

but no sooner is an endeavour made to give the nation the benefit of a free trade in corn, than the whole host of landholders rises up in wrath; ministers tremble for their seats; upon one excuse or another, the measure is postponed from session to session, and the power of the aristocracy wielded to the defeat, even of the influence of the crown, and to the general injury of the community. This, however, is probably what Mr. J. E. Denison approves of under the name of the influence of property; in America, he tells us, property loses its influence, and is less respected than here*. As we have never heard of any thing like a disposition to impugn the institution of property in America, or any complaints of insecurity of ownership, even among the back settlements, we conclude that when the hon. gent. says property, he means *men* of property who have no claim to respect but the purses which they brandish; indeed, he is constrained immediately afterwards to admit, that by some means, the system there "*works well*." We can scarcely wonder at his inability to comprehend what the means are, when we find the following passage in the New York Gazette of October 13, 1824.

"Messrs. Stanley, Wortley, and Denison, Members of the British Parliament, have arrived in Boston from Canada, on their way to New York. These gentlemen travel too rapidly to obtain any very accurate knowledge; if their object is merely amusement, that may be answered."

Mr. Ross, with whom we shall conclude, has a very short argument against those who call for any better security for good government. According to him, none but the ignorant classes desire any change; "those who are most distinguished for the virtue and quiet of their lives, the dignity of their characters, and the splendour of their talents, are opposed to the change which it is sought to introduce†." We are at a loss which most to admire, the modesty, impartiality, and truth of the assertion, or the relevancy of the argument; answer, of course, we can find none; and we must, therefore, leave the enthymeme to those among whom it will, no doubt, produce a deep effect—the virtuous, quiet,

and talented class—who draw so largely on the purses and patience of the community, and for whose use, it seems to be established, the community was created.

Summary Review of the Conduct and Measures of the Seventh Imperial Parliament.

IN taking a view of the proceedings of the late parliament, and considering effects in conjunction with their causes, we shall presume, that our readers are aware of the acknowledged principle upon which all our reasoning, with respect to the actions of men, and our rules for modelling their conduct, are founded.

That principle is, that men are governed by motives: this is only saying, in other words, that they are governed by their interests; and it will best suit the expression of those reflections, which will occupy the subsequent part of this disquisition, to use the former of these terms in place of the latter; the interest being the primary thing—the motive only secondary and derivative; the interest, the actuating ingredient—the motive, but the view which the mind takes of the interest,

We desire to avoid all controverted points on this subject, and merely to explain distinctly the sense in which we wish to be understood. Thus, if any one should insist upon it, that men are not universally governed by their interests, and that many men, in many acts of their lives, act from sympathy, and the dictates of virtue, in opposition to their interests, we are not at all disposed to controvert their opinions, because there can be no doubt, that in the sense in which they understand the words, their proposition is true, how much soever it disguises the real nature of the phenomena.

It is not less true, with respect to every man, that, of the whole actions of his life, by far the greater number are determined by views of interest, in the ordinary sense of the word; the allurements of pleasure, the aversion to pain, the desire of wealth, power, reputation, and so on: nor, with respect to a large body of men of any description, that of their actions, upon the whole, interest, in this very sense, will be the governing principle.

* *Ante*, p. 580.

† *Ante*, p. 582.

When men are combined into an acting body, and have a kind of principle of unity bestowed upon them, it is universally recognized, that the interest of the body is the ruling principle of action. Their sympathies are with one another, not with those exterior parties whose interests come in competition with theirs. And as for virtue, in their case, who knows not, that in most minds, virtue consists in doing good to those with whom we sympathize? If there is any class of sensitive creatures, totally removed from our sympathies, we little regard the effects which our actions may have upon them.

This doctrine, which it would be highly instructive to illustrate at greater length, we must take as conceded. In truth, to deny it, would be to deny the very principle upon which government is founded. The principle upon which government is founded, is, that men, generally taken, will not only prefer their own interests to those of other men, but, when they can, will sacrifice the interests of other men to their own. Government, in all its shapes, is but an organization of means for checking the operation of this propensity; in most instances, it is true, a wretched organization.

In considering, in a general point of view, any part of the proceedings of the parliament of England, the House of Commons, of course, is the first object of attention. It is not incumbent upon us here to explain in what manner the House of Commons has become the main spring in the government of England: it is sufficient for us to recognize it as the fact—a fact, neither disputable nor disputed.

From the mode in which the suffrage for members to the House of Commons is distributed, and in which the business of the election is performed, it has been found possible and easy, for the leading families in the country, to establish such an influence over the electors in all the counties, and in a great proportion of the towns, that they can return as members for those places, the persons of their choice. This they do for one parliament after another, without end. And this, it is evident, is nomination—hereditary nomination, under certain forms—which, though at times they are troublesome and expensive, are, nevertheless, deemed necessary, in order to disguise the reality under false appearance.

There may be some doubt as to the precise extent to which this virtual nomination is carried. But for the settling of this dispute, any portion of the time of our readers or ourselves would be unprofitably bestowed. There is no doubt that it extends to much more than a majority of the members; and this is all which it is material to know. Whether the minority consists of a few less or more, is not of the smallest consequence with regard to the general nature and tendency of the acts of the assembly.

Of that portion of the House of Commons, which is not returned by the leading families, the greater part consists of men of large fortunes, who can afford, by dint of money, to create a temporary influence in those places where no great family has established a permanent one; and, in a few places, the election is made under more or less of the real opinion of the electors; their opinion of the fitness or unfitness of the individual to whom their votes are tendered.

Of those two portions of the House of Commons—that which is nominated by the leading families, and that which is not nominated by them—the latter is that alone about the nature and force of whose actions any doubt can exist.

The matter of fact and experience is, that of the members who do not sit by the nomination of the leading families, the greater number are prone to act along with them, and pride themselves in holding a place in their ranks. As far as these men are concerned, the interest which shapes the actions of those who are nominated by the leading families, does not experience opposition, but support.

When a legislative assembly is so composed, that one interest actuates one portion of it—another, another; but one of these portions is a great majority; it necessarily follows, that the interest of the major part is that which predominates in the whole. Whatever proposition, favourable to their own interest, the major part wish to carry, they always can carry, notwithstanding any injury it may import to the minor part, and the rest of the community, and notwithstanding any opposition which it may be in the power of the minor part to make to it. On the other hand, any proposition which the minor part may introduce, however conducive to public good, the major part, if it threatens

any infringement of their advantages, have at once the motive and the power to throw out.

In a legislative assembly, in which the great majority are leagued in the aristocratical interest, the situation of the minority, who represent the general interest, whether, in point of numbers, they are considerable or inconsiderable, is not that of legislators. It is mere imposture to call it so. Their combined votes in favour of any measure, to which the aristocratical interest are opposed, are wholly ineffectual to carry it. Their votes, in favour of any measure to which the aristocratical interest are inclined, are useless, because the measure would be as certainly carried without their votes, as with them. Voting, in these circumstances, is wholly without effect. It is, therefore, a mere nullity. As well might a man act the farce of voting in a desert, where there is nobody to see or to hear him. But if the voting of the minor part in such an assembly be a mere nullity, their speaking is not. They may still advocate good measures. Their place, therefore, in the legislative assembly, is that of legislators in form only, and with a fraudulent effect. They have but one real function—that of advocates for the general interest; and they would be much more favourably situated for the performance of this positive service if they were relieved from their mock character of legislators.

As the character, then, of the English House of Commons is, beyond all controversy, that of an aristocratical hereditary assembly, with a few advocates of the general interest, allowed to be heard among them, we are a little prepared to judge what sort of actions are to be expected from them; and, in reviewing the proceedings of the last parliament, to shew pretty accurately the connexion between causes and effects.

It must be supposed, that by a legislature, in which the aristocratical interest had so long and so largely predominated, the machinery of government, and all its workings, would long ago have been put into the state the most favourable to the interests of the aristocracy, which aristocratical wits, matched with the circumstances of the times, could bring them to; and that in this state they were found at the commencement of the last parliament.

This being the case, it is impossible not to see what must have been the predomi-

nating purpose of that assembly, throughout: that it must have been, to keep things as nearly as possible in the state to which they had been brought; and if an appearance of doing something must be kept up, to make as much of a little as possible; to put the advocates of improvement always on a wrong scent, and to listen to the proposition of no change that implied any real alteration.

When the powers of government are placed in the hands of a few—be it an aristocracy, or a despot and his satellites—these powers are rendered subservient to the interests of those who hold them, by the command which is thence obtained over the persons and properties of the rest of the community. The main object of such governments is to carry that command to as great a height as possible.

The ancient laws of England afforded protection to the persons of the mass of the people only to a certain extent; beyond that point every thing was open to the hand of power. Manners, however, in modern times, have done more than legislation for the protection of the lower orders from outrage in their persons. The man with power does not find his gratification in offering indignity or doing harm to the person of the man without power. What he desires, with respect to him, is command over his services. But command over his services is better obtained in the indirect, than the direct way; by first taking from the man his money, and after that, with his money, purchasing his services.

The aristocracy, then, have felt but little interest in recent times in deteriorating the state of the law in regard to the protection of the persons of the people. They have shewn enough, indeed, of reluctance to part with any portion of a power capable of being abused, though now seldom turned to a wicked account, and have resisted every proposition for the improvement of the law in this respect.

In modern times, the machinery of taxation has been found the most commodious instrument for making power useful to those who hold it. The power enjoyed by a particular class, of making laws to take so much annually from the property of every man, was the power to distribute a great part of the proceeds among themselves. This is a machinery which we may conclude has every where

been worked to the utmost. But no where has the working been so prodigious as in England.

The great evil of this mode of satisfying the aristocracy with the property of the people is, that it takes from the people more than it gives to the aristocracy, and carries the oppression of the people to a much greater extent than the mere enriching of the aristocracy would require.

For taxation, pretexts are thought necessary. The people are not told that they must be taxed, because the aristocracy want more of their money. They are told that they must be taxed, because the wants of the state must be supplied. And then those wants must be turned to the best account, and exaggerated to the utmost. All the establishments of the state are pushed to the greatest extravagance which the spirit of the times will bear. Civil boards and civil officers are multiplied without end. Army and navy are kept at the highest amount, for which a pretence can possibly be invented. And colonies and distant possessions are multiplied, both because lucrative places may be made in them with profusion, and because they afford one of the best pretexts for keeping up an expensive army and navy.

It is through these establishments chiefly, that the aristocracy pocket what they do pocket of the public money. But for every pound which they get to themselves in this manner, many pounds are extorted from the people. A regiment of soldiers benefits the aristocracy only by the pocketings of a few of its highest officers: it grinds the people by the cost of the whole machine. In like manner, a ship has only a few good things for the aristocracy: a vast amount of charge and oppression to the people. A colony has several good places fit for the aristocracy: it almost always lays an enormous expense upon the nation.

No event in the annals of the human race ever enabled a government to carry expense to so extravagant a height, and so to glut the possessors of power with the property of the people, as the war waged against the French revolution. In the few years which had intervened from the termination of the war to the opening of the last parliament, patience had been demanded for the time necessary to wind up the affairs of the war. The grand spectacle during that parliament is, to see

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the struggle that was made to keep up establishments as nearly as possible to the scale even of the late destructive war, and to prevent the reduction of expense. In the year ending the 5th of January, 1820, the year in which the late parliament began to sit, the expenses of the civil list, military establishment, civil government, and collection, amounted to 26,600,519*l*. In the year ending the 5th January, 1826, the last of which the accounts can yet be adduced, the same expenses amounted to 29,157,171*l*.

The connexion here between causes and effects, is both obvious and instructive. The state of expense—that part of the working of the machinery from which more immediately the benefit of the aristocracy proceeds—had been carried, by the aid of a most extraordinary conjunction of events, to a degree of perfection altogether unexampled, and far beyond what the most sanguine hope could have anticipated. The situation of the aristocracy was the most advantageous possible: the grand concern was, to preserve it from deterioration. It is impossible for us to follow in detail the persevering efforts which were made by Mr. Hume, occasionally aided by a few others, only to curtail this expense, to cut off a few of its more monstrous deformities. Year after year did he make his expositions; year after year, not only were they met by an overwhelming opposition, but they and their author were treated with hostility. Every species of ill usage which experience had found the most successful in driving men from the post of duty in that House, and which few men indeed have had the magnanimity to withstand, was employed against him. After a time it was found, that a man had at last appeared, upon whom the ill usage of the House had little effect. This was a great point gained. This itself constitutes a new era. This is what they call a pregnant example. The spirit of Mr. Hume will pass into others. We shall have a race of Humes.

