

What Claim have the Dealers in Intoxicating Liquors to Compensation in the Event of Legislative Changes Affecting the Profits of Their Trade?

[Abstract of Paper by MR. SAMUEL FOTHERGILL, read at the Social Science Congress Leeds, October, 1871.]

1. The liquor sellers have no title whatever to compensation. The cry of "confiscation" raised by the Home Secretary, and echoed by the publicans, has introduced a vicious element into the discussion. They have no case for compensation. No part of their property is taken from them. They are deprived of no right. They are simply deprived of a privilege granted conditionally for the public benefit, and liable at any time to be withheld from them, as it now is from all the rest of the community. The tenure of the license has been made to hold only from year to year, for the express purpose of enabling the Government of the country to keep a very tight reign upon a trade which, in all ages and in all countries, has proved itself a nuisance, and a source of moral and social deterioration. The only plea now held out as the ground of a supposed "vested interest" is the culpable leniency with which the Government and the magistracy have long treated the holders of licenses. To make the supineness of Government, and still worse its complicity with acknowledged abuse, an excuse for further leniency towards those who profit by it at the expense of society in general, would be a most dangerous innovation in the principles of legislation. The license-holder knows the exceptional risks of his trade—he calculates on its exceptional profits—and he has therefore no more title to compensation than would any other tradesman whose business fails to answer his expectations.

2. But the liquor trade is an acknowledged nuisance, only tolerated because of its supposed necessity. It would be contrary to all precedent and all justice to offer compensation to the perpetrator of a nuisance. On the contrary, he is saddled with all the expenses attendant on its removal, and is also liable to heavy damages for the injuries he has already inflicted. If, as Mr. Bruce said, "all existing interests" are to receive "full and fair consideration," then must the victims of public-house temptation, the drunkards, their wives and families, the sufferers from drunken violence, the tradesmen whose businesses are injured, the neighboring property depreciated by the proximity of a public-house, the excessively taxed ratepayers, be permitted to advance their claims. When the liquor sellers have met these long-standing claims, it will be quite time enough for them to advance their own.

3. The conditions on which licenses are granted and the liquor traffic tolerated are notoriously not fulfilled. Witness the aggravated and alarming evils of intemperance and the urgent call for a remedy. It is impossible, in fact, to carry on the trade without both permitting and encouraging drunkenness, and thus defeating the purpose for which the trade is placed under special control. The publicans having failed to fulfil the design of their special privilege, its withdrawal would be simple justice. It is thus withdrawn from some every brewster's sessions.

4. But the trade will not suffer to the extent that is generally supposed. Even if the sale of strong liquors were totally prohibited, the legitimate trade of the publican and hotel-keeper would remain unimpaired. Entertainment and refreshment for man and beast would be as much needed as ever, nay more, for trade would be immensely improved, travelling for pleasure as well as for business would increase with the growing prosperity, the hotels and public-houses would flourish, property in them would be little if anything impaired in value, and a disagreeable and demoralising business would be transformed into one that is thoroughly respectable and eminently useful to the community.

5. The plea put forward of the enormous wealth of the trade, and the number of persons supported by it, is totally fallacious, if the trade is ruinous to the best interests of society, it would be the height of injustice, it would be monstrous to perpetuate it for the sole benefit of a class of men willing to profit by the suffering and ruin of a large number of their fellow-citizens. The greater the wealth of the trade, the worse for the argument,—for so much the greater is the wrong to society. A sense of shame, had it existed, would have kept back this plea.

6. But further, no class of the community will be so much benefitted by the proposed change as the liquor sellers themselves. Publicans are not a prosperous class. They suffer most of all from the peculiar evils of their

trade. They are oftner in the bankruptcy list than any other trade. They are notoriously short-lived. They and their families fall victims to intemperance with fearful frequency, and help to swell the lists of pauperism and crime. In fact, any check to drunkenness, and to the number of license-holders, effected by a change of the laws, will be as much for their benefit as that of any class whatever. The privilege which they have long enjoyed for the convenience of the community has proved to society, and still more to themselves, a terrible curse. The known facility with which men part with their money when under the influence of liquor, and the consequent diversion of wealth into this demoralising channel, has proved to men greedy of gain a powerful temptation. But the penalty they have paid has been terrible. They require to be protected from themselves and from the unreasonable demands of the drinking community, who, for the gratification of their depraved tastes, require from the liquor seller a service which, in a way to an extent that has few parallels, degrades and injures those who carry it on. The only compensation that could benefit the liquor-sellers, or have a shadow of justice, would be their effectual protection from the temptation held out by the licence system to embark in a ruinous and demoralising traffic.

The London "Times" on the Licensing Bill, OCTOBER 30th, 1871.

IF the topics of a future session can be taken as prefigured by the topics of a recess, we might certainly anticipate a new Licensing Bill next February. Indeed, we have only to look at Sir George Grey's words last week, and we shall be led to think that of all Ministerial measures a Licensing Bill should come first. He observed that it was impossible to address an audience like that before him "without adverting to what was now on all hands admitted to be the great obstacle to moral, social, and intellectual improvement." Arguing from that statement of the case, we may certainly assume that the removal of an obstacle thus characterised ought to be one of the first objects of any Government. It cannot, for instance, be said of open voting that it is any such recognised impediment to the well-being of the people, nor is it allowed "on all hands" that a Ballot Bill will make us morally, socially, and intellectually better than we are. A Local Government Bill, again, may do the country some good if properly framed, but the want of such a scheme is certainly not the "great obstacle" to the general welfare of the community. That obstacle Sir George Grey defines as "the vice of intemperance"—in other words, the excessive consumption of spirituous liquors, and it would seem to follow, therefore, that the restriction of this consumption should be the earliest work of a Ministry in legislating for the benefit of the country. There were many objections to Mr. Bruce's Bill, but the objection made to it by the representatives of the Liquor Trade amounted simply to this—that it would do what it was intended to do. The people of this country spend in drink, we are told, £100,000,000 a year. It seems impossible to say within ten millions or so what the amount really is, but it is, at any rate, not below the figures we have given. Since Mr. Bruce's Bill was withdrawn it has been asserted that it would, if it had become law, have cut that expenditure down to £50,000,000. It was against this prospective curtailment that the Licensed Victuallers and their friends so loudly, and not unnaturally, protested. They said it was "confiscation," and so beyond doubt it; was, to the extent, in fact, of 50 per cent. A trade losing half its custom must lose half its profits, and all the capital invested in it, no matter in what shape, must be depreciated some how or other in like proportion. What the great brewers, the great distillers, the owners of public-houses, and the other members of the Liquor Trade alleged on the subject was perfectly true. What they forgot was that the result they thus deprecated was necessarily the very object of the legislation proposed. Nine out of every ten reasoning men would be prepared to say that if any measure could really reduce the national expenditure upon drink to half its present amount it would be nothing short of a national blessing. *This is what any Licensing Bill must aim at, and it will be successful only in proportion as its end is attained.* Yet, the attainment of the end, however devised, will practically be equivalent to the "confiscation" denounced with such vehemence last spring. There is no escaping from this difficulty, as we have said more than once, and as we now—for the whole question hinges on the point—say again. If the drink trade is to be protected against "confiscation"—in other words, against the loss of custom and profit which would attend an increase of national sobriety, it follows that "the great obstacle to moral, social, and intellectual improvement" must be left as it is. It matters nothing to the question what form the promotion of this sobriety by legislative means may take. To the same end, as regards the interests of the liquor trade, we must come at last. Diminished intemperance, however brought about can never mean anything but diminished expenditure upon drink, and diminished expenditure upon drink can never mean anything but that indential reduction of profits which the dealers in drink have been taught to consider "confiscation."

We insist upon this topic because it includes and expresses all the grounds of that opposition which proved fatal to the last Licensing Bill, and which, it may be confidently assumed, any new Licensing Bill will

encounter in its turn. One party, represented by the framers and supporters of the measure, will be attempting to reduce the dimensions of the Liquor Trade, the other will be fighting desperately for the preservation of that Trade, with its attendant profits, in undiminished proportions. That must be the real issue, and there is no disguising it. Whether the principal adopted be that of prohibition or that of control,—whether the requisite machinery be lodged with the ratepayers or left with the magistrates,—is, as far as the substantial purpose of legislation goes, of no consequence whatever. Once effect or promise to effect that purpose, and the protests of the trade will be as strong and, from its own point of view, as justifiable as ever. Every movement or meeting on behalf of temperance, every suggestion proposed in these" columns, every contribution, in short, to the question before us, has this "confiscation" for its end, and nothing else. Sir George Grey, for example, thinks prohibition would never, in this country, be either practicable or effectual, but when he proceeded to say that a "great improvement" might be made in the present licensing system he was but moving in the same direction by a different road. His proposals for increasing the stringency of control over the Trade would either be prejudicial to its profits, or they would be worthless. Nothing in the way of legislation would be effectual unless it accomplished the object deprecated by the Liquor Sellers. Every shilling diverted from the profits of the Publicans is so much loss to the trade. The diversion may be effected by teaching, preaching, influence, example, or force, but, however effected, it will come to precisely the same thing.

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Permissive Bill. The Celebrated Report Of The Convocation Of The Province Of Canterbury (England), On Intemperance & The Remedies Now On Sale By Undersigned, In Cloth, With Cut Edges, One Shilling Per Copy. F. Fraser, Bookseller, Manners Street, Wellington.

Does Our Liquor Expenditure Pay? A Lecture Delivered in the Athenæum Hall, Balclutha, on 23rd May, 1877, BY Mr. John W. Jago,
Grand Worthy Thief Templar of New Zealand South,
Reprinted from the "Clutha Leader."

Does our Liquor Expenditure Pay?

After a few introductory remarks the lecturer said that before proceeding to discuss the question which had been announced as the subject of the evening's lecture, he wished to make one observation, the reason of which would appear afterwards. It was this: mere trading added nothing to the wealth of a people. In trading, commodities were exchanged, but not increased either in quantity or intrinsic value. Take an illustration:—A. had a sum of money, B. a watch, C. a suit of clothes. These three traded with each other. A. exchanged his money for B.'s watch; B. again went to C. and bought the suit of clothes, giving for them the money got from A. for the watch. Here there had been two trading transactions, the money and goods had changed hands, but obviously the united wealth of the three individuals remained just as it was before any trading had taken place. This wealth was still represented by A.'s money, B.'s watch, and C.'s clothes. Trading was only indirectly profitable to a community. One individual engaged in trade could supply the requirements, gather together and re-distribute the necessities of a considerable number. It therefore paid the community better to allow one or more of their number to seek out and bring to them the varied articles they required, and for which they could exchange the produce of their industry, than for each individual to go hither and thither seeking these things for himself. They would now turn to a consideration of the question—"Does our Liquor Expenditure Pay?" The importance of this question, especially to men whose capital consisted only in health of body and vigour of mind, was very great. In discussing such a proposition as that before them, they naturally asked in the first place, what did their liquor cost? How much did they pay for their drink? The answer was found in the authoritative bluebooks: an approximate estimate of the profits of the liquor trade and the quantity and value of colonial beer. The estimate was made for the year 1874, but matters had not materially changed since then, and for all the purposes of a popular exposition, might be accepted as correctly representing our present expenditure. It appeared then from the estimate made—an estimate frequently published and referred to in Parliament and elsewhere, but the accuracy of which had never been questioned—that we in this Colony expend annually in strong drink, £2,000,000 sterling. To expend this very large amount of money there were in the Colony a total of 342,000 Europeans, or including Maoris, a total of 388,000. So that taking the population of this Colony at an average of five to a family, we were spending money on strong drink at the rate of ten shillings a week for every household in the land. This was obviously a very startling fact, and indicated an expenditure of a serious character. The enquiry now made was, does this expenditure pay? It is sometimes said, "The country is daily getting richer, and men can afford luxuries, and are able to spend the accumulations of their wealth on matters of mere enjoyment. That no such expenditure pays. It is not reproductive. Men, however, can afford to spend their money thus, and they have a right to do so without asking if the expenditure

pays?" This might be true, and if it could be shown that this was the character of our liquor expenditure, there would be little to say against it. But such was not the case. Surely no one would affirm that this country could afford an expenditure at the rate of 10s per week for every family of five, on one article, the consumption of which was only pleaded for as a luxury. That such expenditure was not merely the outlaying of our surplus Wealth was evident from the fact, that while so spending our money at home, we had to go to a foreign market to borrow money for the carrying on of necessary reproductive works. Besides, they would see by-and-by, that the article on which the money of the people was so extravagantly lavished, was not even a harmless luxury. It might now be interesting to enquire whence we got the money which was spent on drink. The sources of wealth in this country were its gold and other minerals, timber, flax, and gum; its grain, cattle, sheep, and such like. These things were by the expenditure of a considerable amount of labour by-and-by brought to market and sold. The surplus value of these, after defraying the cost of production, and other necessary expenses, formed the sources of the country's wealth. Well, the returns for 1874 show us in that year we were able to send into the market commodities to the following value:—Gold, to the amount of £1,505,331; flax, £37,690; gum, £79,986; sundry other items, as tallow, timber, preserved meat, wheat, &c, £694,441. These are all our exports for that year, except wool, and together gave us a sum of £2,317,448. Of this sum, £2,000,000 was, as we have seen, spent on intoxicating liquors. Of the balance, £300,000 was spent on tobacco, an expenditure little less reckless and unprofitable than that on drink. It might be very safely assumed without further enquiry, that the expenditure of the returns from such a large proportion of our produce for an article of consumption not necessary to our individual or social wellbeing, must be most unprofitable and improvident. Still, in order to a full appreciation of the case, and an intelligent answer to the question discussed this evening, it is necessary to examine this liquor expenditure a little more in detail. Especially is this the case in the face of its many apologists. Well, an examination of the liquor expenditure shows that it may be distributed as follows £480,029 goes right out of the country for imported liquors; £502,800 is profit and charges on these imported drinks; £417,171 goes to the Government as duty; and £600,000 is spent on colonial beer. Looking at these figures, which may be taken as for all practical purposes sufficiently correct, need we ask you working men, and working men's wives, Does this expenditure pay? Look at the first item, nearly half a million of money sent out of the country every year for grog. With infinite toil and labour, our fellow colonists break up the land, raise their crops, tend their cattle and sheep, while others submit to the hard rough life of the bushman, the miner, the gum hunter, or the flax-dresser. At the end of their year of toil they find they have, after supplying their own actual necessities, a certain amount of material left. What do they do with it? Give it for grog. £480,029 of the amount given right away to the foreign producer. The lecturer said he was not of the number of those who deprecated the sending of money out of the country so long as we received in return articles of value, articles either to supply our necessities or minister to our true comfort or legitimate enjoyment. But here we were sending out of the country nearly half a million of money a year and receiving, as would be shown presently, that which emphatically was not bread, and that which satisfieth not. Surely that item of our liquor expenditure did not pay. But it was urged, "Though it might not profit us much to send out of the country nearly half a million a year for liquor, this was only about twenty-five per cent, of the expenditure, and the balance might be a profitable investment of the people's money." Let us examine the next item, £502,800, another half-million given as profit and charges to merchants and retailers. Here we would be told of the numerous population maintained by this expenditure; the men, women, and children who are fed, housed, and clothed by means of the circulation of this money, and of the advantages which accrue therefrom to the whole community. In reply to this we fall back on the important principle we announced at the opening of this lecture—mere trading does not pay. True, there are a large number of people maintained by the annual contribution of half a million of money made by the liquor drinkers as profits on the trade. But the important question here arises, what return does the trade make to the country for this liberal support? Does the article supplied satisfy any necessary requirement of the people? Is it necessary to their comfort or wellbeing, to their physical health, their material prosperity, or their intellectual development? Does this commodity minister to the æsthetics of society; does it promote refinement of manner, purity of taste or a love of the beautiful in morals, literature, or art? We need not pause for an answer. The outcome of our liquor expenditure has to be looked for in another direction. Then it would follow that our liquor traders were, as such, mere drones in this great human hive, living on the produce of other people's industry, and yielding to them nothing in return. But it would still be urged, was not the circulation of the money by the liquor traders a direct benefit to the community? They, as it is often said in their defence, do not store up the money they get as the profit of their trading, but spend it liberally, and the expenditure by them is advantageous and profitable to all. Our reply is: We, working men and women—we, the producers of the country's wealth—do not require the help of the publican to distribute our money for us. It is a monstrous proposition that we should be asked to maintain a whole army of men and women and their families just to spend our money for us. And that, according to the defence of the trade we are just considering, is all they do for the £502,800 annually realised as the profit on the distribution of imported liquors in New

Zealand. But this is not the whole case. There is yet much work of a profitable reproductive character to be (done in New Zealand. Were the thousands of able-bodied men and women now sustained by the grog trade not engaged in that business, their labour would be available for some reproductive industry, so that the country not only sustains the trade without any profitable return for so doing, but loses, further, the value of the profitable labour in which they should be, but are not, engaged. There is yet another illustration of the unprofitable character of the expenditure under review. How does it affect the employment of labour. Let us suppose us shoemaker in want of a job. A customer passes badly in want of a new air of boots, and the money in his pocket wherewith to buy them. is all the same to the shoemaker whether the customer gives him the order and the money to pay him for his labour when done, or passes it over to a publican that it may come to the shoemaker through him? The flip-pint apologist for the grog trade will say the publican will want boots as well as his customer, and it is all the same to the shoemaker whom he works for. Is it? Will the money which would have given the shoemaker employment and the customer boots pay for boots for the publican? Certainly not. The publican has to be fed and clothed and housed, and the liquor he has supplied must be paid for, and it is necessary that many of the customers of the shoemaker shall go with their toes looking out on the ground, before the publican will have the price of his boots out of the profit of his grog. Examine this subject on all sides, turn it over and over, view it from any standpoint you will, and it will be seen that the expenditure on strong drink is in every view and from every standpoint unprofitable, reckless, and improvident. The lecturer then proceeded to show that the only one consolatory thought in connection with this question was that the Government intercepted so large an item of the liquor expenditure as £417,171, but dwelt on the improvidence of spending two shillings in order to pay sixpence into the coffers of the State. He also showed that the £600,000 expended on Colonial beer was so much money withdrawn from the labour-employing capital of the State, quoting in support of his argument the statement of Mr Whitaker in a late number of Macmillan's Magazine, that after a twelvemonth's use of drink, the position of the nation is this: Capital, labour, and material of a certain class have been employed in producing drink; that drink is swallowed, and the nation is not one iota better for it, either materially or morally; not an article has been produced, not a fraction of wealth created, that would not have been quite as well if not better done if the liquor had not been made; therefore the money annually spent on drink is a dead drain on the wealth of the country, and is so much taken from its labour-employing capital." The reason of the unprofitableness of our liquor expenditure was found in the nature of the article traded in. That was an article utterly useless, not to say positively hurtful. Money to be profitably expended must be spent on something which will enable the purchaser to produce more money, or, if it is surplus wealth he is spending, then it must be expended on that which will; as we have already indicated, minister to his legitimate enjoyment and rational pleasure. But alcohol does none of these. We are aware the labouring man spends his shilling (say) on grog with the idea that the grog will qualify him the better or the easier to earn another shilling and more, and that in this way his expenditure pays him. Does it? Let us see. Suppose a man goes forth to his work in the morning; he has one shilling in his pocket, and has within him the vital energy equal to the earning, without severe strain or weariness, say ten shillings more. But before he starts to his work he invests his shilling in grog. What is then necessary in order to his being repaid for the expenditure of that shilling" Obviously one of two things. The grog consumed must enable him to earn the ten shillings he could have earned without the grog, with such a conservation of vital energy as will be worth to him the shilling expended; or must enable him to earn eleven shillings with no more weariness or fatigue than would have been necessary to have earned his ten shillings had he kept his first shilling in his pocket. One or other of these alternatives is necessary to repay him the shilling and put him in as good a position as if he had not spent it; before he gets a profit on his expenditure, either alternative must go a degree further and show a surplus. But are either of these the result of the use of alcohol? Certainly not. The experience of all lands and all time demonstrates to the contrary. The man who starts his work with a morning dram will do less work of less value than if he had not taken it. He will not only lose the money he spent on drink in the vain hope of being enabled thereby to do more or better work, but he or his employer will certainly lose also the money he would have earned had he not taken the drink. Take an illustration or two. Mr Brassy, the great engineer, stated in the House of Commons, or to a Committee of the House, that "on the great Northern Railway there was a celebrated gang of navvies who did more work in a day than any other gang on the line, and always left off work an hour and a half earlier than any other men. Every man in the gang was a teetotaler." Again, Dr Carpenter, one of the highest authorities living on questions of physiology, states in his admirable essay on the physiology of temperance and total abstinence, that he was informed by Captain Petherick, the manager, that in the copper mines of Knockmahon, "more than one thousand persons are daily employed, of whom eight hundred have taken the total abstinence pledge. Since doing so, the value of their industry has increased by nearly £5000 per annum; and not only are they able to put forth more exertion, but their work is done better and with less fatigue to themselves. Besides this, they save at least £6000 every year, which had been previously expended in the use of alcoholic liquors." But a more remarkable illustration was given by our Brother, the Hon, S.

D. Hastings. He stated that "in Ames' manufactory it had been proved that the work of 400 partly moderate drinkers was eight per cent, less productive than that of 387 total abstainers. This difference was equal to 75,000,000 dollars on the productive industry of the State of Massachusetts." But yet one case more, as this question was one of eminently practical importance to us all. A Scotch employer recently furnished to Professor Kirk the following illustration of the advantages of total abstinence over moderate drinking to working men. A workman took the pledge and kept it for eight weeks. On referring to the wages' book it appeared that during those eight weeks the man earned £13 14s 8d, while in the eight weeks preceding he earned only £10 14s 4d, and in the eight weeks following only £10 15s. That is, as an abstainer he earned just £3 more, or 7s 6d per week, than as a moderate drinker. Add to this for drink saved, 5s more, as an average, and we have an estimate of a not improbable bonus on teetotalism of 12s 6d a week,—say £30 a year. Much more might be said on this subject, but time would fail. The reason of these effects of strong drink was found in the authoritative utterance of science that alcohol is a poison, and therefore necessarily unfit for use by man as an ordinary beverage. Science gave the physiological reason for the economic fact just mentioned. It was found in the effect of alcohol on the heart. By alcohol the nerves which should regulate and control the heart's action are paralysed, and the result is, as stated by Dr Richardson, similar to the effect produced on the action of a clock by taking off the pendulum, Science states that the work in a day done by the heart of an ordinary healthy man is equal to the lifting of 122 tons one foot. One fluid ounce of alcohol, equal to two glasses of wine, or one of whisky, will cause the heart to beat 4300 times more in a day than in a normal condition it would do, being; work in excess equal to the lifting of 3½ tons one foot. This being true, it was dear vital force could not be expended two ways at once; if it was required to sustain the excessive work of the heart it could not be utilised in any other way.

The lecturer concluded by urging on all the duty of making themselves intelligently acquainted with that phase of the great temperance controversy, the outskirts of which he had just touched, when they would see that the expenditure on strong drink was draining the resources of the country, and, worse still, giving them in exchange for their money disease, crime, pauperism, and insanity. They would learn, if this Colony is to be spared many evils which have fallen on the Old Country as the direct result of its liquor expenditure, the liquor trade must be stamped out as the only means of stemming an expenditure which was not only reckless and improvident, but absolutely ruinous.

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Letters on The Liquor Trade. By A Magistrate.

(Reprinted from the "N. Z. Temperance Times.")

"And in the flowers that wreath the sparkling bowl, Fell adders his, and poisonous serpents roll."—PRIOR;
"Wherefore if meat make my brother to offend, I will eat no meat while the world standeth, lest I make my brother to offend."—1 COR, viii., 19.

Dunedin Reith And Wilkie, 1877.

Price Sixpence.

To the Honourable. The Members of the Legislative Council and the House of Representatives of New Zealand, the following Letters, offering suggestions as to the best mode of dealing with the regulation of the Liquor Trade,—a subject of vital importance to the Commonwealth,—are most respectfully flssembly, by amendment of the law, will give effect to a widely-spread desire for a remedy against the growing evils flowing from an abuse of intoxication liquor.

The Liquor Trade.

Letters by a Magistrate.

No. I.

I drank: I liked it not: 'twas rage, 'twas noise,
An airy scene of transitory joys.
In vain I trusted that the flowing bowl
Would banish sorrow and enlarge the soul.

PRIOR.

I AM not a Good Templar, nor a Teetotaller, nor a member of any special organization having for its object the repression of drunkenness, or the promotion of the practice of total abstinence. My daily duty has brought

me into contact with the sad consequences which arise from the abuse of intoxicating liquor, and being persuaded from what has come under my own eyes, that some more expedient statutory regulations are required for the proper conduct of the traffic than those at present in force, I have ventured to put on paper the result of my enquiry into the subject, and to offer a few suggestions in the hope that our legislators may see fit to carry through the requisite amendments of the law. I approach this question in no dogmatic spirit. I do not allege that all who may not draw the same conclusions from the premises which I do, are guilty of mortal sin against themselves and their fellows, I will state nothing but acknowledged facts, or such propositions as are capable of instant proof. We are all more or less like the ostrich which hides its head in the sand, and sees not its pursuers. Many good men pay no attention to the destroyer amongst us, because its blasting operations do not come within the immediate ken of their own observation. I am hopeful that their attention may [unclear: be] drawn to the matter from the [unclear: statement] about to be put forward, and that an [unclear: enlightened] public opinion may grow [unclear: un]bearing leaves for the healing of many [unclear: of] our social sores.

There are few occasions more painful [unclear: to] a Magistrate than pronouncing [unclear: sentence] upon some inveterate drunkard, [unclear: especially] a female, for the twentieth or [unclear: thirtieth] time. One great object in [unclear: punishment] its remedial effect, on the prisoner, [unclear: is s] utterly hopeless that the proceedings [unclear: care] only be characterised as a mockery [unclear: o] justice. The brief imprisonment [unclear: where] by the wretched victim acquires [unclear: fresh] health to enter again upon a career [unclear: o] debauchery, again for another time to [unclear: be] brought before the bar of the [unclear: Police] Court—almost amounts to [unclear: prolonged] torture—to an outrage on humanity. [unclear: It] reminds us of the dark times in [unclear: our] civilisation when an unfortunate [unclear: accused] after being disjoined by the rack [unclear: was] carefully nursed until he was able [unclear: to] undergo a renewal of his agonies. [unclear: To] set. the miserable dipsomaniac free [unclear: to] endure the mental and physical [unclear: suffering] she must encounter, is to condemn her [unclear: to] a lingering death, from which there is [unclear: n] escape. It would be more charitable [unclear: to] end her days at once by the gibbet, or [unclear: by] chloroform, or some other more [unclear: humane] method, than that by which [unclear: malefactors]; are ordinarily put out of existence. [unclear: The] sensitive mind must shrink less from [unclear: pronouncing] doom on some Cain who [unclear: has] shed his brother's blood, than in [unclear: being] [unclear: instrumental], by a short incarceration, [unclear: an] continuing the miseries of a poor [unclear: creature] with the ultimate certainty of a [unclear: painful] death, whose proper place would [unclear: be] an asylum, if necessary, for life. The [unclear: whole] state of the law concerning drunk-[unclear: wards] is a blot upon our escutcheon. We [unclear: are] proud of our advances in refinement, an art and science, but there are black [unclear: shadows] in our progress, which rob our [unclear: higher] attributes of their brightness and [unclear: glory]. The subject demands careful [unclear: inquiry], and the importance of the matter [unclear: is] becoming increasingly urgent. The [unclear: use] of alcoholic liquor is becoming daily more prevalent. The recent increase in wealth in the middle classes has diffused extravagant, luxurious, and often sensual tastes, to a degree unknown to their more simple-minded fathers; while in the colonies the ease with which a working man can earn his two pounds a week, has led to an improvident and often profligate expenditure, impossible to his parents. New Zealand has no aristocracy. Her best sons are only accomplished commoners. The population is wholly middle class, and those below them; and yet, although limited in numbers to 350,000, they contrive to spend annually the alarming sum of two millions sterling on alcoholic liquor. The declared value of liquor imported is £475,000; the amount of duty paid thereon is £430,000, making a total of £905,000, before it gets into the retailers' hands. The wholesale and retail profits cannot be under 100 per cent. Estimating the value of the work of 1069 persons in the Colony engaged in the manufacture of stimulants, at the sum of £200,000, this added to the £1,800,000, makes £2,000,000, and it is believed this is under the mark. This estimate is confirmed by Mr. Robert Stout in his able paper in the 'New Zealand Magazine,' and these estimates have been arrived at quite independently. The average annual expenditure of the adults (male and female) is £12 each. In the case of many men, it is £50 a-year. We may groan over our load of taxation, but what is it to the amount of voluntary and destructive burdens we impose on ourselves? Then to the direct outlay of two millions must be added our indirect expenditure. Our police, gaols, and lunatic asylums cost us £150,000 per annum. Three-fourths of this is chargeable to the abuse of intoxicating drink, which is an additional outlay of £112,500. Who can estimate the remaining indirect expenditure: the days and nights of sickness, the doctor's bills, the loss of time and reputation, and the children bearing the sins of their fathers to the third and fourth generations'? It is within the mark to say that drink costs New Zealand at least three millions a year. This plain fact, shewing the pecuniary cost, should quicken our senators to the imperative necessity of a serious consideration of the question as to the manner in which further misexpenditure may be mitigated or avoided.

Temperance societies are of comparatively recent origin. They were first suggested by Mr. Calhoun, when he was Secretary-at-War in America. He prohibited the use of spirits wholly in the United States army, in order to counteract the habitual use of them among the people. The first society was projected in 1825. In a few years

this social reform spread to Britain, and Father Mathew affirmed that in 1841 he had more than a million of converts to temperance. At first the pledge was limited to the use of ardent spirits, but the ardour of the converts carried them farther, and Richard Turner, an artisan of Preston, Lancashire, about 1831, coined the word "teetotaler," meaning that, while he had been a hard drinker, he then abstained entirely from malt and spirits. Wine, it may be presumed, never came his way.

The views of the original promoters of the movement which was directed against the use of ardent spirits only, can, without doubt, be said to be sound. Spirits are of no use as food, while the occasional use of beer or wine may, in our highly artificial life, be attended with advantage. To a certain but limited extent malt, and the pure juice of the grape, contain elements of food. Although in sound beer there are substances which in their action are very like good food, still the amount of their action is not equal to that produced from bread and milk. The dangerous elements, the disturbers of the vital force, preponderate, and undoubtedly while it may be admitted that occasional use of stimulants in small quantity may be beneficial, yet the daily use and the acquiring of a strong relish for them, so as to look upon them as a necessary article of diet, is mischievous, and in the long run injurious to the system. The animal economy may become tolerant to the use, and many a man lives under the daily use of alcoholic drink; but, for all that, it is silently doing its fatal work. All the organs of the body are slowly being brought into a state of adaptation to receive it and to dispose of it; but in that very preparation they are themselves undergoing physical changes tending to the destruction of their function, and to perversion of their structure. The anatomist has many instances under his inspection of the waste and devastation in the human organs, caused by the daily use of alcoholic stimulants.

During my experience on the Bench, I have made the various witnesses who have come before me, a subject of study. I have been able at once to detect the habitual user of strong drinks—men never intoxicated, often estimable citizens. These men acquire a puffed up, pasty look about the face. They are apparently in rude health, while their whole system is undergoing a silent deterioration, bringing on an attack of sickness, or, when sickness comes from some other cause, weakening the vital forces, and prematurely surrendering the citadel of life. A man who goes on the burst occasionally, and remains abstinent for a considerable interval, has a better chance of life than the man who lives fully although soberly, and incorporates with his system his daily dose of alcoholic liquor.

It is not only that the daily moderate use of alcoholic liquors of any kind is positively injurious, but the fact cannot be gainsaid, that in many cases the moderate use is the parent of the immoderate abuse. Against the moderate use therefore must be charged] the whole evil of the liquor trade. The pecuniary cost has been alluded to, and the indictment now to be preferred declares the appalling moral and social injuries which spring from it.

No. II.

Though I look old, yet am I strong and lusty
For in my youth I never did apply
Hot and rebellious liquors in my blood.

—*As you like it.*

IN my previous letter I alluded to the enormous outlay expended annually in this Colony on alcoholic liquor, with the view of drawing attention to the importance of the subject. I also referred to the origin of Temperance societies, and pointed out the danger arising from the daily and habitual use of intoxicants as an article of diet, as an additional reason for careful consideration of our social arrangements affecting alcohol. I now proceed to point out the evils which flow from the use of stimulants. These are universally acknowledged. It is an undoubted fact that three-fourths of the crime, lunacy, and pauperism which exist have their origin in intoxicating drink. It was this fact which led to our restrictive legislation. Two hundred and seventy years ago an Act was passed by the English Parliament (4 James I c. 5, 1606), intituled "An Act for repressing the odious and loathsome sin of drunkenness." Its preamble sets forth in such plain English a black catalogue of the consequences of over-indulgence in liquor that it is worth quoting *verbatim*. It is as follows:—"Whereas the odious sin of drunkenness is of late grown into common use within this realm, being the root and foundation of many other enormous sins, as bloodshed, stabbing, murder, swearing, fornication, adultery, and such like, to the great dishonour of God and of the nation, the overthrow of many good arts and manual trades, the disabling of divers workmen, and the general impoverishment of many good subjects, abusively wasting the good creatures of [unclear: God]." Many will say this is all true; but because some are guilty of the abuse which [unclear: seeds] to such direful consequences, are we [unclear: to] be denied the use and comfort of a lass of generous liquor in a moderate decree? It must be admitted that the [unclear: Moderate] use of wine or beer is not a

unclear: nalum] in *se*—that is, a breach of the [*unclear: noral*] law in itself. But, at the same time, [*unclear: test*] must also be admitted that the abuse [*unclear: lows*] from the use—the immoderate from the moderate drinking; and it is deserving of consideration whether, in order to check the abuse, some limits should not be placed on the use. I have already pointed out the positively injurious effects physically Which follow from the continued daily use of alcoholic liquor; but I will go further and maintain that such use, even in moderation, has a deteriorating mental effect. It saps the intellectual energies; it weakens the judgment; it distorts the perception of right and wrong; it lays caution asleep; it creates an intense selfishness, and warps every noble attribute of the human mind. What meanness and jealousy does it not produce?—what slander and uncharitableness? I give an advice, without hesitation, to every man who believes strong drink is to him a daily necessity, that if he will only try a change of living for a month or two, he will experience so agreeable an improvement in his tone of health, mentally and bodily, that he will rejoice in his liberty as that of an emancipated slave. Then, although this were not the case, is it not worth while practising a little self-denial, with its inherent reward, for the purpose of stemming the flood of misery which flows from excess in intoxicating liquors? Heave every man's conscience to answer this, contenting myself with urging grounds to justify legislative interference. It is not generally known that a vast under-current of social wretchedness pervades society through the moderate use of alcohol, going by slow degrees, beyond the limit of safety. Clergymen, and more particularly medical men, could give [*unclear: starthng*] information if they were to publish their experiences. One fact speaks volumes to the thoughtful. During the years 1875 and 1876, there have been in Dunedin alone 108 protection orders granted to wives against their husbands, almost wholly through drinking. The average is fully one weekly. What an appalling revelation it is, that, in a small community, one hundred families have been wrecked from this cause in two years. This is only the known outcome, after months of patient suffering and hopes of amendment. Who can tell how many hundreds more there are of heart-broken women, bearing their sorrows in silent affliction, often driven themselves for false comfort to the cause of the ruin of their domestic happiness? Is such moral wreckage to continue on its present average, with the probability of increase, without some effort being made for its abatement? Surely not. Another fact in our Courts is, that 2,145 cases of public drunkenness and disorder have been tried in our Police Courts in Otago, in 1876. No one can be surprised at the zeal and extreme views of some total abstainers, when they have such facts to impel them to cry—"Woe is me, if I do not give myself, body and spirit, to do everything in my power to mitigate such evils, and to save my brother, born in the image of God, with potential capacity of intellect for good, from degenerating into worse than the beast of the field."

There is a source of danger in the slowness with which the destructive process sometimes takes place. It blinds the victim until it is too late. Like the switch on a railway, the point of safety and danger is at the same place. Once leave the safe road, then the other path widens out gradually, until the unfortunate sufferer sees, to his horror, how far he has gone astray from the right path. This induces me to quote special and trustworthy authority in reference to the use of stimulants as food. It is a truth too often ignored, that many ordinary ailments, such as colds, sore throats, headaches, bilious complaints, have their direct sources, in the quiet sapping of the springs of health in the daily glass of beer, or nightly tumbler of something hot. It is only in exceptional circumstances that alcoholic liquor is of any use as a remedial or restorative agent. In every case where health is enjoyed, the constant use of alcohol in driblets is slow poison. Dr. Edmond Smith says (*Foods: International Scientific Series, 2nd Ed. p. 417*):—"The whole class of alcohols disturb the vital actions, and prevent a uniform course of change, and have much more the character of a medicine than a food." Again (*p. 412*):—"In the state of the body in which alcohol has reduced muscular contractility, all the vital functions temporarily languish; and so far the action of alcohol is opposed to food, and it is not a food." As it has been proved by experiment, "Alcohol, whilst in the system, is not transformed, and does not enter into new combinations, but leaves the body as it entered it, its nature cannot be that of a food." He quotes from Dr. W. B. Richardson, in the '*Popular Science Review*,' (April, 1872): "Alcohol is a narcotic agent less fatal than chloroform as an immediate destroyer. Its method of killing is slow, indirect, and by painful disease." "The well-known fact that alcohol, when it is taken into the body, reduces the animal temperature is full of the most important suggestions." It has been proved in arctic voyages, in the Napoleonic-Russian campaign, and by the monks of St. Bernard, that a "wee drop" does not keep out the cold, but the contrary, death from "cold" is accelerated by alcohol. The stimulation or excitement which is felt "is in absolute fact, a relaxation, nearly a paralysis, of one of the most important mechanisms of the human body—the minute, resisting, compensating circulation." "The temporary excitement alcohol produces is at the expense of the animal force, and the ideas of its being necessary to resort to it, that it may lift up the forces of the animal body into true, and firm, and even activity, or that it may add something useful to the living tissues, are errors as solemn as they are widely disseminated. In the scientific education of the people no fact is more deserving of comment than this fact, that excitement wasted force, the running down of the animal mechanism before it has served out its time of motion."

The use of alcoholic liquors was not, [*unclear: in*] early times among the mass of society, [*unclear: s*]

general as it is now. It was usually [unclear: only] to be found in inns, as a refreshment to the weary traveller. Hence the trade has been always an exceptional one. Even in its limited condition it was early [unclear: discovered] as I have already mentioned, to be [unclear: pregnant] with mischief socially, and upward of three hundred years ago, when our [unclear: lave] was but in an imperfect state, it was [unclear: found] necessary to regulate it by statutory [unclear: enactment]. The first Act of Parliament on [unclear: the] subject is of the time of Edward the [unclear: Sixth] (5 & 6 Ed. VI., c. 25, 1552). The [unclear: pre]amble being, "Forasmuch as [unclear: intolerable] hurts and troubles to the commonwealth [unclear: o] the realm doth daily grow and [unclear: increase] through such abuses and disorders as [unclear: are] had and used in common Ale-houses [unclear: and] other houses called Tipling - houses," [unclear: i] was therefore enacted that the [unclear: common] selling of ale and beer should be [unclear: prohibited] and that the Justices should grant [unclear: license] and bind the keepers of licensed [unclear: house] by recognizance to keep good order [unclear: and] rule therein. Fifty years later more stringent enactments were found to be necessary. The principle of the *bona fide* traveller was stated, and the inhabitants [unclear: o] towns were forbidden to frequent inns [unclear: a] any time. In King James the First's reign (1 James I. c. 9, 1604), an Act was passed intitled, "An Act to restrain the inordinate haunting and Tipling in Inns Ale-houses, and other Victualling-houses," The preamble is very suggestive. It leads to the question, how is it that inns and hotels always degenerate into drinking shops? There is no good reason why this should be the case, and it will afterwards be considered whether such houses of entertainment should not be restricted to their more legitimate functions. The Act commences, "Whereas the ancient, true, and principal use of Inns, Ale-houses, and Victualling houses, was for the receipt, relief, and lodging of wayfaring people, travelling from place to place; and for such supply of the wants of such people as are not able, by greater [unclear: quantities], to make their provision of victuals, and not meant for entertainment and [unclear: harboring] of lewd and idle people, to spend and consume their money and their time in [unclear: lewd and] drunken manner;" and it was therefore enacted that no innkeeper, [unclear: victualler], or alehouse-keeper should permit [unclear: r] suffer any inhabitant of the town to [unclear: remain] and continue drinking on the [unclear: premises].

Two years later (4 James I., c. 4 and 5), two statutes were passed. The first is entitled: "An act to restrain the utterance of beer and ale to alehouse-keepers and [unclear: tiplers] not licensed." In this enactment, here is a provision which, if enforced now, [unclear: Would] destroy sly grog-selling. Cases [unclear: often] come before the Courts, where [unclear: orewers] and others seek to recover from [unclear: unlicensed] persons amounts due for liquor [unclear: supplied] to an extent far beyond the [unclear: personal] wants of the defendants. Such [unclear: actions] should be unlawful, and brewers [unclear: should] be prohibited, as they were by this [unclear: old] Act, from selling to any unlicensed [unclear: person], ale or beer, except for family use. I am not aware that this Act has been [unclear: repealed]. The second statute has been already referred to. From that day to this, [unclear: there] has been a continued stream of [unclear: legislation] on the subject, amounting in this Colony to sessional experiments. There is [unclear: apparently] room (or amendment in the law, and suggestions in that direction will afterwards be made.

No. III.

Every inordinate cup is unblest, and the [unclear: ingredient] is a devil].

OTHELLO.

THE exigencies of the State early led to [unclear: the] practice of raising revenue from the [unclear: drinking] customs of the people, and large [unclear: sums] were annually collected as the [unclear: proceeds] of duties on spirituous liquors. This [unclear: almost] led to an approval of the trade by Parliament, and did much to counteract the stringency of the older statutes. There was no need now for the watchful care formerly exercised, which led in King James's time (7 James I., c. 10, 1609) to the passing of an Act intitled "An Act for Reformation of Alehouse Keepers." The greater the consumption of alcohol the larger the revenue, and hence arose the anomaly of the public exchequer being replenished from the national vice of drunkenness. This contravention of sound principle has been continued ever since, and increased, till, in New Zealand it appears, one-third of the entire customs revenue is produced from the duties on intoxicating liquors. In 1751, during the reign of George II., a clause was introduced into an Act for imposing a duty upon spirituous liquors, and regulating the granting of licenses, which has been of some service. This clause is commonly known as "The Tipling Act." (24 Geo. II., c. 40, sec. 12.) It prevents the recovery by an action at law of debts incurred for spirituous liquors where the amount at one time is under *twenty shillings*. There is a doubt whether in strict law this Act is in force in New Zealand. The other parts of the statute are clearly not applicable to this Colony, and it is open to argument that a single clause of an Act not applicable to the Colony cannot be selected and enforced by itself. The Act should stand or fall as a whole. It has been decided that the statute of Mortmain does not extend to the colonies. (*Whicker v. Hume*, 7 H.L., cases 124). The arguments which prevailed in the

Mortmain case apply with equal force to the Tippling Act. However, the clause referred to has been found so beneficial in its operation that it has been invariably acted upon by the Courts in the Colony. To remove all doubt it is desirable that an Act be passed in that behalf by the colonial legislature, and the principle might with great propriety be extended. It has been suggested and with some show of reason, that the recovery of debts of any kind by process of law should not be allowed. Courts should be maintained for the redress of wrongs only, and not to afford traders facilities for upholding the rotten system of carrying on business upon credit. It is not improbable that in the course of time this principle will be carried into effect, but in the meantime, as it is clearly conducive to our social well-being that the sale of strong drink upon credit be discouraged, the provision in the Tippling Act should be extended so as to prohibit debts of any amount for intoxicating liquors being recoverable at law. However expedient it may be considered to force trade generally by the stimulant of unbounded credit, although such forcing leads to periodic embarrassment and bankruptcy, no man in his senses can believe it is excusable on any ground to force trade in liquor. The most ardent votary of the liquor trade only seeks to be let alone, and does not desire extreme facility or encouragement in the conduct of his business.

In looking at the history of the trade for three hundred years, it never appears to have attained a high social standing. I do not for a moment, join in the fulminations of those persons holding extreme views, who denounce every publican as a black sheep. The trade is a lawful one, and honourable men may consider the exercise of such a calling a fair and proper course of gaining a livelihood. We have brewers in England members of Parliament—holding a high position in the social circle, and distinguished for philanthropy. In the colonies we entertain more liberal views than prevail at home, where for centuries caste divisions have been strictly upheld. A sprig of gentility in England considers an honest tradesman a "cad," and a church dignitary's wife or daughter would turn up her eyes with pious horror if she found herself sitting at table next to a Dissenter. We are fortunately free from such nonsense, and in colonial life a man generally is esteemed for his personal talents and integrity, altogether apart from his calling. We have had, in various parts of the colony, hotelkeepers placed by the votes of their fellow-citizens in places of the highest municipal dignity, and no fault has been found with them in the discharge of their duty. While making these admissions, cannot conceal the fact, that upon the whole, the trade does not occupy a high part of the social platform. There are many publicans who are not very scrupulous in regard to the class of customers they deal with, or their means of driving! their trade, and hence, often unjustly, a stigma is attached to the whole body of licensees. The keeper of a public-house is not deemed a proper person to be inserted in the Commission of the Peace, and even when elected as mayor, it is rarely that he is authorised to discharge the duties of a magistrate falling upon him *ex officio*. Putting aside any further reference to the respectability of liquor-vending as a means of livelihood, and desirous to avoid by the slightest disparagement any reflection upon many honest men who have adopted such a line of life, I am justified in saying that the trade is more than on an average a dangerous one. It is an indisputable fact that a greater proportion of public housekeepers become themselves drunkards, than occurs in any other trade it has also been noticed that their wives are more apt to give way to temptation, and the same observation has been made in regard to their families. A paper was recently read before the Society of Arts in London, based on returns of mortality obtained from the Registrar-General for the years 1861, 1862, and 1871, shewing the death-rate in seventy different occupations. Taking 100 as the mean of the whole number of deaths—some workers scarcely reached half the mean standard; while others were considerably above it. The highest vitality was at the rate of 63, the lowest 143. The two lowest classes on the list were:—(1.) Inn-keepers and hotel keepers, licensed victuallers and publicans and (2), cabmen. While according to the average rate there should be 100 deaths among barristers and clergymen, the number was only 63 in the one, and 70 in the other. Instead of 100 licensed victuallers' the number was 138; and instead of 100 [unclear: abmen], the number was 143. In other [unclear: ords], two licensees die for every one of [unclear: the] more healthful occupations, and they [unclear: tand] at the lowest part of the scale of [unclear: itality] of all the great classes of workers England and Wales. As a result of this [unclear: increased] mortality, an inn-keeper or [unclear: publican] can scarcely get a Life Assurance Company to take the risk of his life. There nothing in the occupation by itself to [unclear: count] for this unhealthiness, but its temptations as a rule, are too great for those [unclear: ngaged] in it, and the ministers of alcohol [unclear: are] upon an average cut off when they have only lived half their days.

When it is proposed to take away incenses, a cry has been raised demanding [unclear: compensation] for vested rights. Apart from the absurdity of a vested right in a [unclear: icense] which has only a year to run, and which requires annual renewal, the startling [unclear: act] I have mentioned proves that it would be for the benefit of the persons concerned, [unclear: so] far as relates to their individual welfare, [unclear: of] the whole foundation of the liquor trade were changed. No man ought to complain of having a right taken from him, if the [unclear: deprivation] adds a term of years to his life.

Salus populi suprema lex, is an [unclear: incontrovertible] maxim. The safety of the public over-rides all law. Although it may; [unclear: pear] the appearance of an infringement of [unclear: the] liberty of the subject, it is universally admitted that what is so dangerous, both to those concerned in it and the common wealth, must

be kept under some statutory regulation. For centuries, the difficulty of proper legislation has been felt and recognised; and the statute-book, in its [*unclear: multitudinous*] patch-work enactments, shows how much thought and care have been fruitlessly expended on the subject: fruitlessly, because every law (and the matter is almost sessional) proves that what has been previously attempted, has resulted in comparative failure. We appear yet as far as ever from a solution of the difficulty. It is more than ever apprehended that the true remedy for the evils existing is an enlightened public opinion. If there be a desire on the part of the public for alcoholic liquor, there will always be found men who, for the sake of gain, will seek to gratify that desire, lawfully or unlawfully. There is, therefore, no security in merely repressive legislation. Indeed, there is always more or less a social danger in the multiplication of statutory crimes and offences. The aim of every true man, whether by the pulpit, the press, or by individual example, should be the instruction of the public mind—the raising of public opinion to a higher standard. In England, the present peers, statesmen, or high-class men are, as a class, remarkable for their abstemiousness. That example will tell somewhat in the long-run. We cannot now say—"As drunk as a lord." Gladstone does not swallow a couple of bottles of port before making a speech. Lord Cairns does not imbibe half-a-dozen claret, like some of the old judges, before taking his seat on the wool-sack. There are many erroneous ideas, however, still current concerning the use of alcoholic liquor as an article of diet. Unfortunately, many medical men being themselves slaves to its abuse, their patients are often misled. It is proverbial in London, that in Melbourne there is a steady demand for medical men and engineers who do not drink. But the pulpit may do much by inculcating the responsibility of their hearers for the continuance of dangerous habits and customs, which ruin souls, and fill our almshouses, our hospitals, our lunatic asylums, and our gaols. The murderous customs go on to the right and left of us, and it is no excuse to pay—"Am I my brother's keeper." That was the reasoning of the first fugitive and vagabond; and we must take care we are not in the woeful regiment of these unhappy ones, which has been kept recruited by continual voluntary enlistments ever since. The press may do much by diffusing a knowledge of the opinions of the highest members of the medical profession, and the important facts upon which their opinions are based. It is not by railing, or sarcasm, or bullying that sound opinions on the subject are to prevail. Language and arguments must be pure and moderate, and free from personality. In meekness and in patience, an honest thinker may do good, not by maintaining extreme views, but by aiding in the dissemination of a knowledge of proved facts and trustworthy opinions on the subject. It is within the power of all to ennoble themselves by self-denial, and by acting on the apostolic principle—"Wherefore if meat makes my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend."—(1 Cor viii. 13.) In my opinion, there are some weak points in the harness of the Total Abstainer, but when he adopts, in a spirit of true charity, the armour of Christian expediency, he becomes invulnerable.

In ray next, I shall offer some further practical suggestions for the consideration of our senators.

No. IV.

Impostor! do not charge innocent Nature,
As if she would her children would be. riotous
With her abundance; she, good cateress,
Means her provision only to the good,
That live according to her sober laws
And holy dictate of spare Temperance.

MILTON'S COMUS.

It has been pointed out that legislation will not of itself remedy the clamant evils which afflict society through intemperance, and that much may be done towards our well-being by an enlightened public opinion. While the bulk of our citizens are undergoing the elevating process of instruction, the leaders in the crusade against drunkenness must, however, receive some assistance from the law. While the deep-seated roots—tap-roots I would call them, if I durst be jocular on such a subject—never can be completely eradicated by parliamentary enactments, it is still the duty of legislation to protect remedial efforts, to countenance the self-denying labours of those who are earnestly struggling to keep the ravages of the hydra-headed monster within due bounds, and to mitigate as far as it can the mischievous consequences of the abuses in the liquor trade, by a vigilant police supervision. While many are engaged in the trade who would shrink from dishonour or fraud, yet it is a fact that there are very many who would seek to increase their gains by encouraging gambling, by affording facilities for prostitution, by adulteration of drink, and by numerous malpractices which it is unnecessary to enumerate. Regulation and restriction of the trade are an acknowledged necessity.

Free-trade in alcoholic liquor has been tried. In the Liverpool Town Council some years ago the opponents of restriction became so powerful that the indiscriminate opening up of the liquor trade was carried, and licenses were freely granted. After three years trial the increase in drunkenness, disorder, and crime was so alarming, that the very advocates of freedom became the very loudest in their demands for a return to the former system. In Saltaire, owned by the firm of which the late Sir Titus Salt was the head, a manufacturing centre containing a population of 5,000, beer was not allowed to be sold. The inhabitants were distinguished for their sobriety and good conduct. Afterwards licenses were obtained, and in six months men and women were drinking to excess, disorder and discontent arose, and the firm found they had committed a grievous mistake. The licenses were not renewed, and in six months more the place was restored to its former satisfactory state. Bessbrooke, near Newry, was a similar instance of the benefits accruing where no drink was sold. These instances are not mentioned to establish the expediency of total prohibition, but only to show the necessity and advantages of legislative restrictions.

The Remedies

prescribed for the personal and social evils resulting from the daily use, as well as the abuse of intoxicating liquor, are, apart from the elevation and refinement of society through enlightened opinion, chiefly of a palliative kind. No statutory remedy hitherto tried has proved thoroughly successful in operation. Still, although we have to deplore the imperfect results arising from legislation on the subject, which has led, and still leads, to annual endeavours to do something in the right direction, it must be admitted that society is better with the insufficient bulwarks than it would be with none at all. The parliamentary dykes may be in some respects too low, and in certain circumstances weak, yet in a degree the liquor trade is confined in a tolerably well-defined channel, and we are saved from being overwhelmed by an uncontrollable flood of misery, which would certainly flow from a total abandonment of all restriction. It is, therefore, our duty to enquire whether the embankments may not with advantage be made higher and stronger, so as to prevent even ordinary leakage or a casual overflow. The various remedies suggested are generally of an arbitrary character, but enough has already been stated to establish that the public safety justifies statutory interference. This interference should be of two kinds; first, by legislation affecting the drunkard individually; and second, regulating the conduct of the liquor trade generally.

In regard to the first part of the subject it is imperatively necessary that some amendments be made upon the existing law.

- Drunkenness as a crime, or police offence, is not properly defined. Persons are punished every day for being "Drunk and Disorderly," when although insobriety is proved there has been no disorderly conduct. Drunkenness or intoxication in public should be in itself a statutory offence. Disorderly conduct, in addition, should be considered as an aggravation. For a first offence the magistrate should have power to dismiss with an admonition, the conviction, however, to be recorded.
- An act of drunkenness, with two previous convictions within a twelvemonth, to be considered a serious offence, inferring imprisonment not exceeding three months.
- Any person having been convicted of drunkenness with previous convictions, and again convicted upon a new charge within a twelvemonth, to be deemed a habitual drunkard, and liable to imprisonment for twelve months, or detention in an asylum for inebriates for two years.
- Any habitual drunkard again convicted within a twelvemonth after his liberation shall be deemed a confirmed drunkard, and liable to detention in an asylum for a period not exceeding five years.
- Any confirmed drunkard being again convicted within a twelvemonth after liberation to be deemed an incorrigible drunkard, and subject to detention for life. The two last mentioned classes to have their sentences endorsed by a District Court Judge, or Supreme Court Judge, upon a statement of the case forwarded by the convicting magistrate. Or the accused might have the privilege of demanding to be tried before a jury of four.
- The establishment of asylums for the compulsory detention and cure of inebriates cannot with safety be any longer delayed.
- Married men guilty of neglecting their families through drunken habits, to be liable in punishment by fine or imprisonment.
- A benevolent institution to have power to recover summarily advances made to any wife or children, owing to the neglect, drunkenness, or desertion of the husband. An order for repayment of such advances to be an exception to the Abolition of Imprisonment for Debt Act.
- A wife to have power to apply for a separation from a drunken husband. The magistrate to grant the custody of the children to the mother, and to find the husband liable in payment of a sufficient sum for the support of the wife and family. Where the wife desires the protection of her earnings, the existing law is sufficient.
- Power to be given to the wife, near relations, or friends of a dipsomaniac to apply for a warrant of

detention in an asylum for an indefinite time, or until cured. Special reports to be made half-yearly on all such cases to the Minister of Justice, who should be empowered to order liberation.

- Notice may be given to publicans not to supply certain persons with intoxicating liquor, under pain of a penalty or the cost of their maintenance, if necessary.
- The law to be applicable to females as well as males.

Such are the points affecting the individual drunkard requiring the instant attention of parliament.

Amendment of the law in that direction has been too long delayed. In consequence of the defects in the law, innocent wives and families have been and still are involved in much suffering and distress, both physical and mental. Indeed, to speak plainly, when it is considered that the tendency to habitual drunkenness becomes hereditary, it appears absolutely necessary to deprive the incorrigible drunkard of personal liberty for life, in order to prevent him entailing on his children the sad inheritance of wretchedness which would otherwise fall upon them.

In reference to the second division of the subject—the regulation of the liquor traffic—several leading restrictions have been proposed.

1. Total prohibition of the liquor traffic.—I have already alluded to the cases of the town of Saltaire in England and Bess-brooke in Ireland, where prohibition was attended with the happiest effects. In England there are 1,400 parishes in which no intoxicating drink is publicly sold. The prohibition in these cases proceeds from the land-owners, who find that the sobriety of the parish increases the value of the population. In Luton, Bedfordshire, a town of 21,000 inhabitants, the magistrates took away the licenses from a number of badly-conducted public-houses, amounting in number to one-fifth of the whole. This step was followed by a diminution of crime to one-fourth of the previous amount during the next two years. In America, the scene of various experiments in the way of social reform, total prohibition has become law in several of the States. Public opinion must have been powerful in this direction to have succeeded in getting such a law passed. It would be absurd to expect unanimity on such a question, and there is a minority always in antagonism against prohibition. The law is evaded in many ways, but the weight of evidence is unmistakeably to the effect that prohibition has been attended with beneficial results, and that order, peace, and comfort prevail where formerly there were crime, rowdyism, and immorality. This is especially the case as regards the country districts. The Hon. W. Fox, in December, 1875, addressed a letter to the Dunedin 'Evening Star,' from which the following is an extract:—

"As regards the operation of actual prohibition by State law that I had the opportunity of studying in person during the eleven days which I spent in Maine and Vermont. The conclusion I arrived at was almost the same as that to which the Canadian Commissioners came, a few months ago, after personal inspection, and which Committees of both Houses of the Canadian Legislatures also came to after examining between two hundred and three hundred witnesses. It was that, although there are (chiefly in the sea-port towns and her places where there is a shifting population of sailors, timbermen, and other strangers), many gross infringements and evasions of the law, yet taking the State as a whole, and comparing it with what it was before the law that law has been an eminent success, and is worthy of imitation in every country where drinking habits exist. I believe that the statements put forward in the pamphlet published by General Neal Dow, called the "Cloud of Witnesses," and containing the evidence of a large number of leading inhabitants, office-bearers, ministers of religion, and others in Maine, are substantially correct; and I have no reason to doubt, from anything I saw, that the assertion of those witnesses, that nine-tenths of the drinking in Maine has been abolished by the law, is strictly correct.

The chief argument against prohibition is, that the law is unequal in its operation. The rich man can supply himself from his well-filled cellar, with its contents imported by himself, while the poor man is denied the enjoyment of his can of beer or glass of gin through the closing of the public-houses. But this is begging the question, the truth being that alcoholic liquor is not food or a necessary article of diet, and it is actually not a source of enjoyment, but is productive of sore and oppressive evils. One witness may be quoted on the working man's side. In a recent debate in the Imperial Parliament, Mr. Thomas Burt, a working-miner, who had been returned to Parliament by his fellow-workmen, spoke as follows:—

The hon. and learned member said he questioned whether there were half a dozen men who signed these petitions who did not themselves drink beer. From the confident manner in which he spoke he seemed to believe that no one could exist, much less perform hard work, without intoxicating drink. (Hear, hear) Well, sir, this is a great mistake. If I may, without presumption, refer to my own experience, I may inform the House that from the time I was ten years of age until I was twenty eight I worked as a coal miner, a kind of employment which is generally acknowledged to be of the most arduous nature, and all the hard physical labour I over performed was done without intoxicating liquors of any kind. Nor is my experience at all singular in this respect. There are tens of thousands of working men in all branches of trade who work every day without beer, and if we may take their word for it, they are unanimous in their testimony that they can perform their work, not simply as

well, but much better without the drink than with it. (Cheers.)

Such language is creditable to Mr Burt, and it may safely be averred, that if he had not been an abstainer he would never have occupied his present distinguished position. Further, if working-men in this Colony were to follow his example, they would have higher, purer and more rational enjoyment than is possible with even the moderate use of alcoholic drink, and a greater proportion of them would be found to be rising to a more elevated platform socially, than is compatible with a taste and liking for the comforts and enjoyments of the beer barrel and whisky cask.

We, in New Zealand, are far from the lofty standard of total prohibition, and it will take years of discussion before it can be obtained. It is, however, worth while to aim at such a radical cure. Our industrial resources are very great, and if there were no partial paralysis of our energies by drunkenness, and the habitual use of strong drink, we would soon reach such a point of prosperity as a nation, as would make us a brilliant example to be followed by the neighbouring colonies.

Further remedies will be subsequently considered.

No. V.

Who knows not Circe,
The daughter of the Sun, whose charmed cup
Whoever tasted lost his upright shape,
And downward fell into a grovelling swine?

—*Comus*.

2. Another remedy, differing from total prohibition materially, has been proposed, and carried into effect, under the name of the Gothenburg system. Sweden, in its former universal drunkenness and demoralisation, proves how much the habits of a nation may be prejudicially affected by free trade in intoxicating liquor. Impoverished by fierce and long-continued foreign war, the government nursed the traffic for the sake of the revenue, and also participated in the profit accruing from the manufacture of strong drink. Royal distilleries were established, and drinking customs became so deeply-rooted, as to become politically powerful. There had been a species of prohibition, partial in its effect, but a strong demand for free-trade in liquor arose. It was considered to be a necessary of life; the literature of the day commended it; and priests from the altar spoke of its virtues. There was no resisting the torrent of public opinion; and sixty-seven years ago, the Diet confirmed the privilege of distillation on every land-owner on payment of a nominal fee. There was no duty on spirits, and any shop-keeper could retail the potent corn-brandy, or the "liquid hell-fire," as it proved to be in this unhappy country. The phrase was adopted by Alison, the historian, as appropriate. In less than a generation, there was a spirit-still at work for every seventeen persons, the pauperism was doubled, and the number of criminals in the towns increased so enormously as to exceed the proportion of crime-burdened London by twelve to one.

The results were so awful, and the evil so unparalleled, that attention was drawn to the subject, and a party of temperance reformers struggled for a change. In 1855, after several slight amendments had been secured, a law was passed entirely restrictive, partly prohibitory, and leaving something also to local option. The copper stills used in families were bought up under that law, comparatively heavy duties on distillation and stills were instituted, and the number of stills at work fell from hundreds of thousands to hundreds; from scores of small villages the sale of spirits was swept away, and at posting stations and in towns the number of places for sale was much reduced. Two classes of licenses were established: for retail, with consumption on the premises, and for wholesale, non-consumptive. At stipulated periods, local bodies return to the governor of the district a list of the licenses about to expire, stating, at the same time, what "additional facilities," if any, are needed. When the number is fixed by the governor, communal committee, and ratepayers, the licenses to that number are sold to the highest bidders for three years. Minor but stringent regulations as to the hours of sale, &c., complete the law, with one exception. Mere legislation did not, however, go deep enough, although it afforded a frame-work on which the reformers could operate. In Gothenburg, a sea-port town of 60,000 inhabitants, the drinking customs were so firmly established that liquor was set down with every meal, and the place was one vast scene of improvidence and debauchery. Pauperism became so common that a committee of enquiry was appointed. It was found that the prevailing poverty and demoralisation were caused by the excessive use of spirits. Sales of corn-brandy were often made on credit, workmen's clothes being taken on pledge; the places of sale were dirty and disorderly, and the law which required victuals to be sold was systematically evaded. This wretchedness, it was stated, could be remedied, and the suggested remedial measures were—that neither proprietor nor manager of public-houses should derive gain from the sale of spirits; that these should be sold only for cash; that the

places for sale should be clean, light, and airy; and that food should always be provided for sale, 'cooked and hot,' if needed. To carry out these objects, the formation of a limited liability company was determined on, which should take opportunity of a clause in the law enabling such companies to buy the whole retail spirit licenses in a town. That company was formed on the 22nd August, 1865. Its capital was £100,000, but it has not been called up—loans for a few hundreds having supplied the necessary funds. It bought up, as they expired, the whole of the retail or public-house spirit licenses, with a dozen or so exceptions (houses perpetually licensed, &c.) Ultimately, sixty-one licenses fell into its hands; it discontinued a few of these, and (excepting the dozen houses) it had then the monopoly of the retail sale of drink for consumption on the premises in Gothenburg. It established three kinds of houses, and under these classes it continued about forty places for the sale of drinks. First and chief are the public-houses; then non-consumptive 'bottle' houses; and lastly, clubs and restaurants. The last class are leased by the company, with the condition that all wines and spirits used therein must be bought from it, but other conditions and charges are at the option of the keepers.

The result of the experiment will be shown by a reference to the state of the country before and after the alteration in the law. The Committee of the Diet in 1853, reported that "seldom, if ever, has a conviction so generally and unequivocally been pronounced, with regard to the necessity of rigorous measures, against the physical, economical, and moral ruin with which the immoderate use of spirits threatens the nation." It was stated that the physical aspect of the people was wretchedly deteriorated, and the criminal calendar was without parallel in modern European history.

