. But the Government of Lord Russell having been overthrown on this practical question, Mr. Disraeli thought it necessary to find a reasonable political principle in the payment of the Poor-law. To satisfy this moral and political aim, not over-candid mockery, consequently, the new franchise law was overriden with an element so foreign and so unwholesome as to produce utter confusion. The personal payment of rates, the Government probably did not know what they made the proposal, was the result of a selfish and narrow view of the position of the elector, and it is not difficult to indicate it in all the details of the system of compounding the Poor-law, and the purposes, proved to be utterly inapplicable to the franchise of a man who did not pay in one way or another. But still, the Government having said it, thought it necessary to maintain this utility to the end, even although to accomplish that object they had to take the most stolid step of all, and establish a system of compounding, which had been productive of great convenience, in order that the Poor-law might subserve an object for which it was neither adapted nor intended.

There can be little doubt that the new Parliament will make short and contemptuous work of this cardinal principle. Its operation in England has been inextricable, in Scotland ridiculous. Ireland only has been refused the boon. But the confusion,



valled considerably longer than they have done, without exciting much either of party difficulty or of public clamour.

But it is far better as it is. The growing power of the excluded class could not be restrained or diminished. It must either have remained an influence increasing day by day outside the Constitution, or embraced within it. With its growth, it was rapidly acquiring knowledge of its power, and of the means of using it with effect; and, moreover, it comprehended an increasing majority of those for whom Government and Parliaments exist. This was a state precisely of that kind out of which social convulsions are wont to spring; which continues fair and tranquil external, until the casual spark explodes the mass; and amid this large mass of our fellow-countrymen there were elements of danger, they were dangerous only while outside the Constitution, but are entirely innocuous within it.

It was well to deal with this question before its solution became the result not of reason, but of menace. In fact, in the most humorous transformations of the House of Commons, and the startling suggestions of this unexpected boon, there has been a certain amount of practical advantage. The wrong-man found himself enfranchised, and the least expected it. He not only had not expected it, he had hardly asked for it. Mr. Beales and his mob were very important and unimportant movements. It was not him before he had well prepared himself to receive it; and what between the extent of the measure itself, and the marvellous quarter from which it came, all feelings of triumph have been merged in a placid and gratified surprise.

But, after all, the main ground on which this measure is welcome is the new infusion—the fresh infusion—which it has brought to our electoral ranks. It has extended the foundations of our constitutional liberty, and given a fresh impulse to the popular principle. Doubtless, in many isolated instances it will operate unprofitably. In some—but this will be rare—men of violent opinions and slender stature may find entrance to the House. In others, as we anticipate more frequently, the lower class of voters will bring strength to the Tories and weakness to the Liberals. It may also be feared that undue influence and corruption, as well as the expense of elections, will in some quarters be increased.

But these are the attendant and characteristic of constitutional government. We must look to the healthy operation of the

popular principle, the enlarged and truer sense of public duty, and the wider influence of an extended public opinion to correct and neutralise them. That wealth, property, ancient lineage, and social position, will have their due influence under the extended franchise we never doubted. They are elements inherent in our social fabric which it is the object of government to maintain, administer, and improve; and under no possible management of the electoral franchise in this country, could their operation be materially diminished.

The real trials, however, of the new franchise will be found in any change in the character of the representatives sent to Parliament. The graduation of the franchise, as the last election ran two years ago, is now being accomplished by themselves; and no one can doubt that the Legislature will gain, at best loss, in dignity, weight, and even ability by the change. If, as is not impossible, one or two working-men should find their way there, if they are able to do so, they will do no discredit to an assembly which is essentially a House of Commons. Mere demagogues will find their way there, as they have always done hitherto; and although we do not anticipate that many members of this class will be returned, a certain admixture of it will only add to the merit of the representation.

Still we should be wrong if we did not recognise the fact that we have passed rapidly through a very remarkable and important change. The Reform Act is in some respects a revolution; and its main and most enduring result will be a change in the habits of thought, the prevailing incentives, and the principles of action, which will now be brought to bear on political questions. The Conservative party, bent on outflanking their antagonists, probably did not stop to consider how many cherished interests they put in jeopardy, or what a flood of light they were to introduce into many a dark recess. The questions will revive in novel shapes, and questions hitherto will be considered under a more rigid and exacting scrutiny. Plaintiffs in commonplaces will lose much of their rank and power; and men will meet on the public institutions and public assemblies to the test, not of precedence, but of essence.

Here if anywhere, is the danger, but here also the remedy, must be the benefit of the change. We may expect to have many of our accustomed prejudices rudely handled—to have crude and even violent suggestions applied to many of our familiar usages. Antiquity will, no doubt, meet with less reverence for its own sake, and mere novelty will