In the monstrous expense of this government, what is to be deplored, is not so much the amount of the property of the people which goes into the pockets of the aristocracy. This the people, without any very great diminution of their happiness and prosperity, could bear. This, great as it is, considered in itself, is small compared with the expense which is

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wasted upon establishments, rendered enormous, that the places which they afford to the aristocracy may be as numerous as possible. The grand practical evil of our Government is this : that they who substantially wield the powers of it, have an interest in making its establishments too great. Establishments too great are, in modern times, and under the control of modern manners, the grand instrument of oppression to the people. It is in this, more than in any other way, that governments are bad; and that one is more or less bad than another. What was it that rendered Louis the Fourteenth the scourge of France, and before his death brought that kingdom to a state of exhaustion? Read his historians. They tell you with one voice. The extravagance of his establishments, military and civil, was the cause. The effects we know. The monarchy struggled on through a few years of languor and decrepitude; and expired in violent convulsions.

Such is the history of the late parliament, with regard to one branch of the public interests—the rate at which the people pay for the services of Government. The protection of the persons and properties of the people of England, is paid for at a cost of 57,000,000*l.* per annum: of which 29,000,000*l.* is for immediate charge; 28,000,000*l.* is for interest of the debt contracted for that protection at former times reputed extraordinary. Think of the end as it really is, in its own nature. Think next of the facility of the means,—justice, police, and security from foreign invaders. And then think of the oppression practised upon the people of England under the pretext of providing them. The expenses of Queen Elizabeth's government amounted to 500,000*l.* per annum. The comparison is said to be ridiculous. Why? Our courts of justice in England cost even now but 65,000*l.* per annum. Our police costs but a trifle. And why our shores should require a single man to guard them more than in the time of Elizabeth, we shall get not one good reason from those who will use the most swaggering asseverations on the subject.

Of the great interests of the country, that which stands first in importance is the administration of justice; the perfection of the means which are employed for giving certainty and security to the rights of individuals. The means conducive to

this end are comprised under three heads: diminution, to the greatest practicable extent, of doubtfulness relating to rights; a correct and prompt solution, without burthen to the parties, of such doubts as cannot be precluded; and, as often as any infringement of a right is incurred, an effectual remedy for the evil.

There is something remarkable in the history of law. We can expect nothing else than that the benefits of law in a rude age should be very imperfectly enjoyed. First of all, little is done in an age of ignorance, for narrowing the ground of doubt with respect to rights. Such an age cannot define. A few rude marks grow into authority by custom; and things are or are not recognized as rights, according as they do or do not bear the established indications. Little as a rude age is capable of defining, it is not less incapable of separating, by abstraction, the end from the means; and forming a clear and distinct conception of each. It is incapable of taking such a view of the *end*, as to comprehend in it every thing which belongs to it; separate from it every thing which does not belong to it: and such a view of the *means*, as to distinguish the steps which are necessary from those which are not necessary; and to mark in what possible order the smallest number of steps will suffice. The people of such an age employ ill comprehended means for the attainment of an ill comprehended end. They proceed in the way which wise men of the present day call practical: they see only a bit of a thing at a time. Accordingly they have a little expedient for one bit, and another little expedient for another bit. The consequences are, a want of connexion, and mutual bearing to a common end, among their expedients; a frequent clashing and counteraction among them; and a most unnecessary multiplication and complexity; one narrow expedient being provided for one narrow purpose, and another for another; when, under a comprehensive view of means and ends together, one expedient would have been found to accomplish many purposes. Such is the mode of proceeding of a rude age in all things. There are abundant reasons why it should be such in the business of law to a remarkable degree, and should produce a more absurd and fantastical product than in any other department of human affairs.

The astonishing thing with respect to law, is, that in a concern in which improvement so deeply affected the interests of all, the barbarous product of a barbarous age should have been protected from change in almost all countries, and handed down to a late and civilized age in a state of more perfect preservation, than any other monument, not physical and indestructible, of rude antiquity. Of all countries, England stands foremost in the merit or demerit of this monstrous preservation. If any one desires to have an accurate, and as it were a living image of the mode of thinking and acting among our barbarous ancestors, he has only to look carefully into the law.

It is a remarkable case of a remarkable part of our nature, that when people have never known the time in which they were without a certain suffering, they regard it as a part of their lot, and cease to think of its removal.

That the expedients of law in England do answer their end most miserably, is proved by such astonishing results, as one would imagine could not but make an impression upon the minds of the most stupid and apathetic people on the face of the earth. Whereas justice, to entitle it to the name, ought to be administered promptly, there is enormous delay in all cases: in a large class of cases such delay as amounts to a denial of justice. Whereas justice, to entitle it to the name of justice, ought to be cheap, (for dear justice is robbing justice,) the costs of law in England are ruinous, and exclude the great body of the people from its protection. And, whereas one of the great ends of law, is to remove uncertainty from rights, the uncertainty which attends them in England is such, that of the owners of land, a small proportion only know whether they hold their property by a good title or not.

The disgraceful manner in which the legislature of England have gone on from parliament to parliament, and from age to age, leaving all the load of evil, implied in such a system of law, to press upon the community, without a thought of its removal—nay, with an almost constant opposition to every attempt for relieving them of some of the more galling portions of it—has a more immediate connexion, we think, with the intellectual state of the two houses, than the moral. Though it cannot be denied that the

leading classes have an interest, to a certain extent, in the badness of the law—for a perfect law by yielding protection to the poorest man, exempts him from the power of the rich, and an imperfect law which denies him protection, leaves him at their mercy—in England, in this case, manners have to a great degree supplied the place of law, and it is but rarely that such oppression, as it is always in the power of a rich man to perpetrate upon a poor man, is seen to take place. There is another feeling, however, to which we are inclined to attribute a considerable effect. When an aristocratical legislature, by the constant tendency of ages, have got the machinery of government into a state of working as favourable to themselves as circumstances will allow,—when of course the grand principle of their policy is to keep the working as it is, and prohibit change,—they are afraid that an alteration for the better in the law, though it could be made with many advantages to themselves, as well as to the community, might bring other changes after it which would be less agreeable. Not seeing any necessary connexion between changes in the law, and changes in that part of the working on which their advantages depend, they have yet so strongly associated the idea of the changes which they deprecate with that of change in any department of government, that it is never raised in their minds without calling up at the same instant the idea of the changes they detest, and all the horror with which it affects them. Nor is it in this shape alone that intellectual inaptitude has contributed to produce that aversion, manifested by the English legislature, to the discharge of one of its primary duties; that of relieving the community from the evils of a system of legal expedients, most wretchedly adapted to their end. The greater number of those who compose the legislative assemblies of England, are not accustomed to the business of thought and reflection at all. Beyond the sphere of ordinary talk, and a very narrow and superficial observation, they are conscious of mere mental vacuity. A comprehensive view of the great subject of law—distinguishing accurately the ends which it is destined to attain, and of the means for effecting these ends selecting the best, and combining them in the most perfect order—they find a task as little suited to their

ability, as it is to their inclination. What is beyond their ability they are well inclined to believe is beyond every body's ability. They are exceedingly distrustful of all mental ability; and far from friendly to those in whom it is believed to reside. They cannot but be afraid of being deceived; being incapable of comprehending the good and evil of the schemes proposed to them, and of making a choice in any other way than that of a leap in the dark. In this state of mind, intellectual indolence is always an ingredient, and along with it moral apathy. And the complex feeling is summed up in the standing formula:—We are possibly not very well as we are; but we know not how we should be if we made a change: we, therefore, will rub on.

Under the mastership of this feeling, the state of the law at the end of the last parliament remained, with alterations hardly worth being mentioned, the same as at the beginning.

Sir James Mackintosh* at an early period brought in six bills, founded upon the report of a committee of the preceding parliament, proposing that the punishment of death should be superseded by a milder one, in certain cases. He met with opposition, and accomplished but a part of that which he proposed. Had he accomplished the whole, the state of the law could hardly have been said to be changed. We have always felt a disposition to question the policy of motions for these minute alterations in the law: not because the change might not in some cases be an improvement; but because working in the small way is apt to be taken as a substitute for working in the great; and the show of doing something, weakens the force of the demand for doing all which is needful. It appears, also, to us, that a prodigious advantage is lost in proposing these petty reforms. To urge reluctant, to excite apathetic minds, the object must be large enough to give an interest. The conception swells with a great project of improvement. Contrariety of interest itself is often insufficient to subdue the impulse which it imparts: and no minor object has any chance of bringing to bear upon the contrariety of interest,—that to which alone it is destined to yield—the force of a strong public feeling.

* See Hansard's Parliamentary Debates, New Series, i. 227.

The most remarkable thing which occurred in the debates on this subject, was the observation of Lord Liverpool*, "That the great defect in our criminal legislation in its present state, was, the want of a secondary punishment of sufficient efficacy. Several years ago, when transportation was a removal, either into a noxious climate in Africa, or to a state of servitude in the North American colonies, it excited some degree of terror. Now, however, the system was entirely changed; and the colonial office was besieged with applications without end, from persons wishing to settle in New South Wales. It was in vain, therefore, to talk of transportation, as carrying with it any degree of terror. The fact was, that to the class of offenders, to whom in general it was to be applied, it was an object of indifference, or even of desire, rather than of apprehension. The committees, with which these bills originated, had begun their inquiries at the wrong end. Before they rejected the penalty which the law now inflicted, they ought to have directed their attention to the discovery of some secondary punishment, calculated to inspire such a degree of fear, as would, in a number of cases, serve as a substitute for the punishment of death."

Here, then, was a capital defect, fully recognized: a capital defect proclaimed by the prime minister himself. What followed? Of course the legislature proceeded immediately to remove an evil, thus known, thus acknowledged, of such magnitude! Here was a case to rouse even parliamentary apathy. From that time to this, the punishment which the prime minister declared to be wholly inefficacious, has continued to be applied to a large class of offences, only not the first in atrocity: in other words, the community have been left, as declared by the prime minister himself, left from that time to this—how much longer they are to be left we shall see—totally without protection, as far as the second great class of offences against person and property are concerned. This is a specimen of the English legislature.

There is still another thing which must be mentioned, to set this case in a proper light. At the same time that the English

* Hansard's Debates, *ut supra*, ii. 346, July 18, 1820.

criminal law was declared to be destitute of a secondary punishment of any efficacy; from which it followed, on the one hand, that a great many persons were punished with death, who ought not to be so punished—an atrocious barbarity; and on the other, that a much greater number, the authors of those offences which most frequently, and, by their frequency, to the greatest extent disturb the security of ordinary life, pass without a punishment, other than a name: and while, along with this disgraceful acknowledgment, the further acknowledgment was made, by the mouth of the prime minister himself, that he was ignorant of any remedy for all this evil—there was before him, and before the legislature whom he addressed, an instrument of punishment, capable of being graduated, from the least to the greatest severity, and exquisitely adapted to attain all the ends of punishment, without one exception, and with the smallest possible cost to the public—the Panopticon prison and Penitentiary House of Mr. Bentham—the nature and properties of which had been urged with perseverance upon the attention of parliament for a number of years.

The history and fate of Lord Althorp's bill for the county courts, would afford important illustrations of the turn of mind which predominates in our legislative assemblies. But, as it would require to give this history in the requisite development, a space which we cannot afford, and as we have touched upon the nature of the subject both in our former and our present volume, we shall here content ourselves with one or two very general observations.

This was one of the best aimed endeavours which had ever been made for a reform in the law—a reform, which, if it had been effected as it ought to have been, would have annihilated a great mass of the evils, with which the state of the law burthened and afflicted the community. The object was to afford a cheap mode of deciding pecuniary claims, of that moderate extent, which it was better to abandon, than incur the infamous costs, which follow a suit in the courts. It was no longer time to refuse absolutely to entertain such a project. But let any reflecting man first consider within himself, how a virtuous legislature would have acted on such an occasion;

with what cordiality it would have embraced the object; how heartily it would have exerted itself to render the proposed remedy as perfect as possible, and to give its remedial operation the greatest possible extent; next let him contemplate, not merely the total absence of any thing like a disposition to aid the author of the bill, but the chicanery which was employed against it, the processes of mutilation and deformation performed upon it, and the rejection which it finally experienced,—and we leave him to draw the conclusion.

The other proceedings of the late parliament, on the subject of law, were either of so little importance, as not to deserve particular mention, or took place during those two last years, which fall within the period of our annual Review, and have been made the subject of separate articles. The debates on the question—whether counsel should be allowed to prisoners on trial for felony, afford the only particulars on which a remark or two appear to be required.