After the company had been a few years in existence, the Dean of Gothenburg, himself an ardent reformer, wrote:—"The company has undoubtedly been the means of raising the moral and economical condition of the people, by decreasing the immoderate drinking of spirits." The universally-respected Bishop Björk also certifies that "the Gothenburg company is, in his opinion, one of the best institutions of its time, for advancing the moral and economical welfare of the working classes:"

One remarkable consequence of the operations has been an improvement in the tone of public opinion on the subject of the liquor trade. In 1872 the Working Men's Union in Gothenburg, numbering 2,000 members, held several meetings to discuss the question, "What ought or can be done to diminish drinking?" They came to the conclusion that the whole retail houses should be in the hands of the public company. A law to that effect passed the Diet by large majorities and came into operation in October 1874.

The financial results of the company in 1872 were as follow: There had been 170,000 gallons of spirits sold, giving a gross profit of £16,890. The expenses were £5,214, leaving £11,676 of net profit paid to the town treasury.

The Gothenburg system has been adopted more or less completely in about two-thirds of the Swedish towns, and it is extending into Norway. By the new law the principle that the whole profit must be given to the local authorities is rendered compulsory.

An effort has been made in the Imperial Parliament to authorise the introduction of the Gothenburg system into Scotland. The Bill intended to authorise the voters to declare that the Act should be adopted, and as the roll was to be the same as that for the election of the school board, women were included. The local authority was then to appoint a committee of their own body to administer the Act. This board would be empowered to buy up the good will and plant of the existing public-houses. No other licenses to be granted; the grocers' licenses to be gradually extinguished. This measure did not pass, but it has occupied the attention of the public, and it is not unlikely that it may ere long pass into law.

Attention has also been drawn to the subject in England. At a meeting of the Birmingham Liberal Association, a resolution has recently been passed approving of the adoption of the Gothenburg system. Mr. Chamberlain, M.P., intimated his intention to submit a similar resolution to the House of Commons this present session. If it were carried, he would then prepare a Bill embodying the scheme. The London 'Times' supported the plan, but suggested, as an alternative, that the system should be set on foot in the first instance, as in fact it was set on foot in Sweden, by a private company; and this suggestion has elicited a letter from a correspondent stating that "one such company has already been formed in London. The Duke of Westminster, who takes a great interest in the movement, has granted the lease of a house in Oxford street—the Rose and Crown—at the corner of Gilbert street, about mid-way between the Marble Arch and Oxford Circus—and the promoters include Mr Cowper Temple, Sir Harcourt Johnstone, and Mr Samuel Morley, along with members of several of the leading firms of the neighbourhood. Business was commenced in November last, but it is too early yet to speak of the probable success of the scheme. The leading principle of the Gothenburg plan will be strictly observed—that the manager will derive no profit whatever from the sale of the intoxicating drinks, which, however, will be only wine, ale, beer, &c., for it has been decided that for the present, at least, no spirits shall be sold. Good dinners, soups, tea, coffee, &c., are provided at a very low charge, and the dining-room is to be used as a reading-room in the hours that it is not ordinarily required for meals. The idea of the experiment is to show that, pending any legislative action, a public-house conducted on good principles, in which there is no

temptation to drunkenness from the proprietor, can be made to pay, and thus to induce capitalists to unite to extend the benefits of such a system."

It is in this direction that the friends of temperance must look for fields for future exertion. So long as public-houses are in the eyes of many a proper adjunct in our social system, so long must efforts be made to keep the drink traffic within proper limits and to remove all temptation for its undue extension. The following principles have been tested in the Gothenburg experiment, and it is suggested that a session ought not to pass without an attempt to carry them into effect:—

- All sales of intoxicating liquor must be for cash.
- Any person taking a pledge to secure payment of intoxicating liquor to be guilty of a criminal offence.
- The size and accommodation of public bars to be specified.
- One-half of each public bar to be set aside for the sale of tea, coffee, and other non-intoxicating refreshments, together with a supply of biscuits, sandwiches, bread and butter, and the like.

There should be no difficulty in our senators of every shade of opinion as regards the liquor trade uniting to pass such wholesome provisions into law. The trade would then have some reason for assuming the title "Licensed Victuallers." Other three suggestions there may be more difference of opinion about, but the importance of them cannot be denied. These are

- Conferring upon the voters (male and female) in each district the right to determine triennially the number of licenses required therein.
- The elimination of the temptation of personal profit from the sale of alcoholic liquor. Every vendor to pay over the net profits of the establishment to the local authority for the public use. This can be easily ascertained as returns can be made of the amount of liquor sold, and an average profit per gallon struck. In Glasgow, 5s. per gallon is the estimated net profit. Here the profit will be greater.
- Power to be given to the voters to lease to a public company the whole of the public bars in the district.

The transference of the licensing power to the ratepayers is likely to meet with general approval. The present licensing courts in which the power is granted to members of the Court selected by the Government, presided over by the Resident magistrate of the district, is a vast improvement on the former state of affairs. It ensures uniformity of decisions, and the Bench cannot now be packed to carry or defeat any particular end in view. But still, however trustworthy the members of the Licensing Courts may be generally, irresponsible nomineeism is a vicious principle. The fixing the number of licenses required should be in the hands of the people themselves, and then the administration of the law, otherwise, as regards the suitability of the applicant, or the fitness of the premises themselves, may be left to the Licensing Court. The present holders of licenses would find it to be to their interest to support a measure conferring such a power on the people. It would prevent the deterioration of the trade by undue competition. I was once much struck by the mischief attending the multiplication of licenses. In a small village in North Otago, which was just emerging from its initiatory state, having a few weatherboard houses, but without pavements or metalled roads, the best building in the place was a two storeyed hotel. I observed to a friend that one good hotel was sufficient for the place. "Oh," said he, "there's another licensed, and there is to be a third." Instead of one well-conducted house being allowed to cater for the wants of the residents, and thus have every encouragement to conduct business in a quiet and reasonable manner, here were three centres opened to demoralise the inhabitants through excessive competition. If the votes of the community had decided the question, I am satisfied they would have declared that one good house was sufficient for all their wants. In any statute passed conferring such a power upon the inhabitants, a prohibition against persons interested in the trade voting, should be inserted, and canvassing for votes on the part of any person interested, should be made penal.

Having now given an account of the Swedish experiment, I shall briefly refer to several other remedies which have been suggested. I may remark, in addition to what I stated in a former letter, on the impolicy of free-trade in alcoholic liquor, a point which is, I believe, maintained by some, that the experience in Sweden of unrestricted trade, establishes that it is synonymous with degradation and misery to the mass of the people, and the deterioration and ruin of the nation.

No. VI.

The Gods are just, and of our pleasant vices make instruments to plague us.

KING LEAR.

3. The remedies of total prohibition and the Gothenburg system have been alluded to. These are now in actual operation in America and Sweden, and the friends of temperance will watch with much interest, during the next few years, the result of the experiments. In the meantime the strength of the abstainers in England has, for a considerable time by-past, been applied to secure the passing of the Permissive Bill into law, but hitherto success has not attended their efforts. The principle of this Bill is, that the power to grant or refuse licenses,

instead of being vested in the magistrates or in any special court, shall be vested in the rate-payers of the district. The soundness of the argument in support of such a measure cannot be gainsaid. The inhabitants of any district are surely the best judges what public-house accommodation they require, or whether they need any at all. Such a measure to be effective implies a high moral standard on the part of the residents, and our social reformers have to do much in the way of enlightenment of the public upon the merits and demerits of the liquor traffic, before such a law, if passed, could be effectual in limiting the extension of the liquor trade. Although the temperance reformers in England have hitherto failed in their efforts, we in New Zealand are somewhat in advance of them, inasmuch as the Permissive principle is embodied in our Statute Book. In the "Licensing Act, 1873," which was passed mainly through the indomitable efforts of the Hon. W. Fox, great facilities for objecting to the granting and renewal of licenses are given. In particular, sec. 23 is to the following effect: "No certificate shall be granted if a memorial against the granting of the same, signed by at least two-thirds of the adult residents in the district, be presented to the Court." This enactment grants the power to the inhabitants to veto any application for a license. It is much wider than any measure limiting the power to the ratepayers only. The word "adults" includes all the males and females in the district, who have attained twenty-one years of age. This important privilege is rather in advance of public opinion. Although it has been in force for nearly four years, no instance of its having been brought into operation has come under my notice. Indeed the very reverse is the case, and persons building hotels in districts having as much need of them as a cart has for a third wheel, have no difficulty in loading the table of the Licensing Court with numerous signed memorials, shewing reasons why the license should be granted. I am hopeful that in course of time public sentiment will be worked up to the proper level, and that the statutory power will be brought into operation. At present there is a difficulty in the way of the districts being too large. The friends of temperance find the duty of getting up a memorial in a city containing thousands of inhabitants too arduous a task. The districts in this enactment should be defined, so as to contain a population not exceeding 2000. It is questionable if the zeal of those opposed to additional public-houses is sufficiently enthusiastic to enable them to encounter the trouble and expense in getting up such a memorial. Abstainers are not able of themselves to do it. They must enlist in such a cause all those who, although not abstainers, are yet desirous to restrict the traffic to the narrowest possible bounds, and who would like to remove the temptations of a public-house from their own immediate neighbourhood. The clause as it stands is an excellent provision in favour of temperance, and it is very desirable that it be amended by greater facilities being afforded for its being brought into effective operation. In another Colony, the Dominion of Canada, the Permissive Bill is now law. A correspondent of a London Paper, writing from Toronto, last December, states that the Dunkin Act of Canada, which enables a majority of ratepayers to veto the sale of liquor in any municipality, is causing considerable stir throughout the Province of Ontario. It has been carried by large majorities in the Counties of Prince Edward, Mississiquiti, Grey, Lennox, Addington, Lambton, and Frontenac.

At present the Licensing Courts throughout the Colony have given satisfaction. They have shown no desire to allow an undue or indiscriminate enlargement of the drink traffic, and upon the whole the law has been administered in a fair and reasonable manner. This public confidence may have operated so as to render the resort to the veto unnecessary. It seems expedient, nevertheless, that some amendments be carried, and under this head I suggest the following:

1. Districts under the 23rd section of the Licensing Act to be defined, so as each to include a population not exceeding 2000.
2. No new license to be granted unless approved of by a memorial signed by two-thirds of the adult residents in the district.
3. The number of licenses not to exceed one for each 500 of the population.

In Dunedin there are 103 public-houses, and 39 bottle-licenses, being a public-house for every 250 of the population. As one-half of the population is under 21 years of age, the startling fact appears, that it takes only 125 adults to support a public-house. It is not surprising that we have so many drunkards, or such abounding misery as results naturally from such a state of things.

The principle of the Local Option Bill is precisely the same as that of the Permissive Bill. It proposes to leave to the electors in each district, once in three years, to determine the question whether there should be licensed houses in the district at all or not. If the voters resolved that there should be licensed houses, then it was left to the Licensing Court to fix how many, and to whom certificates should be granted. Mr. Stout, M.H.R., succeeded in getting a measure of this nature read a second time last Session. It is to be hoped that he will return to the question this next Session. No measure of any importance, introduced by a private member, was ever passed into law without repeated attempts having to be made.

Akin to the Permissive and Local Option Bills, is another proposal which has been made under the name of the "Suspensory Liquor Bill." An endeavour has been made to secure the passing of such a measure applicable to Scotland. The main principle of the Bill is, that the power of transfer should be abolished, and existing

licenses allowed to drop on the death or disqualification of the holder. The heads of the Bill are as follows:

"I. That it shall not be lawful to consider any new application for license in any district so long as there is more than *one* licensed house to every 750 of the population; that no application for extension of premises shall be entertained; that the power of transfer by the licensing authorities shall cease; and that all licenses shall be finally cancelled on the death, bankruptcy, or conviction of those holding certificates.

"II. That in districts where no licensed house exists, and in other districts where the licensed houses are from any cause below one in 750 of the population, no license be granted without the sanction of a majority of the ratepayers, and that all courts of appeal be abolished.

"III. That no place of amusement, recreation, instruction, railway station, river or coasting passenger steamboat be licensed to sell intoxicating liquors.

"IV. That all licenses held by grocers, bakers, and confectioners shall be at once abolished; all beer licenses issued by the Excise, and special licenses issued by the Magistrate, shall at the same time cease."

Having now glanced at the various [unclear: remedies] suggested, the most practical [unclear: course] will come under our consideration [unclear: n] the last place, and that is adopting the [unclear: existing] law as a basis what amendments [unclear: an] be suggested thereon, which shall encourage the formation of temperate habits among the people, and at the same [unclear: time] lessen temptation to the unthinking, [unclear: and] check the downward career of the [unclear: improvident]. In considering this [unclear: mater] it should be kept in mind that colonial life has its peculiarities, and that legislation suitable in England may not be suitable for ourselves. Our legislature is too [unclear: pt] to follow in the wake of the Imperial Parliament, without due consideration whether the Imperial measures are in every way adapted to our circumstances. Our statute books contain many examples of such absurd plagiarism. Even our temperance reformers are occasionally chargeable with this want of adaptation. The wave of thought, emanating from head-quarters, extends itself to the utter-most part of the British dominions, and a cry for a particular measure is reiterated in a parrot-like fashion, whether it is applicable to our circumstances or not. We have in the colonies our own special difficulties to encounter, and our thoughtful men should apply their minds to strike out paths for ourselves with some degree of originality. Owing to the new position in which we are placed, many of the advantages of the old country are denied to us. Young men are forced to live in hotels because accommodation in the way of lodgings cannot be obtained elsewhere. The fluctuating character of society renders hotels a social necessity. The effort, therefore, should be, not in the direction of an indiscriminate attack upon all hotels, but in the way of bringing the whole trade under proper regulation. A gradual improvement in the law will be more likely to command general support than a wholesale onslaught upon all and sundry who differ from those teetotallers whom nothing else will satisfy than an immediate and total prohibition. In the remainder of my communication I shall offer various suggestions in the way of amendment of the law, and in doing so I shall confine myself more to leading principles than to minute details.

1. There should be a new classification of licenses. Those at present in use are, "Wholesale license, publican's license, bottle license, and packet license." There is no separate license for hotels. Every hotel consequently is not only a place for the accommodation of travellers or lodgers, but is also a common public-house. Hotels may be a necessity, but there is no reason why each of them should have a public bar, thus unnecessarily increasing the number of mere drinking places. A stranger visiting any of our leading hotels cannot but be annoyed at the motley groups he has to encounter quenching their habitual thirst, at the bar counter. The facilities for locomotion are now greatly increased, and families, including ladies, are often travelling about in pursuit of pleasure or health. Why should they be exposed to the noise and disagreeable scenes appertaining to a public bar, "frequented by all the loafers in the district?" Hotels should be maintained by their own legitimate trade, and should be independent of the less legitimate profit arising from the sale of nobblers to all and sundry. I propose, therefore, to classify the licenses as follows: Wholesale licenses, hotel licenses (no public bars to be allowed), public house licenses, and retail licenses.

Until public opinion has acquired a higher standard, public-houses, where liquor can be obtained for consumption on the premises, must be tolerated in order to check sly grog-selling. Such houses should, however, be subject to minute regulation in regard to details, no liquor to be supplied to children, intoxicated persons, or prostitutes; each public bar to be fitted up in a particular manner, so that one-half of the space may be devoted to the sale of tea, coffee, and light refreshments. The apartment should be large enough to permit parties requiring refreshment to sit down at small tables. No drinking to be allowed in any other part of the premises.

Persons desirous to retail liquor, not to be consumed on the premises, should be licensed as retail dealers, and not permitted to sell anything else. All bottle licenses to be withdrawn. The trade in liquor is exceptional, and is not a necessary adjunct of a grocer's or confectioner's business. Haifa-dozen retail shops properly situated are quite sufficient for the wants of a large population, such as Dunedin, instead of the 39 bottle licenses now held, in addition to the 103 publicans. It is only by this means that the retail trade can be kept in proper order.

At present the bottle license is often an excuse for a sly public-house; and families are injured by the facilities with which intoxicating liquor can be obtained at the grocer's shop upon credit. It is to be feared, also, that sometimes an unsuspecting husband has to pay for "goods" entered in his monthly bill which, if the truth were known, were really unmitigated evil.

No. VII.

Some as thou saw'st by violent stroke shall die—
By fire, flood, famine; by intemperance more
In meats and drinks, which on the earth shall bring
Diseases dire, of which a monstrous crew
Before thee shall appear.

—*Paradise Lost.*

In the preceding letter I proceeded to suggest as a remedy against intemperance, the expediency of amendment of the existing law. I am satisfied there is a wide field for operation in this direction, and one which is essentially practical. It has also this in its favour, that all those, whether approving of total abstinence or not, who desire to see drunkenness lessened and drinking customs modified, may unite in a common effort, I alluded to the necessity for a classification of licenses. Hotels should be restricted to their proper business, attending to the comfort of their inmates; public-houses should be limited to a bar trade, under proper regulation; bottle-licenses should be abolished, and the retail trade carried on by dealers, who should follow no other calling. The number should be limited, so that the trade may be carried on in an honest manner, subject to severe penalties for adulteration. I will now offer several other suggestions by way of amendment on the existing law:—

2. Packet licenses should be abolished. It almost amounts to an intolerable nuisance to quiet travellers that every steamer should be a floating public-house. There is also a degree of danger in the present practice. The master of a steamer should always have his brain clear from the effects of alcohol. Even a "wee drop," a mere thimbleful, while not producing intoxication, may so lay caution asleep or induce rashness, as to lead to accident. At present a master is often annoyed by the foolish kindness of a passenger pressing him to share in strong drink, when he had not the slightest desire for it, and would have preferred being without it. In my voyages along the coast, I have seen the captain of a steamer positively persecuted by a maudlin passenger, and to escape being rude, obliged to lock himself up in his cabin. It would be no deprivation to the travelling public to have no temptation for twenty-four hours to resort to intoxicating liquors as means for passing away the time. Our longest voyage without touching land does not exceed 18 hours. To those to whom journeying is disagreeable, it would be found that enforced abstinence would be beneficial. I have tried every way of making a journey either by land or sea agreeable, and I can say without hesitation that there is greater comfort without, than with beer, spirits, or wine! There is no feverish irritability, and sleep is always more refreshing, in the absence of stimulants. I believe that the majority of seagoing travellers who may be accustomed to their daily indulgence on shore would enjoy a day or two's freedom occasionally. In England, many persons who get insensibly jaded and out of tone from the drinking habits they think a necessity, resort to hydropathic establishments, where they enjoy the simple diet and the crystal spring, until quite set-up and rendered fit for another campaign. I once met with a lady holding a good position in society in Liverpool, who informed me that it was her custom to run away occasionally to a famous establishment where abstinence was the rule, and that if it was not for the repose and relief she experienced in the temporary change, life would be a burden to her. It has been proved that, wherever the general public have a choice between drinking and teetotal ships, the latter are preferred. The whole trade betwixt England and the East was once in the hands of the Peninsular and Oriental Steam Navigation Company. Their steamers were floating hotels, where every luxury in the way of liquor could be obtained. Their prosperity is an affair of the past. During the last few years, since the opening of the Suez Canal, the old company has been successfully opposed by the City Company's line of steamers. These powerful vessels, 3000 tons burthen, are all named from cities. There is the City of London, the City of Manchester, the City of Mecca, the City of Venice, and so on. No spirits are sold on board, and yet these, vessels are preferred to the others. The same company had a sailing fleet to the East for twenty years in which teetotalism was followed. Their success has enabled them to establish their present magnificent line of steamers. A fact like this is a sufficient answer to those who would keep the present system with its dangers and disagreeables, because otherwise the public would think it a hardship. Connected with this there is a practice which may be denounced as scandalous, and that is, the sale of liquor in immigrant sailing vessels. The scenes

of drunkenness and gambling which take place, sometimes in the saloon, but oftener in the intermediate cabin, are disgraceful. The drink is retailed at an exorbitant price, and often young men coming out to the colony, otherwise well disposed, are tempted to squander the little fund on drink which was intended to maintain them for a few weeks on shore, and they have been landed penniless. Repeated instances of this have come within my own knowledge. In England, the colony is considered to be a moral cesspool adapted for the reception of the numerous ne'er-do-weels who have turned out nuisances to their families, and there is never a vessel without one or more of these hopefuls among the passengers. To such men, when their own purse is exhausted, their youthful fellow-passengers fall an easy prey. It is more than time that the owners of sailing vessels should provide a remedy for this evil. The Government also should prohibit the sale of liquor in immigrant ships.

3. The employment of females at public bars ought to be prohibited. To expose young women to the frivolity and worse, which are exhibited by many of the frequenters of bars, is to sap the foundation of their virtue. They are in danger also of acquiring a liking for the articles they dispense to others. I recollect one case of a barmaid in Dunedin, who, in a fit of delirium, escaped in a state of next to nudity, and was apprehended wandering at large a fit subject for the Lunatic Asylum. In another case, recently, where a licensee allowed his own young daughters to look after the bar, advantage was taken by a sensual scoundrel to go into the bar and conduct himself before the girls in a scandalously immoral manner. If there be a father of a family in any rank of life who approves of the present system of barmaids, let him answer the question, Do you think such a situation one in which you would place your own daughter if you were interested in her future welfare?

4. Another minor reform would be to separate amusements from drinking. There is no necessary connection between them. On the contrary; no one requires, under any sound pretext, the combined excitement of drinking and any amusement. Some social reformers suggest the furnishing of suitable amusements for the people as being the best means of temperance reform. There is good sense in this. Many go to the tipping-shops because they have no better means of relaxation. Let the public bar be limited to its proper use, and let all amusements be conducted in a separate place. A common public-house should have no billiard-room attached to it. Billiard rooms and concert-rooms may be agreeable modes to many of passing an idle hour, or of obtaining relaxation after a bard day's work, but let them be found apart from the sale of intoxicating liquors. Large hotels might be allowed a billiard license, but there should be no billiard-room bar, and no liquor should be sold therein. Few who have travelled in the colony but must have spent sleepless hours, kept awake by the noise and clamour of the billiard-room in a wooden road-side hotel.

I have now exhausted my suggestions for the amendment of the existing law. It will be borne in mind that I pointed out two divisions of the subject in which legislation is required: first, dealing with the individual consumer, who degenerates into a drunkard; and second, dealing with the proper regulation of the trade. The Imperial "Licensing Act, 1872," might be followed with safety "so far as it goes. It draws the distinction between a person found drunk in a public place and a person who is also disorderly, and regulates the punishment accordingly. It does not, however, go far enough to punish or reform habitual drunkards. In America their legislation is carried further. If a man is injured from intoxicating liquors, the law recognises the right of action against the vendor. In Ohio, the statute is entitled, "An Act to provide against the evils resulting from the sale of liquors," and, by the 7th section, it allows of such an action against "any person who shall . . . have caused the intoxication," which may be "habitual or otherwise." In November last an action in the Supreme Court was sustained, which was brought by a wife to recover damages for injuries resulting from the sale of intoxicating liquors to her husband. The intoxication was habitual during a period of years. It was held that it was not essential that the defendant should be the *sole* cause of such intoxication; and that one who contributed to cause that condition, by sales calculated to produce that result, should be presumed to have intended it, and was liable for the damage resulting, though others might in like manner have contributed thereto without, his knowledge. A law of this kind would be a great protection to innocent wives and children, and it is undoubtedly just and equitable in principle.

In looking at the whole question, I have endeavoured to do so fairly, and, I hope, without the use of language either intemperate or offensive to any one. The evil flowing from the abuse of alcoholic liquor is so generally admitted, that I believe the great body of the public are beginning to be alive to the urgency of taking steps; to mitigate it. A quickened and rightly guided public opinion is the surest means of an effective social reform, but this is naturally a slow process. I believe there is a silent growth of healthful public opinion going on; but it becomes necessary in the, meantime to secure, as far as practicable, a wholesome regulation of the liquor trade. This can only be done by judicious legislation; and I hope that I have succeeded in pointing out sundry beneficial amendments of the existing law, which, if carried out would help on the good cause—the promotion of the happiness and well-being of the people. But whatever laws be passed much always depends on their administration. In England, an endeavour has been made to secure the vigilance of the police by the insertion of a clause in the Licensing Act, applying one moiety of the fines recovered under the statute to the Police Superannuation Fund. A provision of this kind would not be without its use in the colony.

Lastly, as it is found useful in [unclear: many] diseases to establish a counter-irritant [unclear: by] way of cure, so if it is desirable to [unclear: wear] the public from excess in the use of [unclear: intoxicants], it is necessary to institute [unclear: some] counter attraction. Man must renew [unclear: his] jaded strength of body and mind by [unclear: re] taxation of some kind. Let proper places [unclear: c] amusement be encouraged. Public [unclear: libraries] museums, and lecture-halls should be [unclear: established] in every centre of population, and suitable recreation ground should be an, adjunct of every village. Government might do much by giving statutory means of incorporating such institutions, and the power of levying small rates in support. Parliament might usefully make grants-in-aid on certain conditions. The exercise of thrift and foresight should be encouraged, by every facility being given for the formation of friendly and co-operative societies on a sound basis. Parliament might with advantage take a step farther, and make a certain degree of thrift compulsory. The compulsory principle is admitted in whatever is for the public good, such as vaccination and education; and there is no reason why every citizen should not be compelled by life assurance to prevent his wife and children, in the event of his death, becoming an immediate burden on the State. In addition to all the means mentioned, there is the power of individual example; and no person who is alive to the influence of religion can be deaf to the clamant cry proceeding from countless thousands for a brother's help to save themselves and their dear ones from the destruction and misery flowing from our present customs. If the subject be approached in the noble spirit of self-negation, our senators may rest assured that success will wait on their efforts, affording an ever-widening platform for the comfort and happiness of society at large.

POSTSCRIPT.—Since the above was written I have met with an account of a philanthropic movement commenced in Liverpool, which is likely to do good, and which proves that public bars are often resorted to for want of more satisfactory places for refreshment. This movement is the establishment of Cocoa Houses. A limited company was formed, with a capital of £20,000, but it has not been found necessary to call up more than half of that, though eighteen houses have already been opened, and the turnover is now at the rate of £30,000 per annum. The experiment was begun by opening a house in the neighbourhood of a busy part of the docks, and this was speedily followed by four others on the same crowded river side; and the encouragement was so great that now, only a few months from the beginning of the movement, they have opened their eighteenth house, opposite the Sailors' Home, to compete with the forty-six other public-houses which surround the Home. The principles of the traffic are very simple, and are such as are bound to command success in any community amongst which they are followed. Good food is sold for ready money with a very narrow margin of profit, the only peculiarity being that the varieties of food are limited in number, and the charges for the supplies are very small. Cocoa is sold at a penny a pint, or a halfpenny for half-a-pint; tea and coffee are sold at a penny for a large cup, and the consumer may have a pennyworth of bread and butter, a pennyworth of cheese, or a penny meat pie, and he may smoke as much as he likes in the place where he eats. Separate rooms are provided for women, and numbers of factory girls repair thither at their dinner hour. Success has attended the experiment, the Liverpool company having declared a dividend of 10 per cent, and written off 20 per cent of the cost of plant, besides carrying a large amount to a reserve fund.—In the Imperial Parliament in March last, Mr. Chamberlain's resolution in favor of the Gothenburg system was negatived, and the Intoxicating Liquors (Scotland) Bill was lost on the second reading.

Mills, Dick & Co., General Printers, Stafford-street, Dunedin.

The Proposed Imperial Museum for India and the Colonies.

A Paper Read in the Economy and Trade Section of the Social Science Congress, at Liverpool, October, 1876,

By Isaac Watts,

Secretary Manchester Indian Association; One of the Judges for Great Britain at the Philadelphia Exhibition, And Secretary late Cotton Supply Association,

[Reprinted from the "Journal of the National Indian Association."]

Wm. H. Allen & Co. London: 13 Waterloo Place 1876.

The Proposed Imperial Museum for India and the Colonies.

THE extent and the surprising nature of the collections furnished by the British colonies in the Centennial Exhibition at Philadelphia form one of its most striking features, as an evidence of which I need only refer to the universal admiration excited by the unexpected display of manufactures and machinery from Canada. Equally remarkable was the amount of interest shown in the Exhibition on the part of the Australian colonies, although the collections forwarded from Victoria were partly damaged on the voyage to America. To find so complete a representation of the products of our Colonial Empire we must go back to the Exhibition of 1862,

the annual Exhibitions at South Kensington in the years 1871-4 being too fragmentary in their scope and too exclusively artistic in their tendency to call forth on the part of the colonies anything like the same degree of effort as that witnessed at previous exhibitions, and now again manifested at Philadelphia. The display there is full of interest to the colonists themselves as showing them the vast resources contained within the British Empire itself. As a consequence of the display made at this exhibition several of the Australian Commissioners visited Canada, and were surprised to discover how numerous are the articles suited to the Australian market which are there produced, and as the result we learn that ventures of a direct trade between Canada and Australia are about to be made. It is not a little mortifying that it should be necessary to go to Philadelphia to make such a discovery, and that even in London, the capital of the whole empire, it is still impossible to find any public institution in which the productions of Canada, Australia, or any of the other British colonies are permanently exhibited and rendered accessible to men of business. The only British possession represented by a museum in London is India, and even the Indian collections have never since the abolition of the East India Company had any special building suited to their purpose appropriated to them, but have been shifted about from place to place, stowed away in attics and corners, and even now, in their temporary resting place at South Kensington, they are far removed from the centres of business and political life. The neglect of England in this matter is the more astonishing, as the only other two powers with any colonial pretensions—France and the Netherlands—have both comparatively perfect colonial museums. It is also remarkable that this neglect prevails most where it might have been least expected, in England itself, the very seat of the central power India and most of the colonies are, within their own limits very fairly provided for in this respect, although they are inadequately or not at all represented at head quarters.

When in India some years ago I had occasion to visit the Victoria and Albert Museum in Bombay and the magnificent India Museum, then in course of erection at Calcutta. Similar museums exist likewise at Madras, Lahore, Agra and several other seats of provincial governments. In Australia, also, nothing has been more remarkable than the energy and admirable foresight with which these young communities hardly emerging from the first struggles for existence, have set themselves to acquire at once scientific and commercial collections of all their productions, and the rapidity with which they appropriate to themselves the results of the scientific and practical investigations to which these collections give rise, strikingly attests their value. The neglect however in providing a central museum in London to show the productions of the whole Empire is easily explained. It was clearly in the interest of all the parties concerned to possess such an institution—England, India, and everyone of the colonies would have shared alike in the advantages resulting from its influence—but it was amongst the things which being everybody's business, becomes nobody's business. The colonies would feel that a museum of that kind established in London would be as much an imperial institution as the British or South Kensington Museum, and that consequently they should not be called upon entirely to provide for an institution of that character from their local resources. The same feeling accounts for the somewhat grudging support which the India Museum has received from those charged with the care of the finances of India, and may explain the reluctance on their part to come to any decision with regard to the frequently mooted question of the erection of a special building for that museum. Dr. Forbes Watson, the director of the India Museum, has accordingly for many years advocated the plan of sharing between England and India the expenditure required for such a purpose, on the ground that in an undertaking the benefits of which would be mutual the costs should be so likewise. This view has since been endorsed by the different chambers of commerce in their memorials to Her Majesty's Government on the subject. The same principle clearly applies to the Colonial Museum as well. In his proposal therefore for the erection side by side, on the old Fife House site on the Victoria Embankment of the two museums—the Indian and the colonial—Dr. Forbes Watson suggests that the expenditure of the undertaking should be covered by the co-operation of the Mother Country with the colonies and India. This seems to be alike fair and politic. The two museums would by their juxtaposition form an Imperial Museum representing the whole of the dominions under the British Crown.

Such an institution could not fail to exercise a considerable influence on the development of the commercial and political relations between England and all its dependencies, and to direct popular attention to colonial and Indian questions, which are rapidly assuming increased prominence and importance. One of the most marked changes, indeed, during the last few years has been the rapid development of the imperial idea, an increased appreciation of the community of interests prevailing between all the different parts of the empire, and a growing tendency to give some legislative expression to their mutual interdependence.

The success which has attended the foundation of the Royal Colonial Institute, established by a number of representative colonists and their friends for the advancements of the above objects, is a proof of the interest with which these matters are now regarded, and the establishment of a museum, representing the resources of the whole empire, and embracing both the colonies and India, has from the very beginning been an object towards the realization of which that institute has directed its efforts in the firm conviction that such a museum would do far more towards educating public opinion in England on colonial and Indian subjects than any

number of eloquent speeches or elaborate pamphlets. Accordingly, when Dr. Forbes Watson's plans were made public, the Royal Colonial Institute accepted them at once in their main outlines as affording a practical embodiment of one of the principal points of their programme. It has since appointed a committee for the purpose of promoting by every means in their power the establishment of this proposed Imperial Museum for the colonies and India, and it is satisfactory to know that a large number of the leading firms of the city of London have already signified their approval of the scheme. The light which such a museum will be able to throw upon many important problems of the immediate future, such as the question of emigration, of imperial federation, and others in which the Social Science Association has always taken a warm interest, and in connection with which an India and Colonial Committee already exists, is a sufficient excuse for bringing this matter to the notice of its members.

For all details of the scheme I must refer the section to the able pamphlet

The Imperial Museum for India and the Colonics, by J. Forbes Watson, M.A., M.D., LL.D., Director of the India Museum, and Reporter on the Products of India. Wm. H. Allen and Co., London, 1876.

in which Dr. Forbes Watson advocates his proposals, and I will here only touch on some of the more salient features of his plans as showing that such a museum deserves support not less on account of the merit of the general idea than because of the practical means suggested for its efficient working.

The proposed site on the Victoria Embankment is one of the most central and prominent in London, and is most readily accessible to all the classes likely to be practically interested in the proposed museums. By connecting the India Library with the India Museum, and by the establishment of a colonial library and reading-room in conjunction with the Colonial Museum, the new institution would combine within its own walls all the sources of information which are available with regard to the commercial, social, and political condition of the whole empire. The offices of the Agents-General for the different colonies would be placed in connection with their respective sections in the Colonial Museum, and the offices of the Reporter on the products of India with the India Museum; and if the suggestion of locating the Royal Asiatic Society and the Royal Colonial institute within the same building should be adopted, the museums would be brought into direct relation with all the currents of public opinion prevailing with regard to the subjects illustrated by these collections. It is to be hoped also that the suggested establishment of lectureships in connection with the India Museum may be accomplished. This is a matter to which scarcely sufficient attention appears to have been paid in the usual management of such institutions. Courses of lectures attract persons who are drawn to the museum for real study, they serve to give definite purposes to the collections, and are instrumental in keeping them up to the requirements demanded by the progress of knowledge and investigation. An illustration of this effect is afforded by the interesting account in *The Times* of 5th October, of the rise and progress of the Paris Conservatoire des Arts et Métiers, from which it appears that the whole life and public usefulness of this typical institution dates only from the introduction of the system of regular courses of lectures, for which the collections were made to supply the illustrations. Those who at the present time, in various parts of the country, are endeavouring to extend the action of existing museums, or to establish new ones, would do well to bear this in mind.

We have lately witnessed the liberality of some of the London city companies in the cause of industrial education, and I may here cite the foundation of chairs of textile industries by the Cloth-workers Company. The most efficient manner of utilizing these endowments is certainly by combining such chairs with some of the museums which possess collections fitted to illustrate the subject of the lectures delivered.

There is yet another most important feature in the plans to be mentioned—viz., the utilization of the museum in London as a kind of depot, from which information should be supplied to the whole country. It is proposed to make use of the accumulated resources for the purpose of preparing sets of trade collections, in which the products of the colonies and of India shall be shown, according to their trade classification, side by side with similar products from other countries, competing with them in the markets of the world. These sets would then be available for general distribution. The collections of Indian textile fabrics prepared at the India Museum and which have been subscribed for by most of the principal seats of commerce and manufacture in this country, afford an illustration of what is intended. By this means the institution, instead of being merely local, would become national in the widest sense. Every place of importance throughout the empire would thus become directly interested, and would in an important degree participate in the advantages resulting from its establishment.

There remains now the all important question of cost to be considered. If the plan of sharing this between England on the one hand and the colonies and India on the other be adopted, it is suggested that England should provide the cost of site, whilst India and the colonies should defray the expenditure required by the building. The proposed site on the embankment, on which Fife House formerly stood, belongs now to the Crown, and would have to be purchased from the trustees of the Crown property. No estimate of its market value is as yet available, but it cannot be much less than £200,000. This is a large sum, but not more than commensurate with

the importance of the objects proposed. The first step, therefore, to be taken is to induce the Government to ask from Parliament a vote of £200,000 for the purchase of the site. Should the vote of a lump sum of £200,000 be objected to, there are special features in this case which would make it quite legitimate to raise the required amount by means of terminable annuities according to the precedents which have already been so often acted upon. It must be remembered that as the purchase is to be made from the Crown the money would be at once reinvested by the trustees of the Crown property, and the proceeds of that investment being payable into the treasury, they would thus supply the greatest portion of the amount of terminable annuity. Calculated according to the usual rate, a capital sum of £200,000 could be raised by means of an annuity of less than £13,000 terminable in twenty-five years. But whichever way may be finally adopted it cannot be doubted that a strong expression of opinion with regard to the usefulness of such an institution from the bodies representing all who are interested, commercially, financially, or politically, in the maintenance and development of our relations with India and the colonies, that is from every Chamber of Commerce or Town Council of any standing throughout England, would materially affect the decision of the Government and of Parliament.

There is another way in which help might be rendered at the present time. The Philadelphia Exhibition is drawing to a close. The colonial exhibits there would be invaluable as affording a nucleus for the formation of the collections for the new museum, and steps should be taken to secure them for this purpose. It would, of course, take several years to provide the necessary building for their reception, but in the meantime they might be accommodated in some of the vacant exhibition galleries belonging to the Commissioners for the 1851 Exhibition at South Kensington. These galleries, though from their remote position entirely unsuited for the location of a permanent institution like the one in question, would be convenient for the temporary purpose of laying out and arranging the collections, in the same way as they are being utilized already for the Indian collections. There are at present several schemes afloat with regard to the best mode of utilizing the property of the Commissioners for the Exhibition of 1851. The whole of this property, now valued at about one million sterling, is the result of the investment of the surplus of £186,000 remaining after the close of that exhibition. There could hardly be a better way suggested for the utilization of part of this property than by its being temporarily devoted to the purpose mentioned. There should be no question of rent, because the large sums spent by the colonies and India on account of that exhibition—the Indian Government alone spending £160,000—certainly contributed in a great measure to the formation of this surplus, so that the colonies would on that account possess a fair claim to the free enjoyment of some of the results of that surplus. Of course even the larger question might be mooted how far it is desirable to keep up the property of the Exhibition Commissioners in its present extent, and whether it would not be advisable to capitalize the whole or a considerable portion of that property, and devote the proceeds to the establishment of industrial and other museums in different parts of the country. If such a course were adopted the proposed India and Colonial Museums might certainly put in a claim to a share in the division.

It may also be fairly argued that the great provincial towns, such as Liverpool, Manchester, Birmingham, Leeds, and others, which on the same occasion made considerable sacrifices, have a just claim to consideration in the appropriation of the funds, which might be obtained by realizing at least a portion of the splendid land investment originally made by the Commissioners at South Kensington.

Memorials in Favour of the Proposed Imperial Museum for India and the Colonies on the Thames Embankment.

I. To the Right Hon. Benjamin Disraeli, First Lord of Her Majesty's Treasury.

The Memorial of the Working Men's Clubs and Institutes of London.

We, the undersigned, on behalf of the members of the Workmen's Clubs and Institutes in the Metropolis, beg very respectfully to express our hope that the proposal now before the public for the establishment of an India and Colonial Museum on the Thames Embankment will receive the favourable consideration of Her Majesty's Government.

As artisans desirous of improving our artistic taste and industrial knowledge, we consider it highly desirable that we should have free and ready access to the admirable specimens of Indian workmanship to be found in the India Museum. The natural products and manufactures of that collection throw great light upon

handicrafts in which we are engaged, and are calculated to promote our technical knowledge.

We should hail likewise with much satisfaction the formation of the proposed Colonial Museum, which could not be otherwise than helpful to us, as so many of the trades in which we are interested depend upon the supply of the materials which a properly organized Museum would be calculated to bring into notice.

The members of the Clubs and Institutes in the Metropolis have been in the habit of visiting the national museums on Saturday afternoons, under the guidance of gentlemen specially qualified to afford information on their contents. This has called attention to the fact that the situation of museums and collections is all important in its bearing upon our ability to derive advantage from such visits.

For some years past we have in common with all other members of the working classes in London, observed with regret that many valuable collections are to an increasing extent removed to South Kensington. That quarter being at the extreme end of the Metropolis, and at the end furthest removed from the districts inhabited by workmen, great numbers of our class are altogether precluded from visiting the collections there, or at least very rarely and hastily. The very considerable distance not only adds to the expense, but often consumes half the limited time at disposal, to say nothing of the fatigue involved in a walk of several miles, which necessarily unfits the visitor for a careful study of the objects exhibited.

Your Memorialists have therefore learned with the greatest satisfaction that there is a site, the property of the Crown, close to Charing Cross, and situated on the Victoria Embankment, where the present Indian Collection and the proposed Colonial Collection might be placed and arranged in suitable buildings.

Your Memorialists very earnestly trust that Her Majesty's Government will take such steps as may be necessary to secure the site in question for these Museums.

They would only add that great numbers of their class also seek for information in regard to the production of the colonies with a view to emigration; and that the establishment of a Colonial Museum on an accessible site would to such persons prove a boon. On all these grounds, your Memorialists trust very sincerely that these valuable means of instruction and information may be placed where the great mass of the London population can have access to them, instead of being placed where comparatively few of the working class can habitually resort.

Signed by the Chairmen and Secretaries of 68 of the Working Men's Clubs and Institutes of London representing about 7,000 members.

LONDON

August, 1876.

II.

To the Right Hon. Benjamin Disraeli, M.P., First Lord of Her Majesty's Treasury.

The Memorial of the Council of the East India Association, Respectfully sheweth, —

That your Memorialists, taking a warm interest in all measures calculated to extend in this country a knowledge of the people and resources of India, have had their attention drawn to the proposal now before the public of erecting an India Museum on the site of the old Fife House on the Thames Embankment.

Your Memorialists are impressed with the advantages which would result from having the India Museum in such a central position in which its public usefulness would be so much greater than in its present situation at South Kensington.

Your Memorialists are likewise impressed with the advantages which would be likely to arise from the proposal of having a Colonial Museum placed side by side with the India Museum in the same locality, so as to form together an Imperial Museum representing the whole of the dominions under the British Crown.

For these and other reasons your Memorialists pray that Her Majesty's Government will take into consideration the proposals referred to, and give the necessary assistance for carrying them into effect.

For the Council of the East India Association,

(Signed)

C. WINOFIELD, *Vice-Chairman.*

LONDON,

June, 1876.

Arrowsmith, Printer, Quay Street, Beistol.

Regina v. Henry Smythies. Report of the trial of Henry Smythies before Mr. Justice Erle, At the Central Criminal Court, London, on the 22nd August, 1849, on charges of Forgery and Uttering; taken from The Central Criminal Court Sessions Paper, Published September 11th, 1849.

London: George Hebert, Cheapside. William Tyler, Printer, Bolt-Court, Fleet-Street.

Henry Wise, Printer Dunedin Princes-Street

Central Criminal Court.

Duke, Mayor. Tenth Session.

Before Mr. Justice Erle.

1524. Henry Smythies, unlawfully forging and uttering a paper-writing, purporting to be a consent of Richard Soden to be the next friend to the infants in a certain Chancery suit; with intent to defraud the said Richard Soden: other COUNTS, varying the manner of stating the charge. MR. SERJEANT BYLES, *with* MESSRS. BODKIN *and* HUDDLESTON, *conducted the Prosecution.*

FREDERICK BULL. I am managing clerk to Mr. Meyrick, who was the London agent of the firm of James and Smythies attornies, at Aylesbury. I attended to the conduct of a suit of Miles v. Miles in the Court of Chancery—Mr. Smythies, the defendant, was the attorney for the plaintiffs in that suit—Mr. James, his partner, did not interfere in the management of that suit in the slightest—in Oct. last year the plaintiff's solicitor was changed—this is the order of the Court for the change, it is dated 10th Oct. 1848 (*this was produced by James Fluker, managing clerk to Mr. Kirk, who was the attorney substituted for Mr. Smythies*)—after the change of attornies took place, a bill of costs was prepared by Mr. Smythies and carried into the Master's office—this is it (*produced*)—it is made out to Mr. Richard Soden, as debtor to Henry Smythies—the amount is 355*l.* 5*s* 11*d.*, and is signed Henry Smythies—it is the handwriting of Mr. Smythies—an action was brought against Mr. Soden for the recovery of that bill of costs—this is the *nisi prius* record in that action (*produced*)—a bill of particulars is annexed—the writ was issued on Friday, 16th Feb. 1849—the plea was, "Never indebted"—an order was afterwards made for taxing the bill—this is it (*produced*)—in pursuance of that order an appointment was made before Mr. Baines, the taxing Master on 3rd April: the bill of costs was then laid before the Master—Mr. Fluker, (Mr. Kirk's managing clerk), Frederick Miles, myself, and Mr. Smythies attended, and another assistant clerk of Mr. Kirk's, at the Master's chambers in Staple-inn—there is a charge in the bill of costs for taking the retainer of Mr. Soden in writing—there are no dates to the items—this date of 29th May, 1847, in the margin, is Mr. Smythies's writing—the item is, "attending you when you consented to become next friend, and taking your consent in writing, 6*s.* 8*d.*"—when the Master's attention was drawn to that item, the retainer was handed to the Master, that was in consequence of the Master's asking when that consent was given, because on that consent Mr. Soden would only become liable from the date of that consent—Mr. Smythies produced the retainer to the Master—the date was fixed as 29th May, 1847, by Mr. Smythies, and in consequence of that the item of journey to town to consult with Counsel, three guineas, and rail and expenses one guinea, was taken off by the Master, as being antecedent to the retainer—the Master, in my presence, marked the retainer as a document produced before him—these are his initials on it, and the date, "3rd April, 1849"—Mr. Smythies did not give any account of it when he produced it. that I recollect, he merely handed it in—some observation was made by the Master as to the proof of the retainer being a question in the cause, and not to be decided by him there at chambers—Mr. Fluker had an opportunity of seeing the retainer; either I or the Master handed it immediately to him—Mr. Fluker handed it to Frederick Miles, and they both read it, and the assistant clerk also—at that time I was not at all aware whether there had been a written retainer or not—a letter of Mr. Soden's was also produced to the Master by Mr. Smythies—I do not know the date of it—on the back of the retainer there is endorsed "Richard Soden's consent to be next friend," in Mr. Smythies's writing—the body of the retainer is in his writing—the action stood for trial in the Exchequer on Thursday, 26th April—the record was withdrawn on that day—I attended a consultation of counsel with Mr. Smythies, and it was after that that the record was withdrawn—the papers in the suit and action were taken from Mr. Meyrick's office on Monday morning, 7th May, about ten o'clock, by Mr. Smythies—the retainer was among those papers—Mr. James afterwards came to our office, I think on the same day, he was then told of the removal of the papers—the letter that was produced to the Master by Mr. Smythies was, I believe, dated 12th

May, 1847.

Cross-examined by MR. W. H. COOKE. Q. Do you remember when that letter was produced, the Master saying, "Why this letter is sufficient consent of Mr. Soden, without troubling you any further?" A. No—I do not remember that—I do not remember any observation of the Master's with reference to the letter—to the best of my belief it was handed to Mr. Fluker, without any comment of the Master—it was first produced and shown to the Master, and by the Master handed to Mr. Fluker—we did not get the letter admitted by Mr. Soden's attorney, to be his handwriting; we gave notice to admit, but I do not think this letter was amongst them—Mr. James was a clerk to Mr. Duncan, solicitor to the Eastern Counties Railway—I believe he acted under Mr. Duncan as long as Mr. Duncan continued there—I do not know that it was on 12th May that Mr. Duncan ceased to be connected with the Company—I do not at all know when it was, I think it was in May—Mr. Meyrick is brother-in-law of Mr. James—I do not know in what way Mr. James was connected with the Eastern Counties Railway, he acted with Mr. Duncan, and was there for some years, but I do not know at all in what respect—the business at Aylesbury was all transacted by Mr. Smythies; Mr. James lived in Palace-yard, he went down occasionally, but seldom—I remember Mr. Smythies on one occasion, I do not know when, saying something about having lost the retainer—I should say that was before we went to the master to tax, but I do not know—I think in consequence of that I searched among the papers for such a document—it may have been the same day we went before the Master that he told me had lost the retainer, or it may have been during the suit—the suit was going on for nearly a year and a half—I cannot give any nearer notion—I do not remember his wishing me to search, I remember a general conversation about a retainer being missing, my attention was not then called to it—I do not remember searching, or anything being done upon it, except a general observation about the retainer being missing—this retainer was produced by Mr. Smythies, as I thought at the time, to fix the date—it was produced before the Master as evidence of a date—the result of the change of attorneys was to lead to Mr. Kirk being the person to act on the part of the infants in the cause—I do not know that the papers were removed on 7th May, to be handed to Mr Kirk by previous agreement—I know Mr. Smythies took them away, but for what purpose I do not know—he asked me for the papers in the suit of Smythies and Soden, and I handed him the bundle—I have not seen those papers since in the possession of Mr. Kirk—he is now conducting the suit—I think the business at Aylesbury was rather more than in the elder Mr. James' time; the business that we had in London increased, at least we had more these two years than we had had prior to that—I did not sort the papers out before Mr. Smythies took them away on 7th May—I had kept the London papers distinct from the country ones—I handed him the bundle—I had tied up all the papers in the cause of Miles v. Miles, and Smythies v. Soden, in different bundles, the London bundle he would not want—he applied to me for the papers, and I handed them to him in the bundle that I had already made up—these are the notices to admit—there is no notice to admit this consent-paper—this is the letter that was produced before the Master, it is dated 17th Nov.

1847—(read—" Castle Thorpe.—Nov. 17, 1847. Dear Sir,—I was from home yesterday when your letter came, and did not get home till it was too late for post. I do not exactly understand whether you meant two securities for 100*l.* each, or two for 1,000*l.* each. If you meant for 100*l.* each, Mr. Golby, of Stoney Stratford, and Mr. Willison, of Old Stratford, would become security; but as for 1,000*l.*, I should not like to ask anybody to be bound for that sum, for it is a difficult matter now-a-days to say who is worth 1,000*l.* I am very willing to do all I can for the family, but if it cannot be done without my giving security for 2,000*l.*, I shall give it up altogether, and remain, Sir, yours truly, RICHARD SODEN." I see by the Master's initials that this is the letter that was produced, there was only one letter produced—Mr. Smythies got up the evidence in the cause of Smythies v. Soden—I should have been the witness to prove the work done—Mr. Smythies would have provided the necessary evidence to prove the retainer—Mr. James was to be called as a witness to prove that he was not a solicitor in Chancery, and therefore had no interest as partner in the Chancery proceedings—The *retainer was here read, as follows*—" In Chancery: Miles against Miles—I hereby consent to be next friend to the infants for the purposes of this suit. RICHARD SODEN."—Endorsed "RICHARD SODEN'S consent to be next friend."

RICHARD SODEN. I am an innkeeper at Castle Thorpe, Buckinghamshire, and am uncle by marriage to the plaintiffs, in "Miles v. Miles." In May, 1847, they were infants—the signature to this retainer is not my writing—I never signed that or any instrument to that effect, or authorised any person to sign it—this signature is very like my writing—Mr. Smythies was solicitor for the plaintiffs in the Chancery suit—I believe the first day I saw Mr. Smythies was on 29 May, 1847. at his office at Aylesbury—I went there, in consequence of a note I had from one of my nieces—my nephew, Frederick Miles accompanied me, he introduced me to Mr. Smythies—I told him I should have no objection to his making use of my name as next friend, to serve the children—I was very willing to do all I could to serve the children as far as my advice and time went, but I would not lay myself responsible for any costs—he said, "You will not be called upon for that"—I did not sign any paper—I frequently saw Mr. Smythies on subsequent occasions—I never signed any document on any of those occasions, nor was the subject of costs mentioned between us—an action was afterwards brought against me, which I defended—(looking at letters)—these letters to Mr. Smythies are my writing.

Cross-examined by MR. COOKE. Q. Were the Miles' the children of your sister, or your wife's sister? A. My wife's sister; at the death of the father there was not only an estate, but the farming-business to be provided for—the father had an estate which he farmed himself—he left a quantity of stock—he left a number of debtors—he had eight children; several were sons—one of the objects of the suit was to keep the farm going on, if they could, for the benefit of the family—a proposal was made to sell; I certainly approved of that: Mr. Smythies said it was necessary, and advised the sale—some of the family objected to the sale, and employed Mr. Kirk—I employed him afterwards, and it was agreed on by the family that he should take the place of Mr. Smythies—I am released by Mr. Kirk from the costs—before I had that conversation with Mr. Smythies I had seen or heard from one of my nieces—I had never before the morning I went to Mr. Smythies been asked to act the part of next friend—I understood Mr. Smythies wanted me to be next friend, and I went to see him in consequence of a communication on the subject—I understood that the costs would come out of the estate—I said I would not be responsible for the costs, and I did not say any more about them—I was not told that the costs would come out of the estate—I always understood so from the family—it was an understood thing that Mr. Smythies' costs would be paid by the estate, I was only lending my name—I should think on that occasion, in May, I was at his office twenty minutes or half an hour—I was not an hour there—I have been at his office several times about this suit, and wrote several letters—I always said I would assist all in my power as far as my advice and time went—I came up to Mr. Merrick's office in Furnival's-inn with the Messrs. Miles—I tendered them every assistance I could—I did not attend the consultation—I never spoke to Mr. James until I attended at Bow-street—I had never seen him till a day or two before—I went to him, in consequence of his sending for me—I was applied to, to be prosecutor against Mr. Smythies at Bow-street—Mr. James had never been my solicitor before that—Mr. James did not apply to me himself—he did not speak to me at Aylesbury—I had a letter on the Monday night about coming to London—I came, and saw Mr. James—he said it would be necessary for me to be in London—I was examined as a witness at Bow-street—I represented myself as the prosecutor when the summons was taken out—I did not hear myself mentioned as being the prosecutor—I do not think I should have prosecuted—I was glad to get out of it—I have written to Mr. Smythies in the progress of the cause—the letters are here—I pledge my oath I never signed any paper at the office at Aylesbury—I all along felt satisfied I had never signed any paper—I was asked if I had signed the retainer, and I said I had not the slightest recollection of signing anything—I was so far positive as that—I do not recollect saying, "I do not recollect having done so; I may have said so"—it is so long ago I cannot charge my memory—I never told Mr. Kirk that—I did not tell Mr. Kirk's clerk that I was not certain whether I had signed it or not, it was so long ago—I said I never recollected signing anything, and it was an extraordinary thing that I should have signed it and not know anything of it—I said I never signed anything to make myself liable for costs—I never recollect having any doubt about it—I never signed any paper to that effect—I have not the slightest doubt—I did not at first feel that my memory was doubtful in consequence of the time that had elapsed—the suit is not over yet—Mr. Kirk still carries it on for the family—the action that was brought by Mr. Smythies has been arranged on the part of the family by Mr. Kirk, and he has given me a release—the family employed Mr. Kirk to defend the action—that was on the ground that I had never consented to act as next friend—I never intended to dispute that I meant to act as next friend—I was willing to render assistance and advice, and the family were willing to give such costs as he was entitled to out of the estate.

MR. HUDDLESTON. Q. When was that conversation with Mr. Kirk? A. I do not recollect the day; it was after I was before the Master—Mr. Kirk told me that before the Master he had seen a document produced which purported to be in my handwriting—that was when I made the observation—my solicitors, Messrs. Few and Hamilton, wrote to me before I went to Bow-street—they are my solicitors still—I do not recollect that I wrote any other letters than those produced—I did not make copies of them all—I remember seeing Mr. James at Aylesbury when the charge was made against him by Mr. Smythies—I first saw Mr. James on this business at the Magistrate's rooms at Aylesbury on the Saturday that it was heard—I know Ezra Miles; I had before that sent him to Mr. James.—(*Several letters passing between Mr. Soden and Mr. Smythies were here read, chiefly relating to the management of the farm.*)

JAMES JAMES. I am an attorney of the Court of Queen's Bench—I am not an attorney of the Court of Chancery—I have" practiced at Aylesbury three years, where my father and grandfather carried on business before me—I was previously in the office of Crowder and Maynard—Mr. Smythies became my partner in the September following my father's death; Sept. 1846—there was a Chancery suit in our office, Miles v. Miles, the management of which Mr. Smythies had entirely—I was aware that there was an action pending, after the change of attorneys, by Mr. Smythies against Mr. Soden—I heard the record in that action was withdrawn, or intended to be withdrawn on 26th April: Mr. Smythies came to me in Palace-yard, and explained to me the reason of his withdrawing it—I asked him how it was, after having given me such decided opinions as to Mr. Soden's liability to pay the costs, he should withdraw the record at the last moment—he had breakfasted with me that morning, and left me to go to the consultation—he came back, and told me that the record was

withdrawn; that he told Mr. Hill that Fluker was to be called as a witness, and that Mr. Hill knew Fluker to be so great a blackguard that it would not be safe to allow him to go into the box—I said, "Well, but Mr. Hill could cross-examine him"—he said, "Oh, they will be asked it all before"—I then said, "You had better settle"—not a word was then said about the retainer—on Saturday, 5th May, at Aylesbury, I asked him how he came to withdraw the record, and he then said he had lost the retainer—I said, "But there was a retainer produced before the Master"—he said that was a copy—I asked him who made it—he said he did, he rewrote it from memory—I asked him if he signed Mr. Soden's name to it, he said he did—I asked him if he imitated the signature, he said he did—I made use of an oath, and said, "It is forgery, Smythies; it is 'forgery!'"—he said, "You may call it so if you please"—I said, "It is the first time such a thing has ever been done in this office, and I will take good care it is the last;" and I left him, without speaking another word—that evening I went into Oxfordshire, and next morning I wrote him this letter (*read*)—"Sunday morning,—Dear Smythies, I regret beyond expression that, after having passed the most uneasy night I ever had, in reflecting upon the facts which our conversation of yesterday disclosed, that I feel myself imperatively called upon to tell you, without disguise, that the feelings of regard and esteem which I bore towards you have undergone a total change. From our first acquaintance, I placed myself entirely in your hands with the greatest confidence; there was nothing I concealed from you; even any private letters were opened by you at my request. The business and its connections, which I avoided representing even at 800*l.* a year, turned out to be double that amount; and as the returns came in slowly, I allowed you to take your share whilst I spent the money which I had earned elsewhere, and which I ought, in justice to myself, to have invested. Everything in the shape of money was under your control, almost exclusively; in fact, I treated you more like a brother than a stranger; and how have you repaid this confidence? After involving me and two of the oldest friends the office has, in the meshes of that infernal Chancery suit, you, in order to secure the costs, substituted a retainer in your handwriting for the original, which you had lost. Now, was this honest between you and the client, or proper conduct towards me? I will not, Smythies, in memory of what has passed between us during the last two years, characterise such conduct in the terms it deserves. Your own character you may value as you please, and part with it how you please: but whilst you were connected with me, you had no right to compromise it; and thus reflect upon mine. For myself, I value honour more than life. In God's name what have I done, that I and my sisters should be recklessly ruined, without my having an opportunity of averting the disaster? For even when you found that the plot had miscarried, and that you had fallen into your own snare, you deceived me, and the true state of the case was carefully concealed from me. But although I could write pages on the subject, it is more than I can bear. But I cannot conclude without saying that the trust and confidence which I placed in you, relying upon you as a man of prudence and honour, is lost, irretrievably lost. The course I shall pursue will depend upon the advice my friends may give me; but I do not see that there can be two opinions on the subject. The only difficulty I feel is, in having to make so humiliating a statement to any man. I shall leave for town by the ten o'clock train from Aylesbury tomorrow; and remain yours, &c., J. JAMES."—The two oldest friends alluded to there were Mr. Henry Hayward, who was to be receiver, and Mr. Neale, steward to Lord Carrington, who was one of the sureties—Lord Carrington is a client of mine, he is the lord-lieutenant of the county—at the time I wrote this letter I did not know that Mr. Soden had denied giving any retainer at all—by the expression, "the true state of the case was carefully concealed from me," I meant, that when he found it was necessary to withdraw the record, to prevent the exposure of the document being a false one, that he had told me an untruth about Mr. Hill and Mr. Fluker, I meant to express that—I received from him a letter which crossed mine of the same date—this is it, it is his writing—(*read*)—"Aylesbury, 5th May, 1849—My dear James, I think it due to you and myself "to say that I agree in your remarks respecting the retainer, and have felt ashamed of the act ever since it occurred. I might, by stating the circumstances out of which it occurred, extenuate the act; but it was certainly wrong, and ought not to have been done. It is very difficult not to do wrong sometimes, particularly under great provocation. I feel the more upon the subject, because, as partner, you are somewhat compromised by what I do. I will however be more careful for the future, and trust you will never again have occasion to be dissatisfied with me. Very truly yours, HENRY SMYTHIES."—I received this other letter from him, and I suppose it was in answer to mine of 5th May—(*read*)—"Aylesbury, Sunday evening, 6th May—Dear James, I have just received your letter of this morning, which I must say was not wholly unexpected. I have long perceived that you were discontented, and I anticipated your taking this opportunity of expressing your feelings. It is not my wish to deny that, in some respects, your behaviour towards me has been kind and gratifying, particularly with regard to pecuniary affairs. You remind me that you left me the entire control of the business, but you omit to state that you avoided every occasion of advising with me, and that when I have fallen into unforeseen error, you reproached me without mercy and without consideration. When you state that you valued the business at not more than 800*l.* a year, that was the average of the business during your father's time; and if during my time the business has doubled, surely you are in some measure indebted to my care and attention for it, and must admit that I have ever acted with the strictest integrity, and not abused the confidence you placed in me. I have

always considered, and so consider, that your charges against me relative to the suit of Miles v. Miles, are most unjust and ungenerous. Neither you nor your two friends have been injured in the slightest degree, nor are you likely to be so. You imagine evil, and then upbraid me as the author. You speak of the revelations made during an interview yesterday, but you were informed of everything by my brother three days since. You came into the office, knowing the whole facts, and you talked upon indifferent subjects. You left the office, returned, and again talked upon indifferent subjects, and this whilst you were meditating your attack. At length you entered upon the subject, proving by your questions that you were fully informed upon every point, and then gave vent to your indignation in terms of unsparing severity. How am I to understand this? I wrote a letter yesterday, addressed to you in town, so totally at variance with the spirit of yours, that I am under the necessity of recalling it, and shall expect it to be returned to me unopened. I shall also go to London to-morrow to have this matter fully investigated. I shall expect you at Furnival's Inn, at half-past twelve.

"Yours, &c.,

HENRY SMYTHIES."

Q. Had there been, that you are aware of, any discontent exhibited by you towards Mr. Smythies previous to this letter? *A.* Yes, there had—I complained of his commencing the suit and altogether, and his conduct with reference to the artiled clerk—I had not received any premium from him when we entered into partnership—I had been led to suppose that this was a copy—In May last I received a communication on the subject from Mr. Soden, through Ezra Miles—it was on the afternoon of the day upon which I gave Mr. Smythies notice of dissolution, on 15th May—before that I had no knowledge or suspicion that there had not existed an original retainer—in consequence of what I learnt from Ezra Miles, I went down to Aylesbury to seize the papers—I took a Mr. Aubertin with me—I broke open Mr. Smythies' desk, and removed every paper of every description almost in the office—I found this retainer in his desk, and also these seven letters—five of them were tied up together with a piece of green tape, and the other two were in the corner of the drawer—in the retainer the signature "Richard" has the small "d" after "Rich," and also in the five letters, but not in the two—in consequence of my breaking open the desk, I appeared before a Magistrate—I was not taken into custody, a warrant was issued—I came down to Aylesbury, and the officer came, and Mr. Huddleston insisted on his taking me into custody, and thereupon I walked to the Magistrate—the Magistrate at once dismissed the charge—I received this letter, dated 12th May, from Mr. Smythies on 13th—it was sent to me—a draft of it was found in the drawer—(*letter read*—"Aylesbury, 12th May, 1849. Dear James,—I confess myself at a loss to understand the principle upon which you are acting towards me." *The following passage here occurred in the draft, but was omitted in the letter:* "I know it is not your nature to act unjustly to anybody, and I cannot think you would mark me out for a different course of treatment.") "I suspect you are not acquainted with the facts, I will therefore state them. Doubtless you recollect telling me to sue all the Miles' party for our costs, and that if we got only sufficient to pay agents' costs, it would be better to get clear of the matter. I proceeded to do so, and, upon looking up the evidence, I discovered that I had mislaid the retainer. Fully expecting to find it, and the wording of it being fresh in my memory, I re-wrote it, and laid the duplicate, together with the other papers, before my brother, to advise upon evidence—upon the taxation Kirk's clerk asked to see the retainer. I might have refused to show it him, for he had no right to see it; but as I had no cause for concealment, having the duplicate among the papers, I gave it to him, making no remark; he copied it, and returned it to me. Having failed to find the original, the document was left out of the brief, upon which my brother told me of the omission, and I said it was omitted purposely, I having lost the original. The circumstance was mentioned at the consultatish, but Mr. Hill being called into Court, the consultation was adjourned. Afterwards, and after I saw you, my brother advised me to withdraw the Record. I thought we could do without the retainer, as we had other evidence, but nevertheless took his advice, and after making terms with the defendant, and getting a positive assurance from him that the suit should be continued, and the costs paid out of the first moneys realized, I withdrew the Record. You charge me with having concealed from you the fact of my having lost the retainer. Call to mind the remarks you made to me when you only suspected me of trifling, and ask yourself what I had to expect if I informed you of so careless an act as losing a retainer; and can you be surprised at my not telling you? Having no papers in the suit in the office when I took the retainer, I no doubt put it somewhere by itself, and so it was mislaid. You wish me to dissolve the partnership; be it so, I consent to sell out, and leave Aylesbury altogether You may say that having come in for nothing, I ought not to expect to sell. I reply, when you took me into partnership, you could not get any desirable person not only to purchase, but to take it as a gift. I have heard I was the last of sixty applicants; perhaps there is nothing to sell now; if so, I leave the business as I found it; but if there is anything to sell, it must be through me that it is so; and as you will not be prejudiced, you ought not to object to my reaping the full benefit of my own exertions; nor would you, I think, wish to send me into the world without giving me the chance of providing a fund to establish myself elsewhere.