In civil cases, in cases of high treason, and in all the less highly penal of criminal cases, the defendant is allowed the benefit of counsel, not only in questioning witnesses, and affording advice, but in addressing the jury, and making his defence. To this latter purpose he is not allowed the aid of counsel in cases of felony, although counsel are employed to address the jury against him. This is one of those gross anomalies in the law of England, at which Englishmen are not shocked, only because their law is made up of such things. The first motion for leave to bring in a bill to remove this anomaly, (for the motion was repeated before the end of the parliament,) was rejected by a majority of eighty to fifty. The mover announced that the body of lawyers was opposed to him, though two lawyers of eminence supported him. Sir John Copley (Attorney-General) was the prominent actor on the opposition side*; and the reasons which he adduced, were those which, probably, with or without his suggestion, swayed the minds of the majority.

First of all, the number of members present, is a circumstance, the import of

* *Hansard's Debates*, ii. 205, April 6th, 1824.

which deserves to be well understood. The Attorney-General began his speech by declaring, "That this was indeed no "light or trivial question, but one of the "gravest importance." Of the House of Commons only 130 members showed by their presence that they had the smallest concern, whether this important question was determined one way or another. Four-fifths of the House were pursuing their business, or their pleasure, elsewhere. It should seem also, that "a question "of no light and trivial nature, but one "of the deepest and gravest importance," required, and deserved, some time for consideration; yet 80 members out of the 130 present, decided that none should be bestowed upon it. After hearing a little vague and superficial talk, the House came to a determinate conclusion on the spot.

The argument of the Attorney-General, divested of its amplifications, and enforcements, was, that the defendant would suffer more by the reply of the prosecutor's counsel, than he would gain by the speech of his own. He declared that in civil cases, the speech of the defendant's counsel, by entitling the plaintiff's counsel to speak after him, was to such a degree an evil, that it greatly vitiated that branch of the law. And he asked, whether "it "was to be desired that the defect of our "civil should be introduced into our criminal system."

The first remarkable thing to be noticed in this argument is, that it passes condemnation on the speeches of counsel, and declares that in all cases, both civil and penal, unless for questions of law, they are hostile to justice. In penal cases it is the best course, he says, that the counsel for the prosecution should open the case, that is, state to the jury the question which is to be tried before them; and that there should, after this, be no speech; nothing but the hearing of the evidence, and the summing up by the judge. He also says, that this, in civil cases, would be a course better adapted to the ends of justice, than that which is at present pursued. The only speech, therefore, not detrimental to justice, according to Sir John Copley, is that opening speech of the counsel, for the party defendant, in which the question to be decided, is stated to the jury. But the statement of the question to be decided is a function which ought not to be entrusted to the extemporary imperfection, or studied unfairness, of a party and his

agent. This is an essential part of the duty of the judge, to be performed, as far as possible, by a proper instrument in writing, completed, when any thing farther is necessary, by the oral exposition of the judge.

That the speeches of counsel impede the course of justice, was, at any rate, a decision which it was not right to adopt without mature deliberation. It was not a question which ought to have been decided upon the mere *ipse dixit* of the Attorney-General, in opposition to all the evidence implied in the established practice of this and all other countries. The House of Commons did decide that the speeches of counsel are a nuisance in judicature. It is the duty of the House of Commons, if any thing which concerns the public be its duty, to remove nuisances from judicature. From that time to this, has any thing been done to relieve justice of what was thus voted a nuisance by the principal branch of the legislature? From that time to this, has that same branch of the legislature any farther troubled its head about the matter, than to reject the same motion, in the same manner, when brought forward once more by the same author?

One thing, at any rate, few will dare to dispute—that if speeches of counsel be good for justice, all cases ought to have the benefit of them; if bad, all ought to be delivered from them. The Parliament of England takes a course entirely its own. Till it can make up its mind upon the matter, it divides the field of law into two portions—not very equal ones, it is true—in the one of which it gives the use of speeches, as if they were good; in the other, denies the use of them, as if they were evil.

In the cases, however, in which we say, that it gives the use of speeches, we ought to say, that it gives a mutilated, lop-sided, unfair, and partial, use of them. It gives the full use to the plaintiff's side; the garbled use to the defendant's side. Not only two speeches are given to the plaintiff's side, while one singly is allowed to the defendant's side, but the plaintiff is allowed the benefit both of the first word and the last; the consequences of which are important. According to the Attorney-General, it is the last speech which decides the question. He did not indeed say, that it does so always, nor did he say how often. But unless it does so in

a great proportion of cases, his argument, that the speech of defendant's counsel would do him harm, because it would allow the prosecutor's counsel to speak after him, was nothing to the purpose.

Because none but a lop-sided use of speeches was given by English law, in other cases, the Attorney-General concluded, with true lawyer's logic, that none but a lop-sided use could be given, if given at all, in cases of felony. Nobody asked—yet it was not a very recondite question—Why a lop-sided use of speeches in this case? If the counsel of the prosecutor has made his speech to support, and the counsel of the defendant has made his speech to invalidate the charge, why not do one of two things—either stop the speeches there; or, if the plaintiff's counsel be allowed a second speech, allow a second to the defendant's counsel also? There would be fair dealing in this. In the existing course there is the reverse.

If it be asked, how in our courts of justice, plaintiffs came to have so many indulgences, the answer presents itself immediately—The plaintiff was the customer. No wonder if it was thought right to give him encouragement. It was given to him to some purpose. The Attorney-General declared, that “the odds were *always* in favour of the “plaintiff.”

On the great, the master subject—the right composition of the legislature—no proposition was discussed in the last parliament, which, even if carried, would have altered the relative state of the private and public interest in the House of Commons—would have given to the public interest that ascendancy which the private has hitherto enjoyed.

Two schemes of reform were proposed, one by Mr. Lambton, and one by Lord John Russell; and on the last there were four debates in four different years. There was, besides, the disfranchisement of Grampound.

The main provisions of Mr. Lambton's bill were three.—1. Instead of the present election by cities and boroughs, which was to be annulled, election districts were to be formed all over England, in each of which one member was to be chosen; and all householders paying rates and taxes were to have the right of voting. 2. The representation of the counties was not to be altered, farther than by admitting leaseholders and copyholders to the right of

suffrage. 3. The duration of parliaments was to be reduced to 3 from 7 years.

The plan of Lord John Russell was shortly this: to take from one hundred of the smallest boroughs sending two members, the power of sending more than one; and to supply this defalcation, by one hundred additional members for the counties and great towns, in the proportion of 60 for the counties, and 40 for the towns.

The principle of sound decision on this great question, is obvious. Government is founded upon the necessity there is of preventing one man from promoting his own interest, at the expense of other men's. That men will do so, is not matter of doubt, it is matter of experience. The propensity is not confined to a few men out of many; to this class, and not to another. It is so nearly universal, that all our conclusions, with respect to men in bodies, are correct only in so far as they are grounded upon this experience.

The real object to be aimed at in the composition of a legislature, is to prevent the predominance of the interest of any individual, or of any class; because, if such interest predominates, the very principle on which government is founded implies, that it will be promoted at the expense of the community.

In the former part of this article, we have seen, that, in the composition of the English legislature, the predominance of the aristocracy is so complete, that whatever they wish to do, they always have it in their power to do—whatever they wish to prevent, they always have it in their power to prevent; that, by the bearing and impulsion of an aristocratical legislature for ages, in one direction, the working of the machinery has been rendered as favourable as possible to the predominant interest; and that, now, they who are in this interest have little else to do than to prevent alterations.

It follows, with the force of demonstration, from these unquestionable premises, that no change can, directly, be any improvement whatsoever in the British legislature, which does not substitute the predominance of the general interest to the existing predominance of a particular interest; and that no change can, even indirectly, be of any advantage, but such a change as leads to that substitution.

It is evident at the first glance, that the plan of Lord John Russell would detract nothing from the power of the aristocracy, who would nominate just as many members, after such a change, as before it. The chance is, that they would nominate more. The sixty members given to the counties would be theirs, without the smallest trouble, because the counties are theirs already. And can any body doubt, that of the remaining forty they would have their usual share? We deem it unnecessary to enter into farther development of the case, because we cannot conceive a man who will dispute our conclusion.

With respect to Mr. Lambton's proposition, we think it may not less certainly be determined, that it would not diminish, but increase the power of nomination, in the hands of the aristocracy. The only part of his plan which requires consideration is the first—the constitution of election districts, in lieu of the boroughs; for, that the annexation of leaseholders and copyholders to voters in the counties, would lessen the influence of the aristocracy in the counties, it would be ridiculous to imagine.

Now, the immediate effect of making election districts, in lieu of the boroughs and towns, would be, to add in each instance, a portion of the agricultural population to the town population. The agricultural population, the landed interest would command wholly; this would, therefore, be just so much added to that command over the town population which the aristocracy already possess. It may be said, that Mr. Lambton's plan gives a great extension of suffrage in the districts. But, besides that the suffrage in many of the towns and boroughs is already not much less extensive, it may be affirmed generally, that giving the suffrage to a more indigent class of people, without the safe-guard of the ballot, is only to place the election more completely in the hands of the powerful classes. And, with respect to the diminution of the time of parliaments, so long as a majority of members are nominated by a particular interest, what signifies diminution of time? If the same interest always predominates, will it not work as steadily in its own favor when the farce of election is performed every year, as when it is performed only once in seven years?

But, though a reform which would substitute the prevalence of the general interest to that of a particular interest in the legislature is the only reform which can *directly* be of the smallest advantage—it can hardly be affirmed of any change, which would not produce confusion, that it would not *indirectly* be of advantage; by leading the people to reflect more keenly upon the ends which are to be attained, and the means adapted to their attainment; by lessening the fanatical attachment to wrong combinations of means, venerable solely because they have long existed; by accustoming even the aristocracy themselves to perceive, that by such a change in the composition of the legislature as would give in it that ascendancy to the public interest, without which good government would be the most absurd of all expectations, they would lose nothing but that which they ought not to desire to retain; and would receive all the advantages of good government—advantages of unspeakable importance—in return.

All that remains to be remarked respecting these propositions is, the mode in which they were entertained by the House. As the ascendant interest would not have been injured by the direct operation of the changes, even if effected, the hostility of those who share in that interest is to be accounted for wholly by the indirect operation, of which they must have formed a very high estimate, unless we suppose them so ignorant as not to understand the nature of the propositions, and to have had fears on account of the direct operation itself.

Mr. Lambton began the speech by which he introduced his motion, with the following account of the feelings of the House*.

"If at all times, and upon all subjects, I must be most unwilling to trespass on the attention of the House, on no occasion can I be more reluctant than on the present; and I can assure you that nothing but a deep sense of public duty, and an anxious desire to put an end to that spirit of discontent now so generally prevailing, would have induced me to take up a question, the great and important interests of which I feel that I am not competent adequately to protect. In the first place,

* *Hazard's Debates*, v. 350.

"I know that I have to contend against *that disinclination which has invariably been shown by this House towards its discussion*; a disinclination founded possibly on that dislike, which is inherent in all men and bodies of men, to hear accusations against themselves, and statements of faults and corruption openly laid to their charge. If I wanted any evidence in support of this assertion—this well-known truth—I should undoubtedly find it in the state of the benches opposite to me. Perhaps, indeed, I should be justified in taking advantage of it, and at once submitting my motion to the vote. The result of that division clearly would be its adoption, for it requires no great discernment to perceive that at this moment the majority is greatly on the side of the friends of reform. But, Sir, I will not be tempted into this irregularity. If this scantiness of attendance is meant as an insult to myself, I treat it with contempt;—if it is pointed at the question, I then repel it with feelings of deep indignation; and can only hope that it will not be lost on the people of England." And towards the end of his speech, describing the treatment, which the applications of the people, for such a change in the composition of the legislature, as would afford protection to their interests, were accustomed to receive from the majority of the House, he says—"They obstinately exclude the petitions of the present day. They heap on them every term of reproach which the ingenuity of wit, or the bitterness of sarcasm, as administered by the right honourable member for Liverpool (Mr. Canning), can supply. And then they express astonishment and alarm at the feelings which they hear repeated and re-echoed on all sides. To repress these, innumerable acts of restraints and coercion have been proposed by them; and, of course, adopted by parliament."

The speakers after Mr. Lambton were, Mr. Samuel Whitbread, Mr. Wilmot, Mr. John Cam Hobhouse, Mr. Horace Twiss, Sir Robert Wilson, Mr. Abercrombie, Mr. Fysche Palmer, Mr. Stuart Wortley, Lord Bury, Mr. Martin, (of Galway,) Lord Milton, Mr. W. Williams, Mr. Honeywood, on the first night, (for the discussion was adjourned); and on the second, Mr. Wyvill, Mr. Sykes, Capt. SESS. 1826.

Maberly, Mr. Ramsden, Mr. Harbord, Mr. Ricardo, Mr. D. Brown, Sir G. Robinson, Mr. T. Wilson, and the Chancellor of the Exchequer.

These names are given for the sake of the evidence with which the list of them is fraught: though it is evidence only to a point of sufficient notoriety—the feelings of the House towards parliamentary reform. The question was decided by less than one hundred members: Ayes 43; Noes 55.

Of the allegations opposed to the motion by the Chancellor of the Exchequer*, the only one which bore upon the general question, in such a manner as to deserve remark, was this:—"That public opinion governs the House. This seems to have become a pretty general resource with the enemies of reform. They know not the corollaries which are logically deducible from it. But they cannot be ignorant, it is not conceivable they should be ignorant, that what is thus asserted by them is not according to the fact. That public opinion is not without some influence upon the House of Commons, is true. It is not less true, that public opinion has an influence, and a great influence, upon the most despotical and barbarous governments on the face of the earth. Would it not be shameful to infer from this, that such governments are good governments? Where the powers of Government are wielded, as in England, by a particular interest, it must of course observe public opinion; it must study the arts of misleading and eluding, and, for the purpose of eluding, must occasionally obey, it; though generally, and on all important occasions, it may and does with security brave it. That the House of Commons is so governed by public opinion, as to prevent the interest of the public from being habitually sacrificed to the interest of the class which predominates in it, we should imagine is a proposition which no man in his senses would stand forth and affirm. Because, if public opinion be all-powerful to secure good government, what need have we of a House of Commons at all? Would not a House of Lords answer our purpose as well? Nay, since it is matter of notorious certainty, that the king's ministers are far more dependent upon public opinion, than either House of Lords or House of Commons,

* Hansard's Debates, v. 451.

does it not follow from this doctrine, that the nation would be better governed if both House of Lords and House of Commons were put out of existence? Still farther, is it not clear, that, from the superior force with which public opinion does act upon the ministry, a revolution has taken place in the working of the Constitution? Formerly, the House of Commons was regarded as the check upon the king's ministers. Now, it is evident to all the world that the king's ministers are the check upon the House of Commons. And when the House has the appearance of being checked by public opinion, it is not in reality the House that is checked, but the ministers that are checked, and carry the House, by means which are no secret, along with them.—But the operation, present and future, of public opinion in the government of England, and the utter impossibility of its sufficing for good government against the established predominance of a sinister interest in the legislature, are important topics, the development of which cannot be undertaken in so limited a plan as that which at present we propose to execute.

On the first occasion on which Lord John Russell brought forward his scheme of reform (the 9th of May, 1821*,) the speaking was left to himself; for, after a few words from Mr. Whitmore, who seconded his motion, the Parliamentary History says, "there was a loud cry of, 'Strangers withdraw!'" and after a very few words from Mr. Bathurst, and Mr. Barham, the House divided on the previous question: Ayes, 124; Noes, 155. The second occasion on which he introduced it was the 25th of April, 1822†, when the speakers, after himself, were, Mr. Horace Twiss, Lord Folkestone, Mr. Duncombe, Mr. Wynn, Mr. Robinson, Mr. Canning, Mr. Denman, Mr. Peel; and the division was 164 to 269. The third time was the 24th of April, 1823‡, when, beside the mover, the speakers were, Lord Normanby, Sir Edward Hyde East, Mr. Ricardo, Mr. Martin, (of Galway,) Sir John Newport, Sir T. Lethbridge, Sir F. Blake; and the House divided, Ayes, 169; Noes, 280. The fourth and last time was on the 27th of April, 1826||, that

is, a few weeks before the general election. The speakers on that occasion were, the Mover, Lord Althorp, Mr. J. E. Denison, Mr. Ross, Lord Glenorchy, Mr. Hobhouse, Lord Leveson Gower, Mr. W. Lamb; and the motion was negatived by a majority of 247 to 123.

One fact there is which cannot fail to excite the curiosity of many persons, the wonder of some, and the reflections of not a few. On all these discussions, on the vital question of parliamentary reform, the great Whig organs in the House were silent. Mr. Lambton, and Lord John Russell, men of great weight in their party, were left to fight, each his own battle, alone, or with some feeble support which chance alone seems to have presented them. This is extraordinary, surely. We must be curious about its meaning. Mr. Brougham was not present at the discussion of Mr. Lambton's plan; Sir James Mackintosh and Mr. Tierney were. And these three leaders were all present at three at least of the discussions on Lord John Russell's proposition. Their motives can only be conjectured. Did they not like to stake their reputations on inefficient reforms, which went to make change, without improvement? And did they not like to declare themselves for any such reform as *would* have been an improvement? The existence of such motives can easily be conjectured. But it is not easy to conceive, that such men should not have made the calculation how much it must affect the reputation of themselves individually, and of the party they lead, if a parliament of seven years should begin and end, without their having once unlocked their lips on the subject of Parliamentary Reform. Mr. Canning, with his accustomed alacrity of attack, presented them something to do. How does it happen that none of them has ever chosen to grapple with Mr. Canning on the ground of Parliamentary Reform?

Sir Francis Burdett was present, not at the discussion on Mr. Lambton's motion, but at three at least of the discussions on three several motions of Lord John Russell. Why had he not a word to say for his own "good old cause?" Mr. Hobhouse made a speech on Mr. Lambton's motion: from that time the example or precept, or both, of his leader, seems to have been fatal to him, and they were mute together, till the last debate,—that immediately preceding the general elec-

* *Hansard's Debates*, v. 604.

† *Ib.* vii. 51.

‡ *Ib.* viii. 1260.

|| *Ante*, p. 576.

tion, when it must be allowed that the speech made by Mr. Hobhouse was a good one, by far the best that was delivered on the occasion. Are we to suppose, that the creed of Sir F. Burdett has been retrograde on the subject of parliamentary reform? Would he like to tread back some of the steps which he has taken? to disclaim some of the measures which he has recommended? If so, his abstinence from speech would not be unnatural, though it would not be very manly. Not unnatural; because recanting is not a very pleasant operation at best; and, besides, recanting, what has he to recommend him to the people of Westminster? Not manly, because, if he has changed his opinion, nothing is manly but declaring that he has done so. To shut one's mouth, and say nothing, is only a milder sort of hypocrisy, than continuing to profess the same opinions, while one feels and acts as their opponent. If Sir Francis Burdett has sat for seven years in parliament without so much as uttering a sentence in favour of parliamentary reform, though all his opinions remain unaltered on that subject, we profess that his conduct is to us inexplicable. To be in earnest about opinions of vast importance, and to make exertions for giving them effect, appears to us to be not two things, but one and the same thing.

So much importance is attached to the exquisite fencing of Mr. Canning in defence of the predominance of the predominating interest in the House of Commons, and so much sport is afforded by the stabs and slashes which he deals to those who draw their weapon against his *protégé*, that we cannot refrain from noticing the present performance*; though it would require much more space than we can afford, to shew at large the disproportion of the means to the end. "If Troy could have been defended, it would have been defended by this right hand;" but the best of hands cannot perform impossibilities.

At an early age, Mr. Canning proclaimed himself the champion of the power of the aristocracy; and sedulously and successfully did he cultivate the talents which were best adapted to the task he had undertaken. As a man of ambition, he chose his walk with skill. By what other career could he have at-

tained the power and consequence to which he has ascended? This is one of the evils attached to the predominance of a particular interest in the legislature. The rewards it has to bestow, pervert, and draw off, from the service of the whole to the service of a part, some of the finest spirits which the country breeds. To how many, alas! the rebuke of Goldsmith to Edmund Burke, his friend, must continue applicable, so long as this state of the legislature endures?

— "Good Edmund, whose genius was such,
We scarcely can praise it or blame it too much;
Who, born for the universe, narrowed his mind,
And to Party gave up what was meant for
mankind.

Though fraught with all learning, yet straining
his throat,

To persuade Tommy Townsend to give him a
vote."

The evil is in the system; the men are the victims; and towards them, personally, our censure ought to be gentle, our regret sincere.

One thing remarkable on this occasion is, that Mr. Canning renounced entirely the tone of mockery and insult, which he had been accustomed to use towards the people, as often as a man was found who dared to stand up in the House, and meet the discharge of hostile feeling, which was sure to accompany the proposal of any such change as implied protection to the interests of the people. It is possible he had begun to see that, however entertaining this might be to an assembly of aristocrats, the time was come when it did very little good to their cause. It is also probable that he had become ashamed of so mean an exercise of his talent. When the people of Athens were applauding somebody for a panegyric of themselves, just delivered, Socrates asked the triumphant orator, "where the difficulty was, applauding the Athenian people, to be applauded by them? Get applause from the Spartans, (said he,) by eulogizing the Athenians, and I too shall acknowledge the power of your rhetoric." When an assembly of aristocrats, possessing all the powers of government, are intruded upon by somebody, demanding on behalf of the powerless part of the community, a participation in those powers; where, indeed, is the difficulty of making such an assembly merry at the expense of so disagreeable an applicant? No jest, however poor, which will not on such an occasion be

* *Hansard's Debates*, vii. 106.

successful; no expression of contempt, however vulgar, provided only it is strong enough, which will not be felt as a stroke of genius. Our great dramatist told us truly, "that the prosperity of a jest lies in the favour of him that hears it." If Martin Luther, the monk, had appeared before an assembly of Leo and his cardinals, demanding the reform of the church in its head, and its members, what sport it would have yielded them to see him mocked, and evil entreated, and turned out, by the attendants. The lowest buffoon, in his holiness's kitchen, would have exercised wit upon him, oral, manual, or pedal, with triumphant success.

All this while would there have been any thing really ridiculous and contemptible in the great Reformer? No: there would have been nothing really ridiculous and contemptible, but in the pope, his cardinals, and the buffoon.

The speech of Mr. Canning, on this occasion, consisted of two parts. In the first, he made his objections to the plans of Lord John Russell and Mr. Lambton. In the second, he made his usual display against reform itself. In the first part, it was an easy task, to shew, as he did, the futility of the plans which had been just recommended; and that, being alterations the effect of which would be nothing, they deserved rejection, on the part both of the friends, and the enemies of reform. In the second part—the attack upon reform in the abstract—there is mighty little matter, but that little exceedingly well managed.

In beginning the first part of his speech, he availed himself dexterously of an admission of his opponent, who, stating that public opinion had acquired a great influence on the House, proceeded to say, that a greater obedience to the popular voice would not be beneficial; and called to witness the revolution, at which time, if parliament had not disregarded the public voice, the Stuarts, he alleged, would not have been excluded from the throne. The suggestion was not thrown away upon Mr. Canning. The game of the aristocracy was placed on both sides. Two things were assumed: the first, that a House of Commons, which will resist public opinion as often as public opinion is wrong, is absolutely necessary; the second, that a House of Commons, so constituted as to prevent the aristocratical interest from

predominating in it over the general interest, would be obedient to public opinion, even when wrong.

That a House of Commons ought to be so constituted as not to follow public opinion, when wrong, no one will deny; but they who urge the obedience of the House of Commons to public opinion, as a reason against reform, are in a dilemma. A House of Commons which can resist public opinion, when wrong, can resist it also, when right. The present House of Commons, they say, is admirably constituted for resisting. In that House, the interest of a particular class, predominates wholly over that of the community. It follows, from the present admission, that it has the power of resisting the public voice in favour of that interest. If so, the very principle on which government is founded, assures us that it habitually will. Bitter experience shews us, that it habitually does.

The second assumption is wholly unfounded. It is clear to reason, that a House of Commons, so constituted, as to give in it the predominance to the general interest over all particular interests, would not follow public opinion, when wrong; that it would be much less likely to follow public opinion, when wrong, than the present House; and that it would have such motives and such means to guide public opinion right, that no impulse of public opinion, wrong to any considerable degree, would, under such a House of Commons, be an event to be imagined, much less to be feared. The interest of such a House of Commons, would be the general interest. If the public voice ran counter to the general interest, would not such a House of Commons have all the motives to oppose it, which ever can be in a house—its opposition to the interest of those who compose it? The difference between the two cases turns upon a single point; but that is all in all. In the supposed house, the general interest would predominate; in the present house, it is wholly subordinate. The one house would have motives to use its power of resistance to the public voice, in favour of the general interest solely. The other has motives to use it in favour of the particular, to the detriment of the public interest.

When Mr. Canning comes to debate

the question of parliamentary reform in general, he is provided with what Lord Normanby*, in seconding Lord John Russell's motion the following year, denominated very aptly "the stock declamation of the cause; the excellence of the government as it is; and the danger of change:" and, rich in this treasure, he goes in quest of nothing farther.