Of course I shall not sell to any one objectionable to yourself, I have not yet received my recalled letter.

"I am yours, &c.

HENRY SMYTHIES."

Q. Was there any foundation that there were at least sixty applicants for the business? *A.* I had shown the books to one gentleman besides Mr. Smythies, he was the second—there were applications out of number—Mr. Smythies had no connexion at Aylesbury—it was entirely mine.

Cross-examined by MR. COOKE. Q. Had you upwards of sixty applicants for the business? *A.* The letters were not addressed to me, but to my agent, and I really do not know; there were a great number—I did not see them all—I was clerk under Mr. Duncan, in the Eastern Counties office—I was paid according to what was done; there was no fixed sum—I think in 1848 I received more than 800*l*; I dare say in 1847 it was more—I went into Mr. Duncan's office in 1846—I was not there at the time I offered this partnership to the professional world—I wished to come to London to practice, and told Mr. Duncan my intention—I was with him about a month or six weeks before Mr. Smythies came to Aylesbury—from that time I devoted my weekdays to Mr. Duncan—I was down at Aylesbury sometimes—I never passed a week there—I went to my own house, which is attached to the office—I sometimes went on Tuesday, Thursday, or Saturday—I have passed two consecutive days there in every month—the arrangement was that I should be there as much as I could, especially on Saturday—Saturday was the great business day—I understood that Mr. Smythies practiced in Monmouthshire before he came to Aylesbury—he told me so—I have no doubt of it—his father is a Clergyman and a Magistrate of the county of Essex—he is married, and has a family—I went down to seize the papers on Thursday 16th, I believe—I had not received notice of dissolution of partnership from Mr. Smythies on the 14th—I received it on the 15th—I believe I was writing my notice at the time it came—Mr. Meyrick brought it, and was present while I was writing mine—I knew that Mr. Smythies was in London transacting business for the office when I went down to Aylesbury to seize the papers, or I should not have done it—I did not make any appointment for him to come to London that day, I had nothing whatever to do with it—I did not know till after the afternoon of the 15th, after Mr. Smythies had given me notice, that he was going there—I took possession of every single paper—I searched out all the strictly private papers and sent them up to Mr. Meyrick's office, with his diaries and everything useful to his defence, and instructed him to inform Mr. Baines, his London agent, that they were there—the papers were chiefly bills—I looked them through before I parted with them—the letters that have been read were what I kept as essential to the prosecution—Mr. Smythies had a warrant against me for breaking into his office—I took Mr. Huddleston down to Aylesbury as my counsel—he came into the room and found me with the officer—he said, "Have you taken him into custody?"—he said, "Certainly not, and I do not mean to"—Mr. Huddleston said, "You had better take him"—I know Frederick Miles; I have seen him twice, I think—he is here—I have had frequent communications with Ezra Miles—I left Mr. Duncan six months ago—it was after my return from the continent last year—it must have been in Sept.—I was living in Palace-yard from Sept. to May, at Mr. Duncan's office—I continued in his office till he left the Eastern Counties—I did not continue in his service, I rented the office of him—I carried on business there exclusive of Mr. Smythies—I have that office now—I assisted Mr. Duncan up to the time he left the Eastern Counties—I have scarcely done anything with him since—I have done something for him—I have had some French business in hand.

Q. Did you offer to take Mr. Smythies as your managing clerk if he would only retire from being your partner, after you discovered this forgery? *A.* Yes; after I discovered the forgery, no—I proposed it to Mr. John Smythies who was the barrister in the cause—it was before the 15th of course, because that was my *ultimatum*—it was after the letter which I got on the Sunday morning: excuse me, but I have not given you a correct answer to that question; I offered Mr. Smythies to continue in partnership with him on one condition only, that he should instantly sign an agreement to enable me to go down to Aylesbury at any moment, and without any notice, to say, "Mr. Smythies, you are my partner no longer"—that was refused—an agreement was entered into when we first became partners, and a deed was prepared but not signed—the agreement was signed—I told Mr. Smythies, the barrister, that I should dissolve the partnership, and he said, "You can't, there is an agreement"—I did not on that say, "Then I will give him into custody"—I said I would have him struck off the rolls—I do not recollect saying, "I will make a charge of forgery against him"—I told him it was forgery—I told Mr. John Smythies I should have him struck off the rolls for that forgery—I was not at Bow-street when the case was heard before Mr. Henry—I was close by; I did not come into the Court—I know that the case was dismissed.—I believe Mr. Kirk was applied to prosecute Mr. Smythies—I never had any communication with him—I do not know whether he was applied to with my advice—I left it entirely in Mr. Humphreys' hands—I never wrote a letter to Mr. Kirk or Mr. Fluker in my life—I think it is very likely that I recommended Mr. Humphreys to apply to Mr. Kirk—I do not recollect—I employed Mr. Humphreys to

conduct the prosecution—I said that I never applied to Mr. Kirk or Mr. Fluker to prosecute; I must correct myself, I have not the slightest recollection in the world of ever having written a letter either to Mr. Fluker or Mr. Kirk, but it is possible.

MR. SERJEANT BYLES. You have said that after the letter of the 5th you offered to take him as a managing clerk? A. Yes; I did not make that offer or anything of the kind after I had had the communication from Mr. Soden through Ezra Miles: nor after I knew there was no original retainer—the latter part of the case I left entirely with Mr. Humphreys.

FREDERICK MILES. I accompanied Mr. Soden to Mr. Smythies' office in May 1847—I cannot remember that there was any document signed by Mr. Soden—Mr. Smythies asked him to become next friend to the infants—my uncle told he would do all he could for us, as far as advice and time went but he would not be liable for any costs—Mr. Smythies said he did not wish him to.

Cross-examined by MR. ROBINSON. *Q.* Do you recollect when this was? *A.* In the spring of 1847—I have been twice with my uncle to Mr. Smythies' office—I went in with him every time—the last time uncle went I believe he was there before I was—that was not in the spring of 1847—I can undertake to swear that in the spring of 1847 I stayed the whole time my uncle did—I have had conversations with my uncle about this business—he has always said he never signed any paper—I do not know that my uncle signed a paper at any of the meetings—I have said I thought it was very likely he did do such a thing, I thought he would have signed one, and I inquired of my uncle, and he said he never did—I never saw him do it.

Court. *Q.* You mean your uncle is a kind relation, and you think it likely he would sign what was wanted for you? *A.* Yes; I said I thought it was likely he might.

MR. COOKE, *with* MR. ROBINSON, *contended that the charge of tittering with intent to defraud, was not made out, no fraud having been perpetrated in consequence of the uttering, Mr. Soden having already given a verbal consent to act as next friend, (see The Queen v. Bolt, 2 Car. and Kir., p. 604); and that as to the forgery, there was no proof that it was committed within the jurisdiction of this Court, or that the defendant was in custody within the jurisdiction, he not having surrendered until the moment of trial, which would not satisfy the terms of the Act of Parliament. MR. SERJEANT BYLES submitted that the surrender of the prisoner to take his trial would be a sufficient custody to give the Court jurisdiction. The COURT was of opinion that there was evidence for the Jury both of forging and uttering with intent to defraud; but the question of jurisdiction should be reserved.*

The JURY found the following special verdict: "GUILTY of uttering the forged document with intent to defraud; and GUILTY of the forgery with intent to defraud, but we find no proof of the forgery being committed within the jurisdiction of this Court."—To enter into his own recognizance in 100l., and find one surety in 50l., to appear and receive Judgment when called upon.

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Contents.

Improving Signs of the Times.

THE last ten years have, in many respects, been times of deep discouragement to the Friends of Peace. Dark clouds of war have brooded over many parts of the world; and this country, as usual, has taken an active and foremost part in letting loose the dogs of war, to scourge and ravage the earth. In Russia, in India, in China, in Japan, and now, we fear, again, in Caffraria, Great Britain has plunged into the murderous strife of war, and made its desolations to abound amongst mankind. The great civil war in America has reflected only too truly the sin and shame which have for ages been the characteristic disgrace of Christendom in the Old World. Prussia and Austria, like two great millitary bullies, have dyed their swords with the blood of dogged little Denmark; and France has been made to endure the ignominy of playing the part of military jackal for another empire in Mexico. Partly as the cause, partly as the consequence of all this fighting, there has been a demoralization of the popular taste and popular conscience, to an extent hardly ever witnessed before. One of

the most disheartening signs of the times was the too ready and general subservience of the press to the unchristian and passionate temper and spirit of the age. Journalists, with a few honourable exceptions, were only too ready to curry popular favour by pandering to the war-like inebriation of the hour. They followed when they

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SIMPKIN, MARSHALL. & Co., and KENT & Co.

ought to have led, and through following, became leaders in the general march to mischief. The *Times*, indeed, had the audacity to claim special credit and honour as the chief instigator and principal bulwark of the Russian war. No doubt the brilliant writing of that journal, in describing the achievements of that war, and its passionate appeals to the English nation to prosecute it with vigour and efficiency, did much to blind the people to the immoralities of such a conflict, and to reconcile them to its enormous sacrifices and sufferings. If, however, the energy and endurance of the British people throughout that short but disastrous war, are to be accepted as proofs of the power and influence of the *Times* newspaper, in this country, the hellish passions of which the war was so prolific must be accepted also as a proof of the infamy of a journal which for four years traded so profitably upon the calamities and crimes of its dupes. So long as the evil counsels of unscrupulous journals prevailed, little was to be hoped for in the interests of permanent and universal peace. The efforts of the Peace Society to make Christianity the basis of popular patriotism being scouted and derided, men were taught to believe that he only was worthy the name of an Englishman who was ready to draw the sword at every provocation, and to insist upon England's right to dominate and dogmatise in every quarter of the globe.

The spirits and hopes of the Peace party were, not unnaturally, depressed when they saw the extent to which counsels such as these prevailed, and observed the readiness and credulity with which they were received and carried out by the people. It is, however, only just to acknowledge (and the duty is as gratifying as it is just,) that a great change for the better begins to characterise the tone of a few at least of the most popular organs of the London Daily Press. We quote, with special satisfaction, the following extract from a recent leading article in the *Daily Telegraph* newspaper, which is written in a tone so healthful and magnanimous, that we cannot but hail it as a good sign of the times in which we live, and as a foretaste and hope of still better and stronger things, in the interests of peace, yet to come from the same source. The *Daily Telegraph* says:—"Formerly when we had always some quarrel to pick, or to settle, or to fight about, that man was the Minister after the nation's heart who was conceived to be the sturdiest guardian of its honour. What government had he humbled, either in diplomacy or war? What intrigues had he baffled? What campaigns had he brought to a successful issue? Such were the questions by which we estimated the position of a Walpole or a Pitt. Now, however, we have come to believe that a restless, meddling policy is as unworthy of a great nation as of a private individual; that a statesman has no need to roam about the world giving advice or distributing blows; and that the best thing he can do is to stay at home. There he will find plenty of things waiting to be set right, and if possessed with the spirit of his age, he will value the verdict of the future, that "he wrought the people lasting good," more than the semi-barbaric plaudits that greet the man who can point to his handiwork in triumphant" battle-fields and captured cities.

When newspapers write thus, people may hope that "the beginning of the end" of war is come. True, "one swallow does not make a summer," and one wise sentence in a newspaper does not establish peace on earth and good will amongst men. Nevertheless, we give joyous welcome to the first swallow, accepting him as the forerunner of the host who are to follow. So one such utterance as that of the *Daily Telegraph* should have a glad sound in the people's ears, since it strikes a new key-note, the echoes of which shall be caught, not alone from that one vibration, but from the ten thousand chords that shall be struck in unison with the note of this bold musician, who lays his hand upon and stills the harsh discords, harped by the spirit of War, and seeks to prepare the people for a happier minstrelsy, and a more triumphant song.

The *Daily Telegraph* must have been conscious of a certain change in the currents of popular taste and sympathy, or it would not have ventured to pronounce so decisively against a line of policy, which, at one time, was so remarkably characteristic of the English Nation. We need not travel so far back as the age of "a Walpole or a Pitt" to find a Minister whose foreign policy might be quoted as an exact illustration of that so emphatically condemned by the *Telegraph*. A Minister might be found much nearer our own times, who has been "a minister after the people's heart," because he has been so ready, through an unusually long political life, to "roam about the world, giving advice and distributing blows," and who now, in old age, thinks it necessary to put his countrymen to enormous expense, to guard their shores with fortifications, for which there is no other plausible pretence of necessity than that very policy of restless mischief-making which has been the parent of its own fears and suspicions; and which leaves its author in old age without the comforting recollection that, as a popular minister, "he has wrought the people's lasting good," but on the contrary, that he will leave them burdened with the most enormous military and naval expenditure ever known in time of peace. The new Parliament should hasten to take advantage of the improving spirit of the age, to abate the nuisance of these

prodigious standing armaments, for which no excuse can be offered by a nation which has, happily, no quarrel to pick, to settle, or to fight about, and will have little prospect of any such so soon as she ceases to put confidence in any minister whose chief qualification for office may be his reckless disposition to offer advice to other nations or to distribute blows.

E. F.

The War Spirit at Sea.

It has been a favourite dogma in England from very early times that Great Britain must rule the Sea. Our claim to have a right to do this has been as sturdily disputed by other nations, and much blood has been needlessly and wickedly shed over this vexed question of the Sovereignty of the Seas; but at length Englishmen are beginning to see through the folly and mischief of this haughty and arrogant assumption of a right, which has no other basis than the right of the strongest, and as a practical result, has done little more than foster exaggerated notions of national self-importance, and the display of an insolent and over-hearing deportment towards other nations upon the High Seas, which has made England many enemies and no friends. The lengths to which the British Naval Commanders have been led at some periods by the bullying spirit engendered of this absurd assumption of constitutional authority at sea, can hardly be credited now-a-days, yet there is good evidence to show that fierce and bloody battles at sea have been provoked by British Admirals, in order to compel a rival naval commander to salute their flag, as a tribute of respect to this assumed sovereignty of the Sea. We read that "In 1652 two fierce actions were fought on this very score. On the 14th of May, commodore Young fell in with a Dutch Convoy, escorted by three ships of war, from whom he demanded the usual honours to be paid to the English Flag. The Dutch commander positively refused to comply, giving as a reason that he had express orders from the States' General not to pay those honours which the English exacted from their ships in the Channel. Commodore Young on this refusal fired into the Dutch and brought on a smart action, but at length the Dutch ships struck, and after paying the compliment, were allowed to proceed on their voyage. Only four days later Blake himself and Van Tromp had a far more serious encounter on the very same score. Van Tromp and his fleet stood towards the Downs, off which Blake was lying with fifteen men-of-war, and paid no respect whatever to the English Flag. Blake instantly fired from his own ship three unshotted guns at the Dutch, as a reminder of their want of respect. Van Tromp retorted with a broadside, and a most furious engagement ensued, which lasted from four till nearly nine at night. One of the Dutch ships was captured and another sunk." We have no record of the number of lives lost in this foolish and wicked attempt to maintain a most unjust and unwarrantable stretch of arbitrary power. Is it by such acts as these that a nation is truly exalted? Such excesses would no longer be sustained by popular approval in this country. Let us hope that the time will come when all acts of war will be equally condemned by the good sense and Christian feeling of our countrymen.

E. F.

Spirit of Power.

If there is any influence from a potent malignant being, which has pervaded this earth, and infatuated its mightiest as its humblest minds, which has prompted more than any other impulse, its tyrannies and its crimes, and inflicted more than any other cause, the abounding sorrows and privations of human life, it is the spirit of coercive power: this spirit is ingrained in every human bosom, from the lisping infant to the hoary-headed to termite to the tomb. We speak not of power assumed, with a sincere purpose to confer some benefit, or procure some comfort to others: but the gratification of a passion for a capricious and useless rule. We see this propensity in the hasty quarrels of children, and of families; in the ambitious desire for political or religious office, even when not compensated; in the passionate attachment to the selfish and unprofitable practice of slavery; in the stern opposition to any diminution of authority once acquired or assumed; but it is nowhere so strong or so mischievous, as in the affairs of nations. History, in its records of innumerable wars, tyrannies, and cruelties, can scarcely show one, which, has not proceeded from the desire of sovereigns to extend their dominions, to settle some disputed title to their thrones, or to crush all opposition to their despotic sway; and in all the slaughters, losses and cruelties in these transactions, there is scarcely seen a pretence, or but a pretence, that interest, protection or improvements required them: it was mostly a domineering impassioned exercise of power.

That despots in power should be anxious to strengthen and increase it, is conformable to the natural sentiments of the human mind; but that their ambition should be participated in, and sustained by their subjects and people at large, is wonderful; especially when it is fully felt and acknowledged, that they do not share in the

increase of power, acquired by the sovereign through their efforts; but are often, as much oppressed by his victories, as those over whom they are obtained: identifying themselves with the dominion to which they nominally belong, they are blind to the loss of liberty they have sustained, by the subjugation of others. It is true, that in most cases, when these usurpations or aggressions are made to increase or strengthen power, the pretence is, that this aggression is demanded by safety, self-defence, or prevention of anarchy; and such is the delusion generated by this strife for power, that the belief of such necessity is generally sincere; and many noble minds are induced to give their enthusiastic aid to their chief, in view of such supposed necessity, who would shrink from such an action if they perceived the unrighteous ambition by which he was really impelled.

That the alleged causes of martial and political encroachments, are not often real, but mere delusions, is proved by the fact, that they are commonly seen to be so by those who are unconcerned and impartial: every large nation coercing smaller nations into allegiance with it, fully believing itself to be right, while it is believed to be wrong by all others. Thus the Emperor of Russia, (and probably his people,) believed he had a full right to subjugate Poland to his dominion, while the people of all other countries considered him to be in the wrong; thus the Emperor of Austria does not hesitate to assert his right to govern Hungary, without its consent, in disregard of the reproaches of the people of Europe and America. There are no people who so uniformly and so strongly sympathise with nationalities, subjugated by others, as those of Britain, and who, until lately, were more ready to interfere by war for their protection and independence; and yet no nation has been more culpable in encroachments upon other realms. Ireland, Canada, India, and Burmah, have been successively and unwillingly brought under its dominion; and wars, on the slightest pretences, have added islands, fortresses, and parts of realms to its empire.

But the most astonishing example the world ever saw of this infatuation of judgment, produced by the excitement of war, on a whole people, has been exhibited by the United States of America, in their recent civil war. Here is a nation which originated in the secession of a portion of an empire; which resolutely denied the right of a larger portion to hold them in unwilling subjection, and insisted on the right of independence of every organised community, and which annually celebrates, with almost idolatrous veneration, the efforts by which their own independence was achieved; forgetting the sympathy ever shown by them for Poland, Hungary, and Ireland, the interest even now felt for the cause of invaded Mexico; and yet, with almost unanimous impulse, wishing by the bloodiest war to extinguish every spark of independence in a large portion of their own confederacy; a portion which had never consented to a full allegiance to it. The passion for power, even Republican rulers, could not brook the least diminution of it, though justified by the more impartial world.

Vain is the reliance on the practice of suffrage, or any republican forms, for the security of private rights against governmental encroachment, while such ample powers are granted to supreme rulers, under a fancied necessity. The supporters of a strong government, whether by arms or votes, in the chimerical fear of an impossible anarchy, and under the impulse of the pride of power, are everywhere fastening chains upon themselves.

J. P. B.

Boston, U. S.

Armed Defence, or the pleasure and profit of coming to Blows.

It was discovered on Sunday last that, during the previous night, the vinery of H. Lisle, Esq., in Bailiffgate, Alnwick, had been entered and robbed by some persons unknown. The police authorities were informed of the circumstance, and, accordingly, on Monday night, Police-sergeant Stuart and Police-constable Stevens went to the place to make observations as to the manner in which it would most readily be entered by depredators, intending also to make some stay, as it was considered not improbable that the thieves might return. It was about eleven o'clock; there was as yet no moonlight; and the shadow of the surrounding trees added to the darkness which prevailed. The policemen stationed themselves about fifteen yards apart, and had not waited long when they heard the footsteps of two men ascending the steps that led from the lower garden. The man who was in advance struck Stevens a blow on the arm with a heavy stick; the second man, who was also provided with a stick, followed up the attack by knocking him down with a stroke on the head. The policeman, thus taken at a disadvantage, struggled gallantly with his assailant. He caught hold of the second man's stick, and the two rolled over each other, each striving to get possession of it. Sergeant Stuart at the same time came

up and closed with the other man. The struggle in this case was equally desperate. Stuart was severely injured; he received three scalp wounds, besides several contusions on other parts of his body. he would, in all probability, have received even worse injuries had not Stevens, who had at length wrested the stick from his antagonist, and effectually disabled him with a tremendous blow on the head, come to his superior's assistance. And now at length Stuart recognised in his antagonist no midnight thief, but Mr. Lisle's head-gardener, who in turn discovered that the unknown individual whom under a mistaken impression he had so fiercely assulted was one familiarly known to him; nor could they have failed to recognise each other but for the darkness of the night. The other man proved to be an assistant of the gardener's. They had been watching, like the police, for the re-appearance of the nocturnal plunderers, and thus the mistake of the two parties of watchers had been mutual. The wounds of the police-sergeant and the gardiner's assistant are unfortunately most severe.
—*Northern Express*.

Peace Lectures.

Mr. Edmund Fry has been actively engaged during the past month in the advocacy of Peace in the counties of Devonshire and Cornwall. Meetings of a highly satisfactory character were held at Plymouth, Devonport, Falmouth, Truro, St. Austell, Liskeard, Tavistock, Exeter, and addresses were delivered by Mr. Fry at several of the smaller towns and villages; including St. Germans, Cawsand, Penryn, Flushing, Mylor, Budock, &c. At some of these latter places the Meetings were advertised to be held in the open air, but the weather setting in wet, advantage was taken of the kind offer of the Primitive Methodists to grant the use of their chapels, and the Meetings thus held were of an exceedingly encouraging character. It is evident from the experiment thus tried that Peace Meetings may be held with great success in many of the smaller towns and even in country villages, and it seems very desirable that in the future operations of the friends of Peace the claims of the rural population should not be overlooked. Very intelligent audiences are to be gathered in places rarely visited by the public advocates of progressive movements, and the people are very open to the reception of the truth on the great question of Peace and Human Brotherhood.

The Right Time to Work for Peace.

On the question of Peace, the community seem strangely to lack their usual fairness and good sense. We remember, as quite in point, a story of William Ladd, the founder of our Society. On one of his journeys, he reached the house of a friend, and found it uncovered in the midst of a drenching rain. 'Why, my good friend,' exclaimed the man of peace, 'why don't you shingle your house?' 'What!' retorted his easy, improvident friend, 'shingle it in such a storm as this! Wait till the weather is fair.' So he did; but Mr. Ladd, on his return one sunny day, found the house of his good-natured, slip-shod friend, still in the same condition. 'Well, my friend, I see you've not shingled your house yet. What does all this mean?' 'Oh!' said he, 'there's no need of it in such fine weather as this.' So in sunshine he would not, and in storm he could not, shingle his house.

Precisely thus fares the cause of Peace. Press its claims at the near approach of war, or during its progress; and you are confronted with the plea, 'it is out of place now; wait till peace returns.' At length peace does return; and how are you met then? Do even good Christian men, followers of the Prince of Peace, respond promptly, spontaneously to the claims of this cause, and set themselves about its great work in earnest? No; they sing the old lullaby, 'in such a time of profound peace, there surely can be no need of labour in this cause. Wait till we see some occasion for it in the approach of actual war. Everybody is for peace now, as much so as you are yourself; and no argument or influence can make them more so. Why waste effort where it is so unnecessary?'—*Advocate of Peace*.

Bond of Brotherhood October, 1865.

The Side-Working of Great Principles in Pulling down Great Wrongs.

The great principles that are so "mighty through God to the pulling down of the strong-holds of Satan,"

have a wonderful side-working power. In this they show their divine origin and resource. They not only level, they lift, and do both at once. They are constructive as well as destructive. They never make a clean sweep of moral evils, before they begin to rear the fair-proportioned structures of moral good. When a great wrong, centuries old and seemingly as strong as the whole world's will, is to be carried by storm and demolished, nothing but the eternal and unchangeable will avail against it. The ledger of commerce, the text-books of political economy, the axioms and doctrines of expediency with their sliding and shifting scales of action, furnish no weapons that can pierce the adamant. They break against it like spears of straw. They are powerful enough when arrayed against the mole-hills of small temporary evils, such as a wrong financial economy, or a bad industrial system, or acts of impolitic legislation. But when a great fabric of iniquity, that has stood the beatings of public opinion for a century or more, has to be assailed, men have to wheel the Bible into action, and point its eternal truths at the enemy's fortress. It becomes the text-books of the press and platform. The discussion is forthwith lifted far above the low level of small and shifting considerations. The community is lifted with it to a higher altitude of thought and sentiment, and thus prepared for a higher aim and end of public life and political action. Nothing will put the side-working of these great moral principles in clearer light than the result of the Anti-Slavery Agitation in America.

For the first quarter of a century of our national being and standing, we had nothing but expediency questions as subjects of public discussion and legislative action. The eternally, universally and unchangeably right and the eternally, universally and unchangeably wrong in all this interval were seldom if ever brought face to face. First came the long and exciting struggle between the Democrats and Federalists as to the amount of power the central government at Washington should possess. This discussion lasted for many years, and party spirit ran very high. We can well remember the time when the *Democrat* ranked but a little above the downright infidel in the estimation of many good people because he stood up for "State rights," and opposed the consolidation of the American Republic after the French system. There was no room on the arena of this conflict for any high moral arguments. The lids of the Bible were not once opened on the platform by the combatants. The lower text-books of expediency supplied the *pros* and *cons* with all the logic they needed.

Then followed a series of kindred questions, which stirred up great discussion and excitement each in its turn. There was the *Protective Tariff*, *Internal Improvements*, National Bank, Sub-Treasury, &c. The two great political parties of the country grappled for power over these questions. Their orators and writers waxed eloquent over them, and brought out things new and old from the treasury of rhetoric in support of their theories. But absolute right and absolute wrong had nothing to do with the discussion. The great battle of Armageddon, in which these two eternal antagonisms were to grapple with each other in decisive conflict, had not yet been opened even with a skirmish.

In the midst of the din and dust of these merely political excitements a flash of lightning broke in upon Tariff, Bank and Sub-Treasury, and showed their innate littleness in comparison with other questions that had been kept in the background and silenced. "Man cannot hold property in man!" Is not the negro a man and a brother? How do you make that out; you levelling fanatic? fiercely retorted the slaveholder and all who countenanced his crime. It is not in any text-book of political economy; it is not sanctioned nor suggested by custom, nor by the general conscience of mankind. Some of the best of men have been slave-traders and slave-holders. Don't talk to us about a universal conscience, or a universal sentiment of humanity against the system. Both have been in favour of it for two centuries. Bring us higher authority. They did. For the first time in our national life, the Bible was brought upon the political platform; and its eternal principles of right were brought to bear against the great Wrong. All the mall books of worldly wisdom closed their lips while the great authority spake to the people. The questions that had made the country rock and tremble with emotion, now hardly dared to peep or mutter in presence of this ever-expanding moral agitation. The inalienable and inherent rights of man as a being; his place and value in creation; the worth of the soul that is in him, and the precious possibilities of his immortality; the cost of his redemption and salvation—all these considerations were brought into full play in the argument against slavery. Then arose a struggle of desperate determination between the assailants and defenders of the Wrong over the Bible itself. A forlorn hope of the latter endeavoured to carry the Great Book by a *coup de main*, and turn its authority against the friends of the negro. Theological writers and teachers deeply schooled in metaphysical logic entered upon the work with their keenest acumen. They hunted up and down from Genesis to Revelation, and compiled a new gospel for the slave-holder. All this while the agitation was arising and lifting the nation from one moral level to another. The old *Tariff* and Bank orators could not get a hearing; questions of temporary expediency, or mere political economy, which once ruled supreme in and out of Congress, now fell in the background and were seldom mentioned. Right or Wrong; Slavery or Freedom. Those were the watchwords that shook the land with their utterance.

Now, when, at the end and as the issue of such a moral agitation, a great Wrong comes to the ground, that overthrow is so complete and so glorious that the world is apt to lose sight of other results embraced in the victory. The direct consummation is enough to reward a thousand-fold all the efforts put forth to realise it.

Certainly this is true. But it is equally true that the moral forces brought into action against a great wrong do not evaporate nor sink into the ground when their special work is accomplished. Nor is their whole motive power concentrated upon that work before it is finished. No; far from it. The single bolt that rends the oak does not absorb into itself all the electric currents that are abroad in the heavens from the same cloud. These are clearing the air of impure vapors, and making it bright and healthy, while the thunder hurls its red javelin at the gnarled trunk, or at the jutting crag. No one can ever measure the side-working in Great Britain of the principles and arguments and sentiments put forth among the people against slavery in the West Indies. Many of the sharp-bitted satirists and caricaturists of the day tried to make a mockery of the familiar image of the kneeling African raising his fettered hands and asking, "Am I not a man and a brother?" But a thousand Carlyles could not laugh, or write out that image and that sentiment from the mind of the masses. They live and breathe in the heart of the nation more vitally than before the slave was unfettered from his bondage. The image and the sentiment have taken a wider expansion and application. For nearly a quarter of a century, it was the black man that asked on his knees, "Am I not a man and a brother?" When he was raised from the ground by such moral effort and association as the world had never seen before, those who lifted him to his feet saw other images kneeling by the wayside, in the low pent courts of crowded cities,—the forms of hungry, haggard men and women and inuring children, with their blue lips moving with the same question. Then commenced in earnest the efforts to elevate these depressed classes of the people. What was the Temperance Movement in Great Britain before the majority of the people had recognised a man and a brother in the enslaved African? It would be safe to say that nearly all the philanthropic movements set on foot in England for the rescue and salvation of these home victims of vice, ignorance and poverty have grown out of the doctrine and sentiment of human brotherhood so long preached in behalf of the negro. They emanate from the side-working of the moral principles arrayed against a great wrong.

Now, then, here is another aspect of the Mission of Great Wrongs. In the first place, they do not go out or come down "except by prayer and fasting." As in ancient warfare, a lofty embattled tower could only be taken by raising against its walls a counter tower of equal height, on which the assailants might fight their foes on the same level, so in pulling down one of the strongholds of Satan, the people have to raise themselves, by prayer and fasting and other exercises of an enlightened conscience and faith, to a higher moral level, whence their weapons become mighty and irresistible. Nor is this a temporary elevation. It is no shaky scaffolding of hay, wood and stubble. It becomes to them a broad and solid standing, from which they may demolish other wrongs of the same stature, with the very arms that broke down the first. This is one of the most beneficent arrangements of Divine Providence, "that where sin abounds grace shall much more abound" that the moral forces brought to bear against a great wrong shall live on forever after it has come to the ground; that they shall work on, outward and upward, generating or strengthening new organisations of philanthropy. Thus the destruction of a great Wrong becomes the greatest work of *construction* that can be wrought in society. You can see the side-working of these principles, or their collateral results, in the political opinion and legislative action of the country. The standard of both is raised to a higher moral level, on several important questions, once thought belonging only to lower grounds of consideration. Now you hear more about *right* than *expediency*. We would touch lightly upon political matters; but they illustrate also the points we are endeavouring to develop. The politician and the aspirant to a seat in Parliament sees an image by the road-side on his way to the hustings. It has the form and face of a countryman, yet it suggests some resemblance to the kneeling negro, uttering the same old question which half the world pretends to be tired of. It is "a man and a brother" who asks for the right to vote for him or for some one else of equal virtue and intelligence. He is embarrassed. He finds himself face to face with the right and the wrong. There is no discharge for him from that condition. The low ground of expediency is cut away from under his feet. Is the possession of a vote the *right* of a man who has been excluded from it? The *right* is the question to be discussed and decided. Gradually the most distinguished leaders in and out of Parliament arise to the height of this great argument. Gradually the national legislature arises to a higher level of opinion and action. They and their laws are lifted up to a new standing by the side-working of the principles we have noticed.

We have merely glanced at the Mission of Great Wrongs, presenting only a few aspects of the subject. We hope, however, we have suggested more thoughts than we have expressed; and that those who have read our successive articles, will be induced to pursue the train of reflection Ave have indicated.

E. B.

On Whom the Evils of War Fall.

"But alas!
That undistinguishing and dreadful storm
Beats heaviest on th' exposed innocent,
And they that stir its fury, while it raves,
Stand at safe distance, send their mandates forth
Unto the mortal ministers that wait
To do their bidding. Oh! who then regards
The widow's tear, the friendless orphan's cry,
And Famine, and the ghastly train of woes
That follow at the dogged heels of WAR?
They, in the pomp and pride of victory
Rejoicing, o'er the desolated earth,
As at an altar wet with human blood,
And flaming with the fires of cities burnt,
Sing their mad hymns of triumph—hymns to God,—
O'er the destruction of his precious works!
Hymns to the Father, o'er his slaughtered sons!"

—CROWE.

Thoughts of Connor O'Keefe.

Well, Misther Edditur darlin, here I am once more—You see, sir, bein of a mighty bashful nature, I got ashamed entirely throublin you so often with my views and sintamints. But I declare, sir, I'm not myself at all whin I dont write to you—and there's nothin in the wide world ayqual to a frend that'll undherstand a body's notions of things.—Tis a thousand pities, sir, that my nibors isn't takin more to my opinions; bekase they'd be better and happier if they did; and bekase they're rattlin rhymers, and there's nothing ayqual to versificayshon for making a thayme popular. Sure, sir, if we had only a Tom Moore to sing us songs of pace, the cannons *should* be silent, for nobody would be cheated out of sich melodies. But what am I talkin of! Where could we find another Tom Moore? Why, sir, you might walk from Tralee to Teheran, and not meet his ayquals as a Lyric! Whin I think of "Nora Creina," and "Dear harp of my country," and "The meeting of the waters," I declare my eyes get dim; knowing well that there's few now can sing thim with proper pathos, let alone compose the likes. As I tould you in a former letther, we used to have poets in ould Clare; but they're nearly all dead and gone—and 'tis myself that's lamintin that some bard didn't leave me his mantle, and give me the power of improvin and delightin my cotimporaries. There isn't the layste doubt, sir, but I'd excel in parodies!—thats where my forte would lie. And if I only had the gaynius now, tis myself that'd give a new version of "The meeting of the waters." You see, sir, I'd make it "The meeting *on* the waters,"—and maybe I wouldn't celebrate the raycent Pace meetin between Misther Bull and the Munseers. I declare to my heart, sir, that it tuk my fancy so much, I was on the point of writin you a long letther on the subject, only, as I mintioned above, my native bashfulness hindered me.

Sure, 'twas an illegant sight entirely to see thim two fleets come out there, and, with the eyes of the whole world fixed on thim, salute ayche other as friends and fellows! What betther could we desire, sir? Tisn't all at once that wrong things can come right; and tis cheerin enough for uz that we can talk of a Pace movement instead of a Pace stagnayshon. And I declare I dont think in the range of the present century, you could find a happier event than the "Meeting *on* the waters!" Sure, we all know well, that if Nelson and other grate men of his time could foresee a thing so contrary to their noshuns of dignity, and so unlikely; they'd ayther die of grief or give up fighting. "England expects that every man will do his duty!" ses the dyin hayro, jist sixty years ago. Well, sir, you see, at last every man is beginning to do his duty, and to cast aside his mane, unworthy suspicions, and to accept the friendship that's offered to him.

France says, *Thurrum a lawe!* well, poor Misther Bull puts out his hand, but it is unwillingly and doubtingly; still he *does* put out his hand, and that's a grate dale. As I said before, things can't come right all at once, and soon Misther John will bid farewell to his mistrust; and he'll grip his nibor's hand and give it the hearty squeeze of friendship!

Faix, I'm tould, sir, that the "Meetin on the waters" didn't end in mere bowin and scrapin, and showing off their bunting; but there was to finish all, such a dinner given to the English blue jackets, that you'd think it was

a wedding or a christening—such lashens and lavins of everything good. And Frinch and English seemed bent upon outdoing aych other in politeness. Mr. Bull declared and protested that there was nothing in the world he was so fond of as frog pie, and the munseers couldn't relish anything but roast beef. And thin, whin the wine and punch cum on the table every mother's son of thim got on his legs. The Frinch praising the English, and the English praising the Frinch; and Misther Bull parlayvooving, and the munseers murdherin the king's English! And they both palaverin aych other, till you'd think this terrestrial ball was split down the middle and divided between thim! Firin away wit and crackin jokes was the latest engagement between Frinch and English—and its very certain that if ayther Tom Moore or Peter Beeranger had left behind thim one good hearty song of Pace, the two frends would have sung it in chorus till the very walls resounded!

Of coorse, sir, you had the best means of gettin news from forren parts; and maybe what I'm telling you is all secondhand, maybe you heard before. But as I give it on authority, and as it cum from *head* quarters, it can do no harm to relayte it. A good story bears to be told twice—and, moreover, tis a fine subject to dwell on, I considher it one of the grandest events of modhern times. And every Pace man ought to think the same.—Let the snarling cynics hould their tongue! 'Tis no thayme for wit to disparage the merits of the pace banquet—let us be thankful that the world has seen ould foes meet, to honour aych other, and to quinch out the dying embers of distrust and suspicion, by that "Meetin on the waters." In the words of Erin's Bard, let us say—

So firmly fond,
May last the bond,
They wore that day together:
And ne'er may fall
One drop of gall,
On wit's celestial feather!

With increasing attachment to the cause of Pace—and increasin admirayshon for its promoters, I remain,
Sir,

Your obedient Servant,

CONNOR O'KEEFE.

The Electric Bond.

By sea or land, or both, it must and will come. The wire via Behring's Straits has already penetrated 400 miles into the Russian territory in North America. It will work its way through the snow and ice of that cold region, until it joins at Sans Francisco the wire that connects that city with New York

The Freedmen.

There is one department of the work of re-construction in the United States, that all must approve. That is, the education of the freed negroes to take their place on a good level in society. There is a quiet, unostentatious heroism in the faith, hope and patience and personal privation of hundreds of earnest men and women from the North who are teaching the "emancipados" in the southern towns and villages. There must be many thousands of them who have been taught to read and write during the last year. The young coloured children learn with eagerness and rapidity in many cases. "The Pensylvania Freed-men's Bulletin" is devoted entirely to the movement, and it is filled with most interesting facts and incidents indicating its progress. Each number contains letters from teachers scattered throughout the South, giving their experiences in the work. One young lady writes that a negro boy in her school, only eleven years of age, learned to read, write, and even cypher a little with forty days' teaching.

The blacks have established a weekly paper at Nashville, called the "Coloured Tennessean," and are advocating their rights in it with no little ability. Nothing will so smooth the way for their entrance into society as citizens, as these efforts in self-elevation.

A graduate of one of the best colleges in New England, who had taught the classics in grammar schools, is giving himself to the work of teaching the alphabet to a number of little coloured children in a Southern town. The men who once made it a penal offence to instruct a negro, look and shake their heads at this work, but it

goes on steadily in spite of all opposition and ridicule.

Jane Taylor's *Physiology* is one of the text-books of the freed negro. How little did the authoress contemplate that her work would get into such hands!

There are now about fifty Freedmen's Aid Associations in Great Britain, all working for the help of the millions of emancipated negroes in the United States; collecting clothing, books, &c., and sending large quantities of useful materials for distribution among these poor people. The aid thus forwarded will make thousands of the hungry, half-naked creatures sing for joy.

Counting the Cost.

The following facts are taken from an American journal. What a pity it is that timely heed is not given to such warnings—furnished ever by war—before the sword is drawn, and the wager of battle appealed to.

To moralise after such a fashion at the close of a war, instead of at its commencement, or rather before it has begun, is a good deal like "locking the stable door after the horse has been stolen."

Financial Facts and Views.

WHAT THIS WAR IS. LIKELY TO COST.—It is quite impossible to foresee; but here are some indices of the result:—

The appropriations of the late special Congress were—

Solely for war purposes nearly \$260,000,000, and only \$535,400 for other purposes; or one dollar for civil purposes, to more than five hundred for war operations! There were voted at a dash \$500,000,000, and authority to raise one million troops, with the assurance of men best informed on the subject, that the support of only half this number would cost not less than a million dollars a day. The Secretary of the Treasury admitted, that such were likely to be our expenses; and the man chiefly charged in Congress with providing funds for the government, frankly said we were then expending one million and a quarter a day.

Now, let us calculate the result to the whole country. The rebels must spend about as much as ourselves; and, if so, this would make the amount of direct expenses nearly a thousand millions a year. Add to this one million of able-bodied men withdrawn from the productive labor, at only half a dollar a day, (\$5175,000,000,) and not less than thrice as much more lost by the suspension or derangement of business, (\$5525,000,000,) and we have a grand total of some \$1,700,000,000 a year. Reduce this one half, and how vast an amount to waste on rebellion! How long before such a drain would exhaust us, ere such a war-policy would ruin us!

IN HOW MANY WAYS REBELLION TAXES US.—There is the tax on tea, coffee, and sugar, the common, if not necessary articles of life, to the tune of many millions a year, with a direct tax of \$20,000,000 more. There is scarce a farmer, mechanic, or common day laborer in all the land that does not now feel, and will not long feel, the effects on his income. Some articles have fallen one half in value, and the sum total of loss in this way through the land must be immense. The tax of three per cent, on all incomes above \$800 per annum. In a thousand ways will this rebellion come home to us all. Well does one of our editors say, "if we *will* have wars, we must pay for them; and this war, when ended, will give us all something to chew upon for life-time."

LOSS FROM SOUTHERN DEBTS.—The war is made an excuse for not paying this; and the total amount due from the Seceded States to Northern merchants and capitalists, is supposed to be more than *Two hundred millions*. They gave generous credits, trusting almost everybody that came from the Land of Cotton; and their reward is to be stript of large fortunes, and perhaps sent adrift in the decline of life, bankrupts, with hardly a chance of recuperation.

HOW MUCH THE WHOLE LOSS.—None can yet tell, but probably more in the end than the market value of every slave in the land; and better for us, if we could, to have purchased escape from the evils now upon us by paying fully for all the four millions now in the South.

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Bond of Brotherhood bookplate

Contents.

The things which make for Peace.

SINCE the advice has been graciously vouchsafed to us to "follow after the things which make for peace," we may well feel encouraged to work on as Peacemakers, let the world laugh and sneer as it will. What matters the thoughtless banter of the crowd? It is easy to bear the ready laugh wherewith they ridicule the members of the Peace Society as dreamers and fanatics. The assurance that "Blessed are the Peacemakers" is quite sufficient to turn the edge of a keener weapon than any that has yet been employed against us. The blessing of Heaven, promised to the Peacemakers, will surely compensate for the bitterest contempt of man. Aye, but "who are the peacemakers?" That is the question! for we must not forget that our opponents, many of them profess to be as ardent Peacemakers as the members of the Peace Society, and some of them, no doubt, are entitled to as much credit for sincerity in their convictions as the most conscientious of the Peace Party; but the honesty of a man's opinions is no criterion of the soundness of his judgment. He may be quite sincere in his desire to do right, and at the same time actively successful in doing mischief. This we believe to be the position of many who have pinned their faith upon the foolish old proverb that "the best way to preserve peace is to be well prepared for war." It would be unfair and ungenerous to assume that they did not conscientiously believe that they were following

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[unclear: Simryin] Marshall & Co., and Kent & Co.

after the things that make for peace, when they approved and promoted a restless activity in increasing the armed defences of the country. Yet it by no means follows that the reckless expenditure of millions upon the building of iron-clad war ships, the manufacture of Armstrong Guns and Minie Rifles, the construction of Coast Fortifications, and the enrolment of Volunteer Rifle Corps, have really added a single guarantee for the security of Peace. It would not be difficult to show that England has never had a greater number of costly and bloody wars upon her hands than during the last twenty-five years, during which she has made such restless efforts, and spent such unparalleled sums of money, in order to be well prepared for war. Every quarter of the globe bears sanguinary witness to the fact that the preservation of peace has borne no proportion whatever to the magnitude of England's preparations for war.

With the bitter experience and sorrowful memories of the Crimea, of India, of China, of Japan, of New Zealand, and of Caffraria, to rebuke them, Englishmen may well ask themselves the very pertinent question,

"shall the sword devour for ever?" following up that question with another equally to the point, "are there not other and better things, the following of which will be far more likely to make for peace—permanent and universal peace—than the musty traditions of the War Office, or the new fangled nostrums of the Navy Board? "All war is a barbarism and a crime," we were told lately by one London daily paper; yet there are many who seem to have persuaded themselves, and would fain persuade all men, that in raising the military ardour of young men, and in furnishing the nation with a gigantic supply of all the materiel of war, regardless of expense, they are most effectually carrying out the Divine injunction to "follow after the things which make for peace."

We put it to any candid opponent of the Peace Society to contrast Richard Cobden's recent Commercial Treaty with France, with the most successful efforts of Sir William Armstrong's genius for slaughter, and say which of the two he regards as the thing most likely to make for peace.

If France has really been *compelled* to keep the peace with England of late years, it is quite clear that the compulsion has come far more from the interests of British Commerce than from the terror of British cannon; indeed it has been somewhat amusing recently to meet a rather startling illustration of the effects really produced upon the French mind by all the terrible displays we have been making within the last few years, of our cannon-power, wherewith to terrorize and coerce the world into good behaviour. And the source from which this illustration comes is not a little remarkable. Every one must remember a certain letter from no less a personage than Prince de Joinville,—at that time an Admiral of the French Fleet,—in which he gravely propounded the possibility of a successful invasion of England—a letter which created a profound sensation in this country, and which may be remembered as one of the supposed justification of the Invasion Panic, which led the country into the display of so many absurdities. Well, the Prince de Joinville has taken up the pen again, to show what clever things he can write to the disparagement of England as a great military and naval power. The subject which he has chosen to crack his joke upon this time is our pet military and naval hobby—our gunnery. To be sure, the Prince, like the wicked wag he is, modestly professes to include his own country within the sweep of his sarcasm. "Where everybody is still behind in is Gunnery," he says. Genius of Elswick Foundry, is it come to this? After we have paid millions upon millions of pounds to Sir William Armstrong and to the wiseacres at Shoeburyness, in order that we may have the most formidable and effective gun that the world ever heard of, are we to be told by a French refugee prince that "what everybody is still behind in is gunnery."? So that instead of frightening the French into good behaviour by all our mechanical and engineering skill, and our lavish expenditure of money, we have only provoked them into playing the part of critics, and reminding us how far we are behind in that very branch of war-like preparation in which we prided ourselves as being so greatly in advance of the world in general. If then England's great armaments fail to frighten her neighbours, they can no longer be regarded by reasonable men as the things that make for peace. But if; we cannot terrorise our neighbours into a peaceable disposition and deportment, it is happy for us that we have other and far better methods for securing their good behaviour, and cementing the closest friendship with them. Commerce is a thing that makes for peace; Railways and Electric Telegraphs are things that make for peace; Cheap Ocean Postage is a thing that will make for peace; a just and generous Foreign Policy is a thing that makes for peace; above all, the spread of Christian Truth is a thing that makes for peace. To follow after these is to pursue a policy worthy of our profession as an enlightened Christian people.—In following after these we run no risk of wasteful extravagance and bitter disappointment; there will be no slaughtered host to bury and mourn for; no great war debts added to the burdens of industry; no hateful animosities to rankle under or outlive. In following after such things, as the best way to preserve peace, we shall find that we are working far more successfully than by the most costly and energetic efforts to prepare for war. As a nation, we shall not only be serving our own highest interests, but, as an example, we may hope to be made a blessing to the world at large.

E. F.

The Death of Lord Palmerston.

If great success through a long life, and great popularity to its close, are to be accepted as proofs of great statesmanship, then Lord Palmerston was certainly a great statesman, and England has sustained a great loss by his death. Such however is not the standard by which true greatness is to be measured; and the late Premier, with all his estimable personal qualities, is not likely to occupy a permanent place among the list of England's great worthies. The late Premier will be remembered not so much for any great good that he has done for his country, as by the dexterity with which he has contrived to please as well as to rule his countrymen. He will be missed more than he will be mourned now that he is gone. One of the great secrets of Lord Palmerston's success was his thorough understanding of the English character—its weakness as well as its strength, its prejudices as well as its principles. He appeared to have no strong convictions of his own, and no deeply-rooted principles.

He was essentially a man of expediency; and having wonderful tact, he turned even the foibles of his country to account, and was popular because he sought to please rather than to correct. Unlike Richard Cobden, he never dared to run counter to any strong current of popular feeling, even for the sake of some great public good. To the cause of Peace he has been a great hindrance, for he seemed rather to enjoy the reputation of being the "plucky minister," who dared to give undue prominence to the fighting propensities of the English character. Not that he was naturally a quarrelsome character: he was far too good tempered for that—but he pleased the people by an ostentatious display of a "bold front;" and by the use of what the Americans call "rather tall talk." He has been spending millions of the public money upon Coast Fortifications because it has always been a popular idea in England to show a readiness to "fight the French,"—but he had sufficient good sense to perceive that friendship with France was better than war. The Commercial Treaty which he sent Cobden to negotiate with the Emperor is some compensation for those huge and costly piles of masonry at Portsmouth and Plymouth, whose fitting title for the future will be "PALMERSTON'S FOLLY." With a newly-arranged Cabinet, and a new Parliament, it may be hoped that we are about to enter upon a new and more hopeful era for the cause of Permanent and Universal Peace!

E. F.

Edmund Fry's Lectures.

During the past month several Peace Lectures have been delivered by Mr. Edmund Fry in East Cornwall, to audiences, to most of whom the subject was entirely new. Mr. Fry commenced his labours in the interesting old town of Launceston. On Monday, October 7th, at the invitation of the committee of the Mechanics' Institution, he gave the opening lecture of the winter course; taking for his subject, "Peace and War in relation to the interests of Christianity, Commerce and Civilisation." It may be accepted as a proof of the growing influence of the Peace Movement, that such a topic should be admitted into the programme of a Mechanics' Institute. The attendance was large and highly respectable; and the lecture was listened to with marked expressions of interest and approval. The lecturer did not hesitate to express his conviction that all war was opposed to the spirit and precepts of Christianity, and therefore must always be opposed to the real interest and security of the country. This led to an animated discussion at the close of the lecture, in which it was remarkable to find three ministers of the Gospel—two clergymen and an independent minister, taking a prominent part as apologists for war, and seeking to reconcile the profession of manslaughter with the profession of Christianity. The old stale objections were raised against the principles of the Peace Society, and the usual resort was had to the stock bugbears of the opponents. The highwaymen and the burglars, were thrust prominently forward, and the usual stress was laid upon the awful peril to which wives and daughters would be subject if Peace principles were permitted to gain the ascendancy. The lecturer found little difficulty in replying to these objections, to the satisfaction of many, if not most, of those present. A cordial vote of thanks was unanimously awarded to Mr. Fry at the close. A similar lecture was delivered on the two following evenings to crowded audiences in the Bible Christians' Chapels at Callington and Horrbridge. The subject was quite new at these places, and a warm interest was expressed in the lecture and in the objects of the Peace Society's efforts. On the Thursday and Friday the Chapels of the Free Methodists at Morwellham and Gunnis-lake were placed at Mr. Fry's disposal, and good audiences were assembled in each place to listen to the lecture. The chair was taken on each occasion by the Rev. Mr. Kennard of Tavistock whose cordial sympathy and co-operation were of great service to the cause. The result of the week's labours was very encouraging. It is hoped that the Peace cause has gained many new friends, and that not a few have been led to perceive the inconsistency of our war practice as a nation with our national profession of Christianity.

The Waste of War.

Says the *Daily News*, published in Charleston, S. C., the birthplace and nursery of the rebellion, "of \$15,000,000 in bank stock, all is lost. Of \$5,000,000 bills in circulation, the market value is not more than twenty per cent. Of three insurance companies neither can continue business. Of \$20,000,000 in railroads, no dividends can be expected. Of 5,000 houses in Charleston, 1,500 have been burned, and others almost irreparably damaged. Of estates of decedents and minors, and of property in litigation, four-fifths are represented by Confederate securities, and are therefore valueless.

Of our many merchants, lately of large capital and unblemished credit, few have assets to pay the small debts against them at the beginning of the war. Of the many large and valuable estates in Beaufort District and the adjacent islands, all have been abandoned, and many have been sold for taxes. Of the large cotton estates,

still further from the seaboard, many have been desolated. Of the cotton on hand at the beginning and raised during the war (amounting in value to at least \$20,000,000), the larger portion has been taken or destroyed. Of the stock, horses, hogs, cattle, farming implements, utensils and furniture, and silver ware, all but an inconsiderable amount have been consumed, destroyed, or taken.

Of the money in the hands of our citizens at the commencement of the war, or accruing from the sale of property, from the practice of professions, or the payment of debts, all has been invested in securities, of which nine-tenths have no possible value. Of the debts uncollected, few are expected to be paid. Of the funds of churches, colleges, charitable institutions and societies, all, or nearly all, have been sunk. Of the lands of the State, not held by the Government, little has any market value. Into this frightful gulf of ruin has also been swept the value of four hundred thousand slaves, estimated a few years since at \$200,000,000. Thus of the \$400,000,000 worth of property in this State in 1860, but little more than \$50,000,000 now remains."

Thoughts of Connor O'Keefe.

Honour bright, now, Misther Edditur darling! Wasn't it yourself that dun it? Wasn't it yourself that gev them the nudge?—Whin all the cogitatin and wondherin and guessing was goin on about it, and everybody rummagin their brains to think who in the world it could be that took the throuble to represent the wants of the West Clare Boys to the Irish peasantry society of London? "*Faugh a ballagh*," sis I, "Tis myself that can clear it all up! Twas no one ever dun it," sis I, "but the greatest philanthropist of the age.—The man," sis I, "that stands out for the brotherhood of nations, and the man," sis I, "that listened to Connor O'Keefe whin he towld him about the Poets of owld Clare!"

I didn't put an *if* or a *magbe* in it, but I gev it as a possitive fact: bekase I know you are jist the man that'd say *Homo sum; humani nihil a me alienum puto*—and whin you saw that the Clare men stood up and organised an agricultural society, tis yourself that'd be inclined to do thim a good turn; and sure you dun it, and no mistake! All we want now, sir, is *your own name* to the list of subscribers.—That name, sir, will be a tower of strength to us: *magni nominis umbra* we'll become one of the most respectable societies of the day!

There isn't the layste doubt, sir, but we are a thruve branch of the Pace Society; part of the *Bond of Brotherhood*, and the rank enemy of the ould shillelah! I send you a paper that'll show you the whole of our doins, and you'll see all that Vesey Fitzgerald said and dun; and my hand to you he needn't be ashamed to tell it.

Faix, by all accounts, sir, thim New-Zealanders has something else to think of besides Agricultural Societies and Cattle Shows. I'm towld, sir, that the advice of the Aborigines Protection Society wasn't worth anything; it didn't meet the case—you see, sir, tis only thim that's out there, that undherstands the nature of affayres—but I declare, sir, tis startlin to hear about the petition to the queen—I mean, sir, the one sent to her by the Maori Chief through Mr. Graham. Tis nothing short of terrible, sir, to hear him accuse England of truce—breaking and robbery; and to hear him say that, though we have thousands of armed troops there to justify our conduct, still "the maladies of the Island have not been healed." Faix, then, sir, sure we all know that war and bloodshed is no way at all to heal maladies, but to make them: and I'm thinkin, sir, that afther all the fightin and confiscatin, Misther Bull will have to find out some betther applicayshon than powder and shot for the healing of Antipodal maladies. I'm towld, sir, the naytives is crying out for Courts of Justice to get their affayres settled. *Meilla murdher!* the poor unhappy craythurs, little they know! never saw an attorney in their life I suppose? I wish I had a chance, and maybe I wouldn't give thim a wrinkle? I'd soon tell thim that whatever the malady may be, an attorney's blister is about the worst remedy that can be tried—barrin powder and shot!

Tis Misther Bull's duty to himself before the wide world to show justice to thim poor unprotected aborigines, livin on the soil that God gave to their forefathers: and that was conquered for England by Love and not by War. Sure, sir, their statemint is terrible. "We are counted British subjects," sis they, "if we commit murdher and are wanted to be hanged. Foreign foes if required to be shct as prisoners of war, but nonentities if our property needs protection." Sure if justice was done thim they'd never say the likes. I'm towld, sir, the Governor is turned into a raal land agent—nothing else. God pity thim poor New-Zealanders! with the sodgers and the Agent, and now if the Attorney comes among thim to finish all.

England showin off a little of the pomp and sercumstance of war in Ireland, is natural I may say—bekase whin Misther Bull first come over it was by invitayshon—and to a Faction Fight, and small blame to him to come. Fightin was the fashion in thim days—and if he refused, he'd be branded as a coward all the dear days of his life. He cum, you see, sir, about an affayre that could be settled in a Divorce Court now, for a mere thrifle. But at that time there wasn't sich a court ayther in England or Ireland—So over he cum, and he dun his best for the man that invited him—and they gained the day. In the flush of success and in the warmth of his gratitude, Mac Murchad promised that Mr. Bull should ever after bear the title of Lord of Ireland, and by all accounts he lorded it over us for many a hard year. But let bygones be bygones! hadn't we our two Exhibition?—and havn't

we our illigant Cattle Shows? and isn't Ireland the "first flower of the earth and first gem of the say"? I'm not going to talk of the past—only I was jist sayin that the it may be fair enough to show a little English mettle in Ireland, where Misther John first landed as a warrior; there's no pray text at all, at all, for his shouldherin arms in New-Zealand, bekase it was kindness and knowledge and religion that gained the hearts of thim brave aborigines, and made for England a bloodless conquest of the pleasant Isles of the Antipodays. Misthur Edithur, darlin, give them a nudge! Tell thim their dirty tricks, and give thim your advice, and if they're not all born idiots they'll take it.

Well, to be sure, the way I go meandherin about the world!—begun at the West of Clare and ended at New-Zealand. Sure you have the patience of Job with me, sir.

Semper eadem,
Your obedient servant,

CONNOR O'KEEFE.

English and French Fraternization.

A friend who was present at the ovation, has sent us an account of the pleasant *Re-union* of Cherbourg and Poole, at the residence of the latter. The proceedings were of the highest interest and significance. We cannot notice them as we would in this month's *Bond*, for lack of space.

Subscriptions and Donations—

Bond of Brotherhood, November, 1865.

The International Era.

The last, outside, all-embracing circle of human society is now forming rapidly. It has taken more than five thousand years to reach this point of social intercourse in the commonwealth of mankind. First came the private family, then the clan or tribe; then the family of tribes, or of small communities, called a nation, and there the social principle stuck in the mud for several centuries. During this period patriotism showed itself intensely local and selfish. Nations were just on speaking terms with each other, and often very polite, and bowed and scraped at their diplomatic interviews with a good deal of polished and superficial grace. But there was no steady and generous fellow-feeling or friendship between them. It was the great merit and ambition of their leading statesmen to be intensely national; to think of nothing that might work for the good of any country but their own. In these later years another class of men has arisen; a new era has dawned; it may be said that it came in with Richard Cobden. It is the international era, and its leaders are the international men; men who have enlarged the disk of their vision to take in the universal good of mankind; who inaugurate principles equally valuable and applicable to all nations, and inevitably binding them together by new bonds of peace and amity. The lives of such men are valued by different countries, as if they were a common stock of beneficence; whose deaths spread an equal sorrow over Christendom, each nation feeling as if it had sustained the largest loss in the bereavement.

It is very remarkable and promising withal, how rapidly this international era develops itself. The first Peace Congress on the Continent in 1848, was the first public and decided manifestation of it. In 1851, it showed itself more fully in the Great Exhibition. From that time to the present moment it has gone on, developing new features and conditions of international fellowship, and these the most marked between England and France, two countries that once seemed to represent the most obstinate and hereditary antagonisms that could exist between two nations. The change in their relations and mutual attitudes presents one of the most remarkable transformations the world has seen. First came a series of intimate co-partnerships in enterprises of great moment, and they worked together in these with such confidence in each other honour, that in all matters of peace and war, present or perspective, this co-operation began to resemble a habit. Then the new Treaty of Commerce added its great bond to these other relations, and before it had been at work two years, such fraternisations as took place between the two nations would have filled the mind of the most enthusiastic optimist of the last decade with utter astonishment. Suppose any member of the great Peace Congress in Exeter Hall in 1851, had prognosticated such a *Bal Mobile* of the giants as came off at Portsmouth between the English

and Trench, navies, would not the *London Times* of that day have come down upon with a fell swoop of satire for his visionary imagination? True it was a dance of the giants in mail; but as Bunyan said of one of his pilgrims, they "footed it well." They forgot their swords and spears, their iron-sides and steel-snouted rams as they sat two by twos at the banquet or tripped "the light fantastic toe" together to the strains of the midnight music. Then another demonstration of this international sentiment followed hard upon the Cherbourg and Portsmouth fraternisations. These had been the handshakings of Mars and Vulcan; the arm-in-arming of the great naval powers of the two nations. But the one that succeeded was one of the prettiest things ever done in international neighborhood; a natural, cosy, pleasant thing, showing how our social sympathies may be expanded to any circumference within the family circle of mankind. Cherbourg and Poole, having been recently brought into neighborly relations by the establishment of steam communication between them, have been taking a friendly cup of tea with each other in the most natural and kindly way imaginable. The descriptions both in English and French of these social *re-unions* are charming. They were brimful and running-overfull of downright heartiness; of that large hearted hospitality which is always more graceful and delicate than the most studied politeness. One of the Cherburghers had his poetic genius stirred to the following effusion at the banquet. We subjoin it *literatim* to show how the very languages of the two countries are beginning to fraternise with each other. Already the French has taken into itself scores of English words without modification, as "public meeting," "toast," &c.—

Je veux, lame encoro tout èmuo
Do l'accueil qu'ici l'on nous fait,
Célébrer notre bienvenue,
En improvisant un couplèt.
Que chacun remplisse son verre.
Et s'apprète â battre des mains,
Je porto un toast a nos voisins—
Hurrah! hurrah! pour l' Angleterre!

Loins de nos cœurs les jalousies,
Qui nous couterent tant de sang,
L'Angleterre et la Franco unies
Doivent briller au premier rang.
Je voue dans l'avenir prospère,
Poole à Cherbourg serrer les mains:
Portons un toast a nos voisins,
Hurrah! hurrah! pour l'Angleterre.

Here, then, are a few of the golden streaks of that new morning which seems to be rising upon the two nations; and if this be the morning, what shall be the noonday?

E. B.

Proposed Model Dwellings for the Poor, in connection with the Duck Lane Club, Westminster.

It is a fact generally known that during the past five years a large number of the poor houses in Orchard Street, Duck Lane, Old Pye Street, and the adjacent courts in "Westminster, have been swept away by the Improvements, but it is not so generally known, that no provision has been made for the poor occupants, who are either refused admission into the model lodging houses recently erected, on account of their street occupations as costermongers, hawkers, grinders, &c., or are unable to pay the required rents, which are within the means only of the well paid mechanic or artisan. They are thus driven to wander in the streets or to become inmates of a workhouse, when they are unable to find shelter in the few poor houses left to them, which are destitute of every convenience, ill supplied with water (perhaps one small cistern to six or eight houses!) and

badly ventilated, where whole families are compelled to live and sleep in one small room, to the destruction of all morality and decency.

In March next, further improvements will sweep away the Duck Lane Club, which has been in operation four years and a half, and twice enlarged during that time, and has by the Divine blessing effected so great a change in the characters of the poorest and most degraded who are its members. Here may be seen nearly 200 men quietly passing an hour or two nightly, reading the newspapers or books from the Library, or improving themselves by means of the Classes or Lectures, while their little savings are taken care of in the Penny Bank, the Loan Society, the Temperance Sick and Burial Society, or the Barrow Club (for enabling the poor costermongers to purchase instead of hiring their barrows,) all of which as well as the Club are managed by the men themselves, and have proved of great benefit to the wives and families.

It has been felt that an effort must be made to prevent these valuable Societies from being broken up, and the men left to fall back into their original intemperate habits, and a piece of freehold ground 120 feet by 55 in Old Pye Street and Little St. Ann's Lane has been secured and the purchase money, amounting to £2260 has been paid.

On part of this ground, the new Club will be erected and on the other portion, but distinct from the Club, it is proposed to build a dwelling house of five stories, fire proof, with a plentiful supply of water and well ventilated, sufficiently large to accommodate about sixty families of the poorest classes, the preference being given to the members of the Club and the parents of the poor children attending the "One Tun" Schools.

Several contracts have been received and the lowest tender, from Mr. Brass, of Chelsea, amounting to £6600, has been accepted, and the works commence today, to be completed on the 1st March, 1866.

The total cost of the freehold and buildings will be £8860—towards which £1300 will be received as compensation for the Duck Lane Club, leaving the sum required £7560, which it is desired to raise by donations or subscriptions.