Of all the arts of the orator none is of more importance to him, than the art of insinuation. Of all the orators of the present day, perhaps of modern times, Mr. Canning is the man who has carried the art of insinuation to the greatest perfection. No man approaches to him in the command over forms of expression, which deliver in the oblique, whatever it would be less convenient to deliver in the direct way.

Of the things which it is much more convenient to deliver by insinuation than directly, are—propositions insipid from their triteness—and propositions which will not bear examination, though accustomed to be received without it. If Mr. Canning were to affirm twenty times in one speech—"The constitution is excellent; Alteration is dangerous,—without so much as attempting to offer any proof of his standing assumptions—not only would he produce no effect—except of weariness and disgust—but he would inevitably provoke the question, what evidence have we on which to rest our belief that these propositions are true? On the other hand, when, carefully avoiding any broad affirmation of his two indispensable postulates, Mr. Canning dexterously contrives to insinuate them twenty times in twenty different ways, and makes up a speech of these insinuations, and of nothing else; he produces a great effect, is supposed to have made, as he really has made, a very ingenious and brilliant display; and, what is of most importance, suggests no question as to the evidence of assumptions of which so extraordinary a use has been made.

It is necessary that we should shew the mode of putting the two propositions, which are the bulwarks of anti-reform, a little to the test.

The government is excellent. If by excellent, here, is only meant existent, nobody will deny the affirmation. The English government is what it is, most

assuredly. If by the same phrase is meant, that the English government is better than a worse government—this may be affirmed of every government in the abstract, and in the concrete of all except one. If it is meant that the English government is better now than it was at some former time, this also may be true; and still it may be very bad. If it is meant that it is better than any other government whatsoever, this is rather a bold thing to assume; but grant it, and still it may be true that the English government is thoroughly worthless.

In giving a meaning to this thoroughly unmeaning word, the only thing to the purpose would be—to shew that the English government is a combination of means well adapted to the end of government—namely, the equal and perfect protection of all the members of the community at the smallest possible expense. *A priori*, and looking at the end and the means, in their own nature, Mr. Canning seems to allow, that really nobody could take upon him to say, that the one is well adapted to the other. Nevertheless, he says, it so turns out, in fact—God knows how—that these means, ugly as they do look, still accomplish the end surprisingly well. The way in which he proceeds to make people believe him is admirable.

We felt the strongest desire to produce a collection of Mr. Canning's modes of expression on this occasion, and to shew their exquisite contrivance for making what is poor and trivial appear ingenious and strong. But we perceive to our regret, that the space which we are allowed to occupy, will by no means permit the attempt.

He affirms that under the English government, the English people have not only continued a people, but have been a happy and prosperous people. *Ergo*, he cries, the English government is an excellent government.

That the English people have continued a people is true. It is a dreadful government that suffices to destroy a people. This is too much for the government of Algiers itself. But the English people have been happy and prosperous. Have they so? And where is the people who have not been happy and prosperous? Is there no happiness and prosperity at Algiers? If we are told, as we shall be, that there is not so much at Algiers as in England, we desire to know what stand-

* *Hansard's Debates*, viii, 1273.

ard is given us by which to judge. As it is not every degree of what may be called happiness and prosperity in a country which proves its government to be good, what degree are we to take, as the proof? Till you have settled that point, you talk in vain by repeating the word "prosperity." The prosperity you speak of may or may not be a proof of good government.

If they tell us, which they do, though not directly, yet by fifty modes of insinuation, that the prosperity of England is exactly the degree of prosperity which proves a government to be good; what is this but asking us to believe the government of England to be good upon their simple word? All we have to say to this is, that we will not take their word. The Grand Turk gives his people his word, and all his instruments give them their's, that they are the only happy people on earth, and his the only excellent government.

This hack pretension, which has served the purposes of mis-government for so many ages, deserves to be looked at in another point of view. The English people are the most laborious, the most enterprising, the most ingenious; in one word, the most productive people, in the world. The people of England have laboured,—the people of England have invented,—the people of England have produced,—the people of England have been saving, and have gradually accumulated the wealth, which, in this argument, is called the prosperity of England. Because the government of England has not been so exorbitantly bad, as to take from the vast produce created annually by the people of England, so much as absolutely to prevent accumulation, though it has taken more than ever was taken by government, elsewhere, on the face of the earth, we are called upon to swallow this monstrous proposition—that what the people of England have done for themselves, their government has done for them. That produce, which is the work of the people's own hands; that produce which, but for what the government has so excessively diminished, would have been many times greater, the people are commanded, and in terms not very mild, to believe, has all been created for them by the government—for what reason, trow ye? For this sole reason, that it has not all been annihilated by it.

Because the energy of the people, to better themselves, has not been absolutely baffled, and borne down, rendered of none effect, by the badness of the government; they are told that the working of the government, how little soever any one, from its composition, would conjecture it, is nevertheless admirable; and they (the people) ought to go on supposing, as hitherto they have done, that whatever the government does not take away from them, it is the government which gives.

We come now to the second bulwark of anti-reform, the affirmation always given with greatest effect by insinuation—that *there is vast danger in change.*

This pretence is now so generally seen through, that we shall not think it necessary to waste words on it.

What the people of England want, is, such a mode of placing members in the House of Commons, as will prevent the predominance in it of any particular interest, and render predominant the common—the general interest. Why should this produce any evil? Why should it produce any thing but good?

When the aristocracy of England proclaim, that making such a change will produce terrific evils, they are either not sincere, or their words have this, and can have but this meaning,—that they, the aristocracy, will make a civil war, rather than give up those powers of misrule, which they are now in possession of. And if they do make a civil war, there is no doubt that they will create evil in abundance; but it will be evil, of which they themselves will be the authors, and the sole authors. The people, however, need not count the cost of a civil war, as the price to be paid for obtaining the predominance of the common interest, instead of the predominance of a particular interest, in the legislature of their country. The aristocracy of England will have wisdom sufficient to avoid that extremity. The voice of the nation, growing louder and stronger, "will," as Earl Grey on one occasion very happily expressed it, "in time work upon the prudence of the House;" and the requisite change will take place, with advantage to all, and evil to none; such only excepted as the very good which is aimed at implies—the loss of the profits of misrule, to those who had previously, and worthlessly, enjoyed them.

In these debates on Parliamentary re-

form, the speech of Mr. Canning, and the silence of the whig and radical leaders, were not the only memorable events. The accession to the cause of reform was then manifested, of three remarkable men—Lord Milton, Lord Folkestone, and Lord Normanby; of which noble lords the two former had the manhood to avow an entire change of opinion on the subject; and of the two, Lord Milton, at least, on more than one occasion, has shewn that he not only recognized a defect in the composition of the legislature, but knew the very nature and kind of the defect. Of all these events, the most intrinsically important was, the speech of Mr. Ricardo *, on the third of the discussions on Lord John Russell's plan of reform. That speech went simply, and modestly, but manfully, to the point. Mr. Ricardo declared, that other things might admit of various modifications, but, to render that House an instrument of good government, two things were of indispensable necessity;—annual elections—and such a mode of voting as would make the vote of each elector his own;—the reverse of such a mode as renders the elector a mere conduit-pipe for the vote of another man, who, through hope of good, or dread of evil, commands him.

We must add something on the disfranchisement of Grampound; but many words, after what has preceded, will not be required.

A display of virtue, which costs nothing; an occasion for catching at the reputation of purity, without the loss of an atom of the delights of impurity, is a god-send to an old profligate.

With the exception of a number, comparatively very small, of towns in which the choice of the people does predominate, members are sent to the House of Commons, either by the influence of great men, who, singly, or in combinations, have established a permanent influence over the electors; or, by men of wealth, who, in those places, where no great men have established a permanent influence, find the means of establishing a temporary influence, and obtain their own return, on this or that particular occasion.—Permanent influence; or temporary influence—such are the sets of means in these two sets of cases.

Now this thing, called, in these several cases, influence, what is it? By the answer to this question, the obscurity which involves the subject, will be pretty completely dispelled. The answer too is obvious and certain. Money, or money's worth, is the motive principle in every instance. Ingenuity will torture itself in vain to give it the look of any thing else. What is the permanent influence of the great man over the occupier of his land in the country, or the occupier of his house in the town? The prospect of retaining a good thing, or the fear of losing it. And this good thing, in what way is it good, but the pecuniary way? What is the temporary influence of the man who gets a majority of the electors at a particular place to vote for him at a particular election? The benefit they expect to derive from him. That benefit takes various shapes; it is sometimes government patronage, sometimes East India patronage, sometimes the pocket of the candidate. In all cases it is money, either directly, or indirectly.

The motive of the man who receives money indirectly, and the motive of the man who receives it directly, is precisely the same. The motive of the man who gives money indirectly, and that of the man who gives it directly, is also precisely the same. The man who gets into parliament by the money given directly, and the man who gets into it by the money given indirectly, are in the same situation precisely, with respect to the motives for doing or betraying their duty to their country. The two cases, therefore, differ in nothing but the name. In no other department of human intercourse are they permitted to differ even in name. The judge who should take money indirectly, would be universally regarded as bribed just as effectually, and to the full as infamously, as if he took the money in his hand.

Why are they made to differ in name, and made to be thought different in nature, when a member of parliament is to be elected? Because it is the interest of the aristocracy that they should be so; and because the aristocracy have the power, to a great extent, of making what shall be the morality of the country; making it to serve their own turns.

The places in which the permanent influence is established, are all secured for

* *Hansard's Debates*, viii. 1279.

the aristocratical interest; the places still open to a temporary influence, are the places not securely within the grasp of the aristocracy; and though, of the wealthy men who procure their election by the temporary influence, the greater number are sure to range themselves under the aristocratical banners, there are some who do otherwise, and a greater number who always may. It is thus evidently the interest of the aristocracy that, in the field of influence, the temporary part should be narrowed, and the permanent enlarged. This is the effect, and the only effect, of such a proceeding as the disfranchisement of Grampound. When Grampound was to be had for money, a competition among rich men decided the election, and the man returned might act with the aristocracy or against them. When the choice was given to Yorkshire, in which the aristocratical and permanent influence is established; or, even when the choice is extended to the surrounding hundreds, in which an agricultural population, dependent on the class of landholders, predominates—the sphere of the permanent aristocratical influence is enlarged.

Making influence, by money given directly, is rarely convenient to the aristocracy. It is the instrument of their competitors. It is that whereby interlopers encroach upon their monopoly. It is their interest, therefore, to decry it; and the power they have hitherto exercised over public opinion is signally manifested by their success.

They began, very wisely, with the potent machinery of names. They bestowed a bad name on the mode in which the pecuniary motive is applied by their opponents—the direct mode; a good name on the mode in which it is applied by themselves—the indirect mode. The first they called “Bribery.” The second they called “Legitimate influence of Property.” The effect of these names has been surprising, under the advantages with which the aristocracy have worked them. The one they loaded with every term of abuse: on the other they bestowed every epithet of praise. “Bribery” was abominable, execrable. The “legitimate influence of property” was every thing which was good. “The legitimate influence of property” was pure. “Bribery” was impure. These two words, *pure* and *impure*, were of singular value.

“Bribing” was not merely *impure*, it was *impurity* itself. It was that which made an election *impure*, and an *impure* election was a dreadful thing. *Impurity* of election was the source of all political evil. On *purity* of election, alias, “legitimate influence of property,” the liberties of England—those blessed, thrice blessed things—absolutely and entirely depended.

Incredible was the language of ignorance, or of imposture, held upon the said purity and impurity, in the discussions regarding this glorious specimen of legislative virtue—the disfranchisement of Grampound. In the meantime it is demonstratively, almost intuitively certain, that, if the public interest be the object in view, influence in the direct mode is the least objectionable of the two. If at each election the whole of the 600 and odd seats in the house were set up to sale, and knocked down to the highest bidder, the advantage in favour of good government would not be inconsiderable. We should then have what, if we use the language of the aristocracy, we should call a very impure election; but we should have a much purer legislature.

After the great points of national interest involved in the subjects we have been thus considering, we know nothing, brought before the last parliament, of greater importance, and nothing, the mode of dealing with which affords more perfect evidence of its nature and disposition, than the scheme proposed by Mr. Brougham, in one of its early sessions, for the education of the people. We can afford to bestow upon it only a few words; but these will suffice to renew the memory of the transaction. Mr. Brougham; whose merits on the subject of education his country can never estimate too highly, and who thereby has redeemed many of the sins he commits by his connexion with a party, in whose trammels, had he known the true interest of his own glory, he never would have consented to draw; was obliged, in order to afford himself a chance of carrying his measure in parliament, to grant so large a power to the established clergy in the management of the parochial schools, as alarmed the dissenters, and, from dread of unpopularity with the dissenters, detached the leading men of his own party from his support. We shall always regret, that he was thus compelled

to let a measure drop, which, though it came short of the perfection which, had he been at liberty, he doubtless would have bestowed upon it, would still have been a powerful instrument of improvement among the people. A legislature, in which the general interest predominated, would not, when a scheme, thus important to the public weal, failed, from peculiar circumstances, in the hands of an individual, have allowed it to sink and be lost. The only feeling natural to an aristocratical legislature on the occasion, was a feeling of pleasure at getting rid of so disagreeable a business.

Of the other subjects which came before the last parliament, as the most important, the Corn Laws, Ireland, Negro Slavery, Colonial Trade, and others, have been included in the business of the last two sessions, and been treated of in separate dissertations in our volumes of the past and present year, little remains on any of them, to be either explained or enforced in this general sketch.

In relation to commerce, the thing of principal importance to remark is, the extraordinary change from the policy of restriction to the policy of freedom; from the policy of discouraging, in many cases prohibiting, the supply of certain commodities from our neighbours, to the policy of receiving our supply from the places from which it is obtained at the cheapest rate; from the policy of trying to keep from our neighbours the use of our inventions, to the policy of allowing individuals to consult their own interests under the direction of their own judgment. In this, we have an exemplification of the fact to which we adverted in an early part of this dissertation, and of which the effects would require a more ample development than we can here afford, that the ministers are far more sensible to the action of public opinion than the parliament. The instructed and disinterested part of the public, had, for a considerable time, spoken a strong language on the subject of freedom of trade. This reached, at last, and bore along with it, the minds of ministers. They introduced into parliament, cautiously and timidly, a few measures in the spirit of this policy; but there they found it still required all their influence to overcome the ancient bias in a set of minds, on which the opinion of the rational part of the public had produced no impression.

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whatsoever. What the ministers have yet accomplished, is small, in comparison of what remains to be done; and all their proceedings—witness the timber trade—have not been in the right direction: but they have proclaimed the principle of freedom, as the principle of true policy; and this itself, is a great step in advance.

One question, relating to Ireland, belongs peculiarly to this general sketch. What was the state of Ireland at the beginning of the last parliament, and what was it at the end? The state of it at the end, was not better, certainly, than it was at the beginning. And the state of it, during the whole time, as well as for a long preceding time, was so bad, that no pen can convey an adequate idea of it.

What is the meaning of this? The evils of Ireland are not absolutely incapable of a remedy. The peculiar evils of Ireland are such, as might unquestionably be removed.

We have the patient on the one hand—miserable Ireland: we have the doctor on the other—the British parliament. The doctor goes on administering his remedies: the state of the patient is never improved. What opinion are we to form of the doctor?

Ireland is a mine of instruction for the people of England. The British constitution, that “tried establishment,” as Mr. Canning calls it, of which “the working,” as he tells us, is so entirely to his satisfaction, Ireland enjoys in its perfection; king, lords, commons—all balanced to a hair.

There is considerable difference, if not in the mode, at least in some of the results, of the working in Ireland. What makes the difference? Till Mr. Canning afford the solution of this question, Ireland is the answer to that argument, which he draws with so much triumph, from the working of the British constitution. Why is Ireland not to be taken as the true example of the working? England as the example of a country, in which the vices of its government have been held in check, and their effects in some degree compensated by the virtues and the spirit of the people? One thing is certain, that the constitution works not less well for the aristocracy in Ireland, than it does in England.

The state of Ireland is such as would disgrace the legislation of barbarians.

The conclusion is inevitable; that the British legislature, paltering with this great subject; no less than the misery of millions, and the heaviest of the burthens of England; from year to year, from parliament to parliament, and from one age to another, without producing any salutary change; have either not the will, or not the capacity, to legislate usefully for Ireland.

Ireland affords the example of an aristocratical government, working almost perfectly free from check; an example, therefore, of its genuine tendency,—of the effects which it is the very nature of it to produce.

It is a rare combination of circumstances which exhibits any government acting without a check. The patience of the people can be counted upon only to a certain extent; and the chances, in an insurrection, against a bad government, are too serious not to be carefully shunned. Our experience of the barbarous governments of the East has yielded us light upon this subject. Though the people of India are passive to an extraordinary degree, it has always been found that the native governments, when the British government in India has undertaken to supply them with the use of British troops, have become ten times more oppressive than they were before; because, before, they were under check from the dread of insurrection; dependent upon the irresistible force of the British arms, they have nothing to apprehend, and set no bounds to their pillage and extortion. The case of Ireland resembles that of India in this as in several other respects. Had the aristocracy of Ireland been solely dependent on their own power, they could have proceeded in oppression only as far as the people would bear. Having the British army to depend upon, they could go on till they met with a check from the hand which upheld them.

The misfortune of Ireland is, that England has an aristocratical government, which, instead of checking, has sympathized with, the aristocracy of Ireland. The first principle, of course, of such a government was, that all insurrections of the people were to be put down at any rate. Whoever might be in the wrong, the people, seeking to right themselves, were always to be in the wrong. This was enough for the aristocracy, unless the government of the country was placed on

such a footing as to ensure order and justice, and to take the power of taxing, directly or indirectly, out of their hands. There is no one who will dare to say that this has been done in Ireland. The consequences are inevitable: the strong man has had the power of oppressing the weak; the strong men in conjunction have had the means of organizing a system of oppression, which has made Ireland, what it is; a spectacle of wretchedness, of immorality, of lawlessness, the like to which exists no where on the civilized earth. The aristocratical workings in Ireland, traced through their channels, small as well as great, exhibit our nature in one of the states physically the most deplorable, morally the most detestable, in which it is possible for it to appear.

On the one hand, *power* at work, sometimes with force, sometimes with fraud, to possess itself to the utmost of the produce of the people's labour, and to command their wills and services—on the other hand, *weakness* at work to protect itself from the ravages of power, or take vengeance on it for the evils it has made to be endured; at work, most frequently by fraud, by all the arts of disguise and mendacity, occasionally by terrible eruptions of force, put down by terrible exertions of force; with malignity and hatred continually engendered in the breasts of the oppressors against the oppressed, and in the breasts of the oppressed against the oppressors—produce a tissue of evils, the conception of which is surpassed by nothing but the conception of hell, and of the torments and passions of the damned. This is the point to which all bad governments tend; this is the end at which they certainly arrive, if they are not stopped in their course by some exterior cause.

It is a shallow view of the Catholic question, to take it in whole, or in the greatest part, as a religious question. It is an aristocratical question. The aristocracy, wholly Protestant, have been in the habit of considering the power of converting the mass of the people into a sort of outcasts, on the pretext of their religion, as an instrument of their ascendancy; and they contend accordingly with feet and hands for the preservation of it. They labour under a great mistake; for, however the pretext may have been useful at first in the consolidation of their power, they now would enjoy the

means of oppressing the population, emancipated, as they call it, in full as great perfection as non-emancipated.

Would emancipation alter the state of rent?—would it alter the state of tithe?—two means, which, by the admirable working of the machinery in Ireland, enable its aristocracy to tax the people for their own benefit, without any limitation but what is physical; to take from them every thing but the potatoe, which is necessary to keep the wretches alive; often to leave them not so much of the potatoe as is necessary to keep them alive.

Why do we call the drawing of rent and tithe in Ireland the power of taxing? Because such is the state of the circumstances in Ireland that taxation is thus actually performed. We know rigidly what rent is. The poorest land in cultivation pays no rent; the land which is more fertile than this, yields a greater produce; and the difference between the greater produce and the least is the rent. In whatever country the landlords and titheholders have the power of taking more from the cultivators than this excess, they have the power of taxing. They do, in Ireland, take more. How is this proved? By this,—that the profits of cultivating the land, when more than this excess is not taken, suffice to maintain the cultivators in comfort, and enable them to accumulate stock. As this is not the case in Ireland, it is clear that the landlords and titheholders take from the cultivators in Ireland more than the rent; in other words, that they tax them; and we see to what a pitch of oppression their taxation is pushed. That there are remarkable exceptions to the general rule, is creditable to the individuals who make them—nothing at all to the system.

How the working of the machinery brings about this important result, it is not very difficult to understand. An ignorant, an over-crowded, and lawless population, (need we stop to explain how the Irish are ignorant, over-crowded, and lawless?) are always eager to possess a bit of land; for, miserable as the prospect which it yields, it is rather less precarious than any other property or source of subsistence. Such a people have no regard to their word, and never intend to fulfil more of any engagement than what is useful to themselves, if they can possibly avoid it. They care little, therefore, what they promise; and they

are always willing (such is the matter of fact) to promise more for the favourite bit of land than it can possibly pay. It is easy to see what power this bestows upon the landlord; it enables him not only to take the rent, but as much more as he pleases.

The state of the case between the titheholder and the landlord is this:—The titheholder comes first, and takes his share; and the landlord gets only as much as he leaves. It is said, that the titheholder seldom gets his full share. True; the matter is settled by a scramble between the titheholders and the landlords: a compromise is the result; and the titheholders, as being the weaker party, are obliged to allow something of a lion's share to their more powerful brethren in the chase. It is of no consequence to the cultivator. Taking every thing but the most miserable pittance, they can get no more from him: all being taken, a question of division only remains between themselves. If the titheholders were annihilated to-morrow, the landlords would get, in whole, that which they now get only in greater part. The condition of the cultivator would experience no improvement.

We look upon the propositions which have been made in Parliament for violating the contract between the nation and its creditors, and the countenance which such propositions have there received, in a very serious light.

At all times it was easy to foresee, that if ever an iniquitous legislature should harbour the design of cancelling the national debt, and committing a state bankruptcy, it would not perpetrate the deed at once; the shock would be too violent: it would accomplish its design by steps; first one, then another; and would always find some pretext, as plausible as possible, for proceeding to each.

Precisely in the way in which the first movement, if ever it were made, might have been expected to be made, have the incidents in Parliament fallen out. A defalcation from the payments due to the national creditor, not an entire abolition of his right, has alone been hinted at. To be sure, the defalcation is a large one,—very nearly one-third of all that is due to him; so that only two steps more would be required to take all, and cancel his claim entirely. An occasion, too, so little understood, and so easily

misinterpreted, as to be well adapted for furnishing a fraudulent pretext; a pretext which would wear a plausible outside, and could not without some patience be seen through, has been adroitly seized as the motive and reason of the first, and, of course, the leading, and most difficult step, in a national bankruptcy. One of the many odious products of the late most extraordinary war, is that to which we owe this pretext, and the precipitation, at least, of the proposition which it is employed to recommend. At a certain period of the war, parliament thought proper to suspend payment in cash of the notes of the Bank of England; and, under the fancy that great advantage was thence obtained in prosecuting the war, to pass a law continuing the suspension till six months after the conclusion of peace. The consequence was, that the Bank, no longer afraid of excess, so increased the quantity of its circulating paper as to depreciate the currency. Some time after the conclusion of peace, parliament applied itself to consider the state of the currency, and finally resolved on the resumption of cash payments, and the elevation of the currency to its pristine value.

It is from this last measure that a reason is sought for deducting 30 *per cent*—(we do not give this as the only, but as the most accredited proposal)—from the interest due to the national creditors. A good-looking name was needed, A name that shews the ill-favoured side of a project is injudicious. For the first step in the state-bankruptcy of England, a convenient name has been found in the words, *equitable adjustment*. The allegation is, that whereas the loans contracted since the suspension of cash-payments, were paid, some in a currency more, some in a currency less, depreciated,—a deduction equivalent to the greatest depreciation should be made from the interest, paid in the restored currency, not only on the loans advanced in the more, but those advanced in the less depreciated currency, and even on those advanced before the suspension, when there was no depreciation at all.

There is something at variance with moral feeling, and singularly discreditable, in this pretence. When a government is foolish enough, or wicked enough without the folly, to make a depreciation of the currency, it alters the state of pecuniary contracts, enabling the man who has a

payment to make, to satisfy the demand against him, with a less value than he contracted to pay. It thus produces a great amount of evil; but an amount many times less than what would be produced, if all contracts were on that account to be dissolved, and re-drawn on a computation of the value of the currency at different periods. This would throw society into an embarrassment and confusion inferior only to that which the dissolution of the hands of government would produce. The literal fulfilment of the contracts is therefore enforced, as infinitely the smaller evil of the two. Acting on the doctrine of the equitable adjustment, the legislature would relieve itself from those obligations which it binds upon the community. It would make a law in its own favour, in direct opposition to the law which it makes for all other parties in the like situation. It would stamp, by its own hand, the brand of iniquity upon one or another part of its own proceedings. It would exhibit the odious spectacle of a government holding one weight and one measure for itself, another for the community which it guides, and to which it ought to serve as a pattern of every kind of virtue; frugality, wisdom, benevolence, justice; not an example and incitement of every description of vice; prodigality, folly, disregard of public good, and injustice.