Two objects will thus be attained; first, the poorest classes will be enabled to have two comfortable rooms for 3s. per week, only a trifle more than they are now paying for one wretched one; and secondly, the surplus rents, after deducting the usual expenses of superintendence, taxes, water (a continuous supply,) gas and repairs, would be applied towards the support of the Poor Men's Club and the "One Tun" School, which at present cost nearly £300 per annum: and which is contributed by benevolent friends in donations and subscriptions.

The whole has been invested in six trustees and a deed of trust has been executed for securing the carrying out of this object.

Donations or subscriptions will be gladly received by Miss Adeline M. Cooper, 78, Coleshill Street, Eaton Square, London, S.W.

Malvern in the Mist.

By John Harris, Author of "A Story of Carn Brea," The Shaksperian Prize Poem, etc.

Ho, ho, great Malvern! wherefore art thou wroth
In thy mist-mantle? I have travelled far
In hope to see thee with a face as bright
As my own mounds, with mineral-treasures full,
The pride of old Cornubia: but, alack!
Thou'rt mourning in thy fog-shroud, and we climb
As if the daylight were but half begun,
Though it is noon, the ploughman's dinner-hour.

Full suddenly, under the dark trees hid,
We came upon a troop of noisy boys,
With patient donkeys saddled skillfully;
And dinning was their native eloquence,
That we should hire them. "Take my donkey, sir:
My donkey has been eating oats to-day.

A fine beast mine! he'll bear you to the top
Without a hoof-slip. Try my donkey sir.
That fellow's neddy is so lean on straw:
He has nought else: mine has the finest food.
How sleek his sides! and what an eye is his!
How glossy is his coat! Just stroke him down.
Look at his ears. Please take my donkey, sir."
And thus they piped away with voices high.
But long had we been journeying on by train.
Drawn by the horse of iron, and were glad
To press our feet upon the earth once more.

We leave them in the mist, and clamber on,
And when a few feet higher than the Well
Of good St. Anne, with sudden, swift delight,
We mount above the fog, and the clear sky
Cloudless and blue, is sun-full over head.
It was a joy that will not pass away.

How like the Christian journeying sadly on
He soars above the mist, and feels the Sun,
And treads the darkness underneath his feet.
We saw a little robin on a bough
Open his beak and sing deliciously,
While under him the fog-world sank, and rose,
And heaved, and swelled, like a huge billowry sea.

Higher we rose, and higher, and the sun
Shone brighter still, and everything was grand.
O, what a throne for bard to rest upon,
The bare hill-top so far away from wrong!
Why every hollow has a harper in't
And health is here reposing on the moss.
City and village, river-face and fen,
Forest and field, on this side and on that
Gladden the vision, standing nearer heaven.
May never war-cloud blacken such a scene,
Now brooded over by the nymph of peace!
Seek we for music? here it rolls along
From Nature's organ in a sea of praise:
Seek we for health? the four winds waft it here,
In urns of nectar opened on the height:
For solitude and rest? each grassy rift
Is full of murmurs never heard below.

O, Malvern! Malvern! lonely in thy life
Of silent wonder, to the solemn sky

Lifting thy forehead, catching the first ray
Of early morning, and the last of eve,
I thank thee for thy favours. The small mounds
I love so well along my Cornish coast,
With heath, and rush, and rock-heap beautiful,
Were mole hills by thy side. Another look,
And yet another still! Come to my arms and heart!
We seem so near the dwelling-place of God!

One Fruit of War.

No less than 50,000 widows are said to be already receiving pensions from our government. How many more are to be put upon the list of such sufferers from the rebellion, we know not; but very likely the sum-total on both sides may yet reach 150,000. Add the much larger number of orphans; and what a multitude of witnesses to the woes inseparable from war! God have mercy on the men who shall be found in the day of final reckoning responsible for these woes!

Some Social Results of the American War.

Of these we can quote only a few specimens, but enough to show what a stream of domestic and social evils it is continually pouring over the land. How little did the authors of this great crime know what they were doing when they unsheathed the sword of war?

A LADY'S EXPERIENCE.—She came in a car from S. Carolina. Although young, she has grown grey during the last six months, in consequence of the constant terror in which she had lived. She says that all the men have been obliged to leave their homes and plantations for the military service, and the women and children have been left defenceless. She had herself learned to shoot with gun and pistols for the sake of self-defence, although formerly dreading the mere sight of fire-arms. The negroes show a most discontented disposition, and when ordered to do work, do it with sullen, reluctant manner, and with scowling looks that alarm those around them. There had been seven attempted insurrections of negroes in her vicinity, and there were constant apprehensions of a more formidable one that could not be suppressed without terrible scenes. Although her interests and property are at the South, she considers herself fortunate in getting to Washington, and having over her the protection of the Stars and Stripes.

THE GREATEST EVENT IN AMERICA the last month was the noble, touching, and magnanimous speech of President Johnson, to a large number of influential men representing nine of the Southern States. Many of his words were more beautiful and valuable than "apple of gold in pictures of silver." They must make a profound impression on the people of the South.

FAMILIES RENT.—Union men, says one writing from Port Scott, Arkansas, are fleeing from their houses in Missouri and Kansas by hundreds. Many families, and multitudes of men, have left their families behind, and fled for their lives. The state of things in Missouri is as bad as can be imagined. The one question is, is he a Union man or a Secessionist? Fathers are divided against their sons, and children against their parents; mothers are turning their daughters out of doors for being Unionists, and husbands are leaving their wives; the most bitter feuds and animosities exist in many instances between members of the same family. A gentleman told me of one family in Jackson Co. where there were four sons—two of them joined the Secession army, and two the Union forces, to fight against each other. Another, that a young lady had fled to his house for shelter, driven from home by her mother for being in favor of the Government. Also, that he knew of many husbands and wives separated for the same cause. He spoke of the utter impossibility of any man living with a Secession woman, so bitter is the feeling.

Wayside Warbles.

Our friend, the Bideford Postman Poet, has the pleasure of seeing the edition of his Warbles nearly exhausted already. The volume has been very favorably received and highly appreciated.

Present Duty of Peacemen.

There can be but little excuse for ignorance or misconception on the Peace Movement, because ample means of information have been for nearly fifty years before the community. Still the fact remains indisputable, that the cause is little known, or greatly misconceived, by the mass of even intelligent Christians; and before we can hope to see its claims adequately appreciated and met, there must be given everywhere "line upon line, and precept upon precept," until the cause of Peace, like that of the Bible, of Temperance, or of Missions, shall become a familiar, favorite, and consecrated theme in every Christian household.

Such a result we confidently expect, sooner or later; for no enterprise of benevolence or reform can be more truly Christian, or more vital to the general welfare of our race, than that which seeks to abolish the custom of war. We see not how any Christian, if fully informed on the subject, can view it in any other light; and the chief reason why its claims are so generally ignored, or undervalued, is found in the fact that these claims have not been brought and kept, as they should have been, before the Christian community. If familiar with its nature and importance, we can hardly suppose it possible for them to slumber over it, as they have done, ago after age, and let this master sin and scourge of the world continue all over Christendom itself, while they hold in their hands God's sovereign remedy in his gospel for the cure of this great evil.—*Peace Advocate*.

Incident from the War.

In a Chicago street car, the other day, a pale but pretty young woman gave up her seat to a one-legged soldier, and the gracious act led to the recognition of the man as her husband, long mourned as dead. The scene closes with each in the other's arms.

For the Children

The Christian Ornament.

Very much, my young friends, you can do, if you possess that most beautiful of ornaments—a meek and quiet spirit. Both old and young are constantly exerting an influence, and how greatly does it concern each one, that the influence he sheds should flow from the bright and lovely ornament—a meek and quiet spirit! which we are told, is of great price in the sight of our blessed Redeemer. And if you ask Him, he will adorn you with this beautiful jewel. They have an old saying in the East—"I am not the rose, but I grow near the rose; I have therefore, the sweetness of the rose." If, therefore, you maintain a loving and peaceable spirit among your daily associates, your example will operate beneficially upon them; and your own hearts will be improved. Remember, dear children, in your intercourse with your young companions, that "a soft answer turneth away wrath." There is a high-mindedness and nobility in not *resenting* an injury. The Bible tells us, "It is the *glory* of a man to pass over a transgression." The dispositions which are cultivated in youth grow up with us to mature years. A generous and amiable temper makes the possessor a much happier child than a selfish and contentious one. Let love govern your actions; you will then be gentle, and you will grow more like Jesus. Love is His gift, and He delights to bestow it upon those who ask Him. There is a beautiful example of heavenly-mindedness, when a boy, in the late J. C. Breay. It is said of him, that he delighted to comfort and please his mother in every little way which childhood could suggest, and that his *obedience* was *perfect*, and that he was at all times ready in the sweetest manner to conform to her will. Go to Jesus, dear children, and ask Him to give you His love; for if you really love the Saviour, He will give you power never to resent injuries, nor to promote and stir up strife and angry passions; but will give you those sweet and forgiving tempers that will enable you to "Overcome evil with good;" and bestow upon you that lovely spirit which is pure, peaceable, gentle, and easy to be entreated. This Christian spirit, which is so beautifully described by the apostle James, is strikingly seen in the character of the present Ruler or President of the Colony of Liberia, a settlement of liberated slaves in Africa. The President is of negro origin; but although a man of colour, this does not make him less able to govern wisely. Among the many excellencies of this good man, is the love of peace; and although he is surrounded by heathen nations, he has never been at war with any, but has always endeavoured so to act towards them, as not to excite their angry passions. Once, when there appeared some danger of a war, this peace-loving and Christian ruler

was heard in the silent watches of the night, praying to Almighty God to interpose his all-powerful arm, and prevent the horror of war. His prayer was heard, and he and his people were mercifully heard, and he and his people were mercifully spared from the dreaded calamity.

The Bunch of Flowers.

"Go along!" was the surly expression of a little girl, who stood at her grandfather's door, one summer's morning,— "go along!" Now do you think these were pretty words to be used by either boy or girl? Certainly, I do not? but just let me tell you to whom, and upon what occasion they were used, and then you can judge for yourselves. Little Mary's home was in London, but she had been ill with fever, and became so thin and pale, that her kind grandfather proposed her paying him a visit, and you may think with what delight the invitation was accepted by Mary, who had seldom seen the country and its beauties. She and her cousin were out almost constantly. They walked by the river-side, sat under the trees, and turned the newly-mown hay with tiny hay-forks. All this was delightful to the little Londoner; and surely, in the midst of so many pleasures, she should have bid goodbye to cross and angry words or tempers. In the village lived a gentle, kind-hearted child, about the same age as Mary. Her road to school lay by Mary's grandfather's, and she had several times seen her, and longed to speak to her. Besides, she had heard of a dear little brother and sister, whom Mary had lost a few weeks before, in the same attack of fever; which she had recovered from, and Annie felt much pity for her. On the morning of which we are speaking, Mary was standing at the door, when Annie came up as usual on her way to school, and seeing her there, stopped a moment before passing on, and looked upon her with love and pity. It was then that Mary said rudely, "go along!" Little Annie made no reply, but she was grieved, and hurt at being spoken to in such a manner; and when she returned home, she told her mother how sorry she was Mary had been so rude. Her mother was sorry, too, but told her little daughter she was pleased she said nothing unkind in return: "perhaps Mary knew no better," she said, but you can gather a bunch of flowers from the garden some day, and take them to her." This thought pleased Annie; and soon after she got the flowers, and taking them to Mary, asked if she would like to have them? Mary was delighted, and said, "thank you, dear;" and some days after, meeting Annie, who was carrying a large book, she asked—" shall I carry it for you, dear?" Indeed, her heart had forgotten all but love for Annie; and when she left the village she gave her a kind good-bye, and spoke very pleasantly to her. Supposing that when Mary told her to "go along!" Annie had spoken crossly in reply, how differently they would have felt to each other all the time Mary stayed with her grandfather! I expect their faces would often have been soured with anger; their voices would have sounded much less sweet; and the hearts were made so loving and gentle by Annie's present, would have been filled with feelings, which no little Christian child, who knows right from wrong, should give way to for a moment. I wonder how many of the little children who read this story would have returned good for evil, like little Annie? You must remember her when you are spoken to, or treated in a way you do not like, and ask God to give you strength to do in *all* things as the Bible tells you is most pleasing to Him.

LOUISA C.

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BRITISH WORKWOMAN OUT AND AT HOME "A woman that feareth the Lord, she shall be praised. Give her out of the fruit of her hands, and let her works praise her." Proverbs xxi., 30-31.

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"Beware of false prophets which come to you in sheep's clothing but inwardly they are ravening wolves. Ye shall know them by their fruits."—Matthew vii. 15,16.

"I would they were cut off which trouble you."—Gal. v. 12.

"Of this sort are they which creep into houses and lead captive silly women."—2 Tim iii. 6.

Lerwick: PRINTED BY STEPHEN BROTHERS. 1873.

from it, but to the church as an organised and visible community. Christ says of Jews and Gentles "There shall be one fold and one Shepherd." And when Peter calls Christians a "Royal Priesthood" he is using words *first* applied to Israel.

The identity is clearly established in 1 Cor. x. chap., which see.

6th. They hold that the visible church consists of none but converted people, and that believers should hold no religious fellowship or pray with unbelievers. Now 1st. They assume that they and they alone are the visible church. That is simply the Phariseism of old which said "stand by for I am holier than thou" which Christ condemns in the severest terms. 2nd. A common rejection of error does not afford a centre of union. Romanists and Protestants equally deny the affirmation of the atheist that "there is no God," but can that or does that unite them? The idea leads to mischievous and divisive consequences; it separates true brethren for one brother sees evil, where another sees none. It makes each man his brother's judge; and it makes one holier and wiser than the Lord who Himself said "ye judge after the flesh; I judge no man."

Moreover to be consistent, no Plymouth Brother should have family worship as it is generally conducted. He ought to exclude the members of his family when they are not believers of his doctrines. Does not that shock the sense of every Christian parent, and open the door to schism and rancour in the sacred circle of the family? It is well-known that a Plymouth Brother will not say grace if all at the table are not believed to be converted. The Plymouth principle divides not only in public gatherings, but even in family relationships', sister refusing communion with sister, and child with child.

7th. They Assert that the Holy Spirit did not exist before the day of Pentecost, and that being once given it is wrong for believers to pray *for* the Spirit. That is untrue. The angel said unto Mary the Mother of Jesus, "The Holy Ghost shall come upon thee and the power of the Highest "shall overshadow thee." It is apparent therefore that the Plymouth Brethren deny one of the most fundamental doctrines of Scriptures; viz., that the sinless human nature of Christ was begotten by the Holy Ghost.

The ministry, miracles, death and resurrection of Christ are all spoken of in connection with the Holy Spirit (Acts x. 38. Hebs. ix. 14. 1 Tim. iii. 17.) This was all *before* Pentecost—see also John xx. 22. "He breathed on them and said, Receive ye the Holy Ghost." The Spirit existed before the day of Pentecost, for Peter says "Holy men of old spake as they were "moved by the Holy Ghost." (1 Peter i. 21,) and he speaks of "the Spirit "of Christ "in the prophets when he mentions that the Spirit testified beforehand the Bufferings of Christ and the glory that should follow. (See also Heb. iii. 7, ix. 8; Mark xii. 36; Luke iii. 22; Psalm li. 11.) It is no reply to quote Christ's words, "If I go not away the spirit will not come to you," because it was not the *existence* or the coming, but the extraordinary effusion of the Spirit which was the burden of Old Testament prophecy. The Spirit was to inaugurate a new dispensation with remarkable signs, viz., speaking with tongues, working of miracles, and multitudinous conversions. When Joel spoke of the "Spirit being poured out on all flesh," he was not ignorant of the Spirit's existence and work, for how was he or could he be inspired to prophesy save by the Holy Spirit in common with the other prophets?

8th. They say, further, on this subject that it is a mockery to ask God to repeat the gift of the Holy Ghost since it has already been given in Christ. But Christ says "If ye being evil know how to give good gifts "unto your children, how much more shall your Father give the Holy "Spirit to them that ask him." Moreover, if it is wrong to ask for the Holy Spirit it must be wrong also to ask *any* spiritual blessing and gift, for they were all given in the gift of Christ. The conclusion is inevitable that the Plymouth Brethren should never pray at all since they have nothing to pray for.

9th. They deny commentaries and their use, sneeringly calling them *human productions*. But the Plymouth Brethren write commentaries tracts, and treatises of their own. One of them has written a commentary on Leviticus, and these they call *Divine*. What are all Plymouth tracts but commentaries on Scripture? A commentary from the lips of a preacher does not become false by being printed in a book. Why are the treatises of Darby, Macintosh, and others styled *inspired*, and those of Matthew Henry, Barnes, &c., styled *human productions*; on what authority, and how proved?

10th. They say that the atonement actually paid every sinner's debt "to the last farthing," so that all his sins "past, present, and future" were "put away" or forgiven when Christ died. In answer we say the atonement of Christ is *not* the payment of a debt; the Scriptures nowhere teach that it is. If it Were, it must be either the payment of the debt of the sins of the Elect, or of the sins of the whole world. If of the forme:, not one save the Elect can possibly be saved; so that from this rigid Calvinistic stand-point, it is simply a mockery to preach a full and free salvation to all men, their bills and bell-rings announcing the preaching of the gospel as

revealed in the Scripture are therefore worse than useless. If of the latter, it is equally impossible for any one of the human family to be lost. What is this we ask but the rankest universalism!

The Plymouth Brethren confuse atonement with pardon. The Scriptures never say they are identical, but that the atonement of Christ is the ground on which pardon may be procured on condition of faith. It is that, as every one who has read his Bible to any purpose knows, by which God "can be just, and yet the justifier of the ungodly who believe in Jesus." The Plymouth Brethren, by preaching that the atonement is the payment of a debt, pervert the teaching of the Word of God on the subject, and incite to the most presumptuous and impious assurances on the part of those who accept their views. An honest farmer in the King's County, Ireland, after hearing one of the Plymouth Brethren preachers speak, said, "Well, I "never understood the Gospel before; I shall give myself no trouble about "either repentance or faith, it is all nonsense. This gentleman has proved "to my satisfaction that Christ paid my debt before I was born, and what "ever time I go into the other world I will claim my discharge from all "legal consequences, as a matter of simple equity." Such are the converts of the Plymouth Brethren! What? we ask, would the state of this of any community be, if they were all converts of this type.

11th. They say that the atonement is the payment of a debt and at the same time say that faith is the condition of salvation. If Christ has paid every sinner's debt to the last farthing, how can faith be the condition of salvation? The payment of the debt is either a fact or a fiction of their imagination. If a fiction, then what becomes of the gospel? If a fact, unbelief cannot reverse that fact or affect it in any way. The sinner's debt was paid before he was born; if this be a fact it remains true whether he believes it or not. It cannot by any possibility, make the slightest difference as to his final safety.

12th. They further assert that unbelief or the rejection of Christ is the damning since How utterly absurd is this in view of their belief that Christ paid the debt of every sinner to the very last farthing? "This payment "either included this sin of unbelief, or it did not. If it did not, how is this "sin of unbelief to be forgiven? If it did, the debt cannot have been paid "and also."

13th. They say, only believe that Christ put away all sin when he died, and you are saved. You are a Christian. Now, that is simply asking assent to a statement—a statement moreover which is false. Can any man become a Christian by simply saying I believe that Christ put away all sin 18 hundred years ago? Does that change his heart? Is it not with the *heart* man believeth unto righteousness? Faith is not simply the exercise of the intellect, but the outgoing of the whole spiritual nature to Christ. What but personal relationship to Christ can enable a man to take up his cross daily, and bear it for Christ sake? and is not cross-bearing one of the fundamental conditions of discipleship?

The Plymouth Brethren would make people believe that there is a cheap and easy way of getting to heaven. If that be true what do the Scriptures mean when they say, "Strait is the gate and narrow is the way"—"*Strive* to enter in at the strait gate."

14. They say that unconverted men ought not to pray for mercy; and while believers only should pray, they must not confess sin or ask its pardon, as their sin has already been put away eighteen hundred years ago by the death of Christ.

Now, there are numerous passages of Scripture which show that it is the *duty* of unconverted men to pray (see Act iii. v. 21. 23. Isaiah lv. 6, 7. Psalm lxxv. 21); and, further, that the neglect of prayer is charged as the sin of such (see Jeph. i. 6. Hosea vii. 7 Jer. x. 21. Psalms x. 4, lxxix. 6, and cxli. 2, 4.) Moreover, the Plymouth Brethren confess openly that they do not know how to deal with a believer when he falls into sin; showing to all thinking people that the doctrine, as stated above, is utterly untenable.

They will not use that part of the Lord's prayer, which says "Forgive us our trespasses," because they say it was given to be read only *before* the death of Christ. Nothing can be more absurd. On that principle they should not pray for "daily bread," nor not to be led "into temptation," because the objection they urge against *one* part of the Lord's Prayer applies equally to the whole of it.

15th. They say that a sinner should not pray for salvation, but take it without praying, as if the things were inconsistent.

We would ask, Is it possible to take salvation without at any rate *feeling* a desire for it, and what is "feeling a desire" but inwardly asking:—and is not that a form of prayer? Did not Peter tell Simon Magus (an un-regenerate man be it remembered) to "repent of his wickedness and pray God, if, perhaps, the thought of his heart might be forgiven him." Acts viii. 22. Was it not *after* the prayers of the publican and the dying thief that they were justified? And does not Isaiah, speaking of the world at large, say "Call ye upon up the Lord while he is near."

If the *prayer* of an unregenerate man cannot be acceptable to God, how, in the name of possibility, can the *faith* of an unregenerate man be? Clearly the Brethren shut the doors of both faith and prayer in the face of the sinner, and, if so, what door is open to him?

16. Repentance has no place in the preaching of the Plymouth Brethren.

They call it "trash," "legalism," and "salvation by works," hindering the sinner from coming to Christ. Paul says "Repent and believe the gospel," and Christ says "Except ye repent ye shall all likewise perish." We never read in Scripture of an impenitent believer or a penitent unbeliever. We have in the doctrine of the Brethren on this point but another of the many instances of confusion of things which differ. They mix up faith and repentance in such a muddle that they cannot be recognised as the things nor in the forms taught in Scripture; and yet they have the arrogance to say that they alone are inspired, and that *their* expositions of the Word of God are alone to be relied upon as correct and true. Truly might sinners pray "save us from our friends," if those who teach such doctrines are such.

17th. They hold that believers are justified from eternity, or from the time of Christ's death, and that faith has no more to do with justification than merely to bring the fact of it to our knowledge. They deny the imputed righteousness of Christ which is the ground of our justification; and though they hold that Christ suffered in our stead they deny that He obeyed the law in our stead. The whole argument of Paul to the Romans on the doctrine of justification is dead against the Plymouth Brethren on this head. If Christ did not fulfil the law for us, then what does Paul mean when he says "For by one man's disobedience many were made sinners, so by the obedience of one (Christ) shall many be made righteous." (Rom. v. 19.) He says that the very object of Christ's coming was that "the righteousness of the law might be fulfilled in us," i.e. the righteousness which the law required of us. He says further in another passage that "Christ was born of a woman *made under the law* to redeem them who were under the law. If Christ's righteousness is not imputed to us by faith, then there is nothing on which any mortal being can rest for acceptance with God. If the Plymouth Brethren rest on their own righteousness then there could not be a clearer case of justification by works which they emphatically condemn. Verily, how blind are some people to their own inconsistencies!

18th. The Brethren assert that we are sanctified as well as justified in Christ; that all believers are sanctified in Him, in a sense that excludes all personal and progressive sanctification; and that they are perfectly holy the moment they believe (i.e. say, they believe the false statement, that their sin has been all put away in Christ, when he died), and that they never become more holy. They quote in support of their view the passages "Christ is made unto us wisdom, righteousness, sanctification, and redemption. By one offering He hath perfected for ever, them that are sanctified." Here again is a confusion of things which differ—the Brethren confound "consecration" with "sanctification." When a man truly believes he consecrates himself to Christ, but he is not therefore completely delivered from the power of sin. Believers consecrate themselves to God *that they may be* purified inwardly by the Holy Spirit. The vessels of the ancient sanctuary were at once separated to God's service, but that did not imply that they did not need daily ablution. If sanctification is not a gradual process, Paul misleads when he says, "Grow in grace, and in the knowledge of our Lord and Saviour, Jesus Christ," see also 1 Thess. v. 23. 2 Cor. iv. 16.

19th. They say that the design of the Spirit is not to improve or sanctify the flesh, or the old man—that the flesh in the believer is no better than in an unbeliever, and no better at the end of a saint's life, than at the beginning, and that the error of the churches has always been to try the mending of the old Adam—nature, which is not to be mended, but crucified. They thus deny all personal and progressive sanctification. In this case what *does* the Spirit sanctify? Not the old man, for he is buried with Christ in His death; not the new man, for he is perfect and sinless. They therefore deny the Spirit's sanctifying work, which is one of the fundamental doctrines of Scripture. Their views are besides, immoral, because they free the believer from all responsibility of sin committed. Can any teaching be more fallacious and nefarious than that? If people are once led to understand that they are not responsible for the sins they commit, they will soon defy all the restraints, not only of the Plymouth faith—which, in truth, would be but a small crime—but of every or of any code of morals ever revealed to man.

20th. They rebaptize all their converts for, they are usually Baptists in doctrine; they are therefore opposed to the baptism of infants, though that has been the practice of the church for eighteen centuries.

Into this question we cannot now enter, especially as in doing so we would come into collision with the Baptists, as such with whom at present, we have no controversy. To us, however, it appears a very harsh and un-Christlike thing to say, as the Plymouth Brethren often do, that there is no reason to believe that any child dying in infancy goes to heaven. If they do not say that infants go to hell, they at any rate leave that impression with their hearers, by the way in which they speak of the subject.

A mother's heart is a truer criterion of truth, than the vague and distracting statements of the Plymouth Brethren on the matter; and we are sure that the best part of her human nature (if the Brethren believe in such a thing) will revolt against the horrible idea, that her innocent child will ever find a place in the outer darkness.

The above comprises only a few of the doctrines of the Plymouth Brethren,—and the refutation of them we have given is necessarily of a brief and much less thorough character than we could have given, had our space and time allowed. We are not aware of having transgressed on any point, the laws of criticism. While admitting that the object of the Plymouth Brethren may be good, in what we have said above, the reader will see how

much calculated their teaching is to do his knowledge of, and faith in, the truths of Scripture as therein taught, perhaps an irreparable injury.

Reader before going to hear, or to cast in your lot with these Plymouth Brethren, reflect that you are giving countenance to one of the most church-destroying and family-disturbing sects of modern times.

Beware of the Plymouth Brethren.

Report and Correspondence

Relative to a Site &c., for the Dunedin Athenæum & Mechanics' Institute.

Dunedin Athenæum & Mechanics' Institute.

THE following Report and Correspondence are published by order of the Committee for information of Members.

Charles Smith,

DUNEDIN,

Sept. 15th, 1868.

Hon. Sec.

Report.

In presenting this Report it will, perhaps, be desirable for the information of members to recapitulate the circumstances which led to the appointment of the Sub-Committee. They were as follow:—

- The Secretary had addressed a petition to the Provincial Council, with a view to ascertain to what extent, if at all, that Body would aid in increasing the efficiency of the Institution, by grant of a site or otherwise, and upon what conditions.
- The late Mr Peter Williams had made an offer to sell to the Committee the buildings erected by him in Maclaggan street as a Club House, for the sum of L4000. After some discussion in Committee, in order to ensure the fullest investigation of the advantages of either proposal, it was resolved to refer Both subjects to a Sub-committee, consisting of the Vice-President, the Hon. Secretary, and Messrs J ago, Lakeman, Sligo, and Stout; with instructions to inquire into their respective merits, and to obtain all necessary information, and present the same in asuitable form, to be laid before a general meeting of the subscribers at an early date.

The Sub-Committee had scarcely began their inquiry, when the death of Mr Williams changed the offer of the holding of the Club Building from freehold to leasehold, as, the property being entailed, the executors had no power to sell it; but they state that they are willing to let it for a term of 14 or 21 years, at the rate of L350 per annum.

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1 Cellar 46 × 16

Ground Floor—

Large Kitchen at back, cooking apparatus, &c.

A Ten-stall Stable, Hay-loft, large Yard, &c., at back

First Floor—

- 1. 1 Room with Fire-place (left), say roughly 30 × 15
- 2. 1 Room with Fire-place (centre), say roughly 28 × 21
- 3. 1 Room with Fire-place (right), say roughly 30 × 15
- 1 Room with Fire-place (right), say roughly 15 × 14
- 1 Room with Fire-place (right), say roughly 18 × 14
- 1 Room with Fire-place (right), say roughly 14 × 8
- 1 Room with Fire-place (right), say roughly 14 × 16
- 3 Room with Fire-place (right), say roughly 10 × 10
- 2 Patent W.C. Cistern and Force-Pump
- 2 Private Staircases, one main do.

Second Floor—

- 1 Room with Fire-place, 17 × 12 and 13 others
- 1 Room with Fire-place, 16 × 12 and 12 × 9, 15 × 12
- 1 Room with Fire-place, 15 × 13 and 18 × 9, &c.

From the foregoing statement, it will be seen that the first floor alone affords nearly as much accommodation as that given by the present building, while there remains a valuable surplus of room, which could be appropriated for a Public Library, should that scheme be adopted, and Librarian's residence and store rooms, the want of which is increasingly felt. There are besides, three shops, eight upper rooms, hayloft, a ten-stalled stable (now let), and a large extent of cellarage. The whole, under judicious management, should let for a total sum that would materially relieve the pressure of the amount paid as annual rental for the building. But as against these advantages it must be stated that the size of the building would compel an increased expenditure in care-taking generally, and that the situation is in some respects objectionable. Moreover, to adapt the building for the purposes of the Institute, an outlay of from L200 to L350 would be required.

For the purpose of showing more distinctly the different advantages of the proposals of renting or building, approximate statements of the probable receipts and expenditure under each method are here subjoined, which, it is hoped, will place the two proposals more clearly before the Members.

Comparative Estimate of Receipts and Expenditure in Club Buildings, if Rented.

Dr. £ s. d. To Rent... .. 350 0 0 Rates... .. 50 0 0 Salaries 300 0 0 Books, Magazines, and Newspapers 500 0 0 Gas 70 0 0 Coal 10 0 0 Insurance 30 0 0 Printing 20 0 0 Stationery 10 0 0 Deeds 10 0 0 Petty Expenses 10 0 0 £1360 0 0 CR £ s. d. By Members' Subscriptions... 660 0 0 Interest (of sum with Prov. Govt.) 200 0 0 Rent of old buildings, 4 yrs. 300 0 0 Do of new do do 200 0 0 £1360 0 0 *There is a Reserve Fund of £100 in hand towards fittings, &c.; but any expense of alterations, in excess of this sum, would have to be found from the first year's income, unless otherwise provided for.

Comparative Estimate in New Building

Comparative Estimate In New Building. Dr. £ s. d. To Salaries 280 0 0 Books 245 0 0 Magazines and Newspapers ... 100 0 0 Binding 40 0 0 Printing 20 0 0 Stationery 10 0 0 Gas 60 0 0 Coal... .. 10 0 0 Insurance 20 0 0 Law Expenses 10 0 0 Petty Expenses 10 0 0 *Interest and Sinking Fund... 155 0 0 £960 0 0 CR. £ 8. d. By Members' Subscriptions 660 0 0 Rent of old premises for four years... .. 300 0 0 £960 0 0 *The sum of £2,500 being estimated as the cost of erecting new building; at least £500 would be required for fittings, &c. A loan of £500, at 8 per cent., is supposed to be incurred for this purpose, and to be repaid by annual instalments.

Similar statements, having in view the receipt of a Provincial subsidy, were also prepared; but from the necessarily uncertain nature of the items on each side, the number of subscribers under the new condition, &c., they were not adopted by the sub-committee.

The members of your Sub-Committee then considered the alternative question of building with the funds already in hand; and, with a view to simplify matters, endeavoured to arrive at the minimum space required, for the purposes of the Institute, and relative cost of the space required.

They are of opinion that the Institute could scarcely be carried on efficiently with fewer rooms than the following, viz:—

The addition of a Librarian's residence within the building, as also of a lecture hall, would, be contingent on the amount of funds at the disposal of the Committee when the previous needs were satisfied, as either could be rented, if required, within a short distance. In considering this portion of the subject, your Committee consulted Mr John M'Gregor, architect (who had on former occasions kindly assisted the Committee), and inquired the cost of a plain building, containing the above accommodation, on an area of, say, 60ft × 50ft, and were informed by him that in all probability such a building, exclusive of fittings, could be erected for the sum of L2500, provided no special difficulties were presented in the way of foundation, or other cause.

All arrangement of the rooms as to convenience, provision for light, &c., &c., would necessarily depend greatly on the nature of the site, and would form matter for after consideration.

The size of the respective rooms would be as stated above, and departments for the Librarian, or for score rooms, could be arranged in the attic story, if deemed desirable.

Finally, your Committee carefully considered the offers of sites

The offers, as received, are in the hands of the Librarian, and may be perused by Members.—C.S.

received in reply to an advertisement issued last January, but were unable to recommend any of them, the prices asked being far beyond what they consider the Committee would be justified in giving for a site, as they find by recent inquiry, that in two cases equally desirable positions can be purchased for from L300 to L400, another is offered as low as £275, and doubtless others exist, if the Committee should determine upon purchasing a site.

On the other hand, your Committee have ascertained by letter to the Provincial Government, that the only site available from the Reserves is a portion of the Octagon Market, if the City Council are agreeable to such an occupation.

By desire of the Committee, the Hon. Secretary then wrote the City Corporation to ascertain their views on the subject, and received, for reply, that for the surrender of the said site the Corporation expected an equivalent—viz., the surrender of the lease of the site now held by the Committee of the Athenæum, the present buildings to be taken at a valuation.

Correspondence.

(No. 1.—*Hon. Sec. to Secretary for Land and Works.*) Dunedin Athenæum and Mechanics' Institute, July 29th, 1868. The Secretary for Land and Works, &c., &c., &c.,
SIR,

I have the honor to inform you that the Committee has, in connection with other schemes for the enlargement of the Institute's operation, at present under consideration the Resolutions passed by the Provincial Council last Session, and as it is believed that it would materially contribute to the prospect of a speedy settlement of the question if the Committee were able to place before a General Meeting a statement of the Government's willingness to transfer some particular site or sites, (should it be possible to offer a choice) in the event of a Resolution being carried, committing the Institute to the basis of the Resolutions referred to, I am requested to ask that you would be good enough, at your earliest convenience, to furnish the information required.

I have, &c.,
(Signed)
CHAS. SMITH,
Hon. Sec.

(No. 2.—*Secretary for Land and Works to Hon. Sec.*) Province of Otago, New Zealand, Land and Works Office, Dunedin, 1st August, 1868.
SIR,

I have the honor to acknowledge the receipt of your letter of the date quoted in the margin, (29th July, 1868) and to acquaint you in reply, that if the Corporation of Dunedin are willing to give a site for the Athenæum on the Market Reserve at the Octagon, the Government will offer no objection. I may add that there is no other site available.

I have, &c.,
(Signed)
GEO. DUNCAN,
Secretary for Land and Works.
CHAS SMITH, Esq.,

Hon. Sec. Athenæum and Mechanics' Institute, Dunedin

(No. 3.—*Hon. Sec. to His Worship the Mayor.*) Dunedin Athenæum and Mechanics' Institute, July 29th, 1868.
HIS WORSHIP THE MAYOR, Dunedin.

SIR,

I have the honor to inform you that the Committee has, in connection with other schemes for the enlargement of the Institute's operation, at present under consideration the Resolutions passed by the Provincial Council last Session; and as it is believed that it would materially contribute to the prospect of a speedy settlement of the question, if the Committee were able to place before a General Meeting a statement as to some particular site that would be available, I am requested to ask that you would be good enough, at your earliest convenience, to inform me if the City Council would be parties to the transfer of a site on the Octagon, in the event of action being taken on the basis of the Resolutions referred to, a copy of which I enclose.

As it is desirable to submit a statement for consideration of Members as early as possible, you will confer a favor by bringing the subject under notice of the Council on the first favorable opportunity.

I have, &c.,

(Signed)

CHAS. SMITH, *Hon. Sec.*

(Resolutions of Provincial Council enclosed in letter to His Worship the Mayor.)

(As adopted May 7, 1868.)

"1st. That in the opinion of this House it would confer a benefit upon the inhabitants of Dunedin and the Province generally if the collection of Books (now said to be 'upwards of 5,500 vols.')

constituting the Library of the 'Dunedin Athenæum and Mechanics' Institute' (together with the future additions as from time to time to hand), were thrown open for the purpose of being read within the Institute itself by the public at large, free of charge.

"2nd. That with a view to the accomplishment of so desirable an object, this House would bespeak the Government's favorable consideration of any scheme that may be submitted for their approval, provided such scheme be based upon some such principles as the following, viz:—

- The grant of a *free site* upon condition that the Superintendent for the time being be constituted Sole Trustee of the Building to be erected thereon, so as to provide that the said Building be devoted solely to the purpose for which the site shall have been specially granted.
- A suitable Subsidy in aid of the necessarily increased working expenses of the Institute; such subsidy being provided for by *Annual Vote*.

"3rd. That in the event of any engagement being entered into by the Government, in accordance with the suggestions as contained in Resolution No. 2, it is recommended that such engagement be made, upon the clearly expressed *condition* that the Government for the time being retain the right to appoint annually one of its members or other person, as the case may be, who shall have and exercise, on behalf of the Government, all the privileges and powers of a *member of Committee* of the Institute, the same as if he had been duly elected at the Annual Meeting of Members: and moreover, that they also stipulate for the right to appoint annually a gentleman to act as their *Auditor*, whose duties and authority as regards all the accounts of the Institute shall be in every respect equal to, and concurrent with, those of any Auditor to be appointed from time to time by the Members of the Institute."

(a true copy.)

CHAS. SMITH,

Clerk of Council.

(No. 4.—*Town Clerk to Hon. Sec.*) City Council, Dunedin, Aug. 13th, 1868. HON. SEC. ATHENÆUM, DUNEDIN.
SIR,

I have the honor to acknowledge the receipt of your letter, of date quoted in the margin, (29th July), asking to be informed whether the City Council would be parties to the transfer of a site on the Octagon for an Athenæum.

In reply, I am to state that your letter has been remitted to a Sub-Committee of the Council, and they are disposed to consider your proposal favorably; but before coming to any decision they would wish to learn the views of the Managing Committee of the Athenæum as to terms for such transfer. What equivalent or consideration does the Athenæum propose to give for a transfer of a site on the Octagon?

I have, &c.,
(Signed)
J. M. MASSET,
Town Clerk.

(No. 5.—*Hon. Sec. to Town Clerk.*) Dunedin Athenæum and Mechanics' Institute, August 14th, 1868. Town Clerk, Dunedin,
SIR,

I am in receipt of your favor of yesterday's date, asking "what equivalent or consideration" the Athenæum proposes to give for a site on the Octagon.

In reply I have to inform you that the equivalent, as set forth in the Resolutions of the Provincial Council forwarded in my previous communication, is that implied in the right of the citizens of Dunedin and the residents of the Province to have free access to the Athenæum Library, at present containing upwards of 5,500 volumes, and being yearly increased at an average rate of from two to three hundred volumes.

It will be seen from the Resolutions that the Provincial Council considered the right above referred to a sufficient equivalent, not only for the transfer of a "free site," but also for a suitable *annual subsidy*; but should the City Council be of a different opinion, I presume the question of equivalent will have to be decided as between the Council and the Provincial Government, as, the Government having been applied to to indicate what site would be available in the event of this Institution taking action on the basis of the Provincial Council's Resolutions, have indicated the Octagon site as most desirable, probably thinking the City Council would feel gratified by participating in the satisfaction to be derived from conferring so great a boon upon the inhabitants of the Province.

I have, &c.,
(Signed)
CHAS. SMITH, *Hon. Sec.*

No. 6.—*Town Clerk to Hon. Sec.*) Town Clerk's Office, Dunedin, Sept. 7th, 1868. Hon. Sec. Dunedin Athenæum,
SIR,

I have the honor to acknowledge the receipt of your letter of the date quoted in the margin, (August 14th, 1868) in reply to the Council's letter of 13th August, on the subject of a site for an Athenæum.

In reply, I am instructed by the Reserves Committee of the Council to state that, if the Athenæum Committee agree to surrender the unexpired term of the lease of section 34, block VI, Dunedin, the Council will pay fair valuation for the buildings on the allotment, and will consider favorably the application for a site at the Octagon Reserve.

The Athenæum Committee are reminded that during the last ten years the Institution they represent has benefited largely by having a lease of a Municipal Section in the heart of the City, at a nominal rent.

I have, &c.,
(Signed)
J. M. MASSEY,
Town Clerk.

(No. 7.—*Town Clerk to Hon. Sec.*) City Council, Dunedin, 10th Sept., 1868. Hon. Sec. Dunedin Athenæum,
(*Athenæum Site.*)
SIR,

Referring to my letter herein, of date in margin, (7th Sept.) I have to explain that the offer of the Council to pay fair valuation for the buildings, has reference only to the buildings owned by the Athenæum, and used for the purposes of the Institution, and not to any buildings erected by any Sub-Lessees or other tenants, under the Athenæum.

I have, &c.,
(Signed)
J. M. MASSEY,
Town Clerk.

(No. 8.—*Hon. Sec. to Town Clerk.*) Dunedin Athenæum and Mechanics' Institute, Dunedin, The Town Clerk, Dunedin, Sept. 15th, 1868.
SIR,

Referring to your Communications of 7th and 10th instant, I have the honor to inform you that having brought the same under the consideration of the Committee of this Institution, I have to state that it appears to the Committee that the Reserves Committee of the City Council are entirely ignoring or overlooking the purport of my Communications of July 29th and August 14th, to which their attention is respectfully recalled.

I am to add that to surrender the unexpired term of the Lease, &c., being equivalent to the foregoing of £1,500, the Committee are not disposed to accede to it, inasmuch as the Resolutions of the Provincial Council provide that a "free site" should be furnished without any such condition as that sought to be attached thereto by the Reserves Committee of the City Council.

While the Committee of this Institute recognise the fact "that during the last ten years the Institution they represent has benefited largely by having a lease of a "Municipal Section in the heart of the City, "at a nominal rent," yet I am to remind the Reserves Committee of the City Council that the citizens of Dunedin, and the inhabitants of the Province in general, have thereby been placed in possession of advantages that no City or Province in the Colony has been enabled to afford its inhabitants.

I am, &c.,
(Signed)
CHAS. SMITH,
Hon. Sec.

AS under the lee of a gigantic eucalyptus, I lay supine, weary, inert, dozing, dreaming, while all the air of the solemn forest around was quivering and humming, musical and fragrant beneath the pulsation of the fervid sun, a vision came to my prophetic soul.

A vision, as of a youth—a student of the year 2073—girt about with a great gathering of fellow students, to whom he lectured, with whom he discoursed. And sore grief and dismay fell upon my soul as I hearkened to his words; for it quickly appeared that in his day all now extant Religious Creeds had become mere "Historical Expressions." Of a verity, his day seemed to be the day of the "Abomination of Desolation."

"My friends," the student said, or seemed to say, "perusing these great works, the 'History of Human Error,' the 'Hebrew and Christian Mythology,' the 'Dictionary of Superstition,' and the 'Curiosities of Unreason,' one is filled with amazement and disgust, and with humiliation and shame too, as one discovers what gross superstitions, what puerilities, absurdities, impossibilities, contradictions, immoralities, atrocities and lurid horrors were held by our unhappy ancestors as sacred and divine truths and holy religion. Learning what poor infatuates our forefathers were of but two or three hundred years ago, our pride, if any pride be left to us, need no longer take affront at the theory of our immensely remote descent, or rather ascent, from the ape.

"Though much light had been for some time streaming in, and the black cloud of superstition, brooding incubus-like over the mind of man, had been riven and rent, and was being slowly dispersed, still, as lately as near the close of the nineteenth century, great numbers of so called educated men continued to hold, or to profess to hold, such monstrous beliefs as these:—

"That they were in possession of paper-revelations from the Infinite Soul of the Universe, who was not only the Infinite Spirit, but also, somehow, a personal deity, whatever that might have meant; that there was also another great spirit—the spirit of evil—whom they commonly call the Devil, and who in some sort shared the dominion of the universe with the good spirit. Though the good spirit, being omnipotent, could easily have extinguished the bad one by a gentle euthanasia, yet he did not so will it, but, on the contrary, appointed the devil his superintendent, in some portion of the universe called Hell, where his appointed duties were to torture for ever, *in sæula sæulorum*, all the human creatures whom the Deity had made, except some few, who were

saved by divine grace, or by their implicit faith, without inquiry, without using the reason God had given them, in impossibilities. But, nevertheless, God was all-merciful and of loving-kindness.

"And when any sceptic asked them what it was that was tormented in hell, seeing that they were speaking of dead men, they would reply it was 'the immortal souls; the immortal spirits of the dead.' When it would be pointed out to them that immaterial spirit, without flesh and nerves, would be incapable of feeling any sensation whatsoever, then they seemed to think that the immortal souls would be reinvested in fresh clothings of flesh and blood, facsimiles of the old ones, so as to enable them to enjoy again the luxury of sensation. But these new robes of flesh and blood were to be quite different from the old ones, inasmuch that they were indestructible, no matter how much they got torn. They could not bleed to death. "When asked what was the difference between immaterial spirit and nothing, they were sorely puzzled, and could only say—nothing!

"Though they in some sort, perhaps rather dubiously, accepted the idea of God being the soul of the infinite universe, they, nevertheless, at the same time firmly believed that he was also the son of the wife of a Jewish carpenter; that he was executed as a revolutionary demagogue; but, coming out from his grave in a day or two, was mistaken for a gardener. That, after that, in the presence of human witnesses, this God went up from the top of a hill into the air, like a balloon, until he vanished out of sight, and never came down again,—though he promised he would before that generation passed away!

"They had a notion, those superstition-bewildered forefathers of ours, that, by becoming thus incarnate and going through the ceremonial of human death—to a god it could be but a ceremonial—the Deity in some way appeased his own wrath against his own human creatures, or his Father's wrath (there is some confusion here, not easily unravelled, for it seems there were two or three gods, and still only one), and reconciled it to his own sense of justice to save mankind from the clutches of his superintendent, the evil spirit, and his cells of eternal torment. But, somehow, this divine scheme of the Omnipotent turned out not a great success, inasmuch as they held that, after and in spite of this queer divine expiation, the number of men to be saved would be to those hopelessly damned but as the gleanings of the field to the harvest.

"When asked what was their warranty that Jesus of Nazareth was really incarnate God, their reply was that it was incontrovertibly proved by his having changed water into wine, and made loaves and fishes out of nothing, with some other similar little thaumaturgics. They also believed firmly that in those old days an angel used to swoop down from Heaven once a year, and fall flop—like a duck—into a dirty little pond near Jerusalem, and stir up the waters thereof, and that any sick or maimed mortal bathing therein after him, would be immediately restored to health and the normal number of limbs. Also that their Anthropoid Deity had a singular talent for discovering lots of little devils in men's insides, and a faculty for making them come out of that pretty quickly. Sometimes he hardly knew what to do with them after their ejection, for it is narrated that on one occasion he had to get rid of them by making them fly down the throats of a herd of poor pigs, who incontinently, in affront or despair, rushed into the sea and committed suicide, drowning at once themselves and the little devils, their inside-passengers. A sad loss to the owner of the porkers. She was a widow, and they were her all. She died of starvation. If a handkerchief or other bit of rag touched the body of the Divine Anthropoid or of any of his chief spokesmen, the woollen or cotton fibre thereof became impregnated with a certain magical aroma, capable of inoculating all sick people with health.

"Once upon a time the great Evil Spirit, Superintendent of Hell, carried this God to the top of a hill so lofty that he was able to show him from it, all the kingdoms of this world, the spherical form of which was unknown to both of them.

"It is almost inconceivable, but I can assure you it is a certain fact, that all the grotesque fables of the old Hebrew mythology were held by our poor ancestors to be sacred truths, divinely inspired narratives of real events! Of those old fables—sometimes merely fantastic and puerile, often horrible, sanguinary and revolting, full of impossibilities, immoralities and obscenities, and having as much verisimilitude as the 'Arabian Nights Entertainments'—they deemed every word to be divinely inspired! They accepted as the Infinite Soul's revelation of itself, all the sordid anthropomorphic conceptions of the Deity formed by the dark minds of the old squalid ferocious Hebrew savages, who pictured him as a vague gigantic old man, sitting in the clouds, full of their own vile passions, wrathful, revengeful, jealous, fickle, taking no heed of the great universe (of which they knew nothing), but solely occupied as the tutelary but cruel genius of one filthy tribe. Thus, they believed, as a divinely revealed fact, that quaint old myth of God having made the universe out of nothing only a few hundred years ago, and after six days hard work at it, finding himself so knocked up that he had to rest on the seventh. Curiously enough, there is a reason to believe that in this old myth originated our present custom of generally keeping every seventh day as a sort of holyday. They further believed that God had to carve a rib out of the side of the first man in order to make the first woman. Also, in that queer old tale (which some of you may have seen in the nursery, bound up with the 'Arabian Nights') of a paradise somewhere near the site of the great railway station, on the Euphrates line, in which the first human couple were paddocked, and where the woman was over persuaded by a rattlesnake to eat a ribstone pippin which God had forbidden her to eat—for

which disobedience she and her female descendants were for ever cursed with the penalty of having to be the mothers of children. But for the snake there would have been no human race, it appears! Perhaps that was the reason he was worshipped in some countries in old times. It was also considered quite certain that the Asiatic aborigines used to live to the age of about a thousand years!

"It seems probable that at a very early human period, before our race had become very numerous, and when it was chiefly gathered together in some valley, perhaps in the alluvial flats of Mesopotamia, some considerable local flood occurred, by which many people perished, and others only escaped by boats and rafts. And that after a time, among an utterly ignorant and barbarous people, this catastrophe got magnified into a monstrous myth—full of moral and physical impossibilities—bearing the palpable mark of the savage mind in which it was coined. And by degrees the fable was built up that in the days of yore, God, getting into an awful scot with all the organic life he had placed on the earth, determined to swamp it all, with the exception of one human family, and pairs of every species of animal and insect. So he 'gave the office' to an old aboriginal called Noah, and lessons in naval construction, and caused him to build a great punt, as big as one of our passenger steamers. Into this got Noah and his family, and received pairs of all the beasts, divinely inspired to come to them. Fancy the amiable Noah handing in the cobra-di-capella, and rattlesnakes and centipedes, and scorpions! Then God caused it to rain for four or five weeks, which had the singular effect of raising the water over the summits of the highest mountains in the world—the Himalayas, Andes, etc. After a long cruise, the big punt grounded in shoal water on the top of a very high peak, and the four-or-five-miles thickness of water ran away into the sea-bed, and somehow found room there. The old reciters (improvisatori), priests who piled up the myth, forgot, or did not know that such a submersion would have destroyed all vegetable as effectually as all animal life. So, by this oversight, they omitted to make any provision for the preservation in the punt of seedlings of all trees and plants. No doubt it would have appeared to them only natural that all these should spring again in full development from the drying soil. You will find it hard to credit, but I can assure you I have ascertained it to be a fact, that this childish and ridiculous fable was universally believed in as lately as the seventeenth century, very generally in the eighteenth, and that even in the nineteenth century there were thousands among the classes middlingly educated who still believed, or feigned and professed to believe, it.

"This Bible-God of our forefathers, neglecting the infinite myriad of myriads of thousand-fold grander worlds, devoted all his time and attention, in personal presence, to this microscopic satellite of a microscopic star, an insignificant unit in that insignificant cluster of suns which we call the Milky Way.

"And even on this microscopic grain of cosmic sand there was only one paltry tribe of slaves and savages for whom he cared. With them he bivouacked and hobnobbed. Sometimes he marched at the head of a rabble of revolted slaves and canaille, in the costume of a pillar of smoke or of fire. Sometimes he sat in a burning bush and commanded a gentleman who came to interview him to show him decent respect by taking off his bluchers, for the ground within a certain radius around the bush had become more holy than the rest of the surface of God's earth.

"At another time, the Bible-God camped on the top of the Horeb ridges, surrounded by a really brilliant display of fireworks, accompanied by the blowing of trombones and French horns. The chief magistrate of the people of the valley below went up to call upon him, and to request the pleasure of an interview; when he, scarcely setting an example of good manners, replied that he would not permit him to see his face (for *that* no man could see and live), but that he might see his posteriors if he pleased. Afterwards, however, changing his mind, he met the same mayor face to face, and conversed with him 'as one man to another.'

"And, on a second occasion, he courteously received a full deputation of the mayor and all the aldermen, and entertained them at dinner. Nevertheless, not feeling quite sure of himself, he warned them to take care of themselves, lest he should break forth on them (like a savage dog). While he thus held court on the top of the hill, he took the trouble to engrave, with his own royal hand, on tablets of stone, all his laws for the guidance of the human race,—or rather of the one wandering tribe for which alone he cared. But herein he made a mistake, not being able to foresee or prevent the smashing-up of these tablets next day by an angry man.

"It is not unlikely that this myth had its origin from some volcano, of which the priests had availed themselves for the purpose of humbugging the people. Once upon a time, this great god, putting on a human form, indulged in a wrestling-match with one of the old patriarchs. Whether for so much a side or not, is not recorded. After a very severe tussle, he flung him by a cross-buttock, and hurt him so much that he limped ever after.

"This Bible-Deity was not represented at all as an omnipotent god. On the contrary, he usually encountered great difficulty in carrying out his schemes, and often signally failed. For instance, when he took it in hand to free the slaves held by the king and people of Egypt, he first endeavoured to persuade the king to permit them to go. Failing in this, he next tried to coerce king and people by afflicting them with various juggling plagues, fantastic or horrible. The king, however, was still resolute—being a man of stronger will than the Bible-God, who then got up a sort of Fenian conspiracy among the slaves, instructing them to rise simultaneously in the

night, rob their sleeping masters and mistresses, and bolt for the bush. Afterwards, by a beautiful act of military strategy, God succeeded in decoying his enemy, the Egyptian king, into an ambush, where he could easily bring into play his old celebrated drowning tactics; which he did; swamping the hostile king and all his army. This brilliant success against a few of his own poor creatures—crawling upon a microscopic grain of cosmical dust—was an enormous and magnificent triumph for the Infinite Spirit of the Universe, and was celebrated ever after by endless rub-a-dubbing, and 'sounding of loud timbrels o'er Egypt's dark sea,' for the Infinite had triumphed, and his ragamuffins were free. God himself was very proud of it, and frequently thereafter declared himself to be a Man of War, and the Generalissimo of Hosts! But he was not always so successful; for, when he and his people came into conflict with a tribe possessing chariots of iron, he could not prevail against them. And all through these veracious, inspired histories, I find our Bible-God pictured as a struggling, striving, unscrupulous (but often unsuccessful) partisan.

"In point of morality this God was far lower in the scale than any other god ever invented by the human brain—altogether viler. The gods of the Greeks had their little foibles and peccadilloes, but, upon the whole, they were a gracious, amiable, debonnaire, gay and festive lot; gentlemen, and cavaliers, and ladies. But the god of the Jews was limned in the lurid and sanguinary hues of their own peculiarly dark, gloomy and ferocious minds. He was a god who delighted, above all things, in carnage, massacre and murder, in treasons, stratagems and spoils. He led his armed and trained bands against nation after nation of peaceful and comparatively civilised people, always with sternest injunctions to smite and spare not; to slaughter man, woman, and child; to rip up the bellies of women with child; and to despoil, bum, and lay waste their cities. If they failed to make a satisfactory extermination in any case, they themselves incurred his wrath. On one occasion when his people had been hard at work all day, making a most lovely massacre, the day not proving long enough to make a nice clean finish of it, he graciously commanded the sun to stand still in the heavens for two hours, so as to give his pet bravos so much more time for slashing and stabbing, and ripping up bellies. You see astronomy was not known when this myth was concocted. When 100,000 women and children of another nation were brought in captive, this Divine Being would command that all the women who were not virgins together with all the boys should be cut to pieces, and that the virgins should be divided fairly among the soldiers, after the priests had taken their pick.

"At another time He would proclaim to his chosen people, 'I remember that which Amalek did to Israel (four hundred years before), how he laid wait for him in the way, when he came up from Egypt. Now go and smite Amalek, and utterly destroy all that they have, and spare them not; but slay both man and woman, infant and suckling, ox and sheep, camel and ass.'

"And sometimes when there were no other people about handy to be slaughtered, he would command his own people to run-amuck among themselves, in such words as these:—"Thus saith the Lord God, put every man his sword by his side, and go in and out from gate to gate throughout the camp, and slay every man his brother, and every man his companion, and every man his neighbour.'

"He greatly delighted in good, clever, treacherous, private assassination. So, when an amiable woman invited a political refugee into her house, gave him good cheer and a comfortable bed, and then drove a spike-nail into his brain as soon as he slept, he gave her great kudos, and proclaimed her 'blessed beyond all women!' His chiefest favorite among men, David, king, saint and inspired prophet, specially characterised as 'the man after God's own heart,' whenever he overcame foreign nations, was wont to put the people of all their cities under saws and under harrows of iron, and under axes of iron, and cast them into brickkilns. The exterminating massacres made by his people, under his guidance, among the peaceful nations of Asia Minor have, probably, never been paralleled, before or since, in the world's history. Some nations were so utterly swept away that not even their name survives: no record, save the almost imperishable ruins of their most magnificent cities—to overturn which, those savages possessed not sufficient mechanical skill. For instance, the Baalbec ruins, which many of you have seen. The people who reared those wonderful temples, or public buildings, were certainly in some branches of mechanics and in architecture, superior to us at this day. They must have enjoyed many centuries of peaceful prosperity, and must have attained to a considerable degree of civilisation. They had, perhaps, never heard of war, and fell victims, helpless as sheep, before the ruthless sword of the chosen horde, under divine guidance.

"This old book I have here, entitled the 'Comic Bible,' is certainly the most comical of all the books I know; it was an immense favorite a hundred years ago, but has lost its piquancy now, because so few in these days know anything of the original of the burlesque."

The student seemed to resume:—

"It would fill a goodly volume, my friends, to give anything like a full answer to a question as to how so shallow and absurd a superstition as the Christian could ever have obtained a first footing in the days of the old Roman Empire. On this occasion I can do no more than point out very briefly, two or three of the most salient and obvious causes—predisposing and active. The great predisposing cause was, beyond doubt, the absolute

mental blankness of the lower classes in those days. The intellectual and educational status of the classes among whom, for the first two or three centuries, the new superstition crawled, like a low typhoid, was not superior to that of the nigger slaves of early American history, while in natural acumen, sense of logic and appreciation of the ridiculous, the early Christians must have been inferior to the average uneducated African negro.

"And there was an epidemic of credulity abroad which impelled the minds of the ignorant to accept with hungry and implicit faith all that was marvellous and impossible, which seemed, indeed, to make the marvellous and impossible more belief-worthy than the natural. As for scientific inquiry and physical truth, the ideas had not been born. One of the great fathers of the new sect declared, '*Credo quia impossibile.*'

"It should ever be borne in mind that, at first and for a long period, the new doctrines were promulgated only among the slaves, the pauper, the lazzaroni and gutter people of the old world; only among the classes clothed in rags, ignorance, dirt and disease. The educated classes knew little of what was going on in the cellars and slums; if they heard of it, they called it an *exitiabilis superstitio*, and 'pooh pooh'd' it, *de haut en bas*, as merely the silly Obiism of the slaves. They ignored the disease until, alas! it had spread beyond stamping out.

"Like the vile Communism which, a century and a half ago, it cost so much blood and treasure to hold under foot until the general spread of an enlightened knowledge of economic and social laws finally exorcised the unclean spirit, the new Gospel of Jesus was expressly framed to pander to all the mean passions and prejudices of an ignorant proletariat; to pander to the envy and malice, the dull and savage hatred, which, in the ignorant ages, always animated the hearts of the poor against all who were a little above them in material comfort or education, or intelligence. It proclaimed the kingdom of heaven as the inheritance of the paupers, only, of this world! that into that blissful kingdom no rich man should enter: 'Woe to the rich! they had their portion here!' In the world to come they should only have hell-tire. And the paupers, luxuriating in the abodes of the blessed, should solace themselves for ever by the agreeable spectacle of the writhings of their whilome masters in fiery lakes of sulphur! And, from the pauper standpoint of view, who is Dives, the rich man? Why, every man who wears a decent coat and lives in a comfortable house—the well-to-do farmer, shop-keeper, or tradesman, the successful artizan—they are the rich of this world, as viewed from the gutter. Woe to them all! they have had their portion—for them, in the world to come, only the worm that dieth not! It shall be as impossible for one of them to enter the Kingdom of Heaven as for a camel to pass through the eye of a needle.

"This new Gospel taught them also not to trouble themselves to be saving and prudent; to take no heed for the morrow, but to trust to odd jobs that might turn up. Not to bother themselves with much work or labour, but rather to follow the example of the lilies, which 'toiled not.' What mattered rags and dirt, and a few ulcers? They would soon be looking down from Heaven on all the prudent and painstaking, suffering infinitely worse inconvenience, in a place where there would be eternal gnashing of teeth. What a seductive, irresistible gospel for town lazzaroni and country mud-cabiners!

"Another potent cause of the rapid spread of the mental epidemic is to be found in the panic-terror with which the low multitude was stricken by the authoritative and positive announcement of the immediate end of the world, and by the horrifying pictures of a ghastly, imminent Hell, together with the confident and unfaltering pretensions of the preachers, that they alone could show the one way of escape there from. Be sure, preachers and proselytisers were plenty! To ambitious, vain and wordy loafers, who hate work and love to hear their own voices, what *r#le* so attractive as that of preacher and prophet? To rise, *per saltum*, say from the sweeping of a crossing to the position of a semi-divine personage! To be welcomed to the best fare in every house or cabin, to be listened to with gaping mouth and wondering reverence; to be petted, and kissed, and worshipped by all the women! And no more work; no more sweeping of the crossing! Only to talk, and lift up the eyes! You have heard that some of them came to grief. That is so. Casualties occurred in the ranks both of the early Mormon and early Christian apostles. In both cases some were hanged by the authorities, and some wiped out in street rows. But they were mere casualties; happening to, say, one in a thousand. And in both cases, doubtlessly, when the victims (that were to be) first took up the propagand, they thought little of remote, possible, future danger, which each one, individually, would naturally hope to escape by prudence and management. Or, if they foresaw a slight contingency of peril, it would be to them enormously outweighed by the immense, immediate gain in position, in gratification of vanity, in the sudden emergence from unconsidered and unknown pauperdom to a sort of social eminence. When accidents happened to them they were dubbed 'holy martyrs,' and their bones and toenails were worshipped; and, in old-world slang, they were said to have given 'testimony unto death;' to have 'sealed their faith with their blood,' etc. Yes; just as a fallen soldier may be said to have 'sealed his faith' in a red coat and the comforts of the barracks. A contingency attached to a good profession—that is all.

"My friends," the student went on, "it seems to me that I have already partly answered your second question—Why we are at the present day usually taught to consider the Christian the most pernicious of the superstitions of the past? The student of history sees reasons only too grievous for so estimating it. It would,

however, be more correct to speak, not of Christianity apart, but rather of the Hebraic cluster of religions conjointly. For, as you all know, Mormonism, Mahometanism, and Christianity, were only excrescences—morbid outgrowths from the original baleful Hebrew stock. Indeed all dark and gloomy conceptions of Nature, and man and his destiny, seem to be derived from the farouche and sombre Semitic mind. It was that cluster of religions which first hatched the detestable idea of persecution for theological—that is, merely speculative—opinion. The principle of persecution was the marked characteristic which differentiated them from all other crystallisations of religious thought. All the other religions of the Old World were comparatively free from that fiendish element; comparatively mild and benevolent. The Greeks of old had their imaginary gods, but they picked no quarrel with the gods of other people. On the contrary, they complaisantly acknowledged them, and gave them niches in their Pantheon. And Buddhism, the religion which has numbered so many more followers than any other, was purely philosophical and meditative. The special Christian development possesses, however, the most direct interest for us, as having been the error of our own forefathers. Not without some element of good in it, the over-balance of evil and mischief wrought upon mankind by that superstition is incalculable. What calamities and woes it caused! What cruel persecutions, what horrors and gloom, and despair and blood.

"During the earlier centuries, when Faith was not merely nominal, but frightfully real and active, the peoples were frenzied by the new terror of an ever-yawning Hell. The world, under the shadow of night, was made hideous with the ceaseless prowlings of the Devil and his ghastly imps. No other such calamity as this terror of the Christian Hell ever fell upon mankind, overshadowing it with a sulphurous cloud of despairing asceticism; blotting out the brightness and joyousness of the earth; driving men into the unintelligent ferocity of frightened wild beasts. Men were taught that all who knew not, or accepted not, the Faith, were doomed to eternal torment by the inexorable decree of a merciless all-merciful God. More than that, each sect within the faith was taught that every other sect would be certainly damned! 'Tweedledum' believed that 'Tweedledee' would be as satisfactorily damned as even they who had never heard of 'Tweedledum' and 'Tweedledee.' Further; it was held that even among the correctly orthodox, only an elect few—not one in a thousand—would be really saved.

"With the conviction on every mind that the vast majority of mankind were predestined to be foul fiends in Hell, what could there be in the world of respect for human life; of kindly human feeling, of cheerful brotherhood? No; nothing in those days but the evilness of fear and despair. Only gloom; only cruelty; only self-brooding and self-mortification; only the stern suppression of all the pleasurable emotions. What could signify the present suffering, or the mortal lives of future demons? Let us slaughter and burn a thousand misbelievers, and so save our own souls.