The pretence is as worthless, as the measure, which it is proposed to found upon it, would be flagitious. The fundholders, it is said, being paid interest in a restored currency, receive more than their due. This is wholly untrue. First of all, a great proportion of the national debt was contracted before the suspension of payments; and advanced in a currency of the full value. During the time of the depreciation, the interest of this debt was paid in the depreciated currency; was not paid in full; and on the principle of an equitable adjustment, a compensation is due. Mr. Musket has computed that compensation; and has shown that it would exceed the deduction which, on the same pretence, could be made from the interest payable on the debt contracted during the period of depreciation; that more, in fact, would be due to the first set of creditors, than from the second; that, allowing the principle of the equitable adjustment to be correct, government owes to the na-

tional creditors, as a body, more than it pays: so thoroughly unfounded and fraudulent is the allegation, that government may justly cut off 30 per cent from the interest of the national debt: in other words, commit a fraudulent bankruptcy, at fourteen shillings in the pound. We need not repeat, how easy the step is from fourteen to seven, and from seven to nothing.

The second reason, which shows that the equitable adjustment is founded in imposture, is as follows:—

When a contract is made by open competition, as were all the contracts for loans during the last war, the terms are of course as low as the circumstances of the case, all taken together, will permit. During the time when loans in the depreciated currency were made, it was the law of England that cash payments should be restored six months after the conclusion of peace. An act of parliament ordained the resumption. The faith of parliament was pledged for the resumption. When the legislature entered into contract for all the loans which were raised during the period of depreciation, it stood bound, it had strictly engaged itself, not rashly, not unadvisedly, but by one of its most solemn proceedings—a law of king, lords, and commons—to pay the parties who thus became the creditors of the nation, not in a depreciated currency, but in cash, six months after the termination of the war. To pretend, after this, that one-third may be taken from the interest of the debt, as more than due because paid in cash, is not merely to propose a violation of contract; it is to make one of the most impudent attempts to defeat the meaning of a contract by false construction, that was ever exposed to the indignation of the honest part of mankind. It is chicanery which would disgrace the lowest pettifogger.

Of the class in parliament, who show their disinclination to pay the public creditors, there is one portion, who assume a different ground. They say that it would be a dreadful thing not to pay our debts. No event is more to be deprecated. The nation ought to pay its creditors as long as ever it can. But a time may come when ability will cease.

And the case is made out clearly by a scrap of lawyers' Latin: *Nemo tenetur ad impossibile.*

The first remark to be made upon this apology, propounded by anticipation, for the non-payment of the national creditor, is, that it disclaims and condemns the preceding pretence, that we have now a right to deduct any thing from the interest of the debt, on the score of over-payment; since it declares that it would be a dreadful crime to deduct any thing, so long as we have the means of paying.

A disgraceful proceeding, founded upon a silly pretence, gives evidence both against the intellects and morals of the parties who figure in such a scene.

What would be thought of the honour of a man in ordinary life, who, having contracted a greater debt than he liked to pay, should begin to desire his creditors to make up their minds to a time when he would be unable to pay them, though it were obvious to all the world that he had ample means of paying, and never, without the most disgraceful conduct, could be destitute of such means? Would not all the world say that the man was a villain, and was already in wait for a plausible occasion to defraud his creditors; more especially if the state of the law, or the state of the contract with his creditors was such, that they could never enforce repayment of the principal, and must remain content, unless at his own choice, with the perpetual receipt of interest?

But to know the nature of this inability of the English nation to pay its debts—this prophetic inability, the forerunner of a prophetic bankruptcy—we ought to examine it a little more narrowly. The nation must, at any rate, not speak of inability, so long as it has one farthing of extravagant expenditure. The man, who pretends a want of ability to pay his debts, without confining his expenditure within the limits of rigid necessity, is a dishonest man, and ought to receive the punishment of a knave. The expenditure of the English Government is perfectly enormous. Every useless penny must be deducted from it; the services which it is necessary to receive from government, must be paid for at the lowest rate; and every article of

national property must be set to sale, and applied to the liquidation of the debt, before we can allege inability, without all the disgrace which belongs to the proceedings of a fraudulent bankrupt. We must not leave one sincere in existence. We must not have one agent of government in any department more than is needed, and every agent must be paid at the lowest rate at which a competent person will consent to serve. In regard to soldiers and sailors we must make a rigid estimate of the number for which we have real occasion, and not allow the existence of an individual more. If it should even be found upon an honest scrutiny, that if ever we have enemies, it will be our own fault, we need have no defenders, and must discharge them every one. If we have any foreign dependency which does not pay its own expenses, we must relinquish it. The crown lands are no inconsiderable resource. They must all be sold to the last acre; and every public building, house, and palace, not absolutely necessary—not required for the real service of the state—must be converted into money for the payment of our debts. The teachers of religion are a class of public servants, who, in proportion to what they do, are more extravagantly paid than any other. There can be no doubt, that with proper management, religion might be much better taught at one quarter of the expense. All the rest must go to the discharge of the debt, before we can pretend that we have reduced our expenditure to the utmost, and are still unable to meet the just demands of our creditors. On this subject we might go into much greater detail, but this may show the nature of the case.

Still we have not ascertained what meaning can really be annexed to the term inability, when the inability is alleged of the English nation to pay its debts. In the way in which it is used, it is a vague, equivocal term, unavoidably subservient to delusion, and very apt to be made subservient to fraud. Inability very often means nothing more than disinclination. Let us examine if it can be any thing different here.

The annual produce of the nation is the fund from which all its expenses are

defrayed. Of this, that portion which is necessary for the maintenance of the labourers, can never be reckoned, because it can never be diverted from that use. The rest is all distributed to the receivers of rent, the receivers of profit, or the receivers of the taxes. Now, let us suppose, for a moment, that the national creditors are the only receivers of the taxes. The net annual produce would then be distributed in proportions, among three parties—the landlords, the capitalists, and the national creditors. How can the inability ever arise of continuing to distribute it in those proportions? Or how could the proportions be altered otherwise than by giving more to one, less to another? This would not be inability, it would be design.

If the allegation be, that by the legislature's adding more and more to the national debt, and thus entitling the national creditors to a greater and greater share of the annual produce, the time will come when the nation will be unable to pay, the very hypothesis is revolting. Why should we take it for granted, that we are to have in future a wicked legislature? and that the English nation is never to be without a government, driving it on to its ruin? Above all things, why should this strange anticipation be proclaimed by the legislature itself? Why should we not suppose, as far more probable, that sooner or later we shall have a legislature, which will pursue the opposite course; and by cutting off all unnecessary expense, gradually diminish, and, at no distant day, extinguish the debt?

But in the loose talk, which we are commonly condemned to bear on this subject, and in which it is supposed, and taken for granted, that a bad government will go on adding to the debt, and of course entitling the national creditor to a greater and greater share of the annual produce, we must not permit one consequence, which is regularly overlooked, to pass without being duly estimated.

It is obvious, that just in the same proportion, and in the same degree, as the income of the landlord and the capitalist is reduced, in order to pay the fundholder, the income of the fundholder is reduced in order to pay himself. The fundholders contribute to their own pay-

ment, in the same proportion as any body else, and pay a greater and a greater share of what they themselves receive, according as the payments due to them are increased. The want of means to pay is therefore a contradiction in terms.

But we confer too much honour on this prophetic inability, by treating it as worthy of analysis. We have already seen that the pretence of a nation's inability to pay itself, that is, to make a particular distribution of its annual produce, is impostuous on the face of it. To say, or to insinuate, that England is in the state, or approaching to the state, of a nation unable to pay its debts, is an impudent denial of notorious matter of fact. The annual charge on account of the national debt is below 30,000,000*l*. Much more than double that amount is raised in taxes of all sorts; and of this vast sum, a large proportion is unprofitably spent. One word more is superfluous.

It is, however, easy to understand the feeling of an aristocratic legislature on this subject. It is by the share which the aristocracy receive of the taxes, that they derive advantage from wielding the powers of government. From that portion which is detached for the payment of the national creditor, they have the means of drawing little or no advantage to themselves. The people of England, as experience proves, may be made to submit, in time of peace, to a taxation of more than 70,000,000*l*. per annum. But if one half of this goes to the national creditors, the aristocracy are obliged to make their profit out of the other half. How much more would they make if they had both halves? And with what an evil eye, therefore, are they tempted to look upon a class of men by whom this golden stream, which ought to be their's, is intercepted!

That a class of men, who, possessing power by a firm tenure, find little occasion for intellect, should be short-sighted and inconsistent, is in the natural order of things. The aristocracy of England, in order to frighten every man who possesses a little property into an enemy of improvement, have, with a prodigious display of fear and ardour, taught, that all attempts at improvement lead to revolution, and all revolutions to the confiscation of property. Both propositions are false. But they, by defrauding the national creditors, and thereby

committing one of the most enormous acts of confiscation that ever was perpetrated on earth, would set an example of disregard to the laws of property, the bitter fruits of which they would deserve to be the first to feel. Why should the rest of the community, they to whom the interests of the fundholding class, and the interests of the landholding class, are equal, be more willing to sacrifice the fundholders to the landholders, than the landholders to the fundholders? If it be very inconvenient to the nation to pay the interest of the national debt, why not take the land to discharge the principal? This would be spoliation and injustice, most assuredly; but not one atom worse than taking the property of the national creditors.

In the growing contrariety between the state of the government, and the state of the public mind, in every country in Europe, and not least in England, there is no attentive observer of the signs of the times, who does not anticipate considerable alteration at no very distant day, in the mode of administering public affairs in that quarter of the globe. These changes, perfectly inevitable, will, it is probable, all be comparatively quiet; but that they may be so, it is of primary importance that the utmost reverence should be attached to the laws of property. The people, whom the aristocratical class are always accusing of being enemies to property, are the reverse. In the annals of mankind, there is not an instance of any great spoliation or iniquitous transfer of property, of which the people have been the authors. All such atrocities, without any exception, have been the work—as the confiscation of the property of the national creditors in England would be the work—of an aristocracy.

While property remains secure, and every one is satisfied, that what is his will be inviolably preserved to him, changes in the hands which hold the powers of government affect not the bosom of society. They may be more, they may be less, expedient; the arrangements adopted may be found perfect, they may be found susceptible of amelioration; all this experience may go on, as it ought to go on, without disturbing the peace or arresting the prosperity of the nation, till its social and political insti-

tutions are brought to perfection; provided the rights of property are held inviolable. But if, in the present state of the world, the leading class, in any country, gives the signal for a convulsion, by a shameless act of confiscation, who could wonder, if the class whom they have robbed should seek for vengeance, and if the justice of their complaints should gain to them a host of abettors?

A country's principal interests are those which are involved in its internal government. To a certain degree, its interests are also involved in its situation with regard to its neighbours; more involved, generally, in proportion as its government is bad; less involved in proportion as its government is good. The interests of a country are involved in its situation with regard to its neighbours, in two ways; by its exposure to foreign attacks; and by its external commerce.

In the present state of the civilized world, a country, wisely governed, is so little exposed to attacks from its neighbours, that nothing but an extraordinary combination of circumstances could bring such an event within the range of a rational anticipation. A well-governed country would never afford any provocation; and it would be defended with such bravery and judgment by its happy people, as would render an attack upon it, unless it were a petty country indeed, an unpromising speculation. With respect to external commerce, a country, wisely governed, would adopt the only policy good for itself, that of perfect freedom; and would wait without concern till other governments were wise enough to follow its example. Between a well-governed country and its neighbours, there would be hardly any other relation than that of good behaviour, which costs nothing.

An ill-governed country, which engages at every turn in wars with its neighbours, does, indeed, involve its interests deeply in its external relations. The expense arising from its establishments and wars burthens cruelly, if it does not finally overwhelm, it.

A great improvement took place in our foreign policy, between the beginning and end of the last parliament, for which parliament has no title to our acknowledgements. Till the death of Lord Londonderry we were in the Holy Alliance. From that time we have been gradually with-

drawing from it. The opposition party in parliament made strong objections to the principle and policy of the Holy Alliance, during the administration of Lord Londonderry, with a potent majority constantly against them. We owe the change to Mr. Canning and his associates, who appear to have disengaged the nation with prudence and felicity.