"And hundreds of thousands were driven into caves and deserts, and monasteries and nunneries, and became more or less insane. Even up to a comparatively recent era thousands of fine minds were thrown off their balance and ruined by the terrible inner conflict between early-implanted-faith and reason, revolting against the transparently false.

"So anti-social was the Christian dogma in its essence, that, had not the bulk of the people always and everywhere been too unimaginative—stolid and commonsensible—fully to apprehend and realise it, the human race would doubtlessly have died out under its icy devitalising breath; for its real teaching was to despise all mundane matters, for 'the Kingdom of Heaven was at hand:' to cast away property as an incumbrance, to contemn wealth and comfort as snares; only to live upon such fruits of the earth as could be picked up without much anxiety, and to wait patiently as they could, until death opened to them the portals of eternal bliss. Had all the world fully believed, all the world had turned anchorite,—as did the portion which so believed. There would have been an end of all industrial and commercial effort, of ships, colonies and commerce, of mines and manufactures. Why trouble ourselves about such trumpery? for 'the Kingdom of Heaven is at hand.'

"The ethics of this creed were often utterly bewildering. If a poor man were reckless, improvident, incapable, and so remained always a poor man, he had a chance of Heaven; hut if he were prudent and saving, and so raised himself into wealth and household comfort, then, woe to him! none such shall enter the kingdom! he had had his portion.

"So class was set against class, and the poor taught to hate the rich: yet, at the same time, passive obedience to all in authority was inculcated. Why should the poor man, certain of developing into an angel in Heaven, be so submissive to Dives, whose doom was hell? Though the whole nature of religion was such as necessarily to evoke the fiercest spirit of persecution, and though the reputed author himself was reported to have declared that he came to bring a sword into the world, still one of its chief moral teachings was cowardly submission to injury and insult. If a man smote you on one cheek, you were to offer him the other to be smitten. How should evil be mended, or cured, or removed, if it were never to be resisted? A poor, mean, humble spirit, was highly commended. And consider the monstrosity of making salvation depend upon faith, upon the wholly involuntary act of believing or disbelieving certain propositions, which were either mere assertions or theorems submitted

to your judgment and reason! that was a puzzle which drove many men mad.

"To us, in this twenty-first century, there is, perhaps, nothing more repulsive in the old Christian ethics than the intersexual asceticism they set up, and the insult they offered to our human nature, by reprobating the sexual passion as unholy and impure. Taking the obverse of the true moral, that the gratification of this appetite, as of any other of our appetites, is naturally and essentially innocent, and only casually made sinful by circumstances and consequences, Christianity taught that it was naturally and essentially sinful and unholy, and only permissible under the one circumstance of matrimony blessed by a priest; even then only barely to be tolerated, not to be commended. The only truly holy life for men and women was to live apart in monasteries and nunneries, and suppress natural desires by fasting, flagellation, fustigation, maceration. Weaker brethren (which perhaps meant the saner ones) were, however, out of consideration for their deplorable frailty, permitted the alternative of priest-blessed marriage, without being certainly damned. Though their chances of salvation were, of course, far inferior to those of the nobler ones in the stone cells.

"The ethics of the Bible were, however, many-sided and abundantly contradictory; passage gainsaying passage throughout. So that out of them you could build up any moral system you pleased—from the worst to the best. During the later periods of the prevalence of superstition, it was customary to pick out, by a judicious eclecticism, all the best precepts and ignore all the evil—pretending it did not exist. Then these selected, assorted, and sieved Bible-morals were held up to the admiration of the world as something too perfect ever to have been discovered by human reason, unassisted by Divine revelation. As if there were something very abstruse in the science of morals—the science merely of what, in the principle of moral action, tends, or tends not, to the well-being of mankind.

"At first thought, it would seem an inexplicable phenomenon that any among the educated classes in the nineteenth century could keep on believing, in face of the fact that, in those days, and in the previous century, it had been by many able writers repeatedly—and, we would say, incontrovertibly—shown that the popular religion was no better than the baseless fabric of a dream; in face of the fact that it was repudiated, either contemptuously or with pity and in silence, by all their scientific men, and by the great majority of all their foremost thinkers. Again and again it had been shown that the religion was self-condemned by its own inherent absurdity; that the book they called 'inspired' was self-condemned by its own internal evidence; by its self-contradictions, its assertions of physical falsehoods, its laudation of vile crimes and immoral sentiments. It had been shown that the reputed miraculous-and-supernatural events on which Christianity was based were reported to have occurred in a very dark corner of the world, in a very dark age, when there was no printing-press, no newspapers, no telegraph, no post-office, no stage coaches, no special reporters, no publicity, and among the very lowest class of people—fishermen, beggars, etc.—among whom the accomplishments of reading and writing were not to be looked for (though these same disciples were afterwards absurdly credited with high literary abilities); that no scientific commission had examined into the alleged facts; no able counsel had been appointed to cross-examine the witnesses and sift the evidence; and no detectives had been dispatched from Scotland Yard. That, in fact, the very idea of scientific investigation had not been conceived in those days; the inductive study of natural laws was unheard of, and no definite boundary had been drawn between the natural and the supernatural, but both were jumbled up together—the one appearing as probable as the other.

"With regard to the writings which they called 'the Gospels'—on the literal truth and exactness of which they depended for all knowledge of the sayings and doings of the Founder of their Faith—it had been shown, again and again, that they were written nobody knew when, and nobody knew by whom; but certainly not by their reputed authors; that there was no historical record of their publication or their existence earlier than a century and a-half after the events of which they professed to be narratives by eye-witnesses. That, earlier than that, no writer had ever alluded to their existence; that these four Gospels were then avowedly selected by the priests, or "Fathers," from hundreds of other gospels; that these old Fathers were (*teste* their own writings) men, at once of inconceivable folly and credulity, and of boundless dishonesty; esteeming all frauds pious that favoured their own Church and their own interests.

"And it had been forcibly represented that, in those old, dark, troublous days, and in relation to events in which only some of the lowest and most ignorant class took any interest, the lapse of a century and a-half, or even half that time, would have thrown over the past a more impenetrable fog of antiquity and obscurity than could the rolling of thousands of years of the modern world.

"There was another proof much relied upon by the Christians at a somewhat earlier period, namely,—the so-called 'Evidence of Prophecy.' This meant that certain more ancient Jewish writings referred to, had predicted the events of the Christian Gospels. The Divine Founder and the 'inspired writers' of those gospels distinctly claimed them in evidence. The Jews however—who ought to have known something about it—always utterly denied that their old scriptures bore any such meaning. And when, at last, criticism proved beyond controversy that none of those ancient writings referred to the then-distantly-future Christian era, but to synchronous events easily designated, then the Christian divines, receding, took up the position that, if not in a

direct or primary sense, still, in a secondary (allegorical and mystical) sense, they were unquestionably prophetic of Jesus. They argued well that 'Jesus was certainly the Christ' because the old prophets had prophesied of him; and that the prophets *had* certainly prophesied of him (even though only allegorically), since he, being the Christ, had said so.

"A great portion of the so-called 'prophetic writings' are void of all intelligible meaning, and may be supposed to signify anything or nothing. They were, probably, the rhapsodies and ravings of priests who had gone mad. In the East, the insane were always regarded with a superstitious reverence.

"I have remarked that the evidence from prophecy was not much insisted upon—indeed, seldom alluded to—since the close of the eighteenth century. The position seemed to have been abandoned, probably as untenable.

"In fine, in the eighteenth and nineteenth centuries, it had been made patent to all who were willing and able to inquire with an even-balanced mind, that the intrinsically incredible popular religion was unsupported, except by such shadowy proofs as would not for a moment be entertained in the discussion of any other historical question—proofs such as no secular historian would consider sufficient to throw any colour of authenticity over traditions of even a natural and non-absurd character. The true Gospel of Science had been proclaimed, and yet thousands of infidels shut their ears and kept on believing in their own misshapen idols. How was this? The phenomenon is not inexplicable. There were many reasons why it should be so. There was the heavy *vis inertiae* of old custom, and the dull stolid resistance of bourgeois respectability and black-coated Philistinism. Then the women were systematically kept in the dark; so that, though *paterfamilias* might have made himself a thoroughly enlightened man, still his son—receiving his earliest, too often indelible, impressions from his mother, female relatives, nursemaids and parsons—would have to start again in life from a mental platform no higher than that of his great-grandmother, gaining little, or nothing, by the intellectual elevation of his father. And each successive generation of young men had to repeat for itself the painful process of believing at first and learning to disbelieve afterwards. And in each generation the authority of the nursery clung supreme through life to thousands of minds, sluggish and uninquiring, or obstinate and proud, or timid and reverential and feebly imaginative. A reticence, for politic reasons very generally maintained, long upheld the form of a religion that was really moribund and nearly inanimate. The worldly success and comfort of most men depended upon appearing to swim with the tide of popular prejudice, and so, before the public, they hypocritically pretended to reverence what, in their hearts and in the society of intimate friends, they despised and derided. Thus, the free-thinkers had no means of learning their own numbers and strength. And this cowardly reticence was carried so far, that, long after they were in a decided majority, each individual free-thinker was afraid to speak, supposing himself to be only one of a small minority. Writers of the close of the nineteenth century express an opinion that for nearly a hundred years the popular creed had floated only upon reticence.

"But to explain this phenomenon, which seems to puzzle you so much, of the coexistence, side by side, for more than a hundred years, of the broad light of Science and Philosophy, and the darkness of superstition, what more is necessary than the well-proved biological doctrine of the produced hereditariness of mental impressions, warps and twists, continued through many generations? We know that what we call instinct in the lower animals, is only inherited memory, experience and habits. The fish that have swum for countless generations in the pitch-dark waters of the Adelsberg caves, have become eyeless through the gradual atrophy of the unused organs of sight. When removed to open waters, many generations pass ere they begin once more to blink at the glimpses of the sun. Had the Chinese bandaged, cramped and dwarfed the feet of both sexes for a certain number of generations, it is highly probable that, at last, the foot-deformity would have become congenital, inherited.

"Now, the minds of men who, in the light of the nineteenth century, still kept on believing, were like Adelsberg fish that had not yet been in the open water for a sufficient number of generations to recover their vision. The minds of their forefathers had been for so many ages shut up in the tenebrous crypts and cloisters of superstition—seeing nothing therein but false and doleful phantoms—that the mental eye, capable of seeing the truth, had become congenitally atrophied. And their minds were like the suppositional Chinese foot; their predecessors' minds had been so long dwarfed and distorted by the bandages of priestcraft, authority and custom, that a few generations without bandages were necessary for restoration.

"Happy are we in this glorious twenty-first century! Happy to have learnt to be humble enough to acknowledge that there is a definite impassable limit to the range of human inquiry; to be wise enough never more to shatter our brain-power in vain attempts to transcend the limit into the infinite abysses! "Whereas the men of old, in the arrogance of ignorance, glancing at the one infinite phenomenon of the universe, flippantly declared themselves at once capable of hitting on the true solution of the mystery of mysteries, and that the solution was, that the universe had been made by a god pre-existing in vacuo (the Hindoo elephant and tortoise over again!), and thereupon fell to discussing the attributes and character of this brain-coined Being, *we* simply

say that all inquiry into first causes and the real nature of things is 'beyond the limit,' and cease to beat the air. "While they, mistaking inference for observation, naively declared that they could plainly see all around the wonderful evidences of design, we, noting—all that can be noted—the marvellous adaptation of things, "humbly admit that the cause of those adaptations is from man for ever hidden, and that the inquiry is beyond the limit.

"Happy are we that, with souls no longer perturbed by the menacing figure of the old-man-god in the clouds, with his attendant devil, we can tranquilly cultivate the one real religion—the religion of humanity—how we may best labour to promote the happiness and alleviate the woes of mankind."

Here the impious vision ended, and, springing to my feet, I devoutly crossed myself, exclaiming "*Anathema maranatha!*"

Extracts from Letters

I AM quite aware of the mode in which the sacerdotalists deal with the promise and prophecy of Jesus that he would return in glory before that generation passed away. I know how, by a little hanky-panky, they deftly convert that terrible difficulty, that (one might have supposed) crushing disaster into a brilliant sham victory, with endless sham jubilations. But only sham, indeed. For it is simply not true that the Greek word *genea*, correctly rendered in the English version "generation," ever elsewhere bears the meaning of a "people" or "nation." No Sir—not in any Greek work extant—not in any Greek passage that can be found and quoted. Consult the highest Greek authority you can find, and (if he be not pledged to falsification by *Ins métier*) I think he will tell you that in no context elsewhere does *genea* signify anything but a generation of man. Most assuredly the companions and immediate followers of Jesus understood that he had pledged himself to return before all those who stood about him had tasted of death. "Were they not as likely as we to understand his meaning? Note, too, that in the passage (Matthew xxvi.) "*Hereafter* shall ye see the Son of Man sitting on the right hand of power, and coming in the clouds of heaven," the precise meaning of the original Greek word is not *hereafter* but *immediately*.

Why, we should never have heard of Christianity but for the electrifying effect on the startled imaginations of the first converts produced by the positive announcement and daily expectation of the second advent and the end of all things. That was the sharp terror that gave first impetus to the new creed and set it rolling. At this time of day, however, it suits Christianists best to sing a palinode, and to *explain* that when Jesus said he would return before the death of that generation, while those about him were still alive, and immediately, he really only meant, "before the Jews ceased to exist as a separate people." And thereupon they burst into a gushing enthusiasm over the wonderful fulfilment of the word of our Lord. "Behold, say they, the unparalleled fact, the grand unmistakable miracle of the continued existence of the Jews as a separate people, though scattered among all nations. They are a crushing evidence of the truth of Christianity and a continued pledge that the Lord Jesus is coming again." (By the way, former Christians thought it the holy thing to try to exterminate them.) Securely clothed inside and out "with self-deceit, they say all this and much more without blushing, without winking, in the face of the precisely parallel (miraculous?) facts—of the Parsees or Zoroastrians of Persia, scattered for some 1200 years among all the nations of India, yet keeping themselves as a distinct people even more rigidly than the Jews—of the gipsies, probably for nearly a thousand years—and, more remarkable than all, of the auchthonic aborigines of India, the Bhuls, Gonds, etc., who still preserve themselves distinct, with all their immemorial rites and customs, though the overflowing of India by the Hindoos (Aryan, Indo-Germanic race) occurred in times prehistoric.

Note that against Jesus' unfortunate unfulfilled prophecies of his immediate return Christianists had begun to hedge as early as the date of the writing of the gospel according to St. John (about A.D. 170), from, which *all these predictions are carefully excluded*, and in which occurs that most unpleasantly prevaricating passage in chapter xxi. 20-23—too obviously and transparently designed to quibble away the disconcerting puzzle-priest difficulty that John the last survivor of the apostles was dead, all "Divine" promises to the contrary notwithstanding.

Some ingenious critics have defended the rendering of *genea* by "race" or "people" by appealing to the authority of our poet Pope, who, in his paraphrase of a passage in the Illiad (6th Book), has translated that word both "generation" and "race," thus:—

"Like leaves on trees the race of men is found,
Now green in youth, now withering on the ground;

Another race the following spring supplies,
They fall successive and successive rise;
So generations in their course decay,
So nourish these when those have passed away!"

Here, however, it is plain enough that both Homer used and Pope understood the word in the sense of generation after generation, though the exigences of English verse made the monosyllable "race" more convenient.

In any ease, Alexander Pope was not Pope Alexander, and therefore not infallible.

Then, which of the Harmonists has been able to bridge over the well-known historical interval of ten years (*hiatus valdè deflendus!*) between the death of Herod and the birth of Jesus? Facts here seem too stubborn for them. For it is certain that St. Luke tells us that Jeaus was born at the time of the taxing of Judea and Syria by the Roman Governor Cyrenius (or Quirinus). It is equally certain that after the death of Herod his son Archelaus reigned some nine years, when he was banished by the Imperial Government, those provinces definitively absorbed into the Roman Empire, and Cyrenius (see Josephus, Book 18, chap, i) especially deputed from Rome to make registration of the people and their substance, and to put them under the general Imperial system of taxation. Josephus, the historian, who lived and wrote a.d. 37 to 97, and who was so intimately acquainted with all the minutiae of the affairs of Judea, had never heard of the remarkable event of the slaughter of the Innocents by a king who was dead ten years before the poor things could, as contemporaries of Jesus, have been born.

With regard to the so-called remarkable prophecy in Genesis xlix. 10, the most eminent modern Hebrew critics have come to the conclusion that the word *Shiloh* means a *place*—a place of tranquillity, and that the correct rendering of the passage is "until Shiloh be come to, and to it shall the gathering of the people be."—*E.g.*, see Bunsen's (Gennan) Bible for the people.

But after all, what folly it is to waste time and brain-power in so futile an occupation as minute verbal study of the legends of the old Jew semi-barbarians! What can it signify to us what they said, or wrote, or thought, with their poor undeveloped uneducated minds?

The *primà facie* view of the Superstition has always been quite sufficient for me. If the Supreme Soul of the Universe had willed to speak to us, externally, otherwise than through our own nature, it is incredible that He would have sent in his Divine message in a hole-and-corner manner, from out of very dark places in very dark days—or through the medium of miserable savages wandering through Arabian deserts, or of unlettered Jew paupers in Palestine, or of human manuscripts. Or that He would have spoken to one generation and then have left the report of the rumour of his having spoken to be filtered down through thousands of succeeding generations until, by the ever-deepening mists left by the lapse of time and the imperfection of the very nature of human testimony, any semblance of trustworthiness that the report might have had should be gradually obscured and obliterated. Or that the reported Divine message should have been full of self-contradictions, absurdities, incredibilities, mistakes, misstatements, and gross immoralities, and altogether of so vague, grotesque and unintelligible a nature as to be capable of bearing a thousand different interpretations, and so ill adapted to its intended effect as to have failed to have the slightest influence on the vast majority of mankind. Why, any so-called Divine message is self-con-demned by the very fact of its being possible to question its authenticity.

But for one thing the wonder would ever grow that so many men of strong, sound, cultivated minds, and, in all other respects, of logical habits of thought, should habitually become utterly fatuous, irrational, and imbecile, the moment there falls upon them the glamour of the gruesome Idol .of Bibliolatry. And that one thing that solves the marvel is a due appreciation of the enormous influence over the dawning intellect of each individual man of the credulous, uncritical (or rather, imperfectly educated) female mind. Naturally, our childish minds are first moulded by our mothers and nurses, who press them into a particular shape. And but a few have sufficient innate strength to recover from the cramp and spring into natural form. So it comes to pass that so many strong fellows never get out into the light of day, but remain ever groping and wandering and puzzling among the gloomy, mouldering cloisters of a crumbling fetish. A fetish which always seems moribund, but still not to be utterly exploded while men continue to keep an esoteric doctrine of intellectual freedom and rationalism for themselves, and an exoteric doctrine of Old Mother Hubbard and spiritual moonshine for the women. As it is, it is only by the women that all the churches are upheld. Priests and parsons are right in cultivating them so sedulously.

WE crusaders of the nineteenth century against the infidels—"The Pagans suckled in a creed outworn"—who deny the gospel of science, will never achieve our triumph, we shall never finally hurl down

the grim idol of supernaturalism until we popularise the inner and profounder thoughts of the scientific mind, and reveal them to the people at large, in language they can understand; until, no longer limited as an esoteric doctrine to the coterie of the highly educated few, something of the spirit of science be made to penetrate the masses. We can never cast down this Dagon so long as the popular mind is still clutched fast by the implicit conviction that whatever else may be doubtful, it is at least certain, that there must have been *one* set of miracles and of special acts of divine creative power when organic life—that is, when tree, beast and man—appeared on earth. Here is the very root of the matter—which must be grubbed up.

For, one miracle granted, what bounds to the miraculous? One breach of the absolute reign of natural law, and, at a stroke, the reign of law is abrogated.

At present the popular mind is wholly unconscious of the fact that no such idea of sudden and violent creation is ever entertained by men of science; by any holding rank in the vanguard of thought. They hold—and this is what we philalethists must strive to pierce the stolid general mind with, by pegging away with incessant iteration in plain phrases—they, the men of advanced thought, all hold that nothing has come to pass, *per saltum*, by sudden jump, but that all things have ever been, as now, governed by orderly and immutable physical law; slow, gradual, working through aeons of ages; that organic life as it is now is the result of evolution and development—of evolution in humblest forms, out of the inorganic elements by natural processes, and development gradual through enormous periods from those first low types.

To use a metaphor—halting and imperfect indeed, yet roughly serving the turn—as we know that oxygen and hydrogen, mingled in certain proportions, filliped by an electric spark, vanish, coalescing into an equal weight of water, so we hypothesize that certain other inorganic matters in combination, under the stimulus of some force—it may be of magnetic currents in ocean depths—coalesce into protoplasm, the basis of physical life.

The theories of development, variation and natural selection, roughly explain the rest. Says Darwin (*Descent of Man*, vol. II, 385.), "The main conclusion arrived at in this work is that man is descended from some less highly organised form. The grounds on which this conclusion rests *will never be shaken*, for the close similarity between man and the lower animals in embryonic development, as well as in innumerable points of structure and constitution, both of high and of the most trifling importance,—the rudiments which he retains, and the abnormal reversions to which he is occasionally liable,—are facts which cannot be disputed. They have long been known, but until recently they told us nothing with respect to the origin of man. Now, when viewed by the light of our knowledge of the whole organic world, their meaning is unmistakeable. The great principle of evolution stands up clear and firm, when these groups of facts are considered in connection with others, such as the mutual affinities of the members of the same group, their geographical distribution in past and present times, and their geological succession. It is incredible that all these facts should speak falsely. *He who is not content to look, like a savage, at the phenomena of nature as disconnected, cannot any longer believe that man is the work of a separate act of creation.*"

Among men in any degree imbued with the noble, because truthful, spirit of modern science, no other theory is tenable, tolerable, possible than that of the derivation of man from lower animal types, and through them in series long-drawn-out from the humblest organic forms, and thence from the inorganic elements. It may indeed be affirmed that there is no other competing theory now extant. For the fantastic goblin Miracle has been chased before the growing light of Science, as vanishes some poor clown's terror-drawn ghost before the realistic brightness of the morning.

To him whoso mistaken human pride still fights against this theory, two or three questions may be propounded: From what has he himself, as an individual, been derived? Has he not been developed from a minute germinal vesicle, from a minute ovule? an ovule in no respect distinguishable from that of any other mammal? Is it not an indisputable fact that in his embryonic stages he has progressively assumed the forms of a fish, of an amphibian, of a dog, of a monkey? If such a past career be not degrading to the individual, why so to the species?

To belong to an ever-improving and ascending series, or to the degenerate progeny of perfect parents—which is the more cheering and ennobling view?

In all nature we believe that there have never been any sudden, miraculous—that is, natural creations, nor any events not growing naturally out of their antecedents.

All the processes of nature resemble what we understand by the word *growing*. Black Topsy's blankly ignorant theory of her own existence—"Guess I grow'd"—is the summary of all that the highest knowledge and the profoundest thought can teach us. "We bud out of the earth, we are its efflorescence. The inorganic world teems forth organic life at every pore; most probably the process of so-called creation still goes on even to-day, of which the not unfrequent appearance of new forms of insect blights and fungoids may be a token.

Says Shelley:—"Infinity within, infinity without belie creation." Recognising that there is nothing strictly logical in the objection, nevertheless. I have always felt some immense force in it. Look at the infinity of

minuteness! Consider how all the living tissues of all animals are pervaded by hosts of parasites, and the bodies of those parasites by their parasites. How

"Great fleas have less fleas,
And they, other fleas to bite 'em,
And those fleas have their fleas,
And so ad *infinitum*

Whether do such things seem to bear the impress of intelligent creation, or of a spontaneity of organisation in the inorganic?

As, without definite boundary, the animal kingdom merges into the vegetable, so, doubtlessly, does the organic world into the inorganic. As we get more light, even to us does the distinction between those two worlds seem to lessen. We no longer regard the inorganic as inert matter; we know there is no such thing as inert matter; that all things are permeated by force; that even a granite rock is in a violent state of force, and we begin to surmise that the force which pervades the universe is one and constant. If we must have a god, we may regard that force as god. But, different to our old anthropomorphic idols, a god without attributes conceivable by us. The views of philosophical materialists are, vulgarly, much misconstrued. We are wrongly interpreted to deny that there is anything in space but Mattered Force. But if we so dogmatise about the Unknowable we should be no better than theologians. What we maintain is, that all phenomena whatsoever, of which the human mind is or can be cognizant, are the resultants of the molecular Forces of Matter. But surely we are not supposed to pretend that we know in the least what matter is. For all that Man can possibly know, Matter may be Divine—may be to us only a manifestation of a Divine Force filling Infinity. But such speculations are entirely beyond the limits of philosophic inquiry, and utterly futile and inane.

Contrariwise, for all we know, organic life may be the highest specialised outcome of Matter and Force.

The spring-blossoms on the tree of two thousand years growth, are but slight and ephemeral things compared with the great trunk which bears them aloft, yet they are far superior to it, of higher and finer organisation, of more vivid activities, more nearly approaching to the state of consciousness.

As they are to the trunk, so we may be to the inorganic cosmos.

YOU maintain that you plainly discern throughout the physical world, especially in the animal and vegetable kingdoms, innumerable wonderful evidences of intelligent design! My dear fellow, permit me to say that I think you here fall into the old, old logical error of mistaking inference for observation. What we really do see is, only innumerable and wonderful instances of the adaptation of things. That those adaptations are the product of design is what we cannot possibly see: *that* would be merely a metaphysical and speculative inference which might or might not be true.

You say the inference is a good one, and quite the same as if one seeing a watch for the first time—and never having heard of a watch before—should infer that it was certainly the work of human hands and human intelligence. There I differ from you entirely; it is not the same; the two cases are in no wise parallel; in the latter case you know for a certainty that man exists, and you have seen many other works which you experientially know to be his; and it is some analogy with his other, known works that would lead you at once to recognise his handicraft in the watch.

But, in the other case, you don't know for a certainty, or at all, of the existence of God: at least you cannot assume his existence here, as that is just the theorem you are seeking to prove. To make the cases at all parallel, there ought to be many other worlds experientially known to you to be made by God; then, reasoning by analogy, you would have a right to say, I recognise here also the hand of the god who, I know, made those other worlds. But the mystery of the adaptations which have the appearance of design, is part of the mystery of the universe, which is unique, and cannot be approached by any analogy, or by any comparison. No doubt these adaptations are marvellous, but more marvellous still would be our hitting, in the infinitude, upon their one real cause and true *raison d'être*.

It always strikes me as something very arrogant and presumptuous, to assert that we can plainly discern the proofs of divine design; it is rating the power of the human intellect too high, thus to claim for it the ability of sounding by the plummet of an inference the depths of the Infinite—Unknown. Rather let us be humble here, and call ourselves Agnostics.

This is a problem of which a conclusive solution is unattainable, still, one on which the human mind cannot easily cease to speculate. At present and provisionally, until we know more, we may accept the Darwinian—as of all theories—the most satisfactory. Any materialistic is better than a supernatural exegesis; anything better than calling in the aid of a vague indefinite *deus* whom we have to invent for the occasion.

As the light of knowledge has advanced, the boundary of the chaotic realm of the supernatural has ever

been pushed back. Says Büöhner (*Man in the Present, Past and Future*), "Every science, and especially every philosophy, that seeks reality instead of appearance, truth instead of pretence, *must necessarily be free from supernaturalism*; otherwise it blocks-up against itself the path to its end, the truth. As soon, then, as in a philosophic book the word "God" occurs, except in criticism or reference, one may confidently lay it aside; in it will be found nothing capable of promoting the real progress of knowledge. In properly scientific works the word will be seldom met with; for in scientific matters the word "God" is only another expression for our ignorance; in like manner as are also on more special occasions the words 'vital force,' 'instinct,' 'soul,' etc." "We may well believe that, were our knowledge absolute, the supernatural chimera would have vanished utterly into the inanities.

Præcipuum Naturæ bonum, Mors.—Pliny.

BUT how account for the fact that the idea of the immaterial soul, as distinct from the body and surviving it, has been conceived by all the people of the earth, by even the most barbarous tribes—otherwise than by assuming it to be an intuition—a divinely-implanted intuition of the human mind?

For the sake of argument, grant for a moment that, in point of fact, the soul is but an unreal figment; still, I think, a little consideration will show you that the idea must, nevertheless, have arisen, necessarily and naturally, in the minds of men everywhere. The illusions of the senses, the hallucinations resulting from abnormal and distempered conditions of the brain and nervous system, would inevitably have given birth to it. If an uneducated man, suffering from fever, has the sensation of seeing his dead friend or foe standing by his couch—of seeing him as distinctly as ever he saw him in life, and of hearing, perhaps, his voice and his words—must not the conviction at once be borne in upon him, that after dissolution of the body man still continues to exist in some indefinable condition? In his physiological ignorance to what other conclusion could he come? Then he relates his experiences and communicates his convictions to others; others corroborate them from their own similar experiences; the idea spreads, the dogma follows. On this dream-land basis has been reared the whole superstructure of the doctrine of a future life; what other foundation for it can you suggest? there is not only no proof, no evidence, but there can be none. All knowledge comes to us through the material organs of our senses, and by the reflections we make on what they teach us. It is impossible that any intimations of the immaterial should penetrate us through the portals of our material organs.

You know, they who are still in subjection to the Christian delusion, and the belief in divine messages and inspired papers, very generally admit, or assert, that the hope of eternal life depends wholly on the word of the Nazarene Jew. I think the opinion is common among them that he was the first to enunciate the doctrine; though, of course, it existed among many nations, or all nations, hundreds of years, perhaps thousands of years, before the date of the earliest Christian papers, which in this respect, did but emphasize popular opinions. Singularly enough, the old Hebrew scriptures contain nothing of the doctrine, but on the contrary, in many places, seem opposed to it. Still, there must have been some such idea among the old Hebrews, as among all other peoples in the world, for it springs naturally out of human infirmities. If you concede immortal souls to man, on what grounds can you refuse them to the ape, the dog, the horse, etc.? Do we differ from them in anything but our finer physical organisation and ampler development of brain?

There is the distinction that we have reason and they have not—is there? But I know you don't believe in that old-fashioned ignorant argument. Of course it is not true in its statement; the lower animals have their reasoning faculties as we have ours, but ours are transcendent in the ratio of our finer organisation and our ampler brain; there is no radical distinction, but only difference in degree. Have you ever heard any plausible answers to many questions such as this?—when a man is so far drowned that, unassisted, he would never move again, but, after an hour, or perhaps two, is restored to life by artificial means, what becomes of the soul in the interval of state which was virtually death? is the immortal soul, too, asphyxiated, or where is it? why can't it report, on return to the body?

No doubt the prospect of immortality is very gratifying to human pride and human tenacity of life, and very consolatory to the bereaved is the hope of meeting again the lost loved ones. But, before all things, the truth! Pleasant or unpleasant, give us the truth! Away with shams and unrealities and figments, however flattering they be! But let us inquire whether, upon the whole, the expectation of eternal life really makes mankind happier; does its consolation outweigh its oppression—the oppression it lays upon all our lives—of vague dread, distrust and avulsion? Were it possible to poll the real sentiments of mankind, do you think many would be found (besides a few enthusiasts and the impassioned by recent bereavement) who would not gladly forego their hope to get quit of their dread? who would not choose, had they free choice, rather to lie as the tree lies than chance a futurity of some undefinable, inconceivable mode of existence? Ask all your intimate friends, who are not too much encrusted with whitechokerism and Philistinism, to give you a conscientious answer, and they will reply, After life's fitful fever, let us lie as the tree lies! Why not? How can we really feel otherwise?

How can we breathing terrestrials, children of our dear loveable and beloved mother earth, conceive of any existence away from her in the slightest degree desirable? Without our warm bodies, our passions, our appetites, our adventures—our struggles, or even our perils—without wooing, and marrying, and children, and home, and home-affections—without earth, ocean, air, and all their vicissitudes—without mountain and valley, and sea and cities—without loving, and eating and drinking, and riding and sailing? No! Better a thousand times to lie as the tree lies, than to exist sundered from all the surroundings we know and love. Remember the story of the old English farmer, whom, dying, the parson endeavoured to cheer with word-pictures of the joys and glories of heaven. "Ah! parson," said he, "all that you say about heaven is very fine and very true, no doubt—but, after all. Old England for my money!" That is the natural human sentiment—our dear earth or nothing—life as we know it, or nihility and dreamless peace! *Pax vobiscum!*

There is, upon the whole, an incompatibility between earthly happiness and the hope-with-fear of immortality. May not this incompatibility be in some measure a sign of its unveracity? But that is metaphysical moonshine to be taken for what it is worth. But let us also further inquire whether it would be for the advantage of mankind that the doctrine of a Future State should be true.

"Divines" are perfectly correct in maintaining that there is no logical *via media* between accepting what they call Revelation on the one hand and the abandonment of the dogma of the Immortality of the Soul on the other. Certainly there are no natural reasons (that are not merely fanciful) in favor of that theory—all natural reasons are emphatically opposed to it. If we accept it at all, it must be on the basis of the so-called Revelation. Now what does this Revelation teach us? That we are lost, degraded, ruined creatures, born into the world and living in the world under a divine curse. As the grave is the ultimate receptacle destined for the human body, so a place of endless and unspeakable torment is the natural receptacle destined for the human soul. If this be true, then the wildest imaginings of the most savage creeds are as sunlight compared with the horrors of our situation. Yet a gleam of light (it is but a gleam) is suffered to penetrate to this our dreary prison, in which we are penned up like so many cattle waiting for the shambles. In virtue of a mysterious transaction in Judea, a certain number of persons will be "saved," that is to say, will not only be rescued from the general fate, but will exchange it for a condition of endless happiness. These Scriptures lay it down very clearly that the number of the saved will be extremely small, and that a vast majority of us are destined by the Creator (of the theologians) to a fate at which imagination stands aghast.

Now, it is certainly not for the advantage of mankind that the great bulk of us should be thus doomed to eternal perdition, while only a few spiritual Aristocrats are nominated for eternal bliss. Therefore, it would not be to our advantage that, standing on the only possible basis on which it can stand, the doctrine of a future state should be true.—Q.E.D.

Even to wish it to be true is abominable. A sainted man, confident of his own election, wishing it to be true must be a monster of inhuman selfishness. For he wishes for his own eternal happiness bound up with the inevitable corollary of the eternal misery of nearly all the rest of our race. How he expects to be infinitely happy in the endless contemplation of the endless torments of the other billions of billions, including many of his own blood-relations, is hard to explain. Certainly some of us poor carnal unspiritual terrestrials are incapable of conceiving so grand a sublimity of cynical egotism.

Yet the "Divines" will upon us to hasten to embrace their "Revelation," seeing that the only other alternative is a "cold heart-withering negation too fearful to be contemplated!" Rather should the human heart expand with joy, and the human face glow with kindly gladness at having found sure relief from the crushing incubus of their accursed figments. For my part, I hope I am, above all else, a philanthropist, and I would do anything, sacrifice anything to help, *taut soit pen*, to bless my fellow men with the blessing of the "cold negation."

Death has lost all its terrors when we know it to be nothing but Cessation—nothing but the extinction of the Ego with the dissolution of the organism.

"That which befalleth the sons of men befalleth beasts; even one thing befalleth them: as the one dieth, so dieth the other; yea, they have all one breath; so that a man hath no pre-eminence above a beast."—Eccles. III. 19.

Often have I thought how true an emblem of organic life is the great whirlwind-dust-column we frequently see solemnly stalking across the vast and arid Australian plains! Each is a specialised and individualised manifestation of force; each has a *corpus* constituted of particles which, ever as it marches, it assimilates and discards: a body, whose constituents are ever changing, upheld by a force preserving its identity and individuality. After a little while, the special differentiation of force ceases; the force flows away into the universal, and the dust falls back to the dust; the organisation has vanished—the column and the man have ceased for evermore!

Mind is but the product of organisation. Thought but the music of the organism swept by the current of impressions, as the Aeolian harp by the wind.

CAN we reckon up the whole theory of moral philosophy, and of the nature of the moral sentiments and conscience, within the compass of a page or two? Why not? Does the attempt seem presumptuous? No need that it should; the whole matter is one of the extremest commonsense simplicity, which has only been confounded by the admission into the question of the ever confounding element of supernaturalism—of phantasms and of spiritual moonshine.

Single copies of the tomes that have been written on this subject, would freight a ship worthy to be one of the fleet which would be required to carry all the works on theology. That last mass of verbiage—what a subject for melancholy contemplation! All utterly inane and valueless, except as waste paper or manure for the fields! What hundreds of thousands of fine intellects—naturally fine, but distorted by superstition—have earnestly and fervently wasted all the bright days of their poor lives, and all the energies of their good brains, in endeavouring to

"distinguish and divide,
Hairs betwixt South and South-west-side!"

The hairs, alas! not being real and substantial hairs, but merely the shadowy etchings of dreams.

The moral law, as conceived by man, is purely subjective, relative to his own welfare; there is nothing in it mysterious, spiritual or divine; it is built on the material basis of self-preservation—on the well-being of self, or of our race. We call all moral actions in which the principle involved is such, according to our judgment, as to tend to promote the well-being of mankind, good or virtuous—all moral actions springing from a principle, as we judge, of an opposite character, bad or vicious. This is the concise but perfect definition of virtue and vice, of good and evil, as seen from the human standpoint; this is the formula by which the merit or demerit of all moral actions is tested. The desire of approbation, of being praised and liked by our fellows, and the desire of being respected and feared by our enemies, contained the first germs, the sufficing roots of all the moral feelings. Not a jot is there of the miraculous in conscience, or the so-called moral sense—that sense which seems to tell us instantaneously, without need of appeal to reason, that this action is good, that action vicious. Much the sacerdotalists and superstitionists have made of this faculty of quick discrimination between good and evil, parading it ever as a divinely-implanted intuition. Long and wordy has been the battle between the intuitionists and the derivativists (such are the hard words the metaphysicians use). But now we may safely regard the intuitive school as become merely an historical memorandum, or if it still anywhere survive, it is only in the fusty regions of priestly and senile old-fogeyism.

That so-called instinctive sense is derived partly from infantile impressions and partly from inherited memory. Just as the wonderful habits of the animals—usually vaguely called instinctive—are but due to the inherited remembrances of the experiences of millions of ancestral generations; so the human brain, subjected, generation after generation, to certain vivid moral impressions, acquires a modification which becomes hereditarily transmittable.

Other cerebral impressions there are, which plainly become hereditary—notably, proneness to superstition, and an abnormal facility of accepting particular forms of superstition, which, though *primâ facie* absurd and incredible, have nevertheless been believed in by long train of unenlightened ancestry. This instantaneously-acting moral sense is, among the children of an average-orderly and not uncivilised ancestry, a generally safe guide. But in other cases it is so unreliable, so varying, so grotesque, and so obviously subjective to human conditions and environments, that it is marvellous how any could have deemed it a divinely-implanted rule of conduct. It does not tell the young bandit-born that it is wrong to pillage and murder the people—only that cowardice and treachery to the band are heinous crimes. It tells the American Indian that it is meritorious and praiseworthy to tomahawk and scalp all who belong to other tribes than his own, and to torture his prisoners—that cowardice and treachery, within or against his tribe, are the only crimes. It does not tell the Hindoo that it is wrong to burn widows, nor a Thug that there is any moral delinquency in strangling the non-Thugs—nor priests that it is not good to burn those whose doxy is not their doxy. But one might fill volumes with instances of the diverse and perverse teachings of the "innate moral sense"—while among the children of the hereditary criminal classes, it is simply non-existent, a fact which makes the reclamation of them so difficult.

Educated intellect is the only trustworthy arbiter of right and wrong. It is for the Reason, cultivated and experienced, to decide whether any given class of moral actions is of such a nature as to be beneficial or prejudicial to man. Nor does she give uncertain responses; very clear she makes it, that if we would that this our world should be for us a habitable and not unhappy abode, our rule of life must be perfect probity, honesty and honour, truthfulness and trustworthiness; kindly, gentle, cheerful, sympathetic consideration for others; courage and vigour in the resistance and suppression of evil; and sternness, tempered by mercy, in dealing with

evil-doers.

And though the rules of intersexual ethics are naturally, allowably conventional and shifting, varying with time, place, social states and circumstances, yet one unmistakable law governs through every phase—to refrain from any act likely to be productive of misery to others.

I may assume that my readers are above the childish illogicality of objecting against the assertion of the subjectivity and absolute relativity to ourselves of the moral feelings, our revolting against cruelty to the lower animals, and our sympathising with their sufferings. The answer to such objections is obvious—that in any deed of cruelty we see in action one of the principles which we most dread, and that our sympathy is due to the imagination putting us in the place of the sufferers.

For the clearest exposition of the mode in which the moral sense has been derived from the social or gregarious instincts, consult Darwin's "Descent of Man."

I DON'T think we educated sons of educated fathers and forefathers sufficiently realise the enormous mental disparity between ourselves and the uneducated descendants of forefathers from the beginning of things uneducated.

It requires some thoughtful study, much inquiry, questioning and probing to arrive at any just conception of their to-us-strange mental incapacity and impotence—of their lack of all the higher intellectual powers, especially of the logical faculty, and of the capability of discriminating between the probable and the improbable, the possible and the impossible, the natural and the preternatural.

The reasoning level of the average uneducated adult so descended, is probably scarcely as high as yours and mine was at seven or eight.

What a huge pity it seems to be that this important fact of the mental ineptitude of the unimproved is so generally overlooked, or insufficiently appreciated—when we consider that it has always been exclusively among such that every religion has first arisen! It was only poor twilight-blinking creatures of that sort before whom Joe Smith, Mahomet, Jesus, and Moses appeared.

Of people in that chrysalitic mental stage, the observations, the inferences, opinions and reports, are simply valueless—of no importance whatever. They can't understand what they see and hear, nor correctly report what they fancy they see and hear.

When we were children of seven or eight years, had some individual appeared to us of commanding stature, of singularly majestic and heroic presence, of unusual melodiousness of voice (as we know Joe Smith was, and may assume the others were), and had he asserted himself to be the Prophet, or the Son of God, or God himself, should we not probably have implicitly believed him, if left to ourselves, with none more enlightened around us? Just so; and not a whit wiser were the other first converts.

I know, of my own knowledge, of whole races of people whose mental development is yet in so rudimental a stage, that not unfrequently they lack the power of distinguishing between their own dreams and actual events.

When, in some far out-lying parts of Australia, I was first thrown into association with the aborigines, I was much surprised at the utter disregard with which reports made by them to us were often received by the old hands among us. "Why," I would say, "don't you hear what these blacks report?" "Oh," the reply would be, "we knows 'em! what they says goes in at one ear and out at t' other with us—they are such infernal liars!" "But," I would remonstrate, "they can have no possible interest in palming this story off on us, if it is false." "That says nothing," an old-hand would answer, "nobody can tell why, or how, they invent their lying yarns—seems to me they somehow believes 'em theirselves—you see, sir, they are not quite the same as human beings, and no one can make out their ways."

One time, some of the blacks belonging to the station, friendly and under protection, came to me to report a terrible event that had just occurred at a station about forty miles away, at which there were three white men. Two of them, they said, had been surprised and murdered by bush-blacks, and the third was defending himself inside the slab-hut and had shot many of the assailants—many details were added. "We could not learn from them exactly how they had heard all this, but were not surprised at that, knowing that there were bush-telegraphs, about whom they did not wish us to know anything, between our quiet station-blacks and others who were out in the bush and inclined to be hostile. On the strength of this narration, three of us rode over to the beleaguered station. There was not the slightest foundation for the report—no disturbance whatever had occurred!

On my return, I investigated the origin of the fable as closely as I could, and came to the conclusion that a woman in the camp had dreamt it, and given it out as fact to the others, who had implicitly accepted it.

Often afterwards, comparing notes on this subject with other experienced bushmen, I found they all agreed that such cases were common.

Lately I read in the papers of an expedition which, somewhere in South Australia, had been sent four hundred miles out to some place in the desert, where the blacks reported there were white men with large herds

of cattle. Of course, when they got there, there was no sign that hoof had pressed the ground since the ground was formed. Had those South Australians known the niggers as well as I do, they would not have troubled themselves. So with all the aboriginals' reports about Leichhardt—utterly valueless.

It never necessarily follows, in these cases, that the natives are wilfully lying, or that they don't really believe what they say, but the origin of their belief may always be in some dream. Their waking and mental states get jumbled up, and what anyone among them positively affirms, all the rest will believe, no proof required.

Think you, that the barbarous Hebrews, of Mosaic times, were not like these people—just about in the same mental stage? Or that the Jew paupers who were Christ's witnesses were any better?

For my part, of the three lots, I would soonest believe our own niggers, just because they are extant, and not dead two or three thousand years ago.

"INSOMNIA VANA VALETE."

Errata.

After line 16, page 10, read the following:—

But undoubtedly most of the early preachers were sincere and earnest fanatics, insane and frantic with the terror of their own conviction of the rapidly approaching end of all things.

The propagandists always made a great hurrahing about their now doctrine being "a gospel of glad tidings," inasmuch as that they had come to show the only way of salvation, by which a few might escape the general doom of eternal damnation.

What a wonderful piece of impudence was this! Considering that it was they and they alone who had set up the doctrine of eternal damnation, and that before them no human heart among all the nations had been dark-and-wicked-and-desperate enough to dare to dream such an atrocity. What a gospel of glad tidings! Hell for all except the singular few, who, by performing the arduous task of believing in the Impossible might possibly escape the doom!

Preliminary Sanitary Report of the City of Dunedin

Presented to the Sanitary Committee

by Geo. W. Cole, L.R.C.P. (Ed.)

&c., &c.,

Medical Officer of Health.

January, 1875. Dunedin: printed at the "daily times" office, rattray street, dunedin.

Contents.

Introduction.

GENTLEMEN,-The following Report is a statement of the present condition of the City, as far as I have been able to ascertain from local authorities and actual observation.

My best thanks are due to those gentlemen who have so readily supplied the information for which I was seeking. I have in most instances put as a foot-note the source whence the information is derived.

Your Town Clerk (Mr. Massey) has shown great willingness to assist me, as likewise the Government Surveyors, your City Surveyor, the Provincial Treasurer, Government Observer, Mr. M'Gregor, C.E., Captain Hutton, and Mr. Allan (Immigration Officer).

I would call your attention to the fact that very many of the houses in the City are positively not fit for animals to dwell in, and that until this state of matters is remedied, we shall always have a high rate of mortality, in spite of good drainage and sewerage.

I would advise that no one should be permitted to build houses possessing less than three rooms, and those should be ventilated according to sanitary rules.

The law for ventilation should also be laid down for public buildings.

I have reason to believe that many of our hotels are overcrowded, and unprovided with sufficient ventilation.

The removal of our breathed air is as essential to health as the removal of our sewage.

Another factor in the causation of disease is a bad (*i.e.*, ignorant) system of nursing, and a want of judicious

feeding and bathing.

Our present hours of schooling, too, are badly arranged. It is highly prejudicial to health that children should be obliged to hurry back to school immediately their mid-day meal is swallowed, as is necessitated under the present system. Upon another occasion I shall enter more fully upon this matter.

I am, Gentlemen,
Your obedient Servant,

GEO. W. COLE.
DUNEDIN,
January, 1875.

Sanitary Report.

Chapter I.

Duties of a Medical Officer of Health.

Copied from Minute adopted by Local Board of Health for Merthyr Tydvil, South Wales.

- To ascertain what local causes prejudicially affect the public health in the district; to inform the Board of these discovered causes; and to suggest such means for their removal as medical science can advise.
- To seek information of the occurrence of cases of epidemic, endemic, or contagious diseases, and, when informed, to visit the localities, ascertain the extent of the malady, the local causes likely to conduce to the diffusion thereof, and give such warning as may induce persons infected to have recourse to medical treatment. In case of an out-break of small-pox, to inquire into the history thereof, and as to the practice of vaccination in the neighbourhood.
- To inspect any meat exposed for sale for human food, whenever required to do so by an officer of the Board or any police officer; and to give his opinion as to the fitness or otherwise of such meat being used as human food, whenever required by a Justice of Peace.
- Upon any complaint received by him of the emission of any noxious or offensive smell from any process of trade carried on in any manufactory, yard, house, or premises, or of atmospheric pollution from any drains or sewers, to inquire into the causes, and report upon the means for the prevention thereof.
- To perform any duties imposed by an Act of Parliament on the Officer of Health.
- To attend the meetings of the Board when necessary. To report quarterly the nature and amount of sickness and death, the number of births and of persons vaccinated; and to present annually a report and tabular return of the ascertained sickness and mortality of the district.

Chapter II.

Topography, &c.

The City of Dunedin stands upon an area of 900 acres. Upon the West is the Town Belt, having an area of 500 acres, and upon the East 100 acres, are about to be reclaimed from the Harbour.

Two-thirds of the City stand upon hilly ground,

Miram's Report on Drainage and Sewerage, submitted to the City Council of Dunedin, 1872.

which irregularly slopes towards the bay.

The greatest altitude is 306.60 feet above high water mark; this is obtained in High Ward in Duncan Street. The lowest level is .40 below high water mark, situated at the foot of Hanover Street.

The Octagon level at its highest point is 50.15 feet above high water mark; the reclamation level being 6.10 Miram's Map of Dunedin.

The substratum of the City consists of basaltic rock and alluvial clay.

Chapter III.

Inhabitants, &c.

Our inhabitants, including Chinese and Half-Castes, numbered in March, 1874, 18,499—the male population contributing 9529, the female, 8970.

Immigrants to the number of 8323 have landed at Port Chalmers since March. Their destination, however, is not recorded. Males, 4354; Females, 3629.

At present, the number of children contributing to this number I have been unable to ascertain. Should the information be procurable, it will be added as a foot-note.

The inhabited tenements numbered 3444—there being in addition 118 either uninhabited or in process of building. Of inhabited houses, by far the greater number were found to be wood and iron; of such there were 3138. Of houses built of brick and stone there were 293. The composition of the remaining houses was either of miscellaneous material or not stated.

Houses possessing but two rooms numbered 638; houses possessing from three to four, 1491; houses possessing from five to six numbered 676; houses possessing more than six numbered 513. Of the 29 remaining houses, the number of rooms in each is not stated.

Census March, 1874.

Chapter IV.

Public Buildings, &c.

Until an Inspector is placed at my disposal, I shall be unable to give a report as to the sanitary condition of our Churches, Schools, Hotels, Public Halls, Manufactories, Theatres, &c. I have, however, visited the Hospital; and through the courtesy of Dr. Yates, I am able to furnish the following particulars concerning it:—

This Hospital is capable of holding 180 beds. It has two flats, there being eight wards in each, capable of holding from eighteen to twenty beds. I found, at a rough estimate, the dimensions to be 50 feet long, 22 wide, and 20 high. Each ward upon the first flat has seven windows placed upon its west side, the windows having a valvular opening at their inferior extremity. This is a clumsy and dangerous arrangement, as they open just a little above and immediately behind the beds. These wards likewise possess a ventilator in the opposite wall, a grating ventilator on the floor (communicating with the exterior of the building by means of a wooden tube), and a fire-place.

In the wards situated on the second flat, there is a larger and a smaller row of windows, making thirty; only ten of which are capable of being opened.

Situated upon the ground flat there are three lying-in wards. Two of these are respectively about 25 feet long, 12 wide, and 11 high, having three windows, a ground ventilator, and fire-place. The third ward is a little smaller, having two windows, a ground ventilator, and fire-place. All these windows open at the top and bottom. Three or four beds are usually accommodated in each ward.

It is unadvisable that lying-in-wards should be anywhere near, let alone within, a general hospital.

In another part of the building there is an annexed ward, measuring about 75 feet long, 17 wide, but only from 11 to 12 feet high, the roof being slanting. The complement of this ward is about 24 beds. It is only possible to open three windows out of fifteen (!) which run along one side of the ward. Opposite to these windows there is a wooden wall, with four small openings (about two feet square), which may be opened or closed at will by means of sliding doors. These, when I entered the ward, were closed with one exception; the atmosphere of the place was consequently most distressing. This ward is without exception the worst ventilated in the building. Dr. Yates himself admits that the roof is altogether too low, and that there is not nearly sufficient ventilation. Nevertheless, this ward could be immensely improved with very little expense or trouble.

There being no means of registering the temperature in the Hospital, I would suggest that a thermometer be supplied to each ward.

Chapter V.

Water Supply, &c.

Dunedin is supplied by gravitation through leaden service pipes from a reservoir capable of holding 51 million gallons. This reservoir is filled by Ross' Creek, the which creek is formed by the union of several streams which take their rise in the Flagstaff Range. The reservoir is 50 feet deep, has a catchment drain on one

side, and a storm-water channel on the other in order to prevent extraneous matter from filtering into it. Any impurities which enter it come from the banks of Ross' Creek, and possibly from the gathering ground. The daily consumption per head is 50 gallons, but from this we must take the water supplied to manufactories. By and by, we will be able to do this, as metres are about to be established.

The city of Glasgow supplies 50 gallons per individual, but on the other hand London only supplies about 25 gallons and Edinburgh 35.

Haskoll on Engineering.

I am informed by Mr. M'Gregor, C.E., that improvements are about to be made, so that soon we shall have a larger and purer supply, the present difficulty being that the land through which Ross' Creek runs cannot be manipulated, as it belongs to a party who has hitherto refused all offers to purchase. Mr. M'Gregor thinks that now the water supply is in the hands of the Corporation, this difficulty may shortly be overcome, in which case filter beds could easily be constructed. At present the water, though tolerable, is not pure, for according to Dr. Black's last analysis there were 0.95 grs. of organic matter per gallon in the lower reservoir. This is 0.16 less pure than London Water.

Chapter VI.

Drainage.

It may be said that a limited natural drainage is the only one Dunedin possesses. It is true a large sewer drains Rattray Street gully into the Bay, and that another is in process of construction along St. Andrew Street and York Place; but these, of course, are wholly inadequate for the drainage of a city of 1,000 acres.

The evil results of this state of matters are, that our sewage poisons our houses, our streets are filthy, and our flat in many parts is a saturated mass of pollution.

Your City Surveyor in 1872 submitted a plan to the Council for the drainage and sewerage of the City. His method of drainage, so far as I can judge, is admirable, though I don't agree with him in his statement that the Bay is the best outfall for sewage; but this I shall refer to when placing before you the scheme that has occurred to me regarding the disposal of our sewage.

Another, and I think, perhaps, a better plan, has been suggested to you by Mr. Burt, C.E., in which he proposes to divert the Water of Leith for the flushing of a main sewer, which he suggests will run by the Bay, being continued along the Anderson's Bay Road, having its outfall directly into the ocean.

I proposed to Mr. Burt a modification of his plan regarding the outfall into the ocean, with which he cordially agreed. What that modification is I will state in the chapter on Sewage.

Since writing the above, I have witnessed, under premises pulled down in Rattray Street, a great accumulation of decomposed water, which had collected there and failed to escape through there being no drainage. Animal matter was there breeding pestilence by its decay.

Chapter VII.

Sewage.

As stated in the last chapter, we are badly off for the disposal of our sewage. Some few closets empty themselves into Rattray Street sewer, some empty themselves into our streets, in many cases by means of private drains, at times assisted by flood waters; others are emptied at irregular intervals by nightmen, and the soil deposited at a depot in a paddock a little beyond the Gas Works.

I need not tell you that this is not at all a satisfactory state of things. Matters would not be so bad if, instead of this hap-hazard system, we had earth closets universally in use, and regularly emptied. This, in fact, is a method much in favour in some towns in England. It would, at all events, be better than our present method, and would prevent our Bay from becoming a source of danger from contamination.

To show you that the Harbour is not the proper place for the reception of sewage matters, allow me to quote what Dr. Macadam, Professor of Chemistry in Edinburgh, says regarding such matters:

Haskoll on Engineering.?

"In the investigations relating to the sewage of London, and its effects on the Thames, and the injury inflicted thereby, it is conclusively shown that the greatest part of the nuisance lies in the sedimentary matter which lines the banks, and is in an active state of putrefaction; and the same conclusion has been come to by me in regard to the foul deposits in the bottom of the lakes, and in the bed of the Water and Harbour of Leith. The gases evolved from the decomposing matters were generally recognised in the immediate vicinity of the Water

of Leith conveying the sewage, as also in close proximity to the main drains or sewers. The odour was not that of sulphuretted hydrogen, but a heavy, fœtid, nauseous odour, specially observable immediately over the stream, and was doubtless due to the escape of gases produced by the putrefaction of the organic deposits."

Dr. Letheby, Medical Officer of Health for the City of London, says, regarding the mud deposited in the Thames:—

"It is black and foetid, and in a state of active putrefactive decomposition. When examined with the microscope, it was found to consist of broken-up sewage matter, with the remains of myriads of animalcules . . . It is evident from this, as well as from what I know of the usual composition of the warp or mud of rivers, that this is a very large proportion of organic matter, and that by undergoing putrefactive decomposition, the mud which is accumulating in such large quantities at the sewer outfalls may be a cause for serious alarm, especially as it there meets with sea water, the sulphates of which may, by their chemical decomposition by the putrefying mud, occasion the escape of much sulphuretted hydrogen, and set up that remarkably offensive change which is characteristic of the action of sewage upon sea water."

It is thus seen that some better plan is urgently called for. The question then comes to be-out of the many systems elsewhere adopted, which is the one most suited for Dunedin. After much deliberation I have come to the conclusion that what is termed the Separate or Irrigation system is the one that will yield the best results.

The scheme that has occurred to me is the following:—The sandhills at the Ocean Beach should be properly prepared and utilized as a filtering area. Only a very small portion of these sandhills would be required; for Merthyr Tydvil, a town numbering 50,000 inhabitants, has only twenty acres of prepared land for the same purpose; and, as we shall see presently, the whole scheme is a complete success.

Accompanying this report is a plan drawn by Mr. Burt, C.E., embodying my modification of his former one, by means of which the City could dispose of its sewage in the manner I advise.

In Merthyr Tydvil a system of filtration and irrigation had been earned out two years when Dr. Dyke, the Medical Health Officer for that town, wrote of it as follows:—

"The result of this plan of disposing of sewage by 'downward intermittent filtration' may be seen in this sample of effluent water, taken from the outlet of the main drain. You will observe that the water is bright, perfectly pellucid, free from smell, and only tastes of common salt. It may safely be drunk;-in fact, is used by the workmen employed on the farms. During the process of irrigation no nuisance is caused, for the soil quickly absorbs all the fluids passed into it; in fact, in two or three hours after the water has ceased to flow on the land, an observer would say that the ground had not been wetted for days. The workmen say that no unpleasant smell is noticed, nor has the health of the persons employed in any one instance been affected by any presumed poisonous exhalations. The only imperfection of the plan is that at the end of the furrows nearest the lowest corner of a plot a slight deposit of scum is found. This scum is formed by the fine insoluble precipitate caused mainly, I believe, by the addition of lime to the sewage stream.

He advises, consequently, that no lime should in future be used.

On the ridges of this prepared soil, cabbages, brocoli, carrots, turnips, parsnips, beans, peas, lettuces, onions, &c., are grown.

The area of Merthyr Tydvil is 18,000 acres; 3,000 occupied by houses and gardens, having a population of 50,000, living in 10,000 different tenements.

. . . . By passing the sewage through simple and inexpensive strainers, it is delivered on the land in such a state that no nuisance or inconvenience results."

The plan and mode of irrigation, as adopted at Merthyr, is as follows:—

There are two stone tanks, 200 feet long, 5 feet wide, and 5 feet deep, the top being covered by moveable planks. "Along the floor of each tank an 18-inch square drain of open work is formed. The tank is divided into three compartments of open brick-work. Between the sides of the drain, and between the walls of the tank, and over the drain to a depth of twelve inches of the whole width and length of the tank, the spaces are filled with broken furnace cinders. The sewage, charged with lime, passes into the tank and percolates through the broken cinders, passes through the perforations in the walls of the under-drain, and then flows onward, the conduits conveying it to the land. Upon the surface of the cinders, all the gross or solid portions of the sewage are left. Each tank works four or five days, in that period arresting in transit about two tons a day of sewage slush and refuse. This is taken off the surface, wheeled in barrows into a field close at hand, and mixed with fresh coal ashes (about three tons) brought daily from the neighbouring village by the public scavenger. About twenty acres of land immediately adjoining the road upon which the tanks are placed have been arranged into filtering beds. The land is a loamy soil, 18 inches thick, overlying a bed of gravel. The whole of these 20 acres has been under-drained to a depth of from 5 to 7 feet. The lateral drains are placed at regular distances from each other, and run towards the main or effluent drain-this is everywhere 6 ft. deep. The surface of the land is formed into beds; these have been made to slope towards the main drain by a fall of 1 to 150. The surface is ploughed into ridges; on these, vegetables are planted, or seeds sown; the line of the ridge furrowed is in the direction of the

under drain. Along the raised margin of each bed, in each area, delivering carriers are placed, one edge being slightly depressed. The strained sewage passes from the conduits into the delivering carriers, and as it overflows the depressed edges, runs gently into and along the furrows down to the lowest and most distant part of the plot. The sewage continues to be delivered for 6 hours; then an interval of 18 hours takes place, and again the land is thoroughly charged with the fertilising stream. The water percolates through the 6 feet of earth and reaches the lateral drains, which convey it to the main effluent drain. Adjoining the filtration areas there are 235 acres laid out to be used as irrigation lands."

The River Pollution Commissioners, according to Dr. Dyke, report as follows:—

"The experience of these filter beds at Merthyr Tydvil has made plain what the experiments in our laboratory had previously established. Towns can cleanse their sewage within a much smaller quantity of land than any experience hitherto had might lead them to expect. Sewage irrigation offers the great advantage of a remunerative return.

Plots were sold from £17 15s. to £64 per acre.

Intermittent filtration may also now be confidently accepted as a sufficient remedy for the sewage nuisance. These two methods are essentially one, wherever thorough drainage accompanies—as it always should—the extensive form of irrigation, and they are the only methods which are perfectly trustworthy for the abatement of this sewage nuisance."

Dr. Edward Franklin says:—"Of the effluent water from these filtering areas, the result is highly satisfactory. Indeed on the 10th June, 1871, the water entry, the Taff, from the Merthyr filter, was considerably purer than the Thames water which we are often compelled to drink in London.

All this time Dr. Dyke says, the whole of the sewage streams, 800,000 gals, per day, was being passed through ten acres of prepared land.

Moreover this system has been in operation at Eton for the last five years. The *Lancet*, dated 17th October, 1874 gives a long account of the system as adopted there, of which the following is a summary:—

A farm of 50 acres utilizes the sewage of 4500 people. They having as their maximum a water supply of 40 gallons per head. The farm is nearly two miles from the town, with which it is connected by means of cast iron pipes, nine inches in diameter. Two engines (acting on the centrifugal principle) of 8-horse power, pump 80,000 gallons within 8 hours. There is a double sewage filter tank at the pumping station for the removal of solid matter, and a reservoir capable of holding 20,000 gallons, which acts as an equalizing reservoir, so that the pump need not always be at work. To this filter tank the sewage of the town is conveyed by 18-inch pipes, having a fall of five feet in a mile. The old sewage pipes are used for storm water. There is an emergency safety-valve opening into the Thames. The solid matter is mixed with ashes, and the contents of dust bins, and carted directly to the farm. No deoderant is used. During the past five years, says the Report, the sale of the produce has cleared the cost of the superintendence and irrigation. The entire expenditure of these works, including the purchase of the farm, which is freehold, amounted to £20,000. The cost of drainage is covered by an eighteen-penny rate. It is said that no case of typhoid has occurred since these works were formed. I should have mentioned that ventilating pipes are placed at the highest parts of the drain, these pipes running higher than the tallest chimneys. There are also tanks capable of holding a thousand gallons of water, placed in communication with the drains for flushing purposes.

In an article in the "*Engineer*" dated October 16th, 1874, irrigation is said to be at the top of all systems for the disposal of sewage. It goes on to say that a Committee was appointed to inquire into the best means for the disposal of sewage, and that the Committee, after having examined various systems at various places, report that in *no* instance where irrigation was tried, did it give an unsatisfactory result. Thus at Leamington, a town having a resident population of 30,000, the sewage is pumped to a height of 32 feet, and delivered to a Home farm of Lord Warwick's, two and a half miles distant. The farm consists of 400 acres, 250 of which are irrigated. The crops are all that can be desired, and Lord Warwick pays £450 a year for the sewage. This last is efficiently disposed of and thoroughly purified, the effluent being bright, possessing nothing noxious, nor unpleasant to the taste. At Doncaster, the results of irrigation are yet more promising, the Corporation receiving £800 a year rent for a sewage farm, 2¼ miles distant, the sewage being pumped to a height of 52 feet.

The article concluded in these words:—"Thus then we have the verdict of a very painstaking Committee, with every possible facility afforded them, deciding that *Irrigation* is the only practical way of getting rid of sewage with good results."

In our case, I believe no pumping would be required, if Mr. Burt's plan were adopted; for the pressure of the Water of Leith running through his main sewer would probably be sufficient to propel the contents on to the sand-hills previously lowered and prepared, the effluent water finding its way through the sand into the ocean. It is probable that the Government would grant sufficient of the sand-hills to the Corporation for the carrying out of this scheme, and a letting of these would help materially to defray the primary and working expenses.

In concluding this chapter, I would suggest that the sewer pipes be so constructed, that no exhalations could

find their way into our dwellings. In Glasgow, I believe the experiment of burning sewer gas as they would common gas has been tried with success; at all events, such a mode of removing the gas is possible, seeing that it possesses from 70 to 95 per cent, of combustible material, including light carburetted-hydrogen, hydrogen, and carbonic oxide. In a recent number of the "Lancet" it is mentioned that Dr. Aldridge, of Southampton has devised means by which a water-closet may be so constructed as to effectually prevent the escape of sewer gas into it.

Storm and sub-soil waters should not be allowed to enter the sewers, as they have a tendency to obstruct them by the metal which they convey.

Chapter VIII.

Meteorology.

TEMPERATURE.—Our mean annual temperature is 50-6°; our mean summer 57.5°, our winter 43.07°, Fahr. Calculated from Government Tables.

London has a mean annual of 51.0°, a mean summer of 64.0°, a mean winter of 37-0°. The mean annual for Edinburgh is 47.0°, the mean summer 38-0°, and the mean winter 37.0°. For Dublin, the mean annual is 50.0°, summer 61.0°, winter 39.0°. In the south-west district of Wales the mean annual is 54.0°, the mean winter being as high as 42.0°. Auckland has a mean annual of 59.0°, Melbourne of 57.0°, Hobart Town of 52.0°, and Sydney of 66.0°.

The mean daily range of temperature for Dunedin averages for a year 14.0° Fahr. For a period of seven, the highest mean daily range was 22.0°, the lowest was 8.0°, the former being for a January month, the latter being for a June month. In Scotland 12° is the average mean daily range.

Buchan on Meteorology.

The physical features of a country have a modifying influence on its climate, in addition to its latitude. Thus our ocean and forests control the mean daily range of temperature, and influence the humidity of our atmosphere.

RAINFALL.—Our mean annual rainfall is 31.49 inches. Rain falls on an average upon 148 days in the year, 69.2 of these being what are termed rainy days-*i.e.*, over 0.1 in. falls upon them.

The average rainfall in a year among the western hills of Great Britain and Ireland is 80 to 150 inches; away from the hills, likewise upon the west, 30 to 45 inches; and upon the east it is 20 to 28 inches. In France 30 inches is the yearly average. During our summer months, from the years 1867 to 1873 inclusive, a mean of 9.840 inches of rain fell, the mean for the winter months being 8.323 inches-the greatest rainfall any one day amounting to 1.926, with a south-east wind, in a May month.

The mean dew point for seven years, as taken at the Government Observatory, was 42.5°.

The mean humidity for the same period was 76.3°, saturation equalling 100. Our atmosphere is as a rule $\frac{3}{4}$ saturated with vapour,

Taking the atmosphere around the Observatory to be not far different from that in the City.

The prevailing wind is the west, next south-west, and northeast.

Chapter IX.

Vital Statistics,

From the 1st of February

Information for January could not be procured.

to the 31st of December last year there were 420 deaths from all causes, being at the rate of 22.7 per 1000 per annum. Of these, 7.7 were due to zymotic-*i.e.*, contagious or infectious diseases. Half of the deaths from zymotic diseases occurred in children under 5 years.

The greatest number of deaths from zymotic diseases occurred during October, November, December, being principally due to measles.

By leaving these months out of our calculation, we find the annual death-rate to be, from zymotic causes, about 54, and from all causes, 20.3 per 1000 inhabitants, nearly a third of the latter occurring in children under five years of age.

Our annual excess of births over deaths is 29.6 per 1000, being 6.8 above the excess in England and Wales, a sufficient excess to double our population in 24 years.

Our death-rate is high, though out of 628 registration districts nine-tenths yielded a death rate ranging from

17 to 36 per 1000; but, on the other hand, there were 64 districts yielding a death-rate of 15 to 17 only.

A Preliminary Report is scarcely suited for more minute details, the which will be given in future and periodical reports.

Marriage Law Reform Association,

Instituted 15th January, 1851,

For the Exclusive Object of Promoting the Passing of an Act to Render Lawful Marriage with a Deceased Wife's Sister.

COMMITTEE ROOM, 21, PARLIAMENT STREET, LONDON, *2nd May, 1877.*

SIR,

I have the honour to send you a Hansard Copy of the Debate in the Imperial Parliament on the Second Reading of the Colonial Marriages Bill.

It will be remembered that this Bill, then in the charge of Sir Thomas Chambers, was first introduced during the Session of 1876. and that an influential Deputation, constituted mainly of gentleman versed in Colonial affairs, waited upon Lord Carnarvon to enlist for it the sympathy and support of the Government.

Owing to the extreme pressure of business in the House of Commons, the friends of the measure failed, however, to secure a night for its discussion; but it has this year received such an emphatic approval from Parliament as leaves no doubt that it will presently become law.

Thus one of the greatest objections raised against legislation on this question in your colony is on the point of being removed; and the fact that since the subject was under discussion in the Legislature at Auckland the Colonies of Queensland and Western Australia have passed Bills legalizing these marriages, will also, it is hoped, weigh with those who have hitherto resisted the adoption of a similar measure in New Zealand.

Viewed in the light of familiar facts at home, the arguments of our opponents at the Antipodes appear to be deprived of almost all their force. Much stress, for example, is laid on the dicta of ex-Lord Chancellor Hatherley. But his Lordship, besides holding widely divergent opinions from those of nearly every one of his late Ministerial colleagues, has been so extravagant in his utterances on this subject as to virtually cast off all claim to be regarded as an authority. It is never forgotten here that his Lordship once said he would rather see 300,000 French soldiers land on English shores than allow the marriages in question to be legalised!

A prominent speaker in the New Zealand Parliament has stated that the proposed reform is rejected by English Statesmen, and that no ecclesiastical authority of eminence can be quoted in its favour. Contrary to his judgment, however, it will be admitted that Cobden, Cornwall Lewis, Palmerston, Russell, Gladstone, John Bright, Beaconsfield, Derby, are names which are usually associated with British statesmanship, and that in their respective Churches the names of Whately, Musgrave, Tait; Wesley, Chalmers, McLeod; Wiseman, Cullen, and McHale (the most popular and influential Catholic in Ireland) are held in not less distinguished honour. Yet all these Statesmen and Divines have expressed opinions (the majority of them very emphatically) in favour of an alteration of the law.

Then it is said the advocates of change are rapidly losing support in the House of Commons. The reply is, that the majority in favour of their Bill has been relatively if not absolutely maintained; that they count 350 friends against 250 opponents in the most Conservative House of the present century; and that, against the partial opposition of the Government, they recently secured a majority of 51 on the Colonial Bill.

It is further alleged that these marriages are repugnant to the great mass of the people; that the poor do not care for their legalization; and that the demand comes only from a few rich people who have broken the law. If made in good faith, such statements indicate an entire ignorance of the facts. With all the parochial machinery of the country at their command the opponents of legalization have never succeeded in raising any popular demonstration against it, nor have they any petition to show from the People, nor, in recent years, from any body of lay representatives. On the other hand, this Society has presented nearly 1,000 petitions from municipal corporations, while the signatures to their general petitions are in the proportion of 10 to 1 of those attached to hostile memorials. Of between 5,000 and 6,000 such marriages registered at this office (not a tithe probably of those contracted), an infinitesimal percentage are marriages of persons who could be regarded as wealthy; the rest concern struggling professional men, small tradesmen, and the upper section of the class in receipt of wages.

As to the opposition of Presbyterians and Catholics, of which so much is said, and the remark of an hon. Member in the New Zealand Senate, that "if a Scotchman contracted such a marriage, he would be hooted and

stoned," it is a sufficient answer to state the fact that, in our recent experience, proportionately more applications for information as to the best means of effecting these unions have come to us from Scotland than from England; that a very large majority of the Scotch Corporations have officially petitioned in support of the Marriages Bill, not one having for years past petitioned against it; and that nearly half the Irish Municipal Boards have already this year similarly memorialised Parliament, while not a single petition, so far as can be remembered, has ever, during the whole history of this agitation, been sent from Ireland against the Bill.

With regard to the bold prophecy of another hon. Member of the Legislative Council, that in a new Parliament this Bill would have no supporters, it has to be said that there has since been a general election both in England and New Zealand, with results in each case strongly at variance with the hon. Member's prognostications. In the new Parliament at home there are still more members who have actually voted for the Bill than have opposed it, and in regard to New Zealand the accompanying Analysis shows that there is no retrogression or loss of support in the colony.

The opposition based on arguments derived from Scripture is now almost as dead on the Australian as on this side the globe; but social, it should rather be said sentimental, considerations appear to be advanced with the old pertinacity. The consequences which have followed a relaxation of the law in America and Germany are especially held out as a warning. Divorce, it is said, is particularly prevalent in both countries. In fact, however, the objectors greatly err in ascribing to the whole of the States social conditions which exist only, if they exist at all, among the unsettled and half-nomad population of the extreme West. They must, too, be in ignorance of the fact that in Germany the law specially discountenances divorce by prohibiting second marriages in such cases, and that an organised system of matrimonial reconciliation or *Sühneveruche* exists, the effect of which is to reduce, in Prussia Proper, the cases of actual separation to one-half the number of those threatened. It does not appear, therefore, that the marriage tie is held in Germany to be one whit less sacred than in England.

Lord Beaconsfield (then Mr. Disraeli) has more than once publicly said—and his Lordship is recognised as a great authority on social questions—that he could not see that the proposed change in the law would produce any difference in society. That opinion is sustained by what is known to take place now. These marriages occur quite as often, perhaps more often, under the existing law than they would if not prohibited. The law, as it stands, does inflict much hardship, but it is otherwise wholly inoperative. A special inquiry just made among our miners and iron-workers has elicited the fact, that among those classes the law is not generally known; that, if it were, it would be wholly disregarded; that the clergy who live among them are not inquisitive as to whether this particular degree of affinity is involved; and, that, when such a marriage is contracted, the neighbours universally regard it as respectable, and morally if not legally binding.

What, then, becomes of the moral degeneracy which it is said is so sure to follow a change in the law? The law does not prevent, it does not even restrain; it is powerless for good, and powerful only in the mischief it creates, and in the cruelty it inflicts on a large class of persons who, as the Royal Commission have shown, are not men of "ill-regulated and corrupt minds," but men possessing an equally "strong sense of religious and moral obligations" with that of those surrounding them.

It greatly vests with the New Zealand Parliament to determine whether this obnoxious law shall be repealed, and one more just concession be made to the great principle of Civil and Religious Liberty.

I have the honour to be,
Sir,

Your very faithful Servant,

T. PAYNTER ALLEN, *Secretary*.
Deputation to the Earl of Carnarvon
(April 3rd, 1876.)

ON THE SUBJECT OF

Acts Passed in the Colonies of South Australia, Victoria, Tasmania, New South Wales, and Queensland,
FOR LEGALIZING
Marriage with a Deceased Wife's Sister.

Report of Proceedings.

AMONGST those present were ALDERMAN W. MCARTHUR, M.P., LORD HOUGHTON, RT. HON. ROBERT LOWE, M.P., A. W. YOUNG, ESQ., M.P., ALEXANDER MOARTIUR, ESQ., M.P., GEORGE LEEMAN, ESQ., M.P., MAURICE BROOKS, ESQ. M.P., H. W. FREELAND, Esq., late M.P. for Chichester; SIR R. R. TORRENS, G.C.M.G.,

The HON. ARCHIBALD MICHIE, ESQ. Q. C., Agent Genrl. for Victoria; F. S. DUTTON, ESQ., C.M.G., Agent General for South Australia; J. B. DARVILL, ESQ., late Attorney General for New South Wales; several Ex-members of the various Australian and New Zealand Legislatures, and many other influential gentlemen interested in Colonial affairs—William Farmer, Esq., Christopher Wyly, Esq., T. H. Sharwood, Esq., Sloper Cox, Esq., A. Triggs, Esq., W. Eykyns, Esq., Georgo Wills, Esq., Henry Wellings, Esq., James Farmer, Esq., Geo. M. Story, Esq., Captain Thos. B. Hanham, R.N., Thomas Eykyn, Esq., C. H. Goodo, Esq., (South Australia). H. J. Richman, Esq., T. F. Gillett, Esq., Edwin May, Esq., J. Wilson Holme, Esq., H. S. Thornton, Esq., Jas. Spicer, Esq., W. Fickus, Esq., W. Westgarth, Esq., (Victoria), Dr Milligan, (Tasmania) &c., &c., &c.

ALDERMAN WILLIAM MOARTIUR, M.P. for Lambeth, said—"I have the honour to introduce to your Lordship a Deputation consisting of gentlemen connected with the Australian Colonies, who wait upon you with respect to a Bill now before Parliament, and in the charge of SIR THOMAS CHAMBERS, who would have been here to-day to have replied to any questions from your Lordship, but for an official engagement rendering it impossible for him to come. Your Lordship is aware that in all the Australian Colonies except Western Australia, Acts have been passed legalising Marriage with a Deceased Wife's Sister. Those Acts, with the exception of that of Queensland which now awaits the Royal Assent, have from time to time received the sanction of Her Majesty; and the Colonists feel that they are suffering under a considerable grievance from the fact that there have been conflicting opinions expressed in this country with regard to the legitimacy of such marriages. They feel it to be indefensible, enjoying as they do all the rights of British subjects, that they should be subject to the unpleasant position they are now placed in,—by reason of their having married their Deceased Wives' Sisters in the Colonies, though under laws sanctioning such marriages,—of finding their offspring declared legitimate in one part of the Empire and illegitimate in England. I am assured you feel that with regard to the inhabitants of Australia, that there are no subjects more loyal or more attached to the British Crown than they are; and in any case, my Lord, they think they ought to have the same right that other British subjects have, to enjoy the advantage of their marriages being regarded as universally and in all respects valid."

LORD HOUGHTON.—"My Lord, this is essentially a Colonial question, and we wish it to be considered as such, and totally apart from any political consideration; we wish it to be argued solely as it affects the rights of property of the Colonists, the validity of their marriages and the legitimacy of their offspring. There will be gentlemen here to explain to your Lordship the uncomfortable and false position in which they are placed by reason of any doubts existing in these matters. They will tell you that when they contracted these marriages no doubt suggested itself, and that the Colonial Legislatures when they passed these Acts, and those who married under them, believed that they carried the validity of such marriages all over the world; and they feel much aggrieved that any doubts respecting them should have arisen in England or elsewhere. Your Lordship is aware that there have been numerous authorities quoted upon this matter, some of them being the highest legal functionaries of this country. The Bill now before the House of Commons was brought in purely as a Declaratory Act for the purpose of declaring these marriages valid all over the world, as the marriages of honest Englishmen, marrying according to the laws of the country under which they live, and who claim their rights both as inhabitants of the Colonies and as subjects of the British Crown. (Hear, hear.) We note that your Lordship knows what the value of those Colonies is to the British Crown; your administration has been one that has known how to reconcile the independence of the Colonies with their rights as communities subject to the British Crown, and we trust you will increase, if possible, their confidence and their allegiance by affirming this Bill which has now been brought under your Lordship's notice."

The Hon. A. MICHIE. Q.C., Agent General for Victoria.—"My Lord, when I entered this room I did not expect to be called upon to take part in this discussion, but feeling as I do some interest in this matter, [with which I may be permitted to say your Lordship is as familiar as any one present and more familiar than many of us] I will just say a few words. I have really very little to add to what Lord Houghton has just addressed to you, beyond affording you an illustration within my own experience. There are many gentlemen in this room who are very well aware that there are extremely practical as well as sentimental difficulties connected with this subject as regards real and personal property in the mother country, and that the Colonists have been extremely disconcerted in finding themselves under different aspects of the law. It is almost unnecessary to mention the name of one gentleman who has suffered from this defect in the law, all present know to whom I am alluding without giving a nearer reference to his name. I may say, however, that he was a gentleman who occupied a very high official position, and who had property at the time of his death both in the mother country and in New South Wales. Well, of course different states of the law would be applicable to his children according as they were residing in the colony or here. Here under Lord Lyndhurst's Act they would be bastards, and in the Colony in the present state of the law the eldest son would succeed to his father's property; and I can conceive nothing more inconvenient, in the event of an appeal coming before the Judicial Committee of the Privy Council, in having to deal with different classes of property, than to have to apply one state of the law to one class of property, which would necessarily be the case, and the other state of the law to the other class of

property; in other words, the heir at law to property on the other side of the world would be a man who could be put out of his late father's property in this country, and be subjected to an act of injustice which any wrong-doer might accomplish if he felt so disposed. That would be the evil result of the state of the law in the two countries. Of course it may be said that to some extent any such practical difficulties can easily be got rid of by the parent making whatever testamentary disposition of his property he may choose. But that, after all, only half meets the difficulty; because the people in the Colony are in the habit day by day of purchasing property in the mother country; and the mere fact of a man having to take property under such a testamentary disposition as I have indicated is a badge upon him which he would not have dreamed of, and would prevent many a rich man, I believe, from coming to the mother country at all. It may be said that that is no great evil, that they might do as well if they remained in the Colony; but still these are practical difficulties with which the Legislature will have to deal. I am aware that it is said the Colonists are not entitled to be in a better position than those of the mother country. Well, for what it is worth that argument, is of some significance. Here, however, is a difficulty into which we are plunged by what has become an accomplished fact. Successively the different Colonies have obtained this alteration of the law; for some time, indeed, there was some inconvenience by reason of there being one state of the law on one side of a river and another state of the law on the other. The South Australians obtained an alteration of the law some time before Victoria. Under the law of the latter Colony these marriages were mere forms and of no validity whatsoever; at the same time marriages were taking place on the other side of the River Murray which were perfectly valid and binding. I refer to these instances as some of the practical consequences, leaving all the other considerations of a much more important character to be dealt with by those who are more peculiarly interested in such considerations. I thank your Lordship for listening to such observations as I have had to deliver; and I trust that the very few illustrations I have given will not be taken as at all more than a sample of the mass of cases which I could have brought under your lordship's attention, and which I have no doubt, from their importance, would have received due weight at your Lordship's hands."

J. B. DARVILL, ESQ., late Attorney General of New South Wales. "I feel, as a Colonist, deeply interested in what will be a great grievance, and I think justly a great grievance to Colonists if it should not be the pleasure of Her Majesty's Ministers to relieve them from it. I should have thought but for the doubts expressed in the various judgments we have heard of, that there could be no question that a marriage solemnized between English men and English women under laws providing for and sanctioning those marriages among Colonists upon whom the right of legislating for themselves has not only been conferred by Her Majesty's Government but has been further affirmed by the Royal Assent given from time to time, was indisputably valid everywhere. If anything could put a Colonist upon demanding his rights it is that he should be told he is not upon clear and unassailable ground in carrying out marriages of this kind permitted in his Colony although not permitted in England. Her Majesty's Government must have been quite aware that this matter was agitated very much in the Colonies. So long as I had the honor of interfering with the legislation upon the subject in the Colony of New South Wales, no act legalizing such marriages was passed; an Act however has now been passed, and has received the Royal Assent, and the grievance will be felt by every man, woman, and child in the Colony, if children of English parents thus lawfully married could be subject to the indignity of repudiation on coming home, and be taunted with the indignity of being called bastards although the law has received the Royal assent in England. I should have hoped that no legislation on this subject would have been necessary. I should have hoped that the Law Officers of the British Government would have advised that no disability could be imposed, as the difficulties would be countless in which these people would be involved in obtaining their rights of property if the Law be not at once made clear. I can see no hardship in a Declaratory Act being introduced declaring after all that what you have done with your Sovereign's consent has been lawfully done. We only ask that what has been done by Her Majesty's sanction shall be declared to have been done legally, and that you should not impose a disgrace where honor ought to be conferred."

LOAN CARNARVON.—"I beg pardon for interrupting you, your Bill goes beyond the present, it is more than retrospective, it is prospective. Your Bill says, 'The issue of all such Marriages as have been contracted or shall be hereafter.'"

MR. DARVILL.—"Of course those future Marriages must be solemnized within the limits of such Law as the Queen has approved. We will not ask that Marriages should be legalized there that have not received the assent of Her Majesty; but that the Marriages contracted in that Country under the Royal Sanction shall be valid all over the world. We contend that it is a serious hardship that real and personal property should be burdened with the grievous duty of ten per cent, when the property is inherited by or willed to a Son. Now it never can be the desire of Her Majesty's Government I am sure under your Lordship's advice, to do anything which should diminish that deep feeling of loyalty which is maintained throughout the Colonies; and it would be an unprovoked assault if we were to be told that what we had done was wrong and could not be recognized in this country. I am earnestly desirous as a Colonist that the deep feeling of loyalty, which no one has been so prominent in maintaining as your Lordship, should be continued between Her Majesty's Government and the

people in the various Colonies, but disregard of the present appeal will I feel sure shake that confidence which everybody must hope to see maintained between the different parts of the British Kingdom."

THE RIGHT HON. ROBERT LOWE, M.P.—"I wish, in the first instance, so to limit what I have to say that I may not be accused of taking up any extravagant position. I don't think that any Enabling Act ought to extend to persons who have gone to the Colonies for the purpose of evading the English Law; nor do I think it ought to extend to any case where the marriage may be considered in the general view of Parliament an incestuous marriage, but nothing of the kind can be urged here, because the Law as your Lordship knows well, as it has been passed, sanctioned the Marriages that have already taken place, which the Colonial Parliaments never would have voted for I am certain if they had looked upon these marriages as incestuous. I have had the good fortune for twenty-five years to listen to arguments on this matter in the House of Commons, and the arguments in many instances always were that these Marriages were forbidden by the Law of God, and in support of the assertion they quoted a certain chapter in Leviticus, but it occurred to some bright genius that so far from that chapter being prohibitive it permitted such Marriages. (Laughter.) So now the question is argued entirely on the ground of expediency, and without any reference to those considerations which I have no doubt would and ought to weigh with your Lordship if you thought we were going to sanction something imperially wrong, and which it was better for the sake of the community should not take place. But your Lordship is asked to do nothing wrong. It is clear that the Queen would never have given her Assent to this Act had she believed, or if her Ministers had believed that she had been asked to do that which was to legalize anything intrinsically wrong. If the Colonial Legislature had proposed a Law which was wrong no Secretary of State would have dreamed of doing such a thing as allowing it to receive the sanction of Her Majesty; but the fact is, the view of expediency on this matter entertained in the Colonies differs from the view taken of it in this country. The one Parliament think it wise under considerations for the welfare of the country, and for other considerations to take one view of the subject, and the other think it wise to take another view of the subject. But as it is merely a question of expediency I put it to your Lordship in this way, I say it is a matter where the comity of nations ought to apply where it is not applied, and that in a case like this, which is a case on which opinion is divided where the Colonists take one line of view, and the British Government take another, I think it due to them that you should recognize what they have done as being within the legitimate scope of their power and jurisdiction, and that you ought to allow it to be binding for all intents and purposes. Of course as to the policy of such a thing, that is a matter I need not press upon your Lordship, for nothing can be more undesirable than that we should have between the Mother Country and the Colony in any way invidious distinctions. (Hear, hear.) Nothing has been more insisted upon by the Prime Minister and Members of the House of Commons, than the identification of the Colonies with the Mother Country. One Speaker has already said that they are merely Englishmen residing in another place, and in all respects the same; if they are not altogether the same constitutionally speaking, they are the same in feeling, in sensibility and, I think, in morality, and I do not believe that the Colonial Legislatures are a bit more likely than the English Government to sanction any flagrant violation of the moral law. (Hear, hear.) Putting it in this way, and admitting for the sake of argument that the Law of England is against the Enactments in this matter, I cannot imagine a more gracious or more reasonable act on the part of your Lordship than would be done if you could see your way to introduce a Bill declaratory for recognizing these Marriages. I fear if this is not done now the time will come when we shall have to regret it." (Hear, hear.)

SIR ROBERT R. TORBENS, G.C.M.G., late M.P. for Cambridge.—"We are not here to advocate the policy of legalizing Marriages with a Deceased Wife's Sister; if that were so I could not honestly join in this Deputation, for in my place in the Legislature of the Colony of South Australia and Minister of the Crown there, I opposed the passing of that Measure. But that is not the question which we are to consider now. We are here simply to pray on the part of the Colonists for the redress of a very serious grievance indeed, to which we are subjected by very defective legislation on the part of the mother country. The case is so clear to my mind that I think it needs only to be stated plainly to carry absolute conviction home to everybody as to the necessity for relief in this matter. I will put it in this way, a lady and gentleman in South Australia holding a high position, esteemed by every person of importance, associating with Judges and Bishops are married, standing previously to each other in the relation of Brother-in-law and Sister-in-law, they have married under the sanction of an Act of the Local Parliament, but which I would beg your Lordship to note is of a peculiar character. This case is one of a class which cannot be made legal in the Colonies by any acts coming into force and operation upon the signature of the Government of the Colonies in the name of Her Majesty, but is of a special class, reserved for the express Assent of Her Majesty, and that Assent from the Queen was given under the sanction of repeated administrations as regards different Colonies, and with the concurrence of both great Parties existing in this Country. That is the position that those parties stand in, they have contracted marriage not only according to the law and usage of the Colony, but under a Law to which Her Majesty was in an express manner a party. (Hear, hear.) They arrive in England, having enjoyed full respect and esteem, and the moment they put foot on English

ground they are declared to be living in adultery, and their children are proclaimed bastards. That is the state of things—not arrived at by any omission on the part of the Colonial Legislature, but by defective legislation in this country. The thing should have been foreseen, and the law should have been assented to there and here at the same time, and the legislation with respect to it ought to have been carried out simultaneously. (Hear, hear.) It is not possible to have two laws, there cannot be one Marriage Law in England and another Marriage Law in the Colonies; the effect of which would be to illegitimatize the children of such marriages. I will not take up more of your Lordship's time, but will state that having lived for nearly a quarter of century in these Colonies, I can convey to you what I am satisfied would be the feeling of the Colonies, that the respect for the Crown as concerned in this legislation would be seriously diminished, and the Ministers of the mother country regarded with great disfavour unless redress of this grievance be promptly given. The only objection I have heard raised against giving this relief is, that parties may go from this country to contract a marriage of that description in the Colonies. But that is a possibility which may be easily guarded against; a proviso might be introduced requiring a residence for two years or more as might be deemed sufficient. That, I believe, would prevent the anticipated abuse and remove the only valid argument of any weight against the step we ask you to take. If, my Lord, we put on the one side the possibility of inconvenience of that kind arising in this country, and on the other the monstrous grievance to which the Colonists are subjected, I think your Lordship will see that it is necessary to apply an immediate remedy to the evil of which we complain."

EDWIN MAY, Esq.—"If Government opposes this Bill, will Government bring in or support a Bill declaring what the status of the parents and children of these marriages respectively is? because Government has in some measure been the cause of placing these parties in a position of uncertainty which cannot be justified. It is incorrect to talk of 'putting the Colonists in a better position than the people at home.' You find them in a better position, and you seek to make it a worse one, by depriving it of its natural, and what should be its inseparable rights and consequences, on the ground that you are not prepared to extend the Colonists' privileges to others. Now the Bill only proposes to legalize those marriages which by the advice of a Conservative as well as a Liberal Ministry have received the Royal sanction, or which may hereafter be similarly confirmed. The Colonist wants to know what he is to be punished for? His marriage was sanctioned unconditionally. You joined his hands with the solemn words 'whom God hath joined together let not man put asunder,' and since then he has only changed his house. But if you recognize his marriage what gain or justice is there in disinheriting his child? This trifling with marriage—declaring a man married at certain points of the compass, and unmarried at others—attaching to this solemn ordinance strange and unnatural conditions, for reasons which, in their direct bearing, ordinary persons cannot appreciate or comprehend, must tend to make marriage become lightly regarded, as being a mere variable arrangement of law and convenience. What compensation can be offered to a country for degrading marriage below the level of a common contract, by making its subsequent validity depend upon the shifting abode of the parties themselves? You go beyond the moral right of human legislation in asserting that any such condition can be attached. The marriage service will become a mockery of God as well as of man, and the ceremony would be absolutely stripped of the sacred character which it has hitherto obtained in the hearts and beliefs of Christians. And for what? Possibly this Bill would tend to the passing of a Bill legalizing these marriages generally in England, but under any circumstances, sentiment must yield to justice, and, surely, it is *unjust* to postpone that event by means which bear even the semblance of caprice and injustice. This reason can be no answer to the claim of the Colonist."

LORD CARNARVON.—"I am of course very glad to have had the opportunity of hearing the opinions of so numerous and influential a Deputation as that which is now collected in this room. At the same time I cannot help thinking that in some respects you have come rather to the wrong quarter in coming to the Colonial Office. Lord Houghton said that this was purely a Colonial question, but the conversation which has taken place here shews how completely the question runs up into many legal doubts and difficulties. The very first words of this Bill raise the whole of the legal questions, because it affirms that doubts exist as to the legal status of persons who are the issue of these marriages now in question. I must own that it strikes one that the person who could most readily solve these, doubts (and to whom such a question as this might perhaps be most properly brought in the first instance) would be either the Lord Chancellor, or my Right Hon. friend and colleague, my next neighbour over the way, Mr. Cross. In either of those quarters, that of the Home Secretary or of the Law Officers of the Crown, many of the questions raised here would have been I will not say more familiar, but more suitably urged than upon me. Of course, looking at it from a broad point of view generally, I am met by one great difficulty. First of all I would say that I disagree with those gentlemen who have spoken this afternoon, and who have replied that retention of the present state of things implies anything like a slight upon the Colonies. I can hardly form my mind quite to accept that argument, or to see the reason of it; and still less, with great deference, can I agree with Sir Robert Torrens, when he said that if the present state of things was to be allowed to exist, the unity with the mother country would be regarded with great disfavour. I hope that unity stands upon more solid foundations than that, and that no questions of this kind can shake the feelings of

loyalty or attachment to the mother country. As I said before, it is a legal difficulty, one that has to be faced with forbearance on both sides, and to be dealt with and solved in a way that legal difficulties can alone be dealt with. I quite admit that it is to be regretted—no one knows that more than I do, that there should be a difference in the Marriage Laws in different parts of the Empire; but it must be remembered how that difference has come about. For a succession of years Parliament has taken up this question of Marriage with a Deceased Wife's Sister constantly. It has not been a question on which necessarily there has been a very clear division of both parties, for men on each side of the House have voted in cross divisions, and the matter has been discussed in every way, and well ventilated over and over again throughout every part of the argument. But nevertheless there can be no doubt that the expression of that opinion of Parliament has been distinctly and uniformly in favour of retaining the present Law in England.

This conveys an erroneous impression. The House of Commons has repeatedly passed the Bill for altering the Law by large majorities—in 1869 by a majority of 99, and in 1870 by a majority of 70, when it was rejected in the House of Lords by a majority of only 4, there being 73 Contents against 77 Non-Contents, of which Non-Contents 14 were Bishops.

On the other hand a given number of the Australian Colonies have passed Laws legalizing such marriages. If I remember rightly my predecessor in office recommended the Crown to refuse its sanction to these Acts, and I think two, if not three Acts in South Australia were disallowed, and ultimately on re-consideration of the matter it was decided by Her Majesty's Government of the day that it was not the policy of this country to interfere any further in the matter, that it was one of those questions that on the whole were supposed to be brought within the province of internal Domestic Legislation, and that, as such, the disallowance which had been previously affirmed ought to be withdrawn. That I think briefly is a fair statement of the case; but then are you justified in so putting your arguments that because the Crown has not endorsed its former disallowance of these Acts, therefore Parliament, which has steadily up to this time at all events maintained a particular policy in respect of these Marriages, should now in consequence of certain Colonial Statutes, which have been passed by servants of the Crown, be required to rescind its opinion and adopt a policy which up to this time it has refused. It seems to me a strong position to take up; and may it not amount to this if followed out, that a Colonial Parliament has nothing to do but to pass Acts within a certain province of the Legislature, and then that the mother country, in order to avoid a discrepancy on these subjects, should also conform its Legislation to that of the Colonial Parliament? I think that would hardly bear arguing, and there is a fairness in Parliament legislating for this country just as much as there is in the Local Parliaments legislating for the respective Colonies. I am bound to say that that is how it strikes me so far as the Colonial question goes.

"On the latter part of the matter I pronounce no sort of opinion; it is one on which I am quite aware considerable doubt has been expressed. Whether there be a doubt in point of law I don't think I can affirm; but unquestionably considerable doubt has been expressed on the subject by legal authorities; and if a clear case of hardship could be made out, it might be for the consideration of the Lord Chancellor or the Law Officers of the Crown to say how far there really was any question attaching to this matter, and how far there are really any doubts as to status or legitimacy. I am quite aware of the importance of the subject. I cannot enter upon the Legal question, I feel I should not be doing justice to it in any way; and I only demur to the arguments which have been

This also conveys an erroneous impression. These Colonial Acts have not only been passed by Ministers but they have actually received the Queen's Assent. used here to-day, that because these laws have been passed by the Colonial Parliament, by a Parliament of a different construction perhaps, therefore it becomes the duty of the Parliament of this country to conform its legislation to those laws."

MR. ALDERMAN MC ARTHUR.—"We are very much obliged to your Lordship."

THE DEPUTATION THEN RETIRED.

Some Brief Remarks

On Vice-Chancellor Sir W. Page Wood's Vindication of the Law Prohibiting Marriage with a Deceased Wife's Sister. in a Letter to a Friend.

By The Rev. H. F. Bacon,
Vicar of Castleton, Derbyshire.

London: Houlston and Wright, 65, Paternoster Row. 1861.

Brief Remarks, &c.

My Dear—

I AM obliged to you for Sir W. Page Wood's "Vindication of the Law prohibiting Marriage with a Deceased Wife's Sister." I observe that twice he does me the honour directly to notice my letter to the Bishop of Lichfield. Once in a tone somewhat supercilious. I appear, he says, "to have been in a great passion with him for his speech." If the Vice-Chancellor means that for an answer, I am content. As an imputation, it is not impossible to bear it. As an argument, it is not particularly convincing. In the few brief remarks I intend to make on this "Vindication," I am sorry that my respect for truth will, I am afraid, make me appear to him to be in "*a great passion*" still.

The Vice-Chancellor says, that in charging his speech and the Bishop of Oxford's with some shew of intolerance, I do not appear to have reflected on the possibility of good feeling extinguishing discussion on some subjects. He is sure I would not "desire discussion on some of the subjects mooted by Anacharsis Clootz." I am grateful for the compliment. But this subject had been already mooted, and certainly not by Anacharsis Clootz. Neither the Vice-Chancellor nor the Bishop of Oxford exhibited the slightest disinclination to discuss it vigorously themselves. They only wished discussion by others "to be put down." That, I intimated, had some savour of the *spirit* of the Inquisition. It strikes me in the same light now.

The Vice-Chancellor is amused because I "complain that he asserts such marriages were always void by the law of England," and because I mistook a question of English law for a question of Scotch law. I made no such mistake. I did not say a word about Scotch law. My observation,—which he gives, though not faithfully,—was, that to cite a decision disinheriting a child of such a marriage of property in Scotland, whilst the decision must have been *reversed* if the property had been in England, so important a distinction being quite unnoticed, was calculated to mislead ordinary readers; the question being—not whether these marriages were void or voidable—good or bad—but whether they were ever *virtually permitted in England* before 1835. I am of that opinion still.

I do not attempt to follow the Vice-Chancellor through all that his letters touch upon; but there are some salient points, either errors of argument or errors of fact, which offer themselves prominently to remark. I shall begin with his first division—his argument on social principles.

He lays great stress on the fact, that the time during which "the existing system of law prevailed dates, *at least*, from the conversion of Ethelbert in the 6th century," and "for 1200 years has governed the domestic habits of *every family* in the kingdom." These assertions are very free, but very incorrect. The time during which the existing system of law has prevailed dates not from king Ethelbert, but from the 31st day of August, 1835, precisely. Before that day a very different system prevailed. But whatever law of prohibition may have existed at any time before, it was not made by Ethelbert, as might be supposed. It was not an English law. It was brought from Rome, which gradually usurped ecclesiastical jurisdiction here. It could not govern the habits of "every family in the kingdom" before it was established amongst them; but a large part of the kingdom was pagan long after Ethelbert. That part was largely converted by native missions. The Saxon Bishops for centuries withstood the pretensions of the Roman See. It was not till after the Norman Conquest that the usurpation was complete: so that the Vice-Chancellor's twelve centuries must be considerably reduced. Moreover, for a considerable portion of the time, if not all, it was held to be prohibited, not as contrary to the Word of God, but as an ecclesiastical regulation. As the Vice-Chancellor well observes, "no doubt corruptions had crept in, by which the prohibitions had been extended beyond the Levitical degrees." During Henry the Eighth's time, Rome (and Henry himself, until he saw Ann Bulleyn) held it to be, as it does now, valid on dispensation. I pass the fluctuations of the law in the days of Henry, Mary, and Elizabeth. But I beg to point out that, whenever and however this law came to England,—in the same way, by the same authority, in like degree, and on the same grounds of imputed incest and nearness of kin, the marriage of cousins was prohibited in England. That law "governed the domestic habits of every family in the kingdom," according to the Vice-Chancellor's views, for 900 years. Will he affirm then that this latter prohibition, founded also on a false imputation of incest, *ought not* to have been removed? Or does prescription for wrong require precisely twelve centuries, and 900 years are within time of limitation? if venerable antiquity did not prevent truth from prevailing in the one case, neither ought it in the other. Essential untruth cannot be maintained on any principles, even if it had prevailed for twice 1200 years. Henry VIII. wished to marry Ann Bulleyn's cousin. Such a marriage was then invalid without a dispensation. Henry made his own dispensation. Marriage with cousins was made valid. If we suppose that Henry VIII. instead of wishing to repudiate his brother's widow and to marry his wife's cousin, had wished to repudiate the cousin and marry the brother's widow, is there any sane man who believes that we should not then have had marriage with cousins declared incestuous and unscriptural, and marriage with a brother's widow agreeable to the Word of God?

The Vice-Chancellor insists that the Act of 1835 did not make the marriages good. The title is "An Act to render certain marriages *valid*." It will be said the title is no part of the Act. It shows, nevertheless, that the *intention* of the Legislature was to make them good, which is not unimportant to the question. The preamble, however, *is* part of the Act. It recites that such marriages are *voidable only* by the Ecclesiastical Court. That is, according to ordinary use of language, they cannot be made void except by decree of the Ecclesiastical Court; that without such decree they did stand good. It proceeds, "*hereafter* all such marriages shall be *ipso facto void*, and not merely *voidable*." Words could not more plainly intimate that they were not void, but merely might be made void. Then it enacts that all such marriages of affinity shall not hereafter be *annulled* for that cause. There must necessarily then have been something to annul. There *was* a marriage: the Act pronounces it not void, but merely liable to be made void. It then declares it shall *not* be made void. A marriage must either be void, or voidable, or valid. The Act declares it was not void, and shall no longer be voidable. It must then be valid, as the Legislature intended. By law, each party could claim conjugal rights. They could not be separated. If that is not valid marriage, what can it be? The Act recites that it is unreasonable that the state and condition of children of such marriages should remain unsettled during so long a period as the lifetime of both parents. How did it effect that object? All the Legislature thought requisite to establish at once the legitimacy of the children was, simply to enact that the Ecclesiastical Court should not meddle with the marriage. It was thus made good; or we come to the inevitable conclusion that children of illicit unions without any marriage may be legitimate, and inherit. If the object had been only (as the Vice-Chancellor asserts) to make the children secure of the inheritance without making the marriage good, the Act would have simply declared the children entitled to inherit notwithstanding the marriage should be called in question in the Ecclesiastical Court. Let us, by way of an *ad absurdum*, look at the wording of the Act on the Vice-Chancellor's view: "Whereas two affines have contracted a marriage, which is void and null! and it is voidable only by sentence of the Ecclesiastical Court: We therefore enact that, being now absolutely void and null, it shall not be annulled!"

The Vice-Chancellor deals in a most remarkable manner with the Act of 1835. He always calls it "Lord Lyndhurst's Act," thus seeming to give to the prohibitory clause, which was contrary to that noble Lord's views entirely, a false support from the name of Lyndhurst. He seems forgetful that the very House of Commons which passed the Act was opposed in principle to the prohibitory clause, first rejects it, and only let it pass at last as a temporary measure, and that on any other supposition it would not have passed at all. He commits himself to the astonishing assertion that, from the beginning to the end of that Act, "no difference is made between the marriage with a wife's sister and "a man's own sister or mother"—that, "after the Act, the children "of any such odious union then existing would have been freed "for ever from the possibility of being declared illegitimate, though "both parents were alive." This he writes with the Act of Parliament before him—an Act of only four short clauses, little more than a page in length—and he does it with the utmost deliberation; for he numbers it formally as one in a list of four distinct Propositions which he lays down as being beyond dispute, and he repeats it several times. And what is the truth? Here are the very words of the Act, in open and direct contradiction to every word and syllabic of this remarkable assertion, "that all prior" marriages between persons being within the prohibited degrees of " *affinity* shall not hereafter be annulled," "*provided that nothing* " *hereinbefore enacted shall affect marriages between persons being "within the degrees of consanguinity.*" It declares that marriages of *affinity* shall not be annulled. In express words it refuses that protection to marriages of *consanguinity*. It carefully provides against "the children of *any such odious union* being freed "from the possibility of being declared illegitimate," in most explicit terms. Yet we are confidently told that the Act makes no difference. This appears to me, I own, as painful an instance of the length of hazardous statement to which an estimable man may be betrayed, by permitting his feelings to overcloud his judgment, as can well be met with.

The Vice-Chancellor ventures to assert "some positive propositions of his own." They are six in number. That they are *positive* there is no doubt. Their value beyond that I will proceed to test by examining them seriatim.

- I. "The breaking of a law by a large number of persons is no ground for its repeal."
 - That is only partial truth. It depends upon the nature of the law; whether it be just or unjust. The breaking by a large number of priests of the law which forbade their marriage as contrary to the Word of God, was an excellent and conclusive ground for its repeal. That is a case in point.
- II. "The alleged fact that a law can be broken without the offenders losing caste (as it is termed), in such a delicate matter as that which is the subject of our inquiry, would not, if true, afford ground for its repeal."
 - *Alone* it would not. But it would be a good ground amongst others. It shews that the law is very widely felt to be oppressive and unjust. It rebuts the oft-repeated assertion, that there is no difference between an own sister and a wife's sister. It proves that the instinctive feelings of nature acknowledge a very wide difference.
- III. "The fact that the prohibition of the given description of union, has for centuries been part only of a

series of prohibitions of other unions, such as that of father and daughter, brother and sister, uncle and niece, which last union at present no one is bold enough to advocate, affords in itself a chief ground for not tampering with the feelings that have sprung up, as to what is or is not an incestuous union."

- Which amounts to this—that call any union incestuous, however untruly, for a given length of time, and the untruth must be persisted in for ever. It mistakenly affirms that error, if of respectable antiquity, cannot be corrected without weakening truths with which it has been improperly associated. It asserts that right and wrong depend on time not on truth. It amounts in effect to a claim of Right of Prescription for falsehood.

IV. "The desire for a relaxation of laws relating to intercourse between the sexes has occurred, historically, in times of general relaxation of the morals of the society where that desire is experienced."

- That relaxed morals desire relaxed restraint, is a mere truism. If by the phrase, "laws relating to intercourse between the sexes," Marriage Laws are intended, then it is not true "historically" that desire of relaxation has occurred in times of general relaxation of the morals of society. There is a very widespread desire for a relaxation of this particular law now. But the morals of society are not nearly so relaxed as in the days of Charles II. or George II., when no such desire was expressed.

V. "The relaxation once commenced must necessarily lead to increased appetency for unions still left out of reach."

- This *necessity* certainly is not obvious; and as certainly it has not been proved, either physically or philosophically. Marriage with cousins was for ages prohibited by exactly the same authority, and precisely the same moral and religious pretexts as the marriage in question. The relaxation of that prohibition to marry cousins was not followed *necessarily* by an "increased appetency" amongst mankind to marry their sisters. No desire for "unions still out of reach" has, in consequence of the prohibition at present in debate being relaxed in other countries, shown itself "necessarily" or otherwise.

VI. "The happiness of the many would, by any change of the law, be sacrificed to the gratification of a morbid craving on the part of a few."

- Such loose, unbalanced statements must "necessarily" shock the spirit of moderation. The *many*, the vast majority, are ignorant of, and indifferent to the subject. Their happiness would not be in the slightest degree affected. Those who seek a change from conviction of its propriety, are,—as the petitions distinctly shew—the "many" The opponents are "the few" To talk of that conviction as "morbid craving" seems little better than morbid nonsense. Or, if by "morbid craving," those who desire to contract such unions are indicated, the absurdity deepens. No body of men are affected, as soon as they marry, with a diseased craving to marry their wives' sisters in general; any more than all who enter the Law are seized with a diseased craving to filch the Great Seal. The desire is determined altogether by circumstances, precisely as in other unions. By the relaxation, the happiness of a number of excellent people would be established. No one's would be diminished; except so far as a very few might be briefly annoyed, that the violence of prejudice had not borne down the voice of argument and experience, which pronounces these unions free from objection on social, moral, or religious grounds.

The Vice-Chancellor's resolute and unquenchable determination to connect facility of divorce with marriage with a deceased wife's sister, and both with all relaxation of morals, amounts almost to monomania. "What do our divorce courts show of the moral state of our people on the subject of marriage?" "He is appalled at the extent of the disease." "In Germany, and, I believe, in most states of America, where these marriages are allowed, divorce is almost at will." Supposing for a moment it were so, that would not prove that we should have divorce at will here. Fully to substantiate such an argument he must prove that there is *no* instance where divorce at will did not follow the relaxation of this prohibition. He asserts much. He proves nothing. The cases in our new Divorce Court (which Court he assisted to found) are the arrear of sin for a whole generation. There are deep thinking men who are surprised, not that they are so many, but that they are not more. Every year, I believe, the instances are fewer. But what are we to think of the reasoning here? These immoralities now revealed cannot have been owing to a Court of divorce, for they arose before there was such a Court. They cannot have been owing to permission to marry a deceased wife's sister, for they arose under *absolute prohibition*. And if, leaving the Vice-Chancellor's assertion, we come to fact: what is the truth respecting Germany and America? In Catholic Germany this marriage is allowed with dispensation, but divorce is not allowed at all. In Protestant Germany all allow this marriage; but *none* allow unlimited divorce, except Prussia. Whilst in America, if the Vice-Chancellor had but consulted Chancellor Kent's Commentaries he would have found, that in not one of the States is divorce permitted with facility; that they require an Act of the Legislature, or sentence of a Court, and, happily, in one or two a "Decree in Chancery," which last he will, I am sure, allow is sufficient security for deliberation. In most, adultery is the only cause allowed; in some, great cruelty and habitual desertion are added to adultery. But if all that the Vice-Chancellor alleges of America had been true, instead of untrue, what reliance could be placed in such a question on the conclusions of a mind, which in

countries where domestic slavery is an institution, where scientific breeding of human cattle for the market is a calling, can pass by elements of moral corruption so hideous, and see the source of all evil only in marriage with a deceased wife's sister?

The Vice-Chancellor gives us in the Appendix "an interesting" letter from a clergyman of South Carolina on these nearly-connected questions of the selection of one of the prohibited degrees "for relaxation and the facility of divorce." It is interesting, no doubt;—particularly because it overthrows all that the Vice-Chancellor asserts. It tells us, certainly, of a *worldly* woman who was made miserable in her decline by the affectionate intercourse between her equally *worldly* husband and an attractive sister of hers. On the other hand, it allows that such marriages have been "advised by dying wives; and one joined the hands of her husband and sister over her own dying bed." The first instance of such a marriage, it tells us, was celebrated by a Bishop after careful deliberation with another Bishop. To his own mind they are revolting; but not only do people thus married "stand well with society, but clergymen of good reputation formed such connexions, and Bishops have officiated at them." I think, then, we may fairly take the testimony of the Bishops, clergy, society, and dying wives, that these marriages produce good, not evil, against this gentleman's dislike, and the flirtation of a worldly husband with an attractive sister-in-law.

The Vice-Chancellor mourns justly the evils anywhere arising from too great *facility* of divorce; but he fails entirely anywhere to connect *that* with marriage with a deceased wife's sister. And it must be a relief to him, though fatal to his assertions, that in South Carolina itself, his own chosen instance, divorce is allowed only for adultery, and then only by Act of the Legislature; and, though marriage with sisters-in-law is common and much approved, not a single instance of divorce has been known. On the other hand, a recent case in the Rolls Court discloses a very different state of things. A certain Mrs. Dolphin, residing abroad, entertaining a liberal desire to put away her husband and marry a Frenchman, was advised that there was *one* Country where her object might be easily effected, after a residence there of *forty days*. And that country was *Scotland*. There accordingly she went, and was accommodated with a Divorce under circumstances of disgusting collusion and of appalling flagitiousness. Yet Scotland "rejects these marriages with abhorrence." If then I felt myself at liberty to adopt the Vice-Chancellor's line of argument, and assume an indissoluble connection between facility of Divorce and the state of Law on this subject, I might justly say to him, look at Scotland and the reputable Dolphins, and see what comes of *prohibiting* marriage with a deceased Wife's Sister.

This I must say: if we consider the great weight in the argument which the Vice-Chancellor lays on facility of Divorce inevitably following relaxed prohibition, and that in the two countries he specially instances, the truth is, that strict prohibition is accompanied with facility of Divorce; and relaxed prohibition with Divorce jealously guarded and as yet unknown—if facts are arguments and not the mere puppets of discussion—then, the assumed facts on which the Vice-Chancellor founds his opinion being exactly opposite to what is true, we may reasonably expect him to modify his opinion.

Enough for one letter; I will devote another to the Scriptural argument in the Vice-Chancellor's second letter.

I remain,
Yours sincerely,

Hugh Ford Bacon.

MY DEAR—,

I revert to Sir W. P. Wood's second letter—his argument on scriptural principles.

The necessities of the Vice-Chancellor's argument require that he should prove—1. That there is in Scripture a clear prohibition of this marriage; or, 2. A constant prohibition by the whole Church from the beginning, inferring a Scriptural prohibition; 3. That such prohibition was made on the *ground of invest*. With what success he has attained these objects I will briefly examine.

The prohibition from the Bible he rests entirely on two inferences from 18th Lev. He insists that the words "near of kin," in ver. 6, must be applied to every relation in that chapter. That is not a necessary or logical construction. Near of kin are prohibited. And some connections of affinity are prohibited. But it is a forced construction to say that all the affines are therefore included in near of kin. Scripture itself has expressly defined who are "near of kin," and confined it to blood relations in near degree. But there is a peculiarity of expression in Lev. xviii. which indicates, that not only is there no inexorable logic which obliges us to believe that, because both are prohibited in the same chapter, they must therefore be included in the same degree of kin, but that a *distinction between them is carefully defined*. In all the instances where the *kin* mentioned is expressly

acknowledged elsewhere in Scripture (see Lev. xx. 19; xxi. 2, 3; xxv. 49), either the prohibition is simple, or words are added repeating the blood relationship; for instance, of the granddaughter it is said, it is *his own* nakedness; of the half-sister, she is *thy sister*. But, in the case of the Affines, a substantive reason is always assigned for the prohibition, where none would have been required if they had all been included in "near of kin." It says, because "it is thy father's nakedness;" "the uncle's nakedness;" "thy son's wife;" "thy brother's nakedness." In the case of the wife's granddaughter, the reason given is because she is the "*wife's* near kinswoman." It does not say his own near kinswoman. In Lev. xx. 19, where the instance is repeated of father's sister and mother's sister, it is said distinctly; he uncovereth *his near kin*. Whilst in the case of uncle's wife and brother's wife, in the following verses, nothing is said of kin, but that he uncovers his uncle's or his brother's nakedness, and in both these latter cases the penalty attached is, not "cutting off," as in the case of all admitted blood relations, but that "they shall die childless." The distinction seems to me clearly to mark a difference of degree, and to shew that "near of kin" is not intended to be ascribed beyond those very instances which, as I observed, have alone been acknowledged in other places of Scripture, viz. father, mother, brother, sister, half-sister, uncle, aunt, child, grandchild.

I have no time to examine that elaborate pedigree of prohibition which is drawn out on page 42. Notwithstanding its formidable aspect, I have no idea that many will fall in with its remarkable conclusion, that a wife's sister is "*related* in the same degree of nearness as a *grandchild*." Nor do I think, if the Vice-Chancellor was distributing an estate in his Court, he would admit that relationship to be quite so close; or he would certainly come into collision with an Act of Parliament of long established authority.

Next, it is inferred that everything between the third and twenty-fourth verses must be included in the curse on the Canaanites. That is clearly not the case, for one thing included is a legal uncleanness, created by Leviticus itself, and peculiar to the Jews. Supposing it, however, to be granted, it would amount to this and no more, that to marry two sisters at *the same time* was an accursed act of the Canaanites. That does not show that to marry them in succession was, but quite the contrary. The Vice-Chancellor's Scriptural prohibition, then, rests on nothing more than two doubtful inferences from one chapter of the Old Testament. To anything in its support from the New he does not so much as pretend. But, as many men not inferior to the Vice-Chancellor in learning, ability, or conscientiousness, regard such inferences to be quite unwarranted and untenable, assuredly he has no right to insist on a clear prohibition in Scripture.

But that there must be a prohibition by Scripture the Vice-Chancellor considers proved by the continued prohibition of the Church from the earliest period:—"The Church of Christ from the *earliest period* held that marriage with a wife's sister is forbidden by God's law." If by the words "from the earliest period," is meant from the days of the Apostles, as it should be, this is not true. If from a later period, the proposition is of no value. Now, if there is a clear prohibition in Scripture, the custom of the Church from the earliest period is quite superfluous. If it is necessary to call in aid the custom of the Early Church, then he can claim no clear prohibition in Scripture. He mentions a challenge of Dr. Pusey's, that no Christian writer can be found for fifteen centuries who had any doubt that the marriage with a deceased wife's sister was forbidden by the Law of God. That is nothing to the purpose. What he should show to avail anything is, that any writer of the *first Three centuries* ever expressed a doubt of this marriage being *agreeable* to the Word of God. Soon after erroneous opinions quite sufficient were held without doubt by Christian writers. The *first three centuries* alone are of any weight in the argument. How stands the case? At the time the Gospel was promulgated the marriage was customary, and regarded as blameless, both by Jew and Gentile. Neither Christ nor his Apostles ever disapproved of it. The *onus probandi* clearly lies with the opponent to show that any one *doubted its lawfulness*. People declare their doubts when they have any. They don't make spontaneous declarations of the absence of doubt when nothing is questioned. That there is not one single expression of such a doubt to be found for 300 years is admitted on all sides. St. Basil, who wrote some fifty years later, is the first authority given for the "Church of Christ from the *earliest period*." The Vice-Chancellor begins his testimony in fact precisely where it ought to have terminated. St. Basil, writing a friendly letter to Diodorus Bishop of Tarsus, reprobates the marriage, and says, "*we have no such custom*." St. Basil, we contend, was speaking of *local* custom. The Vice-Chancellor maintains he spoke the opinion of the *whole Church* of Christ. But at the conclusion of his letter, there are words which make it as certain as it well can be, that he did not—"At all events, let no such customs *come into my diocese*," which clearly implies that there might be such customs in other dioceses. And, as it is clear, from this very letter to Diodorus, that in the diocese of Tarsus the contrary custom prevailed, and was considered scripturally good by a Bishop of acknowledged piety and eminence, he could not be speaking of the *whole Church*. But if we ask, how is it that no one objected to such marriage before St. Basil, who is ludicrously out of date as a witness to the earliest period, the Vice-Chancellor boldly replies, "Because it was never heard of before." That is not correct, for it is spoken of very expressly in the Apostolic canons fifty years earlier. These canons forbid *Ordination* to any who has married twice, or married (amongst others) a widow, or a servant-maid, or an actress, or *two sisters*. I presume the Vice-Chancellor would allow that marriages of

widows, servant-maids, and second marriages were not unknown in the Church. If not, then neither were these unknown, or they would not have been mentioned with the others. Neither is this distinct mention made in a *general prohibition* of the marriage. It occurs in a restraint of marriage to the Clergy, one of the earliest corruptions of the Church. The restriction is confined to them alone, and is no more forbidden to the laity than second marriage, or marriage with a widow, a servant-maid, or an actress. It is obvious that if this marriage had been looked upon as contrary to Scripture the prohibition would have gone beyond Ordination—if considered clearly contrary to Scripture no prohibition would have been needed. The marriage is mentioned also in the Canon of Eliberis, fifty years before St. Basil. That Canon was *probably* directed, the Vice-Chancellor says, without a moment's hesitation, against *heathen practices*. That is an easy way of surmounting a difficulty. But the censure attached was *exclusion from the communion* for five years, unless in case of sickness. As heathens were not *communicants*, they could not be excluded, and the practices to which it was directed must have been Christian. Here is ample evidence that they were well-known in the whole Church before St. Basil. But the "decree of the Emperor Constantius in 355," he adds, "is remarkable evidence of the feeling of the early Christians, for as soon as Christianity is established we find the heathen practice is at once repealed." Christianity was not established by Constantius, but by his father, some fifty years before, The Great Council of Nice had sat in the meantime, after it had been established, and treated of marriage. It did not prohibit this. The law of Constantius was not directed to the practices of heathens, or it would have been addressed to the heathens. It is obvious it alludes to what was then a general practice.

Nothing, indeed, can surpass the easy way in which the Vice-Chancellor gets rid of any unpleasant fact by assuming something for which there is no authority. The Jews considered themselves permitted by the Law to marry two sisters in succession. "That," he says, "is the interpretation of Talmudists and Rabbis," though sanctioned by the Bible before there were either Rabbis or Talmudists. Eliberis shows these marriages known before St. Basil. "It probably speaks of *heathen practices*." Yet both the Apostolic Canons, and this canon of Eliberis, in *express words* connect them with Christian practices. Constantius prohibits them in the Empire. "Yes, he prohibits *heathen practices*." I will say nothing at present of Constantius being an Arian, but I can by no means agree with, what I am sure I may call, the Vice-Chancellor's hasty assertion, that the question "of this marriage being incestuous lies far deeper than any difference of doctrines, however important in themselves." Most Christians, I think, hold such doctrines as the Divinity of our Lord, and the Atonement made for sin, to lie far deeper than a doubtful question of incestuous marriage.

The Vice-Chancellor has not then found a prohibition—certainly not a *clear* prohibition—in Scripture, or in the Church from the *earliest period*. But to whatever prohibition he may pretend, his case requires that it should be a prohibition on the distinct ground of *incest*. His objection to the marriage throughout is that *it is incestuous*. Now his inference from Lev. xviii. 6, can weigh nothing against direct testimony. If marriage with a brother's wife was not incestuous, neither was marriage with a wife's sister. Whatever might be the reason of the prohibition of marrying a brother's wife if he left children, Lev. xviii. 16, (and reasons sufficient have been assigned in the Jewish polity,) it was not because it was incestuous. That is quite certain, because God, in Deut. xxv. 5, absolutely *commanded* it if a brother died childless. The Vice-Chancellor, true to a system of passing lightly what is inconvenient, touches this very gently. The prohibition, he says, "is happily clear from all cavil, and the injunction in the excepted case is enforced by penalties, as if it was foreseen that it would be *reluctantly* and with *repugnance* observed." To believe that God would *command* a marriage, which he regarded with abhorrence as incestuous, is a thing impossible. It is more impossible still to believe that he would force the struggling conscience of the Jews, by penalties, to commit an act to which they were reluctant and repugnant, on account of its inherent wickedness. That would be to make the Jews more righteous than God. To marry a deceased brother's childless wife was a custom of the Jews sanctioned by the Almighty long before the Law. It was commanded them by the Law, and they did not think it incest. The Law allowed them, as they believed, to marry a deceased wife's sister. They did marry them, as is not denied, and do now, and they believed it a praiseworthy, not an incestuous act.

As to the Church, neither the Apostolic Canons, nor Eliberis, nor even the ascetic St. Basil, either called or treated the marriage as *incestuous*. The Apostolic Canons simply class it with second marriage, marrying a widow, and other blameless unions. Eliberis assigned to *incest* excommunication and total exclusion from the Church for ever. To this marriage it awarded only *five years'* exclusion from Communion, or less in case of sickness. St. Basil assigned to it only *seven years'* separation from the Church, but to incest *twenty years'*, incest is a pretence which has no support. Yet without incest there is and can be no ground of objection.

Whilst the Vice-Chancellor has not, I venture to say, shown a *clear* prohibition, or any prohibition, Lev. xviii. 18, we contend, shows a *clear* permission. As to the translation of that verse, he hesitates, falters, and remains indecisive. He neither boldly denies the orthodox version, nor candidly accepts it; neither does he quite adopt, or quite reject the marginal reading. He allows great weight to Dr. M'Caul's argument establishing the text; but he insinuates small difficulties. The uninterrupted testimony of the Church from the year 350, and not

before, to the Reformation of the marriage being, as he assumes, contrary to the Word of God, he considers a tradition amply sufficient to establish that point for ever, in contradiction to the version of our Bible and every other version. But the far closer, stronger, and exclusive testimony of the Church, from the Apostles to this day (besides the testimony of the Jewish Church for ages before), is *not* sufficient to establish the true text of the Word of God, when it is inconvenient to his argument. He tells Dr. M'Caul there is a difference between translation and interpretation. No doubt there is. But surely we must know what the Word of God really is before we can interpret it, and here the true text fixes absolutely the interpretation, as is evident from the acrobatic feats of grammar and logic that have been resorted to in order to escape it. It is not right, however, though common enough, first to settle the interpretation of God's word to your own satisfaction, and then determine the translation accordingly. The Vice-Chancellor between the text and the margin reminds us somewhat of "Youth between Wisdom and Folly:" reason is with the former, inclination with the latter. Evidently he would gladly unite, if he could, the words of the first with the sense of the last. But he must take one or the other. If, with the whole world, Jew and Christian, he takes the text (which he admits Dr. M'Caul has powerfully supported), and reads "one sister to another," then the words following, "in her life time," show, according to all use of language, that the union was not forbidden after her death. That is a difficulty which the struggles to escape this version prove he considers fatal. If, again, by assuming a Hebrew idiom (which Dr. M'Caul has made even the most unlearned understand to be impossible), he reads "one woman to another," then he denies that polygamy was allowed to the Jews. Here he falls on the other horn of the dilemma. He does not venture to *deny* that polygamy was part of the Jewish polity, yet he insinuates small doubts against it. "That it could not have been prohibited, because holy men of old had more than one wife at a time, is not to his mind conclusive: Abraham, Isaac, and Joseph had each but one wife." That is, if three holy men had each but one wife, it is conclusive that nobody else was permitted to have more than one wife. But Abraham, unluckily, had *two* wives, unless we are to accept Sir W. P. Wood as better authority than Genesis (xvi. 3), where we read, Sarah gave Hagar to her husband *to be his wife*. For that he has an answer:—"Hagar's case was not favourably viewed either in the Old Testament or by St. Paul in the New." Where the Vice-Chancellor discovers that he does not tell us. We read that God twice *sent an Angel* expressly to comfort her in her affliction, and to promise her that he would make her son a great nation; and "God was with the lad." St. Paul compares Hagar and Sarah to the two covenants, whereof the new was better than the old, but he does not say the old was bad, but just, the contrary. Of Hagar herself he says nothing whatever except in her *typical* character. "Jacob," the Vice-Chancellor proceeds, "was tricked into his first marriage." That might have been an argument if he had been "tricked" into his second marriage, which, on the contrary, was completed after seven years' deliberation. And, moreover, Jacob took two wives in addition without being "tricked." "Elkanah's case was certainly one *not attended with blessing*." Now, perhaps, there is not a more remarkable case of blessing and prosperity in the whole Bible than Elkanah's. The only alloy to the family happiness was that Hannah was childless. And Eli (the High Priest of God,) *blessed* Elkanah and his wife, and she bare three sons and two daughters. And one son became the most illustrious Judge and Ruler of Israel. That does not seem a lot "not attended with blessing." As to David and Solomon transgressing the Law against the Kings multiplying wives, amongst the benefits with which God reproaches David, 2 Sam. xii. is this, that He had given him his Masters Wives into his bosom. The fault imputed to Solomon, 1 Kings xi. is, not that he had multiplied wives, but had married *strange women* who turned away his heart after other Gods. It is *idolatry*, not *polygamy*, for which he is blamed. I am obliged to confess, under pain of the Vice-Chancellor regarding me as a person of very irritable temper, that I am not aware that more elaborate—I will not say perversion, for he objects to the word but—misconception of Scripture was ever before crowded into the same space.

He thinks it a fallacy that runs through the whole argument of Dr. M'Caul and others, that a special prohibition is a licence to do anything not included within the special words of restriction. On this principle (he says) the "Eighth Commandment—Thou shalt not commit adultery—would be a licence to commit fornication." The Vice-Chancellor here confounds *special* with *general*. That Commandment (which is the Seventh and not the Eighth) is not a *special* prohibition. It is *absolute* prohibition. A special prohibition is where something is forbidden under particular circumstances, or time, or place, which would be allowed at others. The restriction, *ex vi termini*, must be confined to the particular instance, and no more. The Fourth Commandment—general in its obligation—has a special restriction to time. It would be a positive inference from the seventh day only being named, that you might work on the other six, even if it were not expressly said so.