The principle of the Holy Alliance is something perfectly new in the world. It is true that it was invented to meet a perfectly new emergency. That contrariety which, as we have already intimated, is now apparent in perhaps every country in Europe, between the state of the public mind and the state of the government, had excited the apprehensions of the different governments; and the Holy Alliance was set up as a bulwark against the consequences which it portended. It was an engagement among the different governments to afford protection to one another against their own subjects; and to prevent the changes for which the altered state of the public mind was expected to present an importunate, if not an irresistible, demand.

A scheme which bore upon the very surface of it more conspicuous marks of folly, or rather of insanity, was never thought of, even by bad governments. Going upon the supposition that the public mind in each country, taken separately, was becoming too strong for its own government, taken separately, they nevertheless concluded, that the governments of all the countries taken together would be too strong for the public mind in all the countries taken together. Let us permit them to assume—to take for granted, all the effect which fancy can ascribe to their scheme; that it would check the movements towards change, which the state of the public mind should prompt in one country at a time. What would be the consequence? Only to retard the countries which were more advanced, till all were ripe for a simultaneous movement; when, of course, the impulse would be far more violent, and the changes more unsparing. That governments, with or without combination, can now turn back the tide of public opinion, it would require more than the blindness of bad governments, amid all that is passing around us, to believe; and to suppose that public opinion, still rolling on, can be always successfully resisted, would be only to

suppose that of two things, the one growing always greater, the other less, the one growing always greater will never surpass the one growing always less.

The Alien Act, the subject of declamation on both sides of both houses in the last parliament, was part and parcel of the Holy Alliance system. The war against public opinion would have been incomplete without it. When the principle of the Holy Alliance was given up, the Alien Act, after a decent period of delay, and a becoming shew of regard for an old connexion, was quietly allowed to expire.

Giving the ministry applause, for renouncing the Holy Alliance; and willing to believe that they deserve it for their conduct regarding Greece, and the new states in South America, we are doubtful with respect to Spain. We have not data on which to ground a positive conclusion. And we concur most fully in the declaration of Mr. Canning, that if, by permitting the occupation of Spain by the troops of France, one of the most impudent proceedings in the history of modern Europe, and directly insulting to the government of England, we avoided that dreadful calamity, a war; it was expedient to pocket the insult, and cherish the advantages of peace.

The two questions are, whether this act of the French Government, on which Mr. Canning now bestows abundant reprobation, might not have been prevented without a war? And whether, if permitted, it would not bring war at an early date, as its natural consequence? Mr. Canning says, No. But Mr. Canning, with the advantage of more knowledge of the circumstances than other men, has the disadvantage of his situation, which plays with many blinding influences on his understanding. At the time of which we speak, the situation of the French government was so precarious, it had so much to apprehend, and did apprehend so much, from the contrariety between itself and the public mind, that it could not have looked upon the dangers involved in a struggle with this country without the utmost apprehension. It is true the French Government had one ground of security. On this it is probable that it rested; and the event discovered the sagacity of its anticipation. It knew that the aristocracy of England had a dread

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of the contrariety between the state of public opinion and the state of government in France, from the effect which it might have in England, not much less intense than that which agitated the French government itself. It concluded, therefore, that the English ministry would be deterred from risking a war with France, not so much from any aversion to the burthens it was to load upon the people of England, which it had never seen an English ministry much to dislike, as from the prospect of a new revolution in France, which it had abundant reason to know was the object of their perfect horror. The French government, therefore, put on a bold face; and dread of the state of the public mind in France, made dupes of the English ministry. Without affirming that this was the case, we affirm the strong probability that it was; and we confess our apprehensions, that the same poor game will be played over again, in the circumstances to which the occupation of Spain by the troops of France has recently given birth. France may continue to lend the most effectual support to the Spanish government, maintaining garrisons in all its strong places, saving it from all apprehension on account of its disaffected population, thereby enabling it to send every Spanish soldier to fight the English, and supplying it secretly with the sinews of war; and, doing all this, if it only avoids notorious acts of hostility, and gives fair words, to which it seems inclined, our ministry will not dare to attack it. The French government knows that the hands of the English ministry are tied up by their trembling dread of revolutions. And we therefore expect to see it treating all their remonstrances with perfect indifference; and them, notwithstanding their talk about English honour and power, submitting tamely, and only anxious about the means of hiding the truth from the English people.

The terms of our treaty with Portugal may have required our interference. This we shall not dispute. But one thing we take upon us to affirm, with unhesitating conviction, that it will be worse than childish to commence a war against Spain, if that be the fruit of our late pacific policy, without ordering the French government, under all the consequences of being considered a partner in the war, to withdraw its soldiers, to the last man,

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from the peninsula; and to abstain from every act, open or clandestine, of support to our enemy, under pain of its being treated as an act of hostility.

Notwithstanding the improvements, which we are happy to acknowledge, in the maxims of our international policy, we perceive that our ministers still adhere to one principle, of fatal import to the interests of every country the counsels of which it infects. They boast of the high rank which we hold among surrounding nations. They speak magnificently of the maintaining of that rank. If this high rank meant a high reputation for wisdom—a high reputation for virtue—a high reputation for the goodness of our government—for the integrity of our dealings, and the happiness of our people; even a high reputation for internal strength, and for the energy with which any attack upon our shores would be repelled—we desire to see that sort of rank as high as it can be desired by any body. But if this rank mean nothing but the weight with which we interfere in the arrangements, amicable or hostile, of other nations with one another—that is to say, the fear with which we inspire them; in other words—the proximity of the prospect we bring to them of the evils of war, to be inflicted by our hands; we say, that of all the curses, which ever befel a nation, this said rank is one of the greatest. Of all successful pretences for unnecessary wars—of all successful pretences for exorbitant establishments, military and naval—for the waste and ruin of the substance of the people—this is, beyond comparison, the most fertile in mischief. To the aristocracy of England this has been the grand resource for keeping up that immense taxation out of which they have drawn their profit. And, accordingly, both sections of that aristocracy, both the section in place, and the section out of place, have always applauded it to the skies. This was national glory—this was national honour. What so admirable as honour and glory? What honourable and glorious man but would part with life and fortune to preserve honour and glory? Let us then have great fleets, great armies; let us interfere in every dispute between every two nations in Europe; and let us always make war upon those who will not do as we bid them; all for honour and glory! The pretence, which is sometimes set up, that this is the cheapest way of de-

fending our own shores from hostile attacks, we cannot regard as worthy of a serious exposure.

We are told that it keeps danger at a distance. We should rather say, that it makes it continually present. What is the danger we have to dread? The expense of repelling an attack from our shores. This, which would be an expense of rare occurrence—which rather, under a good government, we should say, would not occur at all—and which, when the occasion arose, would be proportioned to it, and no more; we are told that we ought to replace, by an expense never intermitted, which never ends—not proportioned to the defence of ourselves, but to the attack of others—the continental attack; an expense so threatening—continually threatening, to other nations—that our word should hold with them the place of a command. This is to defend ourselves at an expense many thousand times greater than needful.

Would we then, it is asked, have no foresight in our counsels? O, yes! of real foresight as much as you please—as much as possible. But not a foresight which makes the remedy many times worse than the disease. Not a foresight which would make a disease, not very likely to happen at all, but sure, at the very worst, to happen rarely, perpetual. Not a foresight, which would set up a great present evil, to fence against one which is not only distant and problematical, but which can always be provided for time enough, when there is some reason to apprehend its approach.

In tracing, as we have done, in this review of the proceedings of the last parliament, the workings of the aristocratical interest; adducing the evidence of its ascendancy, and marking the consequences which flow from it; we shall be told, that we have omitted in our calculations an element which greatly modifies and corrects the tendency of the aristocratical preponderance; to wit—the opposition party in parliament. It appears perfectly certain to us, that the modification derived from this element is too small to be worth including in the calculation.

It is an historical fact, worthy of being better understood than it generally is, that wherever the powers of government have been engrossed by an aristocracy, they have almost always broken themselves into two sections—the one more

immediately wielding the powers of the body—the other angry that it is not wielding them. What are the consequences of this? Not that either section ever loses sight of those interests which it has in common with the other, and which belong to the whole aristocratical body. These the section out of power is as deeply concerned to preserve and to improve, as the section which it wishes to supplant. Whatever other points they may differ in, here their differences will be more apparent than real; or if, from accident, there should be occasional contrariety, there is sure to be general concurrence. This is enough:—the aristocratical interest has little to dread from such an opposition as this.

There are two cases of the division of a governing aristocracy. One case is, when the people have no idea of taking power from the aristocratical body, though they may assist in taking it from one section to give it to another. The other case is, when the aristocracy are aware of a wish on the part of the people to diminish their power, and to give that ascendancy in the legislature to the general interest, which is held by the aristocratical interest.

The nature of the contest between the two sections of an aristocratical body, is very different in these different cases. In the first case, in which as a body they have nothing to apprehend from the people, they set no bounds to their animosities; they rush on to bloodshed; and inflict upon one another the greatest atrocities. Witness the contests in Greece and Rome; witness the civil wars in every part of Europe, up completely to the period at which a real public opinion made itself felt in that part of the world. So much already does society owe to the check which apprehension of the people has imposed on the aristocracy!

In the case in which the body of the aristocracy dread the sentiments of the people, and consider the probability, that, in a desperate struggle between two parties of themselves, the people will find the means of stripping them of all that portion of their power which is inconsistent with good government, both sections find motives exceedingly to modify and restrain their exertions; and whether to get place, or retain it, never venture farther than a certain moderate excitement of public opinion.

The section not in place, the section weakest, at least for the time, seeks to make itself a match for its antagonist. It can obtain the needful accession of strength only by gaining the people on its side. It can gain them on its side only by making them expect advantages from its ascendancy. The only real permanent good which the people can receive at the hands of any existing set of administrators, is the rectification of the state of interests in the legislature; the all important change from the predominance of the partial, to that of the general interest. No aristocratical section will hold out this prospect, at least in earnest. It holds out the prospect of some other petty advantages, which it tries by every artifice to make the people admire as great; or, if it does throw out an appearance of intending the substantial good, it is an appearance only, well contrived to be explained away, or forgotten, when the period for the congruent action arrives.

The consequences are easily anticipated. So long as the people are dim-sighted enough to be imposed upon by delusive appearances, and take small advantages for great, they may be caught by the promises of an opposition, and being warmed by degrees into enthusiasm, may call for a change of administration. This call, in this country, has in former times been so importunate as to render it convenient to comply with it. When, however, the people become sufficiently clear-sighted to distinguish appearance from reality, and a great advantage from a little one, the promises of one section of the aristocracy, trying to turn out another, lose their effect.

Things have very nearly come to this pass in England: the consequence is, that the out-section of the aristocracy, ceasing to draw any hopes from the people, manifest sentiments towards them hardly less hostile than those of their opponents. "His Majesty's opposition" is a name which has been recognized as well adapted to them, *ipsis non recusantibus*. This is a name which proclaims their equipment for court service, and the dissolution of their connexion with the people. Disjoined from the people, an opposition section of the aristocracy is perfectly insignificant. We see accordingly with what rapidity our opposition party is melting away. In a short time, there

will be no such thing. The British aristocracy will form one homogeneous body, at once the masters and creatures of the ministry, soliciting and intriguing for the good things in distribution, but never going into opposition, with a view to force a greater share into their hands. This was the state of the French aristocracy, from the time of Louis XIV. to the revolution. And it is the natural state of a ruling aristocracy in every country in which the people are either unable or unwilling to force, by their aid, a discontented section of it into power. No: from this time onwards, or till an adequate reform of the parliament has place, the ministers of the king, as the part of the legislature on which public opinion acts with the greatest force, will be the *best* part of the legislature, with the exception of a small number of independent, enlightened men, hated by both parties, and persecuted by them, as far as it can be done quietly and by stealth.

The proportion of the time and attention of the last parliament, which was

absorbed by the memorable inquiry, of which it pleased them to become the instruments, respecting the late Queen, may render it, to some persons, a matter of surprise, that we have not enlarged upon this subject at a proportionate length. We deemed it unnecessary. All England—all Europe—and the world, have pronounced an opinion upon that affair, and the matters connected with it (the manly revenge, for example, taken on Sir Robert Wilson) so decided, and so nearly correct, that there is very little in the existing impression, which we have a desire to see altered. The sort of intellect, and the sort of morality, which reside in the two houses, found on that occasion, a most felicitous opportunity of displaying themselves. The time was come, when the lookers-on could benefit by the exhibition. The time is come, indeed, when nothing can hinder the accumulation of evidence; and nothing can hinder the effect which it is calculated to produce.

THE END.