But the Vice-Chancellor asks, "How, if Jews and heathens recognised such marriages as lawful, the quiet acquiescence of the Christian world in the conclusion that the 18th verse does not authorise such marriages, can be explained?" Because false opinions early crept into the Church; because, from before St. Basil and downwards, the Church frequently misinterpreted Scripture and perverted doctrines; because, as the ages grew darker and the Popes stronger, prohibitions multiplied upon an ignorant and superstitious people. What says the

Vice-Chancellor himself:—"No doubt corruptions had crept in, by which the prohibition had been extended beyond the Levitical degrees." *He solves the whole mystery himself.* Will the Vice-Chancellor tell us how the acquiescence of the Christian world, in the conclusion that Scripture prohibits marriage of cousins, can be explained? How is acquiescence in the prohibition by Scripture of marriage to the Clergy to be explained? We know how transubstantiation, for instance, came to be received as the word of God, and acquiesced in by the Church and Realm of England; and we know how prohibition of this marriage came into the Church. It began in restrictions on the marriage of the Clergy, whilst permitted to the Laity. As days grew darker, the restriction was, with others beyond the Levitical degrees, gradually extended to the laity; and quietly acquiesced in by the Christian world. And if it should be asked further how, at the Reformation, the Church of England acquiesced in the marriage of cousins being Scriptural, but not in marriage with a sister-in-law, the answer is plain,—because it suited the lusts of Henry VIII. to allow the one and prohibit the other. If it should be asked how the marriage of the Clergy came at length to be acquiesced in,—It was because they felt that the alleged prohibition of Scripture was a falsehood, as this is, and broke the law; till at last shame compelled its repeal. Yet, at first, marriage of priests and cousins was received by many well-meaning persons with more repugnance and louder wailing than is surging round us now. And, doubtless, now, as then, in a short time this marriage would be regarded as commendable; and people would wonder how men could have been so moved against what seems so blameless.

By 31 Hen. VIII. c. 14, after long consultation with Convocation it was agreed by King, Lords Spiritual and Temporal, and by Commons, that Priests may not marry by the Law of God; and, if any person taught or held that they might, he should suffer death, and forfeit lands and goods as a felon. After the prohibition was repealed, for long the people would not receive the Sacraments from the hands of married Priests. Yet they were not ignorant that Priests and Levites were married under the Old Dispensation, and Apostles and Ministers were expressly permitted to marry under the New, and many were married men. Yet such prejudice as this is precisely what we are now invited to admire and imitate.

The Vice-Chancellor "purposely passes by Dr. M'Caul's list of foreign Divines since the Reformation. He deals with an *English question.*" He does not think Luther a very safe guide upon such a point. "It is more interesting to know how the Kirk of Scotland has dealt with the subject." But, when certain well-bribed foreign divines favour Henry VIII. with the opinion he needs, the Vice-Chancellor is very respectful to foreign divines on an English question. He lightly esteems Martin Luther as a guide on the point. But the perjured, blood-stained Constantius—a heretic—an Arian—who let loose bands of armed Pagans to murder the faithful in their churches, he considers may be a safe guide. His theological predilections are certainly somewhat singular. He deals with an *English question*, and rejects foreign divines; but thinks the opinion of the *Kirk of Scotland* very interesting. Of course it is interesting to him, on the principle which pervades his work throughout, of receiving nothing whatever that inconveniences him, accepting anything in any shape that agrees with him. The Scotch are, proverbially, in their prejudices a stiff-necked people. The Vice-Chancellor is a member, a sincere and enlightened member, of the Church of England and its government by Bishops on the Apostolic model. But the Kirk of Scotland holds that to be an erroneous view of Scripture, and Presbytery to be the only Scriptural plan of government. Does the Vice-Chancellor feel inclined to take his belief in this respect from the Kirk of Scotland, and let go his own faith? If not, the Kirk of Scotland is not an infallible guide, and he can scarcely require those who think that Church wrong on so important a question to bend to its authority in this.

I am,
Very truly, yours,

HUGH FORD BACON.

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Acts 1858, 1868, 1875, and 1876.

Analysis, Showing Section as Numbered in Act and Paragraph as Numbered in Pamphlet.

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The Marriage Acts.

Certain Sections of "The Marriage Act, 1854," and of
Marriage Act 1854, and Amendment Acts, 1858, 1868, 1875, and 1876.

The Marriage Act Amendment Acts of 1858, 1868, 1875, and 1876, in Operation in the Colony of New Zealand.

The paragraphs are exact reprints of the sections of the Acts noted in the margin.

I. REGISTER OFFICES AND OFFICERS.

§ 1. It shall be lawful for the Governor, at any
Districts to be proclaimed. 1858, Act No. 29, Sec. 2.

time, by Proclamation in the *New Zealand Gazette*, to divide the Colony of New Zealand for the purposes of this Act into such and so many districts as he shall think fit, and every such district shall be called by a distinct name and shall be a Registrar's District: Provided always that the Governor may at any time revoke the whole or any part of such Proclamation, and issue a new Proclamation dividing the colony or any portion of it anew into districts, or increasing the number or altering the boundaries of districts, as from time to time he may think requisite: Provided always that the districts already proclaimed under "The Marriage Act, 1854," shall be deemed to be districts constituted under this Act.

§ 2. It shall be lawful for the Governor, by
Registrar-General and Registrars to be appointed. Ibid, Sec 3.

warrant under his hand, from time to time to appoint a fit person to be Registrar-General, and also fit persons to be Registrars of Marriages, who shall hold office during the Governor's pleasure: Provided always that the Registrar-General and Registrars of districts now acting shall be deemed to have been appointed under this Act.

Marriage Acts.

§ 3. It shall be lawful for the Governor at any
Governor may appoint Deputy Registrar-General

time to appoint a fit person to be the Deputy of the Registrar-General to act in ease of death illness or
1878, Act So. 2: Sec. 3.

unavoidable absence, and such. Deputy shall, during the time he shall so act, have all the powers and privileges, and perform all the duties, and be subject to all the responsibilities, of the Registrar-General, except that he shall not have the power given by the eighth section of this Act of making amending altering or revoking such regulations as are therein mentioned. The appointment of such Deputy shall be notified in the *New Zealand Gazette*.

When Deputy to act. Ibid.

In case of the illness or absence of the Registrar-General his Deputy shall act as such from such day as the Registrar-General (or in case of illness incapacitating him, his medical attendant) shall certify under his hand to the Deputy appointed as aforesaid to act for him that he is ill and unable to perform his duties, or that he is about to be absent; and such Deputy shall cease to act as such from the day on which he shall receive from the Registrar-General a certificate under his hand to the effect that the Registrar-General has resumed his duties.

Governor may appoint Deputy Registrars. 1858, Act No.29, Sec. 4.

§ 4. It shall be lawful for the Governor at anytime to appoint a fit person to be Deputy of any Registrar, to act in case of death illness or unavoidable absence; and every Deputy shall, during the time he shall so act, have all the powers and privileges and perform all the duties and be subject to all the responsibilities of the Registrar for whom he shall have been appointed Deputy.

When Deputy to act.

§ 5. Whenever any Registrar shall die, the

Ibid, Sec. 6.

Deputy appointed as aforesaid shall act as Registrar from the day of such death, and in case of illness or absence shall act as such from such day as such Registrar (or in case of illness incapacitating him so to do, his medical attendant) shall certify under his hand to the Deputy appointed as aforesaid to act for him that he is ill and unable to perform his

Marriage Acts.

duties, or that he is about to be absent; and such Deputy shall cease to act as such from the day on which he shall receive from the Registrar whose Deputy he is a certificate under his hand to the effect that such Registrar has resumed his duties. No Registrar shall have power to act during such term as his Deputy is lawfully acting.

§ 6. The said Registrars shall be and they are

Registrars power to levy fees.

hereby empowered to levy and receive the several fees authorized to be collected by them under and 1851, Act No. 12, Sec. 4.

by virtue of this Act, to be applied in manner hereinafter provided.

§7. No Registrar appointed under the provisions

Registrars not liable to serve on juries. Ibid, Sec. 5.

of this Act shall be compellable to serve on any jury or inquest, or to fill any parochial or corporate office whatsoever.

II. NOTICE OF INTENDED MARRIAGES,

§ 8. In every case of marriage intended to be

Notice of every intended marriage to be given to Registrar.

solemnized in the Colony of New Zealand, one of the persons intending marriage shall, under his or 1854, Act No. 12, Sec. 6.

her hand, give notice in the form in the Schedule A, to this Act annexed, to the Registrar of the District within which one of the persons shall have dwelt for not less than three days, and shall therein truly state the age, name, and surname, and the calling or profession and condition of each of the persons intending marriage, the dwelling place of each of them, and the time that each of them has dwelt in such district, and the church, building, or place in which such marriage is intended to be solemnized: Provided always that if the persons intending marriage dwell in the districts of different Registrars, the like notice shall be given to the Registrar of each district.

§ 9. The seventh section of "The Marriage Act,

Not ice to be entered in book, and signed by person giving notice. (Sec. 7

1851'," is hereby repealed, and in lieu thereof it is enacted that the notice required to be given by *Marriage Acts.*

the sixth section of the said Act shall be fairly

of "Marriage Act, 1854," repealed.) 1875, Act No. 22. Sec. 7. 1 See § 8.

written in the Marriage Notice Book of the Registrar, and the signature of the person giving such notice affixed thereto: Provided always that, before the issue of any certificate by the Registrar upon such notice, the Registrar shall require the person giving such notice to make a solemn declaration of the truth of the several particulars set forth in such notice.

Fee on leaving such notice. 1854, Act No. 12, Sec. 8.

§ 10. There shall be paid to the Registrar, by the person leaving the said notice of marriage with the Registrar, a fee of two shillings and sixpence.

Notice Book to be open for inspection. Ibid, Sec. 9.

§ 11. Every such "Marriage Notice Book" shall be open to all persons desiring to inspect the same, between the hours of ten in the morning and four in the afternoon of every day, except Sunday, Christmas Day, Good Friday, and the Queen's Birthday, and for every such inspection there shall be paid to the Registrar a fee of one shilling.

Immediate certificate for marriage may be issued in certain cases.

§ 12. It shall be lawful for the Registrar to whom notice shall have been given under the sixth 1858, Act No. 29, Sec. 6.

section of "The Marriage Act, 1854," immediately upon receipt of such notice, and upon the making 2 See § 16.

of the declaration required by the 2 twelfth section of the said Act by one of the persons intending marriage, to issue a certificate in the form Schedule B to the said Act annexed, in the cases following, that is to say,—First, when it shall appear from the notice and declaration that both the persons intending marriage are of full age, or if a person be under age that such person is a widow or widower. Secondly, when the person being under age, and not a widow or widower, the consent in writing of the parent or guardian required to the marriage of such minor (if there be any parent or guardian of such minor within the colony) shall appear upon the notice or be delivered to the Registrar in a separate writing, which consent shall be signed by the parent or guardian either before the Registrar at his office, or before a Justice of the Peace,

Marriage Acts.

or a Solicitor of the Supreme Court, or an Officiating Minister within the meaning of this Act, and be attested by such Registrar, Justice, Solicitor, or Officiating Minister.

§ 13. When the consent is not given in the

Provision in other cases. 1858, Act No. 29 Sec. 7.

manner aforesaid, or when a declaration shall not be made in the presence of the Registrar by one of the persons intending marriage, that, to the best of declarant's knowledge and belief, there is no person within the colony having authority by law to give consent to the marriage, the Registrar shall not issue a certificate for marriage in any case in which one of the parties is a minor until the expiration of fourteen days after the receipt by him of the notice.

§ 14. For every certificate issued immediately

Fees on marriage certificates.

there shall be paid to the Registrar a fee of twenty

Ibid, Sec. 8.

shillings; and for every certificate not issued until the expiration of fourteen days, a fee of five shillings.

§ 15. No such certificate shall be issued by any

No certificate to be issued if there be any lawful impediment.

Registrar if any lawful impediment be shown to the satisfaction of such Registrar to the issue thereof, 1851, Act No. 12, Sec. 11.

nor if the issue of such certificate shall have been forbidden in manner hereinafter mentioned by any person or persons authorized in that behalf as hereinafter provided.

§ 16. Before any such certificate as aforesaid

Declaration to be made by person before certificate granted.

shall be granted by any such Registrar, one of the persons intending marriage shall appear personally

Ibid, Sec. 12.

before such Registrar, and shall make his or her solemn declaration that he or she believes that there is not any impediment of kindred or alliance, or other lawful hindrance to the said marriage, and that one of the persons has, for the space of three days immediately before the day of making such declaration, had his or her place of abode within the district wherein such marriage is to be solemnized. And where either of the persons, not being a

Marriage Acts.

widow or widower, shall he under the age of twenty-one years, such declaration shall further state that the consent of the person or persons whose consent to such marriage is by law required has been obtained thereto, or that there is no person resident in the colony having authority to give such consent, as the case may be.

The certificate to authorize but not oblige Officiating Minister. 1854, Act No. 12, Sec. 13.

§ 17. Every such certificate as aforesaid issued by any such Registrar shall be full authority for any Officiating Minister to celebrate any marriage, when both the persons intending to contract such marriage dwell in the same district. But if those persons dwell in different districts, certificates from the Registrars of both districts shall be required. Provided always that no such certificate or certificates shall oblige any Officiating Minister to solemnize any marriage.

Making false affirmation or declaration a misdemeanour. Ibid, Sec. 35.

§ 18. Every person who shall knowingly and wilfully make any false affirmation or declaration for the purpose of procuring any such certificate as aforesaid, shall be deemed to be guilty of a misdemeanour.

Notice, certificate, &c., to be good for three months only. Ibid, Sec. 14.

§ 19. Whenever a marriage shall not have been celebrated within three calendar months after the notice herein required to be given shall have been given to the Registrar, such notice and any certificate which may have been granted thereupon shall be utterly void.

Registrars to make quarterly Returns.

§ 20. Every Registrar shall, on the 31st day of March, the 30th June, the 30th September, and the Ibid, Sec. 15.

31st December, in every year, make a Return to the Registrar-General of Births, Deaths, and Marriages, or to such other Officer as may be appointed by the Governor in that behalf, of every certificate granted by such Registrar since his last Return, and of the particulars stated in every notice received by him.?

III. CONSENTS TO MARRIAGE, CAVEATS, &C.

Marriage Acts.

§ 21. The father, if resident within the colony,

Consent necessary when under age.

of any person under twenty-one years of age, such person not being a widower or widow, or, if the 1854, Act No. 12, Sec.16!

father shall be dead, the guardian or guardians of the person of the party so under age, lawfully appointed, or one of them; and in case there shall be no guardian or guardians, or in case the father shall not be resident within the colony, then the mother of such person if resident in the colony, and if there shall be no mother resident within the colony then the guardian or guardians (if any) of the person, appointed by the Supreme Court, or one of them, shall have authority to give consent to the marriage of such person, and such consent is hereby required for the marriage of such person so under age, unless there shall be no person within the colony authorized to give such consent.

§ 22. Any person whose consent is required as

Issue of certificates may be forbidden.

aforesaid may forbid the issue of the Registrar's certificate, by writing at any time in the presence

Ibid, Sec. 18.

of the Registrar, before the issue of such certificate, the word "Forbidden," opposite to the entry of the notice of such intended marriage in the "Marriage Notice Book," and by subscribing thereto his or her name and place of abode, and the relationship or guardianship by reason whereof he or she is authorized to forbid the issue of such certificate.

§ 23. In case any father, or mother, or guardian,

In certain cases Judge of Supreme Court may give consent to the marriage of minors.

whose consent is made necessary by "The Marriage Act, 1851," to the marriage of a person under age, shall be *non compos mentis*, or in case any such

1858, Act No. 29, Sec. 9.

guardian shall unreasonably or from undue motives refuse or withhold his consent to a proper marriage, then it shall be lawful for any person desirous of marrying in any of the above-mentioned cases to apply by petition to a Judge of the Supreme Court, and in case the marriage proposed shall upon exam-

Marriage Acts.

ination in a summary way appear to be proper, such Judge shall judicially declare the same to be so, and such judicial declaration shall be deemed and taken to be as good and effectual to all intents and purposes as if the father, or mother, or guardian of the persons so petitioning had consented to such marriage.

Caveat may be entered.

§ 24 Any person having just and reasonable

1854, Act No. 13, Sec. 19.

cause in that behalf may, on the payment of five shillings, enter a caveat with the Registrar against the grant of a certificate for the marriage of any person named in such caveat. And if any caveat be entered with the Registrar, such caveat being duly signed by or on behalf of the person who entered the same, together with his or her place of residence, and the ground of objection on which his or her caveat is founded, no certificate shall be granted until the Registrar shall have examined into the matter of the caveat, and be satisfied that it ought not to obstruct the grant of the certificate for the said marriage, or until the caveat be withdrawn by the person entering the same. Provided always that in case of a Registrar refusing the grant of a certificate, the person applying for the same shall have a right to appeal to a Judge of the Supreme Court in a summary way, who shall

thereupon either confirm the refusal or direct the grant of the certificate.

If caveat vexatious.

§ 25. Every person who shall enter a caveat

Ibid, Sec. 20.

with the Registrar against the issue of any certificate on grounds which a Judge of the Supreme Court shall declare to be frivolous and vexatious, and that they ought not to obstruct the issue of the certificate, shall be liable for the costs of the proceedings, and for damages to be recovered in an action by the person against whose marriage such caveat shall have been entered.

The making of a false representation a misdemeanour. 1854, Act No. 12, Sec. 30.

§ 26. Every person who shall forbid the issue of the Registrar's certificate by falsely representing himself or herself to be a person whose consent to

Marriage Acts.

such marriage is required by law, knowing such representation to be false, shall be deemed guilty of a misdemeanour.

§ 27. Any Officiating Minister or Registrar who

Persons solemnizing marriage of minors without consent liable to a penalty.

shall knowingly or wilfully, without the consent of parents or guardians, solemnize or be present at any

Ibid, Sec. 40.

marriage wherein one or both of the parties has not, or have not, attained the full age of twenty-one years, shall for every such offence forfeit and pay a sum not exceeding one hundred pounds, to be recovered by action in the Supreme Court.

IV. SOLEMNIZATION OF MARRIAGES.

§ 28. The Registrar's certificate or certificates, as

The Registrar's certificate to be delivered to the Officiating Minister.

the case may be, shall, immediately before the solemnization of any marriage, be delivered by one of the

Ibid, Sec. 21.

persons about to be married to the Officiating Minister or to the Registering Officer of the Society of Friends commonly called Quakers, for the place where the marriage is solemnized, according to the usage of the said Society, or to the officer of a Synagogue by whom the marriage is registered, if the same shall be solemnized according to the usages of the people professing the Jewish religion; and in all other cases shall be delivered to the Registrar present at such marriage, as is hereinafter provided.

§ 29. Every such marriage shall be solemnized

Manages when to be solemnized.

in the place stated in the notice of such marriage,

Ibid, Sec. 22.

between the persons described in the notice according to such form and ceremony as they may see fit to adopt. Provided nevertheless that every such marriage shall be solemnized with open doors, between the hours of eight in the morning and four in the afternoon, in the presence of an Officiating Minister or other person duly authorized by this Act, and in the presence of two or more witnesses.

§ 30. Any person who shall object to be married

Marriages may be solemnized at the office of

under the provisions of this Act in the presence of

Marriage Acts

any Officiating Minister may, after compliance

Registrar.

with the provisions of this Act in all other particulars,

1854, Act No. 12 Sec. 23.

contract and solemnize marriage at the office and in the presence of some Registrar, in the presence of two witnesses, with open doors and between the hours aforesaid: Provided that in the presence of the Registrar and witnesses as aforesaid, each of the persons shall declare, "I do solemnly declare that I know not of any lawful impediment why I (A.B.) may not be joined in matrimony to (C.D.);" and each of the persons shall say to the other, "I call upon these persons here present to witness that I (A.B.) do take thee (C.D.) to be my lawful wedded wife [*or* husband]."

Solemnizing marriage otherwise than according to this Act a misdemeanour.

§ 31. Every person who on or after the said first day of January, 1855, shall knowingly and wilfully solemnize matrimony in any other place than the

Ibid, Sec. 38.

church, office, or place specified in the certificate required by this Act, and every person who shall knowingly and wilfully solemnize matrimony on or after the said first day of January, 1855, without a certificate from the Registrar as required by this Act, shall be deemed and adjudged to be guilty of a misdemeanour.

Persons married to pay one pound to Registrar instead of three pounds.

§ 32. The Registrar shall be entitled, for every marriage which shall be solemnized by him, to receive from the persons married the sum of one

1875, Act No. 22 Sec. 9.

pound instead of the sum of three pounds as provided by the twenty-fourth section of "The Marriage Act, 1854."

Any person solemnizing matrimony falsely pretending to be an Officiating Minister felony.

§ 33. If any person shall from and after the first day of January, 1855, falsely pretend to be an Officiating Minister, and shall solemnize matrimony, any such person knowingly and wilfully so offending,

1854, Act No. 12, Sec. 37.

and being lawfully convicted thereof, shall be deemed and adjudged to be guilty of felony, and shall be sentenced to penal servitude for a term of seven years.

§ 34. If any persons shall knowingly and wilfully intermarry on or after the said first day of *Marriage Acts*.

January, 1855, without certificate from the Registrar,

Marriages unduly solemnized with the knowledge of both parties to be void.

or in the absence of an Officiating Minister or Registrar when the presence of an Officiating Minister or Registrar as aforesaid is necessary under

1854, Act No. 12, Sec. 30.

this Act, the marriage of such persons shall be null and void.

V. REGISTRATION OF MARRIAGES.

§ 35. Every Officiating Minister and every Registrar,

Marriages to be registered.

immediately after a marriage solemnized by

1858, Act No. 29, Sec. 11.

him, or which may have taken place in his presence, shall register in a book to be kept for that purpose the several particulars relating to such marriage, according to the form in Schedule C to this Act annexed; and every such register shall be signed by such Officiating Minister or Registrar, as the case may be, present at such marriage, and by the persons married, and by two witnesses, and every entry shall be made from page to page in order from the beginning to the end of such book: Provided always that it shall be lawful to use the form prescribed by the Schedule C of "The Marriage Act, 1854," but it shall be only necessary to make the entries in the columns corresponding with the columns of Schedule C to this Act annexed: Provided also that in the column headed "Age" it shall be lawful to enter either "Full Age" or "Minor," as the case may be.

§ 36. It shall be lawful for the Officiating Minister,

Officiating Minister may I inquire particulars to be registered.

or Registrar, before whom any marriage is solemnized according to the provisions of this Act, to ask from the persons to be married the several

1851, Act No. 12, Sec. 26

particulars required to be registered concerning such marriage.

§ 37. If any Officiating Minister shall be called

Registration of marriages under certain circumstance.

upon to solemnize a marriage at a place distant from that at which his Register Book is usually

1858, Act No. 29, Sec. 1

kept, it shall be lawful for him to enter such mar-

Marriage Acts.

riage in a blank form instead of in the Register Book, and every such form shall be signed at the time of the solemnization of the marriage by such Officiating Minister, by the persons married, and by the witnesses, and on his return to the place at which his Register Book is kept such Officiating Minister shall forthwith copy such entry accurately and in full into the said Register Book, with a note certifying under his hand that he has made a true copy of the original record, and such original record shall be carefully preserved by him for production if required.

Penalty.

§ 38. Every such Officiating Minister or Registrar

1854, Act No. 12. Sec. 28.

who shall neglect to register any marriage solemnized by him, or which may have taken place in his presence, shall forfeit and pay for every such offence a penalty of fifty pounds, to be recovered in a summary way.

Copies of Marriage Register to be forwarded to Registrar-General quarterly.

§ 39. The Marriage Register Books shall be safely kept by the Officiating Ministers and Registrars

1858, Act No. 29 Sec. 13.

respectively; and every Officiating Minister or Registrar, as the case may be, before whom any marriage has been solemnized or has taken place shall, in the months of July, October, January, and April, respectively, make and transmit to the Registrar-General, or other officer to be appointed by the Governor in that behalf, a true copy, certified by such Officiating Minister or Registrar under his hand, of all the entries of marriages in the Register Books kept by him since the last return, and if there shall be no marriage entered therein since the last return he shall certify the fact under his hand; and every Officiating Minister or Registrar who shall refuse or neglect to make and transmit such return or certificate within the several times herein specified shall be liable for every such offence to forfeit a sum not exceeding ten pounds, to be recovered in a summary way: Provided always that when a Register Book of Mar- riages is kept at any church chapel or place at

Marriage Acts.

which different Officiating Ministers occasionally solemnize marriages, it shall be sufficient that the Officiating Minister in whose charge such book is usually kept shall transmit to the Registrar-General, quarterly, copies of all entries made in the book, such copies being certified under his hand to be correct; and he is required hereby under the aforesaid penalties to transmit such copies at the times and in the manner provided herein.

§ 40. Every person who shall wilfully make or

Penalty for making false entries.

cause to be made, for the purpose of being inserted in any register-book of marriages, any false statement

1875, Act No. 22, Sec. 6.

touching any of the particulars required to be known and registered under the provisions of any Act for regulating marriages in the colony which shall at the time be in force, shall be deemed guilty of a misdemeanour.

§ 41. Every Registrar who shall knowingly and

Registrar acting illegally in certain cases to be guilty of felony.

wilfully issue any certificate for marriage after the expiration of three calendar months after the notice

1851, Act No. 12, Sec. 39.

shall have been entered by him as aforesaid, or any certificate for marriage except the provisions of this Act he first complied with, or any certificate the issue of which shall have been forbidden as aforesaid, by any person authorized to forbid the issue of such certificate, or who shall knowingly and wilfully register any marriage herein declared to be null and void, and every Registrar who shall knowingly and wilfully solemnize in his office or elsewhere any marriage herein declared to be null and void, shall be deemed and adjudged to be guilty of felony, and shall be sentenced to penal servitude for a term not exceeding seven years.

§ 42. The Registrar-General shall cause indexes

Registrar-General to keep indexes, and may give certified copies of entries, &c.

to be made of the certified copies of entries of marriages forwarded to him under the provisions of "The Marriage Act Amendment Act, 1858," and

1875, Act No. 22, Sec. 4.

shall permit any person demanding to do so to

Marriage Acts.

search any such index, and to have a copy, certified under the Registrar-General's hand, of any record of any marriage, the particulars of which have been duly forwarded to the Registrar-General by the Officiating Minister or Registrar by whom such marriage was celebrated or registered, as may be authorized by the Acts for regulating marriages which may be in force in the colony.

For every search in any index or marriage records in the office of the Registrar-General a fee of five shillings shall be paid by the person requiring such search, and for every certified copy of any marriage entry in the records of his office there shall be paid a fee of two shillings and sixpence, or if such certified copy be under the seal of the Registrar-General, a fee of five shillings. Certified copies of marriage returns made or given by the Registrar-General, and purporting to be signed by him, shall be received as *prima facie* evidence in any Court of justice within the colony of the fact of the marriage to which it relates having been solemnized.

Penalty for injuring or destroying registers.

§ 43. Every person who shall wilfully destroy or injure, or cause to be destroyed or injured, any

1875, Act No. 22 Sec. 5.

register-book of marriages, or any part or certified copy of any part thereof, or shall falsely make or counterfeit, or cause to be falsely made or counterfeited, any part of such register-book or certified copy thereof, or shall wilfully insert or cause to be inserted in any register-book or certified copy thereof any false entry of marriage, or shall wilfully give any false certificate, or shall certify any writing to be a copy or extract of any register-book knowing the same register to be false in any part thereof, or shall forge or counterfeit the signature or seal or stamp of the Registrar-General or any impression thereof, shall be deemed guilty of felony, and be liable on conviction to penal servitude for any term not exceeding five years: Provided always that every person having the custody or care of any

Marriage Acts.

register-books of marriages, who shall wilfully permit or allow any such offence as aforesaid to be committed, shall be liable to the punishment hereinbefore provided in reference to persons actually committing the same.

§ 44. It shall be lawful for the Registrar-General

Registrar-General may make regulations.

from time to time to make amend alter and revoke regulations (not being repugnant to the provisions

1875, Act No. 22, Sec. 8.

of any Act lawfully in force for regulating marriages in the colony) for the general management of the Registry Offices, and the preparation and transmission of all returns required from Registrars and Officiating Ministers respectively, and for the more effectually carrying out the provisions of any or all Marriage Acts in force in the colony; and such regulations, after being approved by the Governor, shall be obeyed accordingly.

VI. FORFEITURE OF PROPERTY ACQUIRED BY MARRIAGE.

§ 45. If any valid marriage shall, after the said

On marriage of minors without consent, offending party to forfeit property acquired by such marriage.

first day of January, 1855, be procured by a party to such marriage to be solemnized between persons one or both of whom shall be under the age of twenty-one years, not being a widower or widow,

1854, Act No. 12, Sec. 31.

contrary to the provisions of this Act, by means of such party falsely swearing or declaring to any matter or matters to which such party is herein-before required personally to declare, such party wilfully and knowingly so declaring, then and in such case it shall be lawful for Her Majesty's: Attorney-General, by information in the Supreme Court, at the relation of a parent or guardian of the minor, whose consent has not been given to such marriage, to sue for a forfeiture of all the estate, right, title, and interest in any property *which* hath accrued or shall accrue to the party so offending, by force of such marriage; and such:

Marriage Acts.

Court shall have power in such suit to declare such forfeiture, and thereupon to order and direct that all such estate, right, title, and interest in all property as shall then have accrued or shall thereafter accrue, to such offending party by force of such marriage, shall be secured under the direction of such Court, for the benefit of the innocent party, or of the issue of the marriage or of any of them, in such manner as the said Court shall think fit, for the purpose of preventing the party offending from deriving any interest in real or personal estate or pecuniary benefits from such marriage; and if both the parties so contracting marriage shall, in the judgment of the Court, be guilty of any such offence as aforesaid, it shall be lawful for the said Court to settle and secure such property or any part thereof immediately for the benefit of the issue of the marriage, subject to such provisions for the offending parties by way of maintenance or otherwise as the said Court under the particular circumstances of the case shall think reasonable, regard being had to the benefit of the issue of the marriage during the lives of the parents, and of the issue of the parties respectively by any future marriage, or of the parties themselves, in case either of them should survive the other.

All settlements &c. on any such marriage void.

§ 46. All agreements, settlements, and deeds entered into and executed by the parties to any

1854, Act No. 12, Sec. 32.

marriage in consequence of or in relation to which marriage such information as aforesaid shall be filed by either of the said parties before and in contemplation of such marriage or after such marriage for the benefit of the parties, or either of them, or their issue, so far as the same shall be contrary to and inconsistent with the provisions of such a security and settlement as shall be made by or under the direction of the Supreme Court as aforesaid, under the authority of this Act, shall be absolutely null and have no force or effect.

§ 47. Any original information to be filed for the

Marriage Acts.

purpose of obtaining a declaration of any such forfeiture

Proceedings to be taken within one year after such marriage.
as aforesaid, shall be filed within one year; after such relator or relators hath or have known
1854, Act No. Sec. 33.
or discovered the solemnization of the marriage by which such forfeiture shall have been incurred.

§ 48. If any valid marriage shall be had under
If marriage be under false notice or certificate, like forfeiture.
the provisions of this Act, by means of any false notice, certificate, or declaration made by either party to
such marriage, as to any matter to which
Ibid, Sec. 34.

a notice, certificate, or declaration is herein required, it shall also be lawful for the Attorney-General to sue
for a forfeiture of all estate and interest in any property accruing to the offending party by such marriage, and
the proceedings there-upon, and the consequences thereof, shall be the same as hereinbefore provided.

VII. OFFICIATING MINISTERS.

§ 49. Any minister of religion whose name shall
Officiating Ministers, who. Ecclesiastical authorities to send in names.
have been sent in to the Registrar-General of Births, Deaths, and Marriages, or other officer to be appointed
by the Governor in that behalf, by the
Ibid, Sec. 42.

persons or person within the colony in whom ecclesiastical authority shall for the time being be vested, or
reputed to be vested, over any of the religious bodies enumerated in the Schedule D to
Sec § 61.

this Act annexed, shall, subject to the conditions hereinafter mentioned, be an Officiating Minister within
the meaning of this Act, and the name of every such minister of religion shall be certified under the hand or
hands of the person or persons aforesaid, and shall be entered and published as hereinafter provided: Provided
always that any minister of religion not connected with any of the bodies enumerated in the aforesaid Schedule
to this Act annexed, who shall present to any Registrar a certificate signed by twenty-four householders
resident, in the district for which such Registrar

Marriage Acts.

shall be appointed, declaring that such minister is their Officiating Minister, shall be entitled to have his
name inserted in the list of Officiating Ministers in the meaning of this Act: Provided always that

[The words in erased type re-pealed, and other provisions enacted by "The Marriage Act Amendment Act,
Sec § 50

Such certificates [*unclear*: shall be attested by two Justices of the Peace]; and such attested certificate
shall be sent in to the Registrar-General or other officer as aforesaid, anew in the month of December in every
year, and no such attested certificate presented to any Registrar by any Minister as aforesaid shall continue in
force unless renewed in like manner.

Part of Sec. 42 of "The Marriage Act, 1854," repealed. Signatures to be verified by solemn declaration
before a Justice in prescribed form.

§ 50. So much of the forty-second section of "The Marriage Act, 1851," as provides that the certificate in
the said section referred to shall be attested by two Justices of the Peace is hereby repealed, and in lieu thereof it
is enacted that the,

1868, Act No. 22, Sec. 2.

signatures to any such certificate referred to in the said section of the said Act shall be attested by some
person who shall verify the same by solemn declaration before a Justice of the Peace in the form set forth in the
Schedule hereto, and appended to such certificate and signed by such person, and if any person shall make any
such declaration falsely he shall be guilty of a misdemeanour.

Two officeholders may send name of Officiating Minister to Registrar-General.

§ 51. The certificate required by the forty-second section of the said Act, to be made by some person or
persons having ecclesiastical authority, may, in default of any person having such authority, be made under the
hands of two duly recognized officeholders in the religious body in respect of which such certificate is granted:
Provided that it shall be necessary to send in such certificate anew

Marriage Acts.

to the Registrar-General in the month of December in each year.

§ 52. The person having ecclesiastical authority

Ecclesiastical authorities to certify suspension or deprivation of any minister.

over the several religious bodies as aforesaid shall, upon the suspension or deprivation of any minister

whose name shall have been sent in to the Registrar-General

1854, Act No. 12, Sec. 13.

or other officer as aforesaid, in manner hereinbefore mentioned, forthwith certify such suspension or deprivation to the Registrar-General or other officer as aforesaid, who shall forthwith make a minute of such suspension or deprivation in the list of Officiating Ministers hereinafter mentioned, and no such person shall be deemed an Officiating Minister until his name shall have been again sent in to the Registrar-General or other officer as aforesaid, in manner hereinbefore mentioned.

§ 53. The several ecclesiastical authorities as

List of Officiating Ministers to be sent in in the month of December.

aforesaid of the respective religious bodies shall send in to the Registrar-General, or other officer

Ibid, Sec. 44

as aforesaid, a correct list of such Officiating Ministers in the month of December in every year.

§ 54. The Registrar-General, or other officer as

Registrar-General to file certificates, enter names of Officiating Ministers in books, and publish lists.

aforesaid, shall file all such certificates and lists, and keep them with the records of his office, and shall also forthwith enter the names sent to him as hereinbefore mentioned, in a book to be furnished him

Ibid, Sec. 45.

by the Government, and to be called the "List of Officiating Ministers," and shall from time to time alter and correct the said list as occasion shall require, and shall in the month of January in every year cause a copy of such list to be published in the *New Zealand Government Gazette*. And in case of any additional names of ministers being sent in to him during any part of the year in the manner aforesaid, the Registrar-General or other officer as aforesaid shall cause such names to be published forthwith in the *New Zealand Government Gazette*, and the persons so gazetted shall be deemed

Marriage Acts.

Officiating Ministers for the purposes of this Act. Provided always that in case of notice being sent to the Registrar-General or other officer as aforesaid of the suspension or deprivation of any minister whose name may have been entered upon the list of Officiating Ministers, the Registrar-General or other officer as aforesaid shall thereupon cause a notification to be published in the *New Zealand Government Gazette*, that the name of such minister is withdrawn from the list of Officiating Ministers, and such person shall from the date of such publication cease to be an Officiating Minister in the in meaning of this Act.

Evidence of the right of Officiating Ministers to act.

§ 55. The entry of the name of any Officiating Minister heretofore made or hereafter to be made in

1858, Act No. 29, Sec. 15.

the book called the "List of Officiating Ministers," and the publication in the *New Zealand Gazette* of the name of such minister, in pursuance of the provisions of the said "Marriage Act, 1854," shall be deemed and taken to be conclusive evidence of the right of such Officiating Minister to act as such from the date of the certificate sent in to the Registrar-General in respect of such Officiating Minister upon which such entry and publication have been or shall be made.

Schedule.

Schedule to last preceding paragraph.

I, A.B., do solemnly and sincerely declare that all the signatures affixed to the above certificate are the genuine signatures of the persons whose they purport to be.

A.B.

Taken before me this day of A.D. 18

C.D.,

A Justice of the Peace for the Colony of New Zealand.

Penalties.

VIII. PENALTIES.

For false declaration, sec § 18.

For false representation, see § 26.

For solemnizing or being present at marriage of minors without consent, see § 27.

31. For solemnizing marriage in any other place than that specified in certificate, or without a certificate, see §

For falsely pretending to be an Officiating Minister, see § 33.

For neglecting to register a marriage, see § 38.

For neglecting to transmit returns to Registrar General, see § 39.

For making false entries, see § 40.

Marriage Acts.

For Registrar acting illegally, see § 41.

For injuring or counterfeiting registers, see § 43.

§ 56. Every action or prosecution under this Act

Prosecutions to be commenced within three years after offence.

shall be commenced within the space of three years after the offence was committed.

1854, Act No. 12, Sec. 41.

IX. MISCELLANEOUS PROVISIONS.

§ 57. Every marriage heretofore and prior to the
Marriages heretofore celebrated valid.

16th day of September, 1847, *bond fide* celebrated in New Zealand by any clergyman, minister, or
Ibid, Sec. 46.

other person, whether the same was so celebrated in any church, chapel, or building set apart for public
worship, or other building or place, and every marriage heretofore since the 16th of September, 1847, *bond fide*
celebrated by any clergyman, minister, or other person, in accordance with the formalities prescribed by the
said recited Ordinance No. 7, of Sec. 8, shall be deemed as valid as if such marriage had been performed under
the provisions of this Act. Provided always that nothing contained in this Act shall extend, or be construed to
extend, to render valid any marriage in respect to which a lawful impediment may have existed at the time of
such marriage.

§ 58. It shall not be necessary, in support of

Marriages not to be invalid for certain reasons.

any marriage solemnized under this Act and "The Marriage Act, 1854," to give any proof of the
1858, Act No. 29, Sec. 10.

actual dwelling of either of the persons so married previous to the marriage within the district wherein such
marriage was solemnized for the time required, or of the consent of any person whose consent thereunto is
required by law, nor shall any evidence be given to prove the contrary in any suit touching the validity of such
marriage, neither shall any marriage be deemed to have been unduly solemnized by reason of any mere error or
defect in the notice declaration or certificate required before solemniza-

Marriage Acts.

tion, or in the registration of the marriage when solemnized, when the identity of the parties is not
questioned, nor on account of any other infringement of the provisions of "The Marriage Act, 1854," or of this
Act, except as provided in the thirtieth section of the said "Marriage Act, 1854": Provided always that nothing
herein contained shall exempt any Officiating Minister or Registrar who shall do anything contrary to the
provisions of this Act from any penalty to which he would have been liable for such offence but for this section.

Marriages *bona fide* intended to be solemnized under "The Marriage Act, 1854." to be valid.

§ 59. Every marriage heretofore solemnized which was intended to be *bond fide* solemnized under "The
Marriage Act, 1854," shall be deemed and taken to be and to have been from the date of

1858, Act No. 29, Sec. 14.

such solemnization a good and valid marriage, notwithstanding that all the requirements of the said Act
shall not have been complied with: Provided always that nothing herein contained shall legalize any marriage in
respect to which a lawful impediment existed at the time of such marriage, nor any marriage when (the same
having been at the time of its solemnization invalid) either of the parties thereto shall afterwards and before the
passing of this Act have intermarried with some other person: Provided also that nothing herein contained shall
exempt any person who may have offended against the provisions of "The Marriage Act, 1854," from any
penalty or punishment which he may have incurred by any breach of the requirements of the said Act.

Act not to extend to marriages of Natives.

§ 60. Nothing herein contained shall apply to any marriage which may be contracted otherwise
1854, Act No. 12, Sec. 47.

than according to the provisions of this Act, between two persons both of the native aboriginal race:
Provided that this Act shall come into operation in respect of marriages between persons of the said race, in

such districts, and at such times, as the Governor shall by Proclamation from time to time appoint: Provided also that persons

Marriage Acts.

of the aboriginal native race may, if they desire, contract marriage according to the provisions of this Act.

Schedule A.

1854, Act No. 12, Schedule A.

To the Registrar of Marriages for the District of
Ibid, Schedule B.

I hereby give you notice that a Marriage is intended to be had within three calendar months from the date hereof, between me and the other party herein named and described; that is to say—

Name and surname. Condition Calling or profession. Age Dwelling-place. Length of residence. Church, Building, Office, or place where the marriage is to be solemnized. District in which the other party resides, where the parties dwell in different districts. James Smith ... Bachelor Blacksmith 25 Queen-street, Auckland 10 days St. Paul's Church, Mary Green ... Spinster 19 Princes-street Auckland 10 days Auckland.

WITNESS my hand this day of 18

JAMES SMITH.

Schedule B.

Ibid, Schedule B.

G.H., the Registrar of Marriages for the District of

To A.B., of an Officiating Minister for the District of and all other Officiating Ministers for the same district.

WHEREAS C.D., of has given notice to me, according to the provisions of an Act of the General Assembly of New Zealand, intituled "The Marriage Act, 1854," of a marriage intended to be solemnized between the said C.D. and E.F., of (spinster): And whereas the said C.D. has complied with all the requirements of the said Act: Now I, G.H., the Registrar of Marriages for the District of do hereby certify to you, the said A.B., and to all other Officiating Ministers for the District of that the said C.D. has complied with the requirements of the said Act, and marriage may be solemnized between the said C.D. and E.F. Provided that such marriage be publicly solemnized in the presence of you, the said A.B., or any one of you [or the Registrar, *or* Registering Officer of the Society of Friends], and two or more witnesses, within three calendar months from the [*Here insert date of giving notice*] in the [*Here describe the church, building, office, or place where the marriage is to be solemnized*] between the hours of eight in the forenoon and four in the afternoon.

Given under my hand this day of 18 G. H., Registrar.

Marriage Acts

Schedule C.

1858, Act No. 20, Schedule C.

1855.—MARRIAGES IN THE DISTRICT OF [AUCKLAND].

Married, after the delivery to me of the certificate required by the Act of the General Assembly of New Zealand, intituled "The Marriage Act, 1854,"

A. B., Officiating Minister [*or* Registrar].

This Marriage was solemnized between us,

Repeal of Schedule D to "Marriage Act, 1854," and substitution of Schedule to this Act.

§ 61. The Schedule D to "The Marriage Act, 1854," (hereinafter called "the said Act,") is hereby repealed, and the Schedule hereto is inserted in lieu thereof.

1876, Act No. 27, Sec. 3.

Schedule.

The Church of the Province of New Zealand, commonly called the Church of England.
The New Zealand Presbyterian Church.
The Roman Catholic Church.
The Presbyterian Church of Otago and Southland.
The Wesleyan Methodist Society.
All Congregational Independents.
Baptists.
The Primitive Methodist Connexion.
The United Methodist Free Churches.
The Lutheran Church.
All Hebrew Congregations.
The Society of Friends.

Fees, how to be accounted for. 1854, Act No. 12, Sec. 48. N.B.—The erased type has been overruled by Section 9 of "The Public Revenues Act, 1867." *See* § 63.

§ 62. All fees collected under the authority of this Act by any Registrar shall be accounted for quarterly, and paid over to the colonial Treasurer or to such other person as the Governor shall direct, for the public uses of the colony, and for the support of the Government thereof.

§ 63. All moneys which shall come into the
Marriage Acts.

possession of any Receiver, payable to the Public
From "The Public Revenues Act, 1867." *See* 62.

Account, shall be paid day by day by such Receiver into the bank, in the manner and subject to the
1867, Act No. 84, Sec. 9.

regulations hereinafter mentioned, to the credit of the proper branch in such account according as the same may have arisen, and the bank shall give receipts in duplicate for such moneys in such form as the said Regulations shall direct: Provided that if it shall be inconvenient for such Receiver, by reason of distance from the bank or other cause, to make such daily payments, then such Receiver shall pay such moneys into the Public Account in such manner as shall be directed in the Regulations hereinafter mentioned. And the words "the bank" shall, for the purposes of this Act, be taken to mean any bank or branch bank into which moneys shall be directed to be paid into the Public Account under the authority of the Governor and Council.?

Extract From a Letter on The Marriage Laws,

Addressed by the Late Archbishop of Dublin (Dr. Whately,) to the Late Bishop of Norwich. (Dr. Hinds.

Extract.

Dublin, Feb. 20th, 1851.

MY DEAR HINDS,—

The OPPOSITION to Lord St. German's Bill

A Bill to legalise marriage with a DECEASED WIFE'S SISTER.

which is, it seems, so overpoweringly strong is FOUNDED chiefly, as far as I can judge, ON MISAPPREHENSION. The misapprehension I mean is, that almost all the advocates of the *restriction*, and a large proportion of those who are for *removing* it, seem prepared to join issue on the question "WHETHER A MARRIAGE BETWEEN A BROTHER AND SISTER-IN-LAW IS OR IS NOT A SUITABLE, DESIRABLE, OR PROPER THING." If you will ask the ninety-nine of every hundred women, who, as you say, are opposed to the Bill, What are their *sentiments* thereon? I think you will find ninety of them taking for granted that that is the question; and that those who approve of such marriages ought to vote for the Bill, and those who disapprove thereon ought to vote against it.

NOW THIS IS, ACCORDING TO MY VIEW, NOT THE QUESTION, and it is a point on which I decline giving any opinion.

This, however, I am ready to declare: that if anyone should consult me as to the desirableness of a marriage where there was a very great disparity of age or of rank, or where there was a taint of hereditary disease on

either side, I should pronounce against such a marriage. But Heaven forbid we should have laws to prescribe the relative ages of parties who are to marry, or to require so many quarterings on each side like German nobles, or to have the parties examined by surgeons like so many horses for sale!

MY PRINCIPLE IS, THAT THE PRESUMPTION IS AGAINST ALL Restrictions. Some we must have. But the burden of proof lies on those who advocate either the imposition or the continuance of any restriction. We are not bound to show that everyone who is left to judge and act for himself will decide and act just in the way that the majority of his neighbours would think best; but the OTHERS ARE BOUND TO SHEW SOME GREAT AND PALPABLE EVIL THAT WOULD IN SUCH AND SUCH A CASE RESULT FROM LEAVING MEN FREE. I am no friend to late hours or to carelessness about fire or lavish feasting and dress; but I do not vote for the old *Curfew Law* or for laws prescribing how many dishes of meat a man may have on his table, &c.

Then AS FOR THE MOSAIC LAW, there again I decline giving any opinion, because I CANNOT BRING MYSELF TO BELIEVE MEN SERIOUS IN BRINGING FORWARD ARGUMENTS ABOUT THAT TILL I FIND THEMSELVES CONFORMING TO THAT LAW. That consistent procedure would alone entitle them to a hearing. And that is what they therefore may fairly be challenged to. This would be #####µ#### #ð #####µ#

But if they say this is part of the *Moral Law of Moses*, how can we in any case judge of that but by the light of reason? And when the very question is about a point of morality to resort to the Levitical Law is a most palpable begging of the question. "Such and such a thing is immoral because it is forbidden by the Moral Law, and that it is so is because it is immoral!" If, then, the Levitical Law (and the same may be said of the Canons of foreign Churches and Councils) be. not binding on us it is better to waive all questions about it, unless, perhaps, to make these two remarks.

1st.—That ANYTHING DISTINCTLY ENJOINED IN THAT LAW OUGHT NOT TO BE PRONOUNCED IN ITSELF UNIVERSALLY AND NECESSARILY, CRIMINAL; AND THE MARRIAGE UNDER CERTAIN CIRCUMSTANCES OF A BROTHER AND SISTER-IN-LAW WAS ENJOINED IN THAT LAW.

2ndly.—THAT THE LEVITICAL LAW IS NO GUIDE FOR OUR LEGISLATION, EVEN IN CASES WHERE ALL ADMIT THAT MORALITY IS CONCERNED; *e. gr.* no one doubts that gluttony and drunkenness and disobedience to parents are moral offences, yet no legislature has (in conformity with the Mosaic Code) affixed the penalty of death to them.

Waiving, then, the irrelevant questions of what marriages are *suitable* and *desirable* and of *the Mosaic Law* and *foreign Canons*, LET PEOPLE BE BROUGHT TO THE DISCUSSION OF THE TRUE QUESTION; WHICH IS, WHETHER A SUFFICIENT PUBLIC BENEFIT FROM THE RESTRICTION CAN BE PROVED TO JUSTIFY THE ABRIDGMENT OF A MAN'S LIBERTY? Whether the evil of leaving all men to judge for themselves in this point is greater than that of *meddlesome legislative interference with domestic concerns*.

IT SAVOURS OF PUERILITY AND OF BARBARISM TO BE ALWAYS KEEPING MEN IN THE LEADING STRINGS OF LEGISLATIVE INJUNCTION AND PROHIBITION. "There ought to be a law to make men to do this and to prevent their doing that!" is just what occurs to an intelligent and well-disposed child of twelve years old

We have been told in discussion on this subject "That men must learn to control their inclinations." THERE IS ONE INCLINATION IT WOULD BE WELL FOR MEMBERS OF PARLIAMENT TO CONTROL—THE INCLINATION TO OVERGOVERNING—THE LUST OF LEGISLATION AND OF IMPOSING OR KEEPING UP RESTRICTIONS.

IF THE OPPONENTS OF THE BILL CAN BE BROUGHT TO CONFINE THEMSELVES TO THE REAL QUESTION—to the making out a sufficient case to justify an abridgment of liberty—I think MANY OF THEM WILL THEMSELVES PERCEIVE THAT THEIR CAUSE HAS VERY LITTLE TO REST ON.

"THERE WOULD ARISE A SCANDAL," they say, "at a sister-in-law residing in a widower's house if they were allowed to marry; but none at all as long as a marriage is quite out of the question:" viz., "unnatural by Act of Parliament."

I can't believe that in either condition of the law any scandal would arise among people of sense and decorum, and as for those who are dead not only to virtue but to shame, they would be out of the reach of the law. BUT WHATEVER LITTLE DANGER THERE IS OF SCANDAL IS GREATER NOW. If some gossiping neighbours suggested that Mr. A. was likely to marry Miss B. because she was taking charge of her deceased sister's children the rumour would soon wear away when it was found they did not marry when they might. But if the marriage is *illegal* then an attachment might be suspected, such as might tend to illicit intercourse. And the sister-in-law would feel it much more a matter of delicacy and doubt to reside with the widower. BUT I DON'T THINK ANY DECENT PEOPLE WOULD INCUR SUSPICION IN EITHER CASE. IT IS PLAIN, HOWEVER, THAT THE MORE SHOCKING AND ATROCIOUS IS ANY ACT THE LESS LIKELY ARE TOLERABLY RESPECTABLE PERSONS TO INCUR THE SUSPICION OF IT. NOW, UNDOUBTEDLY, TO HAVE ILLICIT INTERCOURSE WITH A SISTER-IN-LAW WOULD BE DOUBLY ATROCIOUS WHEN THE PARTIES ARE LEFT AT LIBERTY TO MARRY IF THEY WILL. And it is therefore less likely to be suspected if the law were altered than as it stands.

AS FOR LEGISLATING WITH A VIEW TO GUARD ANY POSSIBLE JEALOUSY BETWEEN HUSBAND AND WIFE, WE SHOULD SURELY HAVE ENOUGH TO DO IF WE WERE TO ATTEMPT THAT.

A MAN AND A WOMAN EITHER HAD AT ONCE BETTER BE PROHIBITED FROM ANY SECOND MARRIAGE Or perhaps from marrying anyone he had ever seen before his first wife's death! For it might be argued "he may become acquainted after his marriage with some lady who he thinks would have suited him better than his actual wife; and if this be suspected jealousy may arise"! NOW IN THE CASE OF SISTERS, IT IS WORTH OBSERVING, THAT A MAN IS IN MOST CASES ACQUAINTED WITH THE WHOLE FAMILY AND SINGLES OUT OF ALL THE SISTERS THE ONE HE PREFERS. SO THAT THIS IS PRECISELY THE CASE IN WHICH JEALOUSY IS THE LEAST LIKELY TO OCCUR.

There appears to me, therefore, a total failure in all the few attempts that have been made to support this restriction on the true grounds. But the advocates of the Bill have often, to their loss, been seduced into arguing a different question on which, though they may be very right, they are not so triumphantly and clearly in the right.

They should *reiterate* that THE QUESTION IS NOT "WHETHER A MAN SHOULD OR SHOULD NOT CONTRACT MARRIAGE," BUT "WHETHER EACH SHOULD BE LEFT TO ACT IN THE WAY THAT HE THINKS BEST, OR WHETHER THE MINORITY SHOULD BE OPPRESSED BY THE MAJORITY AND COMPELLED TO CONFORM WITHOUT SUFFICIENT CAUSE TO THE OPINION OF ANOTHER IN THEIR OWN PRIVATE CONCERNS."

That minority, though it be such, is considerable and respectable. Lord Campbell, indeed, says in one of his books, in a note, that it is pleaded in behalf of these marriages that they are common: and the same may be said of bribery and cheating. I cannot say I ever heard such a plea urged: though I cannot prove that it never was. What I have heard urged and I think fairly, is that such marriages are common among worthy, respectable and well conducted people.

CERTAINLY EXPERIENCE PROVED FOR A CENTURY AND MORE, BEFORE THE ACT OF 1835, THAT THE EVILS TO SOCIETY NOW APPREHENDED ARE CHIMERICAL FOR THERE WAS THEN NO REAL PROHIBITION OF SUCH MARRIAGES.

They were *nominally* illegal: but at the expense of a little trouble the law was evaded; and I believe was never enforced. At any rate it is quite certain that at that time, and long before, such a marriage was not looked upon as a thing quite impossible and out of the question,—as much as between brother and sister.

IT WAS WELL KNOWN THAT THESE MARRIAGES MIGHT AND DID NOT SELDOM TAKE PLACE, AND YET NO SUCH EVIL RESULTS TO SOCIETY AS MEN NOW DREAMING OF, ENSUED. THOSE DREAMS ARE REFUTED BY EXPERIENCE AS WELL AS BY REASON.

The Progressive Land Tax; Being Suggestions for the Treatment of the Public Estate, As Represented in Land.

With a Table of Taxation,

As Proposed to be Applied to Estates of from 1000 to 80,000 Acres each.

Issued by the Progressive Land tax League.

Revised and Corrected.

Melbourne: Fergusson & Moore, Printers, 48 Flinders Lane East,

Author's Preface.

AT the suggestion of many eminent and advanced politicians and thinkers, of the democratic school, it has been decided to reduce the proposal to place a Progressive Tax on Land to the convenient form of a pamphlet, in order that the principle and policy may be discussed on every political platform at the approaching general election.

The partial success of Free Selection, involving, as it does, the necessity of the extension of road and bridge accommodation to a degree hitherto uncalled for, and the daily increase of public expenditure, render a resort to some method of supplementing our present revenue imperative. The legislation of the past has not only permitted, but encouraged, the accumulation of land in estates of such enormous dimensions, that their general effect may safely be said to be demoralising to the holders and oppressive to the community. It is principally to correct this state of things that the Progressive Tax is proposed. The number of non-producers, as compared with the number of producers, is becoming alarmingly large. The necessity for altering the proportion and restoring the balance must commend itself to every thinking man in the community. This can only be done by forcing the lands out of a state of idleness into a condition of productiveness. This may be said to be an interference with the liberty of the subject; the freedom to do as he likes with his own. So also is the Vagrant Act an interference with the liberty of the subject; the motive power of the lock-up is applied to the lazy man, and the motive power of taxation should be applied to lazy land. From time immemorial the exclusive occupation of land has been conditional. In this respect, modern democracy and ancient feudalism meet. The Companion-in-Arms of William the Norman held his land on condition of service. So many acres of land so

many men-at-arms supplied to the State. A Land Tax is State service expressed in money. A Progressive Land Tax goes a step further, and, without making it penal, certainly renders it unprofitable to be the possessor of exceptionally large estates. Taxation is an incident of the present proposal; but an incident of large proportions. More money will be wanted shortly. In a very few years we shall have an army of Civil Service pensioners, and the number of incipient claimants is increasing daily. Where is the money to come from? The back of labour cannot be burdened with another straw. Two-thirds of the producing population have generously consented to tax themselves in order that the other third may firmly establish their trades and manufactures amongst us. In all future schemes of taxation labour will have to be left out of the calculation. What then is the legitimate resource in this approaching extremity? The reply hitherto has been almost spontaneous, "Tax the land." This interests everyone without exception. It interests ninety per cent, beneficially, and the other ten per cent, quite the reverse. To the producer—of no matter what, it may be boots, bread, or gold—it means additional hands to help him in doing the world's work, feeding the idle, and maintaining the helpless; to the non-producer, it means, a loss of acres and importance, and a loss of that dangerous power to oppress, which is the inevitable tendency of vast wealth in the hands of a few. But there is also another consideration which renders these suggestions of paramount importance at the present moment. The Legislative Council has become impracticable and obstructive. It is in a state of chronic antagonism with the thought of the age. It has degenerated into a corporation for the perpetuation of privileges, and the protection of monopoly. Practically irresponsible as it is itself, all agreement between it and a representative body must be partial, or accidental, or based on undignified compromise. Mere reform as applied to the Legislative Council would be public mockery. Reconstruction or abolition are the only remedies. The Progressive Land Tax will effect this object. The rejection of these resolutions by the Council when submitted in the form of a Money Bill would bring about a crisis. This in firm hands would lead to the peaceful establishment of a Provisional Government, loyal alike to Queen and law, but with a determination to put the constitutional machinery in working order. At present the State engines are not only not coupled on one shaft, but they are working independently, and at right angles to each other, with what progress anyone may see, and with the whole responsibility of the absence of progress or wrong direction, when any advance is made, thrust on the Assembly. There is no consideration in colonial politics which will bring the Council and the country squarely face to face but the Progressive Land Tax. It is just, and hateful because it is just. These suggestions may be commended to the careful consideration of the thoughtful and the fearless, without the shadow of a suspicion of egotism resting on the writer. I am not the author of the idea. That credit, so far as I am aware, belongs to Mr. George Craib. Of however little importance that may be, the proposal is one which contains within itself—as the acorn contains the oak—the germ of emancipation to millions. It would place man, in all the civilised countries of the world, in his proper and natural relation to the land. It would take the Egyptian curse of enforced sterility from off the face of the soil, and open the gates of abundance to the countless thousands of those who now pant for work and bread. A Progressive Land Tax would produce the long-expected jubilee of nations, when the land will return to the tribes. By the advice, and with the help of many friends, I cast this bread on the political waters. Example alone is wanting. Nations are on the watch for the coming dawn, and in the language of "Festus":—

"We may make the whole world free,
And be ourselves as free as ever: more!"

In the confident hope that the Progressive Land Tax may figure prominently on every political platform in the colony, and by the will of the people be embodied in practical legislation before many months will have passed away, I submit the suggestion to the serious attention of everybody in Victoria, and remain,

Respectfully,

The Author.

Land Tax.

Speech in Parliament (Hansard.)

5th November, 1873.

Mr. WOODS.—Mr. Speaker, I beg to move:—

"That in the opinion of this House—

"1. All land, whether alienated or still in the possession of the Crown, should bear a fair proportion of public taxation.

"2. That a direct tax should be imposed on all alienated lands, such tax to be progressive, increasing by one unit of taxation per acre for every 1000 acres owned by any individual.

"3. That land to the extent of 640 acres, in the possession of one individual, be exempted from general taxation and subject only to local rating.

"4. That 3d. per acre be recognised as one unit of taxation."

I have, in addressing myself to this question, to ask, at the outset, the indulgence of honourable members, because I am suffering somewhat severely from a sore throat. I will, however, endeavour, in view of the importance of my subject, to make myself heard as well as possible. I may observe, in the first place, that proposals for the taxation of the public lands of the colony have been made to Parliament on two previous occasions only. The first was in 1859, when I proposed the imposition of a uniform tax of 6d. per acre upon all the alienated uncultivated lands of the colony; and the second was when, in 1864, one of the present representatives of Richmond (Mr. Smith) proposed a resolution of a somewhat similar character. In both instances the motions were withdrawn, so that up to this moment Parliament has never had an opportunity of recording its opinion upon this most important political question. Taking the subject as it stands—as one affecting the taxation of land, and to that extent altering the basis of our social interests in respect to taxation—with all its train of consequences, I think it is impossible not to regard it as of such prominent importance that it ought to be in the first, rank of the political topics with which the country has to deal at general elections. I may here state that perhaps I appeared guilty of inconsistency in respect to the present motion, of which I had previously given notice, when I voted against the proposal of the honourable and learned member for East Bourke Boroughs, that the alienation of Crown lands by sale should forthwith cease, and that they should in future be only let on lease. My action in that regard will, however, admit of a very simple explanation. The honourable and learned member's propositions included the disposal of the leases of land by auction, and I cannot support the auction system in any way in connection with the disposal of Crown lands. You may adopt the system of drawing lots for land, or exercise the right of choice, in fact, anything but the auction system, which is infinitely worse than any of them. For that reason I did not support the motion of the honourable and learned member, but I hope the day is not far distant when the question which he raised will be tested on a fairer basis, and perhaps with a different result. I was surprised during the debate on the third reading of the Land Bill to hear it stated that land was to be regarded as chattel property. The idea appears to me to be one that cannot be seriously entertained for a moment. I deny that any man has a chattel property in land. In the same debate the honourable member for the Wimmera compared the earnings of a professional man with the investment of another man in land, and told us that, if one was made the subject of taxation, the other was equally entitled to become so. But the two cases are not parallel. The chattel property of an individual is something wholly different from the property which a man has in land, and which is defined by his title-deeds. The whole question hinges on this point—Has the State the right or the power to sell the lands of the country as chattel property is sold? Have the people the power to authorise the State to do so? I say "No." The people have not the power to authorise the State to alienate the public territory for ever, and therefore the people's mouthpiece—the Government—cannot exercise a power which does not belong to those they represent. Authoritatively we are told—"Ye shall not sell the land for ever; for the land is mine; for ye are strangers and sojourners with me." The assumption that there is any power on earth to sell land for ever, unconditionally, is a monstrous absurdity on the face of it. It is, for instance, within our common every-day knowledge that private lands, no matter to whom they belong, may be taken up for railways, or canals, or any other public purpose. But there is no occasion for me to look for evidence on this point. It is sufficient for all purposes to adduce the simple fact that the State does not, and cannot, utterly alienate the land of the territory, and, that being the case, the notion of chattel property in land must at once cease. It cannot be entertained in reason, because the land belongs to the people, and the Government can do no more than that which is within the power of the people collectively. The existing generation have, for instance, a simple life interest in the land. Were the case other than what I represent it to be, the Government might sell Hobson's Bay with a sufficient landing frontage to the Emperor of Russia. The Government, in dealing with every acre of land, are supposed to be doing so in the interest of—whom? The individual purchaser? No; in the interests of the whole community. Whenever that is not the case, whenever the land is put by the Government beyond the reach of all those whose right and title to it in the first instance equal the right and title of any one else, it is at least supposed to be so disposed of in the interests of all. Unless such is the case, that Government cannot represent the people. I was under the impression, until I heard the arguments used in connection with the Land Bill, that the idea of a divine right in anything, from an acre to a kingdom, was confined to the Bourbon family; but it seems I was wrong. There are

some who appear to conceive of a sort of divine right to acres; for as no human power can confer such a title, nothing short of a divine right would meet the case. Governments deal with land and dispose of the exclusive right to occupy land in the interest of the whole community. Where this is not the case, where class or individual interest has been held paramount to the public welfare, then, to that extent, the manner of dealing with the lands by the Government is equally vicious in principle with the sale of our harbour to an enemy, and, as far as it goes, equally open to modification.

MR. SMITH.—Mr. Speaker, the sufferings of the honourable member for Crowlands, in speaking, are so obvious that I beg to call your attention to the fact that there is not a quorum present.

A quorum was formed.

Mr. WOODS.—I could not do better at this point than, in order to fully express my meaning, quote from the writings of John Stuart Mill. In an essay written for the Land Tenure Reform Association, one of the last things he ever wrote, occurs the following passage:—

"Rights of property are of several kinds. There is the property which a person has in things that he himself has made. There is property in what one has received as a recompense for making something for somebody else, or for doing any service to somebody else, among which services must be reckoned that of lending to him what one has made or honestly come by. There is property in what has been freely given to one, during life or at death, by the person who made it, or honestly came by it, whatever may have been the nature of the gift, personal affection, or because one had some just claim on him, or because he thought he would use it well, or as he would wish it to be used. All these are rights to things which are the produce of labour; and they all resolve themselves into the right of every person to do as he pleases with his own labour, and with the produce or earnings of his labour, either by applying them to his own use, or exchanging them for other things, or bestowing them upon other persons at his! own choice.

"But there is another kind of property which does not come under any of these descriptions, nor depend upon this principle. This is the ownership which persons are allowed to exercise over things not made by themselves, nor made at all. Such is property in land; including in that term what is under the surface as well as what is upon it. This kind of property, if legitimate, must rest on some other justification than the right of the labourer to what he has created by his labour. The land is not of man's creation; and for a person to appropriate to himself a mere gift of nature, not made to him in particular, but which belonged as much to all others until he took possession of it, is *prima facie* an injustice to all the rest."

If landed property is to be regarded as property in the same sense as chattel property, then the declaration of the French political economist, quoted the other evening by the honourable and learned member for East Bourke Boroughs, that "property is robbery," is true to the letter. Property in land is something totally different from property in the produce of one's labour—in that which a man can build up or destroy. Houses and ships, for instance, are property. I can pull down the one and burn the other; the land remains for ever. As I said before, landed property is something that a man can only have a life interest in. One of the objects of the resolutions that I propose is to burst up the large estates in this country. I do not seek to deny or disguise that fact in the least. The taxation I propose comes easy to estates of moderate dimensions, but increases in proportion as the estate increases. I will give a few of the results in figures. Take an estate of 1000 acres, for instance, and deducting the 640 acres which I do not propose to tax at all; the taxation of 3d. per acre on the residue amounts to an average of about 1d. per acre only upon the whole. On the other hand, following the progressive system laid down in the resolutions, the average taxation per acre upon an estate of 50,000 acres would be 6s. 4½d. per acre all round. I reckon that about 7,000,000 acres would be subject to taxation, and that the sum derivable under present circumstances from that source would be £251,300 per annum, half of which I propose should go to the local bodies, whom I would call upon to collect the whole. I have said that my object is to burst up the large estates in the country, and why? Because of the tendency to national degradation that always follows in the wake of a system which has for its basis the distribution of the territory into a few hands. Wherever we look, we see that is the rule. If I look to England or France, or in fact to any country in the world where the land has been held by a few individuals, I find that the general mass of the people have been debased and degraded. Like causes produce like results, the world over. Individual rapacity is accompanied by national degradation, and the wild outbursts of revenge which have reddened the pages of history have followed national degradation as an inevitable sequence. Take France, for example. Before the revolution of 1798 Franco had been groaning for centuries under a despotic or rather a tyrannical Government—the tyranny of kings, priests, and nobles. The people of that country were reduced to a condition more to be pitied than a toad under a harrow. That was the result of a policy on the part of the dominant class which may be summed up in one very significant sentence which has been used by the wealthy, and which will be used by all those who oppose a land tax, with every variation which the vocabulary of selfishness can suggest. In the language of a late member of the Legislative Council, we shall be asked—"Do you think we are going to tax ourselves?" To show the miserable state to which the people of France were brought by that policy, I will quote one sentence from La

Bruyere, who, writing in 1687, said:—

"One sees certain wild animals, both male and female, scattered about the country, grimy, livid, and roasted by the sun, bent over the soil which they scratch and dig up with invincible persistence; and when they stand upright, they display a human face, *for in truth they are men and women*. At night they retire to their dens, where they feed on black bread, water, and roots."

This is exactly what the system we are pursuing here did for France. It is exactly what it did for Ireland, though not precisely the same in results. No doubt we can take pretty good care of ourselves here; but I think it is the duty of this colony to set an example to older countries in reference to land taxation. We have already led the way in several social and political reforms, but this is one of the greatest of all social and political reforms. This proposal to tax the land in proportion to the quantity held by any one individual is a proposal which lies at the basis of a new political party, between whom and other political parties opposed to a land tax no compromise will be possible. It lies at the bottom of the very principle which we have been asserting in the whole of our land legislation. What have we said in our land legislation, from the time the first Land Bill was introduced into Parliament? We have said to the individual—"We think you can only manage 320 acres (or whatever the quantity might be) efficiently and beneficially to the State, and therefore we will not let you have any more." It is this principle which has been running through the whole of our land legislation from its commencement to the present time. Beginning with the quarter of an acre held under a miner's right, the system expanded, after a great deal of trouble, into the occupation licences, and thence through various stages up to the present proposal of 640 acres? What is the meaning of that? The meaning of it is simply limitation of areas and conditions of holding, just what is meant by the resolutions which I have submitted. These resolutions make no distinction of persons. They don't pick out a man because he is poor, and say—"You shall only have so much land;" but they say to every man—"If you acquire more than a certain quantity of land, you must contribute an increased proportion to the public taxation." Such restrictions have been rendered necessary by the organised, systematic, and, I may add, scientific fraud that has taken place in connection with the land legislation of the colony. The ingenuity of Governments and of members of this House has been taxed to the utmost in order to invent methods of doing what? Of assisting the honest man? No; but of repressing the rogue; and I am very sorry to say that, notwithstanding all our attempts to prevent evasions of the law—notwithstanding the fact that we have hemmed in and hedged round the selection of land with restrictions of a grave and penal character—frauds are still committed wholesale. In fact, the colony has men possessed of money who are prepared to descend to any depth of meanness and turpitude in order to monopolise that which belongs as much to me as it does to the best man amongst them. This has been the case in England and in France—especially in France. But what has occurred recently? For the first time in the history of England we find that the English farm labourer has become a member of a trade society for his own protection. The landlords have always had the making of the laws, and I think I am correct in saying that the beginning, middle, and end of every landlord-made enactment in this colony, in England, or anywhere else, is—"Do you think we are going to tax ourselves?" I know that cry will be repeated here with all the variations imaginable, probably not so much in this House; but it certainly will be in the other, where there will be the greatest possible unanimity in kicking out these or any kindred resolutions, if submitted in any other form than that of a Money Bill. I repeat that it is a fallacy to suppose that any human being *can* have a chattel property in land. This is beginning to be understood in England, where trade societies have recently been formed for the first time amongst the farm labouring population, and no one can tell where the movement will end. In England about five per cent, are rendered disgustingly rich, and as disgustingly callous to the wants and necessities of their fellow-creatures. A few more may not inappropriately be called "candle-holders to the devil"—pickers of the crumbs which fall from their master's table. About eighty per cent. of the population, whose fate it is to live on or by the land in England, are—not in one generation alone, but from age to age—in a condition that it would be a gross libel to describe as being one remove from pauperism. A statement recently made by the honourable and learned member for East Bourke Boroughs as to the increase of pauperism in England was challenged at the time, but I am in a position to deal with the case, although I do not wish to do so now. I could show, from a speech made in the House of Commons by Mr. Goschen, and from a report presented to the Imperial Parliament, that, notwithstanding anything which may be said to the contrary, pauperism in England is steadily on the increase.

Mr. BURTT.—In spite of emigration.

Mr. WOODS.—I was going to allude to that fact. "When we talk about pauperism in England, we forget that during the last twenty or thirty years the population of America has more than doubled itself; and where have those millions gone from? Were it not for the safety-valve of emigration there would be a revolution in England in a month; and yet we in this colony are slavishly and foolishly following the policy of England with reference to the land. I may just allude to Ireland to show the result of the land being under the sole control of one dominant class. There is no necessity to go to France to see the effects of that system. In Ireland alone, during the space of twenty years, 70,000 human beings were thrust out of their homes, "roofless and shivering," to

perish by the wayside; and within our own time—during the last sixteen or seventeen years—the evicted of Donegal were reduced to an attempt to maintain life on seaweed. The same causes are at work here; but we have become so accustomed to gigantic frauds, to swindles, and to organised hypocrisies to get hold of the land, that we take little or no notice of them. We are doing the colony an injury by the way in which we are allowing the present state of things to continue. Fortunately the means of remedying it has not yet gone out of our hands. The chains are not riveted to our wrists with anything like the tightness that they are on those of older and bigger communities. I trust that by a good and united effort we may be able to shake them off altogether. But still we are going on the track of older nations; we are building up for ourselves a kind of—save the mark—aristocracy! A sort of pinchbeck, brummagem aristocracy, without either birth, education, or intelligence. I am sorry to have to refer so pointedly to these owners of large estates, but really matters are coming to a point, and the truth *must* be spoken. We are endeavouring to encourage the existence of members of this kind of pinchbeck aristocracy amongst us, who will be the curse of this colony as their set have been the curse of every country wherever they have put their foot. I must say, however, that with the amount of freedom of thought, freedom of opinion, and freedom of expression that there is now abroad, there is very little chance of their getting too great a footing here; but I think the time has come when we ought to make an effort in the right direction. That effort is to say to the proprietors of large estates:—"We don't want to tax your land at 5s. 6d., 7s., or 8s. an acre; we know it is too much; we will be very well content to take a very much smaller amount of taxation, but you must be content with a much smaller quantity of land. We are putting on this tax not simply for revenue, but from a clear and deliberate policy, which has been expressed in every Land Act we have passed, that no man can effectively manage more than a certain quantity of land, and therefore we are determined either to have revenue from your large estate, or that it shall be cut up and support population." This free thought—this free way of handling sacred matters—is no doubt very inconvenient, especially to the owners of pieces of parchment. Those sacred documents, held more sacred at any rate by us than the five books of Moses or the records of Christianity, I mean the title-deeds of property, are just now being subjected to a closeness of scrutiny and to a keenness of criticism, at which the great barons of a past generation would have stood aghast in speechless indignation. Depend upon it that, both in the old world and everywhere where landlordism is rampant, it will come to the question whether the individual human being or the piece of parchment is the greater title of the two. That is the object and will be the effect of these resolutions. Two or three objections have been raised to Parliament either refusing to sell land—to grant any title to the land—or, what is tantamount to precisely the same thing, using the power which it retains to tax land, it may be for State purposes, or it may be with the avowed object I have mentioned, namely, that of bursting up unwieldy estates which are not managed for the benefit of the whole people. The honourable member for Collingwood (Mr. Vale) contended that if the sale of land in fee-simple were abolished we should put an end to that spirit of industry, energy, and enterprise which characterises the free selectors of the colony, who, I may say parenthetically, possess what would be the wealth of any country, namely, brains and muscle. Another objection was, that if the sale of land by the State is discontinued, the value of that already alienated will be increased threefold. I ask honourable members to test these theories by the light of facts. Has this possession of the Crown grant—this proud title of proprietorship—brought to the surface all the great social virtues of industry, energy, and enterprise in proportion to the quantity of land held by the individual? If it has, we have nothing more to expect—and though it might still be necessary and advisable to put a tax on land for revenue purposes, the tax ought not to have the penalty attached to it that my proposal involves, which is to make large estates too hot for the fingers of the owners to hold them. If the land is yielding its proper increase, we have no right to interfere with it in the way of breaking up large estates. But what are the facts? Mining is an occupation which requires a great deal of capital, as well as vigour and energy for its development. Upon what tenure is mining land held? I will refer, for example, to the district of Stawell, with which I am perhaps most familiar. In Stawell alone on an area smaller, I believe, than the smallest sheep station in the colony, large sums of money are invested. The property occupied by various mining companies at Stawell on an area of about 1000 or 1200 acres is valued at £20,000,000. That property is held on a title very far removed from an absolute possession; but what is going on there shows that it does not require a Crown grant in order to encourage industry and enterprise. In the search for gold the Ballarat men have sunk one shaft 1300 feet. This certainly looks like enterprise. Another company, the North Cross Reef Company, are taking 1000 tons of stone per week from workings varying from 600 to 800 feet from the surface. They are in a hurry to get it all out before their lease expires; to this end they have employed the best artisans that they could engage for money, and the most cunningly contrived machinery. They, however, have only a lease for fifteen years. This development, this enterprise, and the employment of labour and capital, are the result of the desire to get out the gold before the tenure expires; and these facts disprove the statement of the honourable member for Collingwood, that a Crown grant is necessary in order to bring forth the great social virtues to which he referred. I deny that any Crown grant, or any other instrument, even if it be signed by fifty kings, can alienate an inch of land in the way alluded

to by the honourable member for St. Kilda (Mr. Smith) the other night. Let us contrast what is taking place on the twenty acres of land occupied by the North Cross Reef Company with the use to which say any 20,000 acres of the land belonging to Mr. W.J. T. Clarke are put, and which form only a very small portion of that gentleman's estate. What does he do with the 20,000 acres? Does he cultivate them? Does the land under his management yield its increase? Are the people of the colony any better or any richer because he has obtained the Crown grant in return for the £1 per acre, or whatever the price may have been, which he paid for the land in the auction room? Has the possession of the Crown grant in his case brought out any of the noble qualities which it is supposed to encourage? The very reverse is the case. A wilderness when he walked into possession, it is a wilderness still. He is allowed to consider that it is a chattel property, that he may do with it what-ever he likes—feed sheep or grow thistles upon it. But the Legislature has a right to say to him:—"This land shall be turned to profitable use; if not, you shall pay so much an acre in proportion to the quantity of land you hold, and, if you do not choose to do that, we will seize the land in satisfaction." I will simply content myself at present by moving the first of the resolutions of which I have given notice, omitting from it all direct reference to Crown lands, so that the resolution will read as follows:—

"That, in the opinion of this House, all land should bear a fair proportion of taxation."

In connection with the question of alienated land bearing a proportion of public taxation, I cannot do better than refer to the example of other countries, although it is not an example which we must follow. For instance, in England, as I have already said, the landlords have made the laws, and they have made them to suit themselves. They have invariably acted on the principle—"Do you think we are going to tax ourselves?" What is the result? I will quote an extract from a speech delivered by Mr. Goschen in the House of Commons on the 28th of February, 1871:—

"I think that if the honourable baronet will look to foreign countries, or examine the history of his own, he will find that at no time has it been held that the taxes upon land are the same as upon other kinds of property. Many countries in Europe derive their chief taxation from the land, and it is thereby burthened with a weight of taxation quite unknown in this country. Now, putting land and houses together, what do they contribute towards taxation in this country? In England they contribute 10½ per cent.; in France, 29 per cent.; in Prussia, 15 per cent.; in Holland, 22 per cent.; in Belgium, 37 per cent.; in Austria, 26 per cent.; in Hungary, 38 per cent. I wish next to ask the House how much they think that land, exclusive of houses, pays towards Imperial taxation in the United Kingdom, as regards both amount and percentage? With respect to amount, land by itself pays only £3,000,000 out of £65,000,000 of taxation, and the percentage is 5½ per cent.

"AN HONOURABLE MEMBER.—Land and buildings.

"Mr. GOSCHEN.—These figures apply to land as separate from houses, and are taken from the schedules of the income tax I will now state the percentages paid by land only towards the total amount raised by Imperial taxation. The amount paid by land alone in England is 5½ per cent. in Holland 9 per cent., in Austria 17½ per cent., in France 18½ per cent., in Belgium 20½ per cent., in Hungary 32½ per cent. These facts prove that, as regards Imperial taxation, land in England is in an infinitely better position than land in any other European state."

There is small doubt of it. As I said before, the landlords have had the making of the laws, and they have taken very good care to act on the principle—"Do you think we are going to tax ourselves?" Mr. Goschen also quotes what has been said by Mr. John Stuart Mill in reference to taxes on land to the following effect:—

"In most countries of Europe the right to tax, as exigency might require, an indefinite portion of the rent of land has never been allowed to slumber. In several parts of the Continent the land tax forms a large proportion of the public revenues, and has always been confessedly liable to be raised or lowered without reference to other taxes. In England the land tax has not been varied since the early part of last century." It is admitted by all political writers to be a perfectly proper thing that taxes on land should be increased if necessary for State purposes—that is, from a revenue point of view; and that, after all, is a justification for the adoption of my resolutions. It is, however, not only from a revenue point of view that we are entitled to get at the large estates. In considering the question of taxation, we should remember that we have been living rather fast lately—we have been spending a great deal of money. We have raised loan upon loan, and incurred debt upon debt. If we go on much longer in the way we have been doing lately, the robe of Victoria, like the caricature of the coat of the Shah on his return to Persia, will be covered with pawn tickets. What have we to show for our debts? The chances are that our public works, if sold tomorrow, would not realise one-fourth of what they cost, because the majority of them were constructed in the dear times, and could be carried out now for one-fourth of the money. With this fact before us, and remembering also that the day is not far distant when the whole of our present revenue will be swallowed up in special appropriations, without leaving a shilling for Parliament to deal with in any national emergency, unless we raise new taxes or loans, the adoption of a system of land taxation becomes necessary not only for the purpose of bursting up the large estates—those huge land monopolies—but also from a revenue point of view. It should be borne in mind also that the loans which the colony has raised have been

expended in improving the value of the alienated land, while that land has contributed nothing towards the repayment of the interest or principal of the loans. The primary object of these resolutions is that the land shall be put to a proper use; but we have another justification for land taxation in the fact that we are using more money than any community in the world of equal number is using, and that our wants are increasing, which involves the necessity of making wider and fresh provision for supplying those wants. A proposal for land taxation is, at all events, a feasible proposal. It is acknowledged by all authorities that land is a proper object of taxation. I admit that my proposal is an experiment, but I think this is the fairest field on the face of the earth for such an experiment. The systematic and scientific frauds by which vast areas of land have been obtained are matters which must be fresh in the recollections of honourable members and of the whole people of the country. It has been stated by the honourable member for Ripon, and the statement stands uncontradicted up to present moment, that 2,000,000 acres of land have been obtained by fraud. With these facts before us, I think there is very good reason for the adoption of such resolutions as I have brought forward. It is my intention to go to a division on each resolution separately, so that all honourable members may support the proposals as far as they are inclined to do. I presume that there will be a good deal of unanimity about the first resolution. I don't suppose that any honourable member will deny the truth of the proposition that "all land should bear a fair proportion of public taxation;" but when we come to deal with what I call the bursting-up resolutions, will be the time to test the real feeling of honourable members as to land taxation. My experience shows me that it is a difficult thing to break into the strongholds of either individual or class selfishness. The efforts at reform which have been made both in this colony and other countries have convinced me that the leaders of the forlorn hope invariably come to grief, but the citadel is won. The land reformers in this colony of 1859 and 1860 are a notable example of this. Politically speaking, their bodies simply served to fill the trenches; others have walked to honour and to victory over them. Every Government which has existed for more than six months since 1859 and 1860, when from the corner of the House in which I now sit liberal land legislation was preached under the leadership of Wilson Gray, has been built on the foundation of those who left their bodies in the trenches, and who constituted the forlorn hope at that time. The bread cast upon the waters in 1859 and 1860 is seen to-day, and will unquestionably be seen for many days to come. My second resolution declares:—

"That a direct tax should be imposed on all alienated lands, such tax to be progressive, increasing by one unit of taxation per acre for every 1000 acres owned by any individual."

Of course the quantity may be more or less than 1000 acres, but that is exactly the quantity to which I would apply one unit of taxation. The third resolution says:—

"That land to the extent of 640 acres, in the possession of one individual, be exempted from general taxation, and subject only to local taxation."

When I come to deal with this resolution, I will endeavour to show that I propose to commence taxation exactly where Sir James M'Culloch, in 1871, left off. Sir James M'Culloch commenced his tax with the poor, and tapered it off to nothing as it came to the wealthy. I propose exactly the reverse—namely, to commence the heaviest taxation at the top, and gradually come down to nothing where the income does not exceed say £300 a year. I, in fact, propose a taxation of land as distinguished from the proposal of Sir James M'Culloch, which was for a tax upon industry. I will show what amount of taxation estates, of different areas, would have to contribute annually to the State under the system I propose:—1000 acres, at 3d. per acre, is £12 10s.; 2000 acres, at 6d. per acre, £25; 3000 acres, at 9d. per acre, £37 10s.; 4000 acres, at 1s. per acre, £50; 5000 acres, at 1s. 3d. per acre, £62 10s.; 6000 acres, at 1s. 6d. per acre, £75; 7000 acres, at 1s. 9d. per acre, £87 10s.; 8000 acres, at 2s. per acre, £100; 9000 acres, at 2s. 3d. per acre, £112 10s.; 10,000 acres, at 2s. 6d. per acre, £125. These figures being added amount to £679 10s., or 1s. 4 1/3d. per acre average, always omitting £8 as the amount exempted on 640 acres in the first 1000 acres. I propose, however, that 640 acres of the land in possession of any individual shall be subject only to local taxation; so that the amount of general taxation which the owner of 10,000 acres would have to contribute would be on an average 1s. 4 1/4d. per acre for that quantity. I think that is dealing very mildly with the proprietor of such a large estate.

Mr. SMITH.—The honourable member for Crowlands (Mr. Woods) is suffering so much from sore throat, that it is evidently extremely painful for him to proceed. I will, therefore, with his permission, move that the debate be adjourned until Tuesday next.

Mr. WOODS.—I am entirely in the hands of the House. I can only speak with great difficulty, and I thank honourable members for having listened to me so patiently, when it must have been as painful for them to listen as it is for me to address the House.

The Progressive Land Tax.

TO THE EDITOR OF THE AGE.

SIR,—The business of the session having practically closed before I had an opportunity of submitting the whole of the Progressive Land Tax resolutions to Parliament, and the subject itself being one of such vital importance, I am compelled to ask you to permit me to complete the statement of the case—so far as its initiation is concerned—in the columns of *The Age*. The first resolution of the series will doubtless meet with almost universal affirmation. The second—in support of which I now propose to submit some figures and arguments—is specifically intended to reduce the size of estates to a practicable, workable, and profitable limit. Although not actually passed into law, Parliament has fixed that limit at 640 acres in the possession of any one individual. My proposal is to adopt the same area, and from that point to make it increasingly expensive, in proportion to the size of the estate, to hold more than the quantity of land considered sufficient by the legislature. In doing so, the profits accruing to the individual are necessarily made subordinate to the general interests. General interests means the permanent settlement of people, the employment of labour, the use of machinery, the improvement of the land, and increased production. If these conditions are fulfilled in the case of large estates, there is no object to be gained in breaking them up. If, on the other hand, indisputable facts prove that the land as held in large estates is not yielding its increase, is not furnishing homes and work for a large population, is not keeping up a steady demand for our manufactures, and is not adding by the production of which the land is capable to the wealth of the community, then I think all reasonable mortals will agree with the second resolution, which reads as follows:—

"2. That a direct tax should be imposed on all alienated lands, such tax to be progressive, increasing by one unit of taxation per acre for every 1000 acres owned by any individual."

The fourth resolution fixes the unit at 3d. per acre. The amount would of course be an open question. If the principle be conceded, there is an end to unwieldy, and so far as the State is concerned, unprofitable estates. A glance at the last statistics, viz., "Production," issued by Mr. Archer, will furnish abundant proof, were any more wanted, of the necessity of an immediate change. Out of 10,711,745 acres in occupation, of which 8,868,540 acres are already alienated, we have 963,091 acres under cultivation, and 7,156,062 in estates of 500 acres and upwards. The real interest in the inquiry lies in the comparative value—to the community—of the 963,091 acres held by improvers and cultivators of the soil, and the 7,156,962 acres held by those who neither improve nor cultivate. Mr. Archer supplies this information in a form which tells with fatal force against the larger estates. 7,156,962 acres are held in farms or estates of 500 acres each and upwards, by 2452 persons, and the balance of the sold land, viz., 1,713,578 acres is divided amongst 32,144 occupiers. Of the total amount under cultivation, viz., 963,091 acres, 258,117 belong to estates of 500 acres and upwards, and 704,974 acres to the small estates. In estimating the difference in value to the nation of land differently employed, the advantage possessed by the large landholder should not be forgotten. All, with the exception of the 258,117 acres, will rank with station property, and the 6,902,845 acres of purchased and unimproved land should really only be credited with its proportional share of the 32,459,274 acres allotted to squatting—or 21 per cent, of the returns from stations. Compared with the returns from land in occupation under the wise limit sanctioned by Parliament, these returns are indeed startling. Nearly 93 per cent, of the land under cultivation is in farms of less than 500 acres, and these statistics show a total of 76,990 persons employed on 963,091 acres, and only 5816 persons on 324 million acres. Of machinery and permanent improvements on the farms of £12,988,445, and on stations of £1,928,080, only 21 per cent, of which, or £41,000, is the fair proportion of the sold but uncultivated lands (6,902,845) held in large estates, as against nearly 13 millions sterling in value, represented by less than one million acres of land held in small farms. The remainder of the value of these large holdings, in a national point of view, consist of about one-fifth of the cattle, sheep, &c., on land unconnected with stations, or 1,194,306 head of live stock, as against 4,777,327 head on the small farms, in addition to the produce and permanent improvements. Surely these statistics of Mr. Archer's should be sufficient to convince every man of the advantage to the colony of comparatively small farms. This second resolution will effect that object. Its operation will be to make the retention of large estates too expensive to be profitable. It will cause them to be subdivided, and make them carry a fair proportion of population.

The following table will show at a glance what the operation of the tax of 3d. per acre, increasing by 3d. with every additional thousand acres held by one individual, would be. Its application, as proposed, would be 3d. per acre for the first thousand acres, minus 640 acres exempted, 6d. per acre for the second thousand, 9d. for the third, and so on in regular progression. That is to say, an estate of 3000 acres would be taxed as follows, viz.:—360 acres at 3d. in the first thousand equals £4 10s., 1000 acres in the second thousand at 6d. equals £25, and 1000 in the third thousand at 9d. equals £37 10s., or a total of £67 per annum for an estate of 3000 acres. See the following table:—

Acres	Tax per Acre.	Total per Annum.	Average per Acre.	£	s.	d.	s.	d.
1st 1,000	at 3d. (minus 640)	...	4	10	0	...	0	1
2nd 1,000	at 6d.	...	29	10	0	...	0	3½
3rd 1,000	at 9d.	...	67	0	0	...	0	5
4th 1,000	at 1s.	...	117	0	0	...	0	7
5th 1,000	at 1s. 3d.	...	179	10	0	...	0	8½
6th 1,000	at 1s. 6d.	...	254	10	0	...	0	10¼
7th 1,000	at 1s. 9d.	...	342	0	0	...	0	11¾
8th 1,000	at 2s.	...	442	0	0	...	1	1¼
9th 1,000	at 2s. 3d.	...	554	10	0	...	1	3¾
10,000	at 2s.		

6d. ... 679 10 0 ... 1 4½ 11,000 at 2s. 9d. ... 817 0 0 ... 1 5? 12,000 at 3s. ... 967 0 0 ... 1 7½ 13,000 at 3s. 3d. ... 1,129 10 0 ... 1 8? 14,000 at 3s. 6d. ... 1,304 10 0 ... 1 10 1/3 15,000 at 3s. 9d. ... 1,492 0 0 ... 2 11? 16,000 at 4s. ... 1,692 0 0 ... 2 1½ 17,000 at 4s. 3d. ... 1,904 10 0 ... 2 2? 18,000 at 4s. 6d. ... 2,129 10 0 ... 2 4 1/3 19,000 at 4s. 9d. ... 2,367 0 0 ... 2 5? 20,000 at 5s. ... 2,617 0 0 ... 2 7 1/3 25,000 at 6s. 3d. ... 4,055 10 0 ... 3 3 30,000 at 7s. 6d. ... 5,805 10 0 ... 3 10½ 35,000 at 8s. 9d. ... 7,867 0 0 ... 4 6 40,000 at 10s. ... 10,242 0 0 ... 5 1½ 45,000 at 11s. 3d. ... 12,929 10 0 ... 5 9 50,000 at 12s. 6d. ... 15,929 0 0 ... 6 4½ 60,000 at 15s. ... 22,866 10 0 ... 7 7½ 70,000 at 17s. 6d. ... 31,154 0 0 ... 8 10¾ 80,000 at 20s. ... 40,591 10 0 ... 10 1¾

In all cases the 640 acres are deducted from the first thousand acres.

In the third column the totals are given not only of the tax on the particular thousand, but also of the thousands preceding it. Thus 1s. 3d. per acre does not mean 1s. 3d. on 5000 acres, but 1s. 3d. on the fifth thousand; 1s. on the fourth; 9d. on the third; and so on backwards. The whole being, added together, and an acreage struck, it is seen at a glance what an estate of any given average (in thousands or units of taxation,) from one to eighty thousand, would have to pay yearly. I have run out the averages up to 80,000 acres, just to show the utter impossibility of there being so vast an estate as 80,000 acres in the colony. Those who call this a proposition to confiscate should first furnish Mr. Archer with statistics on a par with those furnished by the occupiers of small estates, or, holding still to the same proportion, upwards of six times the value of the machinery, improvements, &c., now returned from cultivated land. National rights are paramount to individual rights; taken in the proportion of 32,144 finding a living on the small farms, these "principalities" should carry an additional population of 192,000 souls, and £77,930,670 in improvements.

The advocates for the unlimited acquisition and unconditional possession of land had better study the statistics before venturing on the epithets usually applied to any proposition to tax ourselves.

But it may be objected that the operation of this tax would make a radical change in our social system, and in the exceptional position of those who have benefited by the lax legislation of the past, that evasion would be resorted to, and that capital would quit our shores. With reference to the latter there is no danger whatever. Capital will always flow to where industry establishes itself, and our worst enemies cannot say we are a lazy population. Besides, the petulant capitalist would at least have to leave the land behind him, and as we could not possibly put it to a worse use than he now does, any change in that respect would be a national advantage. The first objection is far more serious. Country cousins to the faintest trace of relationship would, no doubt, suddenly find themselves owners of snug 640 acre farms. As they were all members of the same family, dividing fences would be unnecessary, and matters would go on as they do now, &c. &c. If any such tricks were attempted, annual returns, showing the average production, acre for acre, with the small farms, could be demanded; if they were not up to the local and general standard, collect the tax, no matter what parchment arrangements might be in existence in the bosom of the family. If the returns showed a fair equal average, the primary object would have been achieved, and the rest would be a mere matter of revenue. Besides, as I before hinted, it is proposed to constitute the various local bodies the tax collectors, and this in itself would ensure the work being done well and cheaply. The proposition is for the shire officers to collect the Land Tax,(?) paying one-half over into the general revenue, and the other half to the shire, the Government paying half the actual cost of collection. This would make local government a fact. Now it is only so in name. The construction of the necessary public works would then be wholly independent of official caprice, and wealth would have to pay its fair share—more than it has ever done yet—towards the roads and bridges which it regards as its own. But to return. This resolution would be the basis on which, in any case, a very large and most justly levied revenue would be raised. Of course any division of the territory now held in large estates must necessarily be hypothetical and speculative. Thus, for instance, I do not believe there will be one estate in the colony with as many as fifty thousand acres within twelve months after the adoption of this resolution. How many there may be of 40, 30, 20, 10, or even 5000 acres, it is quite impossible to say.

It appears from the statistics that there are 7,156,962 acres held in estates of 500 acres and upwards. Assuming for the purpose of making a rough approximate estimate, that these estates are above 640 acres each—the point at which I propose to commence the tax—we may take the following figures to represent what the tax would amount to at different averages, that is to say, estates of more than 640 acres, but whose general average would be 2, 3, 4, 5, or any other number of thousands. Thus, for instance, 7,000,000 acres amenable to this tax, would, at an average of 2000 acres in each estate, or £29 10s., yield a total revenue of £98,333. At 3000 acres average, viz., £67 per annum, the yield would be £156,311. At 4000 acres, £117 per annum, it would amount to £204,750; and at 5000 acres average, to £251,300 a year. I think it would not be unfair to take 5000 acres as the general average, and although the direct revenue from the land would only amount to £251,300 a year, still it should be borne in mind that the sub-division would open the lands of the colony to at least 150,000 more settlers, and in a few years add sixty millions to the wealth of Victoria. Of the probable, or indeed only possible, reception of the proposition in "another place" it is not my intention to speak here. The

only question with which I care to concern myself is whether the proposal itself is a just one, and if so, does sound policy and a proper appreciation of the lessons taught by local and foreign facts justify its prompt application to this colony? Has the time arrived to leave off bolstering, and commence the work of reconstruction? I think it has, and hence these proposals at the present time.

The third resolution, "That land to the extent of 640 acres, in the possession of one individual, be exempted from general taxation and subject only to local rating," is more a matter of detail than its predecessors. The point at which a Land Tax changes into a tax on industry is one open to argument, and, possibly, to modification, but that such a point exists is admitted by all political economists, statesmen, and writers, both of the past and the present. Sir James M'Culloch, in 1871, fixed it at a rateable value of £25 per annum. That appeared to me to be a tax, not on land, but on industry. Taxed at $\frac{3}{4}$ d. per acre prior to selection, it was subject to $\frac{4}{2}$ d. directly after, or, in other words, the Land Tax was $\frac{3}{4}$ d. and the labour tax $3\frac{3}{4}$ d. Parliament was not slow in estimating at its true value this insidious proposal; and, to the lasting honour and credit of the Legislative Assembly be it said, that the attempt to impose additional burdens on labour was swiftly and scornfully rejected. The complete figures as furnished by Hansard in the report of Sir James's speech corroborate this view. Out of £95,000 which he proposed to raise, £82,000 was to be taken from labour, and £13,000 from land, or 86 per cent. from the one, and 14 per cent. from the other. The present proposal is to take the whole of the tax from land and leave labour untouched; and even then, to begin at the almost nominal tax, of what with the 640 acres exemption would only amount to a fraction over one penny per acre on the first thousand acres, and to progress, ever widening, deepening, increasing, but in regular progression, until in mere self-defence the land monopolist is compelled to disgorge.

The industrious reclamer of the waste lands of the colony ought to be allowed an ample margin, that would admit of his bringing up his family properly, and living respectably himself. A fairly well-to-do class of yeomen is of infinitely greater value to a new country like this, which may ere long be called upon to beat off an invader, than a few exceptionally rich and wholly useless colonists. For this purpose perhaps 640 acres is not too much. It is quite true that, with a direct income of say £6125,000 a year, local taxation would be considerably lightened, and Parliament would be spared the annual nuisance of attempting to adjust local claims so as to present some few features of common fairness; but I think society at large owes some reparation to those who, up to the present time, have been forced to cut the roads and build the bridges.

The third resolution, "That 3d. per acre be recognised as one unit of taxation," fixing the unit of taxation at 3d., like the preceding one, is an open question. 3d. may be too much or it may be too little. The principle will be adopted with the carrying of the first and second resolutions; and I have no hesitation in saying, that in the acceptance of those resolutions lies the future well-being and prosperity of this colony.

John Woods.

Parliament Houses,

26th November, 1873.

[All Communications having reference to the Progressive Land Tax to be addressed to the Secretary of the League, 65 Bourke Street East.]

Fergusson and Moore, Printers, 48 Flinders Lane East, Melbourne.

Report of the Central Committee for the Year 1872-3.

GENERAL STATEMENT.

The League consider it desirable to place before their Subscribers and the Public, a brief Report of their proceedings, and at the same time to press upon the attention of their fellow-colonists,—Manufacturers in particular,—the necessity of combining to urge forward the principle of Protection, as a means of encouraging Home productions.

There are indications both in the Imperial and Colonial Governments, which encourage the League in pursuing their object; and the opinion is, they believe, steadily gaining ground that the circumstances of a new colony render Protection imperative, as well as expedient.

ACCOUNTS.

The Treasurer's Statement was audited and found correct, and is so far satisfactory, that it shows the League to be free from debt.

INAUGURATION OF THE LEAGUE.

The League was inaugurated at the public meeting at Otahuhu, September 13, 1871, under the name of "The Agricultural League." There was a good attendance; great unanimity, and oven enthusiasm, in the cause was manifested.

FIRST CIRCULAR.

The first Circular issued by the League, as the result of the above meeting, was sent to the various Highway Boards of the province. It elicited from many quarters expressions of approval and sympathy. Some districts desired to be visited by an Agent of the League, but the means were wanting. To meet the suggestion offered by others, the subscription of Country Members was reduced to 5s.

NAME OF THE LEAGUE.

The original name, "The Agricultural League," was considered objectionable, because it came to be confounded with the Agricultural Society. It seemed also to confine its objects to agriculture. The League felt that this would never do, but that the manufacturing interest must ever go hand in hand with the agricultural interest, to render the country prosperous and self-reliant,—to unite all classes, to find permanent employment for labourers and artizans, and a market for our produce. To embrace these views, the title "The Colonists' Protection League" was adopted.

INFLUENCE IN PARLIAMENT.

The League at once (Sept. 1871) prepared a Petition to the House of Representatives, presented by John Williamson, Esq., M.H.R., praying that moderate protective duties might be laid on imported produce, and they had the satisfaction of seeing a move taken in that direction. A list is given below of the Premiums offered by the Government to encourage homo production.

BONUSES: In compliance with a Resolution of House of Representatives, 22nd October, 1872:—

- *Iron.*—£5,000 offered for the production in New Zealand of 1,000 tons of Pig-iron of marketable quality.
- *Steel.*—£1,000 similarly of 100 tons of marketable steel from iron-sand or ore.
- *Sugar.*—£2,000 for 250 tons of sugar made from beet-root in New Zealand.
- *Paper.*—£2,500 for 100 tons of printing-paper made in New Zealand by machinery.
- *Fish.*—4s. per cwt. on cured fish,—dry or pickled,—exported from the colony for use abroad. Placed before Parliament.

THE IMPERIAL ACT RESPECTING THE AUSTRALIAN CUSTOMS.

The League congratulate their fellow-colonists on the concession obtained from the Imperial Government by the passing of this Act. They anticipate that it will be the means of largely increasing the trade between this and the Australian colonies, and particularly that it will be the means of introducing here the wines of Australia at a moderate price; probably they will be happy to receive our malt liquors, barley and hops, in return, now that the restrictions which hitherto prevented reciprocal duties are removed.

THE NEW MARKET.

The League lost no time in urging the erection of the Market-house. A letter was addressed to the Mayor respecting it, dated Sept. 18, 1871. His Worship courteously replied, mentioning the state of the matter, and expressing his willingness to receive any suggestions from the League as to the requirements which they considered necessary for the market. When the plans were prepared, the Mayor was good enough to submit them to the Chairman and two other members of the League. They attended the City Council, and expressed their approval of the plan, and suggested that the two front yards should be roofed over, so that loaded carts and produce might remain there under cover. At the commencement of the building, the League were invited to take part in the proceedings, and at the Opening on June 20th, a committee of the League co-operated with the City

Council, at their request, in forming the arrangements respecting the Exhibition of Produce, Implements, &c. The League congratulate their friends and the public, that such a well-arranged and commodious structure has been erected, primarily for the benefit of the farming interests, and every way a credit to the Corporation and the town. The day of the Opening was a marked event in our local history; probably no other public occasion has called forth such a spontaneous, hearty, and sustained interest among all classes. It augurs well for the future, that all will heartily co-operate to secure success to this important undertaking.

STATEMENT OF THE VIEWS OF THE LEAGUE.

It was soon found that considerable misunderstanding existed in the mind of the public, respecting the views of the League, even among some who had at first occupied a prominent position in its formation. Some thought we should endanger our success if we openly professed Protection principles, and that we ought to proceed in some undefined way without challenging opposition. The League, however, considered that an open straightforward course was the safest and best to adopt; if it was opposed, they had sufficient confidence in their principles to defend them. They therefore drew up and published a "Statement of their views," early in January, 1872, and sent it round to the various Highway Boards. No valid objections have been raised against this "Statement;" it may be considered, therefore, that the fear of opposition was groundless. At any rate misunderstandings disappeared, and were heard of no longer. Some remaining copies were subsequently transmitted to John Williamson, Esq., M.H.R., at Wellington; he laid the Statement on the table of the House, and circulated some copies among the members. Mr Williamson soon telegraphed for a larger supply, but unfortunately there were none left. In order to preserve this paper as a standing explanation of the views of the League, it is printed in the appendix to this Report.

The League express their thanks to Mr Williamson, for the interest and trouble which he has taken in forwarding their objects, and also especially for a copy of *Hansard* debates, which he procured for the use of the League.

THE PAMPHLET, "A BONE TO PICK FOR FREE-TRADERS."

This pamphlet, written by a gentleman of high standing, long resident in Auckland, having been sent to the Chairman, it was felt to be so opportune and so well to express the principles of protection, that the League had a thousand copies printed and circulated at the Agricultural Show in November last, and among the Highway Boards, &c., as before.

CHANGE OF DAY OF MEETING, RESIGNATION OF MR ANDREWS AS HONORARY SECRETARY.

The League considered it desirable to change their day of meeting from Saturday to Friday, as being the Market-day. They regretted to find that Mr Andrews felt obliged in consequence to resign the post of Honorary Secretary, the duties of which he had so zealously undertaken from the commencement. Mr Kempthorne, the Treasurer, undertook the office of Secretary at the request of the League, with the understanding that he should receive remuneration, if the funds should permit, and also that the Rules of the League should at an early opportunity be altered and amended in order to harmonize with some changes which have been made in the times of the meeting, and by the resolutions. The amended Rules are subjoined to this Report. His Worship the Mayor has kindly offered the use of a room in the City Council offices for the League to meet in, but hitherto Mr Sceats has freely allowed his room, which, on some accounts, offers great convenience.

THE PRESS.—PUBLIC OPINION.

The League have pleasure in expressing a strong sense of the obligation they are under to that portion of the public Press which has steadily and ably supported the principle of protection. They hope that ere long the same course will be generally adopted by the Press everywhere. We must remember that the Press has great influence in the formation of public opinion. This matter was pointedly referred to in the League's statement as a great object. The League have adopted a practical method of furthering this object, by determining to open communication with the Protection Society of Melbourne, where the principle has maintained great strength and influence.

The Objects and Rules of the League.

The Objects.

THE objects which this Association have in view are:—

- To form a bond of union and a centre of counsel and action among the cultivators of the soil and the manufacturers, as the proper means of giving strength and weight to their influence. All classes will thus have an opportunity of making their wants known and of promoting the common interest.
- The great aim of the League, is to advance the general prosperity of the country, by the encouragement and promotion of Home productions and manufactures, with a view to the employment of a largely-increased population by immigration. As one great means to this end, they advocate the placing moderate Protective duties on all articles and produce which can be supplied and raised in the colony.
- They desire to maintain a friendly intercourse, and to co-operate with kindred societies in the other provinces, and in the Australian colonies, in reference to the above objects and aims.

Rules.

The affairs of the League to be conducted by a committee of seven Members (with power to add to their number), three to form a quorum. The committee shall retire at the Annual Meeting, but shall be eligible for re-election.

The Committee meet on the first Friday in every month at 2 o'clock while Parliament is sitting, otherwise every alternate month, as shall be found convenient. Their Meetings shall be open to the Members of the League, who shall be entitled to take part, and the Associate-Members may vote.

The Annual Meeting of the League shall take place early in July; a Report of the year's proceedings shall be laid before it, and a statement of the Accounts properly audited.

The present Committee consist of—

- Albin Martin, Esq., Chairman
- Hon. H. Chamberlin, M.L.C.
- Hon. E. MacLean, M.L.C.
- Major Walmsley
- William Woodward, Esq.
- H. S. Andrews, Esq.
- E. Woolfield, Esq.
- R. Bent, Esq.

S. Kempthorne, Secretary and Treasurer.

A Subscription of 10s. yearly constitutes an Associate-Member of the League. A like subscription of 5s. constitutes a Country Member, and a subscriber of 2s. 6d. shall be entered as a "Subscriber." The votes of two Subscribers shall count as one vote at the Annual or Special Meetings of the League.

A Secretary, Treasurer and Auditor shall be appointed at the Annual Meeting and shall continue to act from year to year, unless a notice of motion for a change shall have been given by some member, at a previous meeting in June.

The Secretary and Treasurer shall be ex officio members of the Committee.

N.B.—The Standing Orders adopted by the Provincial Council shall, as far as practicable, generally guide the League in the conduct of their meetings.

BY-LAWS.

The Committee shall have the power to enact by-laws for their guidance, which shall have effect till the next Annual or Special Meeting, when they shall be submitted to the Meeting for approval.

The following By-laws were passed 30th September, 1871:—

- No alteration of Rules, nor any motion of importance; nor any motion objected to by two Members, shall be brought before the Monthly Meeting, without notice being given at the previous Meeting.
- The Treasurer to furnish a Statement of Accounts at the Monthly Meetings.
- All important papers, circulars, and petitions, &c., from time to time, to be entered on the Minutes.

"Colonists' Protection League," Auckland.

Statement of Views of the Central Committee.

PUBLISHED JANUARY 7, 1872.

- The League disclaims any intention or desire to advance or advocate exclusively, what are called Class interests,—be they Agricultural or Manufacturing. Our desire is to combine together in one compact body,—with a Central Committee,—*all who will endeavour to retain in the Province*, all the money required for necessaries or luxuries, as far as they can be produced here, and who would thus prevent the capital of the Colonists from being sent to foreign parts, to profit those who care nothing for us, and pay nothing towards our taxes.
- We state decidedly, that we entertain neither the wish or intention of raising the price of bread or of other necessaries and conveniences of life to the labourer or to the poor man. We do not believe that such would be the result of a moderate Protective duty. On the contrary, we believe that if the Home-producer is fairly protected and encouraged, the Market will be freed from those extraordinary fluctuations, which we every now and then experience to our loss and detriment. Under a Protective system we should know on what we can depend here; the supply will be more regular,—the returns more secure,—and the price in consequence less fluctuating.
- Is it necessary to relate, how the Producer has been constantly harrassed and checked by the market being glutted with foreign produce, when he was ready to bring his produce for sale? Heavy losses have been sustained in this way by corn growers, which has caused them to abandon their efforts in despair, to the great and permanent detriment of the Province and to the discouragement of their fellow colonists. In like manner, owners of cattle have seen the value of their stock diminished one half its value within the last eighteen months (as stated in our Petition to the House of Representatives) the result of importations from without.

At the present time (July, 1873) large importations of Hay render our own stacks unsaleable.

What business can stand or prosper under such disastrous losses? So in Dairy or Garden produce; Cheese has been kept at home unsaleable; Butter scarce worth the making; Grapes and other fruits have been suffered to rot on the ground; Lemons from the North, after paying all expenses of packing, freight, carriage and wharf dues, have been given away, because large free importations had previously arrived from Sydney. The Bucket and the Broom trade, which were commenced here with fair prospects, have been similarly knocked on the head, through importations from the Gaols (!) of the United States.

Free Trade and Home Production are thus seen not to harmonize;—which are we to choose? Are we to continue protecting the foreigner and ruining ourselves? The people of America and Victoria are practical and hard headed and show us the way,—it is high time we followed it.

Numberless articles can be easily produced and manufactured here, if they were for a time fairly protected and encouraged. Woollens, blankets, flannels, tweeds, wool-packs, sacking, ropes, paper, beet-root sugar, tobacco, linseed and other oils, jams and pickles, agricultural machinery, and implements of all kinds. What indeed cannot be raised and manufactured here? Would the price of them be enhanced?—We think not: But even supposing for a time, the price might be increased in some degree; is it nothing to the credit side, that the money paid for the articles, is retained to be circulated *in the Province* among ourselves, instead of being sent away?

- Looking at the above facts and principles, if, we, the Agriculturists and Manufacturers, wish to become a real power in the State *we must combine and form a united body*, so as to act together and influence the Government. Then we shall be listened to,—not before. One step in the direction we desire has been taken. The Government has, of its own motion, initiated duties on imports, for the purposes of revenue. Our endeavour must be to lead them to adopt a much more comprehensive and important policy, viz.: that of *fostering the cultivation of our soil and encouraging our own manufactures*, by securing our Colonists in their efforts, by a general revise of the Customs Tariff, protecting all home productions.
- Another powerful motive for protection presents itself to our notice, at this peculiar crisis of the Colony. The Government have embarked in great schemes, involving enormous loans, and immense responsibilities for the future. It may be comparatively easy to initiate these great measures, making us dependent on the money-lender; but will it always be easy to meet the day of reckoning? That is a question which affects every man in the country. Who in the end are likely to bear the brunt of the burden but the main body of the Landowners? If a Land Tax should loom in the distance, how are we to meet it? Are we prepared to do so in our present depressed state? Can we make the foreign importer (whom we now protect) pay? What necessity then exists to improve and consolidate the position of the Home producer? If, by the adoption of sound and proper self-protecting measures, we can feel our prospects in a fair way of recovering a good and healthy state, we may then prepare for the worst. But let no man shut

his eyes to the danger which lies before us, if we stand still and leave affairs to take their chance.

Practical Conclusions.

To launch our League well before the public, we urge every man, who agrees with us, to come forward and enrol his name as a Member or Subscriber.

The Central Committee on entering upon so extensive, so important, and so difficult an undertaking need funds, and especially in forming and organizing Associations. Several parties in the country have urged the necessity of an Agent being sent for this purpose, and very naturally, but where are the funds to come from, unless they unite to supply them? No such organization has yet been called into exercise in the Colony, and it will require unity of strength and purpose to make it successful.

The Central Committee value the moral support of the sympathy so generally expressed by their country friends, but moral support cannot alone overcome the hard work before them. Give us then your name at once as an Associate Member subscribing 10s. yearly, or, if you desire it, as a Country Member at 5s. yearly, or as a Subscriber at 2s. 6d., and exert yourself to gain as many Members as possible.

In the meantime we say "May God speed the Plough and the Loom!" and help those who endeavour to help themselves.

Signed on behalf of the Central Committee,
ALBIN MASTIN, Chairman.

Auckland,

January 6, 1872.

N.B.—Subscriptions will be received by Mr Kempthorne, the Treasurer, by any Member of the Committee, and at the Bank of New South Wales, Auckland.

Atkin, General Printer, High Street. Auckland.

A Bone to Pick for Freetraders. A Dialogue.

Re-Printed by the Colonists' Protection League, Auckland.

By An Old Colontist.

Printed by Reed And Brett "Evening Star" Office Auckland: Wyndham-Street. 1872.

A Bone to Dick for free-traders.

A Dialogue Between John the Free-Trader and Reciprocity charlie.

DIALOGUE I

John

Well, Charlie, it is a long time since we met. Where have you been, and what doing?

Charlie

Since we parted, some dozen years ago, I have been in foreign parts—have been round the world, seen strange sights and rubbed against strange folks, who think strange things, very different from what we here at home believe in and accept as gospel truths.

John

Come, now, that's a good one. I've heard say travellers tell marvellous tales, and may be, Charlie, you have got a good tale or two to tell. What's in the wind?

Charlie

Nay, I have not much to say on things generally, but on one subject that is attracting attention just now I have got a lot to say—I mean what we in England call FREE-TRADE.

John

What? Free-trade, why, what on earth can be said against that? They must be a benighted folk, and no mistake, if you have met with any such. Didn't you enlighten them a bit, like a good missionary, and bring them to?

Charlie

Well, you see, I thought I was well up on the subject, and a strong believer in it, and did try to convince them of what I called their fatal error; but instead of convincing them of what we call FREE-TRADE, and regard

as a grand panacea, they treated the whole subject with contempt and derision; indeed soon convinced me that Free-trade was a sham, a fallacy, and a delusion, and they were not particular about terms, and called it very much like an attempt at a swindle.

John
You don't say so; the heathen! what would they have? Cannot they see FREE-TRADE is the great humaniser of society, bringing all nations into a common bond of brotherhood by enriching all alike?

Charlie
These heathen, as you call them, must be heathen philosophers, for they will investigate this Free-trade question for themselves, and are not likely to mistake mere assertions for facts because they come from us. They will have facts, and not mere theoretical twaddle. Let us go to first principles.

John
Well, is not Free-trade a fact with us, and have we not prospered amazingly under it?—and as to first principles, what on earth do you mean?

Charlie
I mean that it is necessary clearly to understand the meaning of terms made use of, and particularly in all matters of dispute, else there will be endless wrangling. Indeed first of all the question arises, What is FREE-TRADE? Let us have clear understanding of the meaning of that delectable little word FEEE-TRADE," at the outset.

John
Why the word Free-trade carries its own meaning, it means free to trade, to be sure, anywhere and everywhere.

Charlie
Does it? We hear of a free people, and a free press, which we all admire, and in which, in this country, we rejoice, but the freedom accorded to these has no analogy with that of FREE-TRADE, and they must not be confounded together. A free people and a free press are under wholesome restraint, whilst the unlimited freedom claimed by Free-trade degenerates into license, and something akin to free-love—a lawless sort of thing. What kind of freedom do you think there would be without the *protection* of the law? Legitimate freedom and protection are quite compatible.

John
I am surprised; I never looked at it from that point of view. What you would say is, that it is a barbaric freedom, and altogether unsuited to a complicated civilised condition like ours, which necessarily imposes a measure of restraint:

Charlie
Just so. The kind of freedom claimed by the advocates of FREE-TRADE amounts to something like taking liberties. It would allow the strong to trample upon and prejudice the interests of others not so strong.

John
But what have you to say of unlimited competition? That is the right thing, is it not?

Charlie
Certainly not, unless qualified. Unlimited competition means *destructive competition*—destruction to the manufacturing industries of any country which may have dealings with another country, a more powerful rival. A *healthy* competition is quite another affair, and will be encouraged by every well-regulated government.

John
What is the qualification you allude to?

Charlie
What I would submit is this. Uniformity is good where circum-stances are uniform, but where they differ it is only reasonable that practice should differ also; and to apply a uniform rule to different cases, as would be the case with FREE-TRADE, is about as sensible as to apply a varying rule to cases which are alike. With unlimited competition, the conditions should be the same *cateris paribus*.

John
I am not quite clear yet as to the meaning of FREE-TRADE; would you define it more fully?

Charlie
My definition of FREE-TRADE, as accepted and understood in this country, and divested of all sophistry, signifies in one word MONOPOLY. Reciprocity is the normal condition of trade, and FREE-TRADE is its abnormal condition. Reciprocity supposes trade conducted to the mutual advantage of those trading, and that is something very different from the operation of FREE-TRADE.

John
Well, but is it not an admitted axiom that we may buy in the cheapest market and sell in the dearest What

have you to say to that?

Charlie

I have to say that the advocates of Free-trade make a wrong use of the words dear and cheap; they are used in an absolute sense; whereas the terms dearness and cheapness are relative only; not absolute. For instance, if an individual can produce an article without prejudice to his other interests, to purchase such article would to him be dear at any price; and if that hold good in an individual case, it will hold equally good in any number of cases, or for a whole nation.

John

True. I begin to waver in my faith of Free-trade. If our premises be false, no wonder the conclusions should be false too; but you see it is stated Free-trade is based upon natural law, and if so, any violation of a natural law must be wrong.

Charlie

I know it is so stated, and the assertion is as false as false can be. There is no such law in nature, nor anywhere else, except in the fertile brain of Free-traders. Free-trade is not only not based upon natural law, but it has not even its analogy in nature. All nature loudly claims *protection* to the young, whether we look to the animal or vegetable kingdom.

John

Then you think trades, particularly manufacturing, are not of natural or spontaneous growth—not indigenous to any country.

Charlie

Certainly not, any more than reading and writing are natural, although the contrary is assumed by Free-traders. Reading and writing are *acquired*, as everybody knows, and not less so are trades, the different branches of manufacturing industry; all are acquired, not natural.

John

I should like to have some further talk with you some other day upon this vexed question of Free-trade *versus* Protection, or, as you like to call it, Reciprocity.

Charlie

Reciprocity is the term I like in contradistinction to Free-trade, and I am at your service whenever it suits you to resume the conversation. It will be well to break off now, as we have got some inkling of the stock terms in use by the advocates of Free-trade, and which will better enable us to understand one another afterwards.

DIALOGUE II.

John

Well, Charlie, how are you? Are you ready for another turn at FREE-TRADE and its belongings? because I have some matters I should like to have cleared up a bit.

Charlie

Quite ready, and at your service.

John

How is it possible, then, that we in this country should have gone on all these years deluding ourselves, not only accepting a Free-trade policy ourselves, but urging its acceptance on others everywhere, if it be the fallacy you aver it to be? I cannot understand it.

Charlie

You may well say that; its a sort of thing no "fellah" can understand; but the fact is, journalists, political economists, and statesmen have, for the last thirty years or more, declaimed against protection, and bolstered up the doctrines of Free-trade so persistently, and at the same time denied expression of opinion opposed to their views, that at last they have come to believe a lie. Journalists have it all their own way; their columns have been closed against all protective proclivities, coming from whatever quarter, and a determination to write down and hound, after a rowdy fashion (*vide Appendix*), any expression of opinion which may be at variance with their own cherished goddess, Free-trade.

John

But journalism is supposed to be a reflection of public opinion, and do you think the Free-trade question has not been faithfully represented?

Charlie

Faithfully represented, did you say? I can hardly suppress a laugh at your simplicity! Ask the *Times*, *Daily Telegraph* and other leading journals, of the verity of their statements relating to Free-trade. For years past, whenever I have met with that delectable little word, "Free-trade," I know at once there is some untruth or lurking sophistry underlying it. The *Times*, *Daily Telegraph*, and other journals have over and over again stated

that we have Free-trade with France. France emphatically ignores Free-trade altogether; she will have none of it. The fact of a commercial treaty between the two countries precluded the operation of Free-trade. France never at any time made the slightest pretension to Free-trade, and the relaxation of her tariff had little or nothing to do with the question. At the time the treaty was made prohibition was abolished, and protection substituted, and that was all. I do not make this statement without book, and my authority is Mr. Cobden himself, through whose instrumentality the treaty was brought about, and I will give you chapter and verse in support of what I say. I cite Mr. Cobden's own words in a letter written by him on the subject of the treaty.

News of the World, May 20, 1860.

"The French Government has begun with the repeal of the duties on raw materials, giving notice that after a certain time the prohibitive system will cease, and *foreign manufactures be admitted at revenue duties which will operate as a protection to home producers* What think you of that. "Protection to home producers!" Protection, be it understood, is the antithesis of free trade.

John

Well, clearly on that point, on the testimony of Mr. Cobden, the press has wholly mis-represented the case, and France has never at any time abandoned protection. That must be conceded, anyhow. There is, however, an awkward difficulty to get over, and which, I think, will be a poser to you; that this country has made such wonderful progress since having adopted a Free-trade policy: and to its operation, it is said, we owe mainly the prosperity which we have so long and richly enjoyed. What do you say to that?

Charlie

That such a statement cannot be borne out by facts. I deny that Free-trade has had anything to do with the augmented prosperity of this country, or that it has contributed in the smallest degree to it. We should not have had one bit the less prosperity had we never heard of Free-trade. There is about the same logical connection between Free-trade and our prosperity as—if the mouse eat the cheese the clock would strike. There was the repeal of the Corn Laws, but that has nothing to do with the matter. It was not only politic, but it had become a political necessity for the Corn Laws to be repealed, and because the repeal could not longer be deferred. The prosperity which we have enjoyed for the last thirty years you ascribe altogether to a wrong cause. I repeat Free-trade has nothing to do with it. Free-trade and the gold-diggings came into being simultaneously, and it is to the goldfields of California, Australia, and New Zealand that we owe mainly our prosperity. They have given a great impetus to trade, not only in this country but in all countries—in fact have revolutionised the world. At the time of the agitation for the repeal of the Corn Laws it was strongly urged that their baneful operation arose from our having to pay for imported corn in hard cash—gold, and the withdrawal of a million or two at that time deranged the whole commercial and monetary system. Well, if such was the case, then it is so no longer, as we can now send away annually some eight or ten millions of gold without producing the least derangement, but what would be the consequences to ourselves if there were to be a sudden stoppage of supplies from these sources? I rather think we should discover that such stoppage would occasion some slight disturbance in our commercial and monetary affairs! Now pay attention to what I am going to repeat—not my own *ipse dixit*, mind you. I appeal to authority, and I adduce the testimony of Mr. Gladstone in support of my assertion that Free-trade has had nothing to do with our increased prosperity of late years. At the time Mr. Gladstone was Chancellor of the Exchequer, in his Budget speech, he is reported to have said:—

Times April 28, 1865.

"There is again a misapprehension in that while the increase of the trade of this country of late years has been undoubtedly a remarkable increase, yet it has been less than the increase in the trade of foreign countries." And again:—"The exports of France in 1854 were £78,000,000, and in 1863 they were £141,000,000, being an increase of 81 per cent. The exports of the United Kingdom in 1854 were £116,000,000, and in 1863 £197,000,000, an increase of no more than 70 per cent." And then the report goes on to state:—"That a country (France) which had done so little in the way of relaxing its commercial laws had achieved, relatively, more than a country which had done much, and made great progress on the road of commercial freedom." Here, then, is the fact that France has achieved, relatively, more in commercial progress with *protection* than this country with Free-trade, and I think that circumstance conclusively proves my position, and refutes the idea that this country owes its increased prosperity of late years to the operation of Free-trade.

John

I quite agree with you. The whole thing is a mistake. We had got hold of the wrong pig. But look here: it is confidently affirmed that we never needed protection, and that we should have got along much better without ever having had it; that it only proved a drag and an hindrance; and in proof of this it is said, see how much better off we are under a Free-trade regime than when protection obtained; and this being the case, we strongly urge its acceptance on other countries, in the belief that it would benefit them in like manner.

Charlie

I have already pointed out that, to apply a uniform rule, the conditions must be equal. Free-trade, perhaps,

might have done in the days of Abraham, or had the world to begin *de novo*; but, in an advanced state of civilisation, the whole thing assumes a different aspect. Expediency plays an active and leading part in all matter pertaining to Government, social, public, political, or otherwise, and the doctrine of non intervention on matters relating to trade, or anything else, on the part of a Government is an absurdity; and such is Free-trade. It is helplessly left to drift, and without direction. For ages it has been deemed no part of the function of Government to educate the people, but, notwithstanding it has been so long ignored, at last such function is recognised; and it is no less the function and duty of Government, when needed, to direct, control, foster, and encourage the trade of the people whom they govern; and this brings me to the question of protection you have just raised. Protection, where needed, then, in trade or anything else, is the most natural thing in the world, notwithstanding all that may be said by the partisans of Free-trade to the contrary. To aver that, because this country does not now need protection, it never did need it, is so palpably absurd, that; an emancipated schoolboy might refute it; and yet the statement is accepted by intelligent multitudes as an established fact. Now, John, my boy, what would you think of an individual, having attained to man's estate, and capable of taking care of himself, pompously asserting that, inasmuch as in his manhood he did not require protection, therefore he never did require it; that it was quite a mistake on the part of his mamma that he had had infantile nursing, and that parental protection during his childhood was a preposterous proceeding; that he could have got on much better without that sort of tiling, in proof whereof he did not require it now? What would you say of such an individual?

John

What would I say? Why I should vote him an ass! But are you quite sure the simile is a correct one?

Charlie

Quite sure and no mistake. It is a case, not only of analogy, but it is a perfect parallel. In one case, as in the other, self-refutation is stamped, as not a particle of proof can be adduced in support of a proposition so peurile. *Development* in both cases is the expression and result of the fostering care and protection bestowed upon them. Where is the country that has attained to any position commercially without the fostering care and protection here indicated? Has England, with her boasted Free-trade policy? At one time we prohibited the exportation of machinery; an act, no doubt, highly suggestive of our great love for Free-trade; and that other countries should participate in the profits resulting from its use! For two hundred years protection was the order of the day with England; nor was protection ever abandoned so long as there was anything to protect. We thrived and prospered under it until we had attained that state of commercial development which is at once the wonder and envy of the world. Here then is an example for others to "go and do likewise."

At a banquet at which the Hon. Reverdy Johnston was entertained, at Newcastle, when adverting to Free-trade, he said: "Another thing would seem to be reasonable, that when it is proposed to start a system of Free-trade that start should be a fair one. (Applause.) What would you think of a man who undertook to enter the pugilistic lists without training? Assuredly you think he would be beaten by the man who had been trained. Now you have trained yourselves, and how long have you taken to do it? Somewhere about two centuries! Now when your machinery is complete, and your workpeople are brought to such perfection in the industry they are engaged in—now that our labour is comparatively dear, and when we have not the art that you have—you propose to us to run the race of Free-trade!" These are the sentiments of a highly-educated, enlightened American gentleman; and it might be added the race must be a handicap race. England is the powerful and fleet horse to be weighted, and we saddle you with a tariff which will enable us to compete successfully and to our advantage.

John

Bravo! Well done! I like that. It is becoming more interesting the further we proceed. Go on!

Charlie

If we give our attention to the culture of anything in a general way we look for a promising result; but it would appeal, according to Free-trade notions such a course, at all events, as relates to the culture of trade, protection and encouragement on the part of a Government should be strenuously deprecated, that such interference must necessarily result in disaster. Helps to trade must not be; but social and sundry other helps are orthodox and allowable: "Strain at a gnat and swallow a camel!" I will give you, however, a striking illustration to the contrary. You will find the subjoined account of the manufacture of beet sugar in the "Chemistry of Common Life," by Professor Johnson:—

"As early as 1747, Margraaf, in Berlin, drew attention to the large quantity of sugar contained in the beet, and recommended its cultivation for the manufacture of sugar. Fifty years later the attempt was made in Silesia, under royal patronage; but as only two or three per cent, of crystallised sugar could be extracted, the work failed and was abandoned. Later, again, the Continental system of Napoleon I., which raised the price of sugar to five shillings (six francs) a pound, and especially the offer of a prize of a million of francs for the successful manufacture of sugar from plants of home-growth, stimulated to new trials, both in Germany and France. New

methods, new skill, new machinery, and the results of later chemical research were all applied, and with the aid of high duties on a foreign sugar, the manufacture struggled on through a period of very sickly infancy. In Germany fewer improvements were introduced, so that the new manufactories erected in that country during the reign of Napoleon were one after another given up; but in France they became so firmly established that even after the cessation of the Continental system few of them were abandoned. A more complete extraction of the sap, a quicker and easier method of clarifying and filtering it, and the use of steam to boil it down enabled the French maker to extract four to five per cent. of refined sugar from the hundred pounds of beet, and thus to conduct his operations with a profit. In this improved condition the manufacture, after a struggle of twenty years, returned again towards the north, and spread not only over Belgium and the different states of Germany, but over Poland, and into the very heart of Russia. At the present time not less than 362 millions of pounds of beet sugar are manufactured on the continent of Europe!"

It is now twenty years since the foregoing account was published, and since that period considerable progress has been made; and I believe at the present time large importations of beet sugar are made to this country, and that it can now compete successfully with cane sugars. The manufacture of beet sugar in France and other continental countries has become an important branch of national industry; and I adduce this case as an answer to and to confute the Free-trade doctrine of non-interference by the State in matters affecting trade. Here, at all events is something tangible:—"Under royal patronage"—"with the aid of high duties on foreign sugar," the manufacture struggled on through a very sickly infancy, and we know the result. Having gone through a very sickly infancy, and the other stages of development, it now stands forth in its vigour, a stable flourishing industry—a type of what may be accomplished by judicious protection and State encouragement.

John

I have often heard it remarked that for the State to give encouragement by protection or subsidy to any particular branch of industry would partake of class legislation, and that it would be unjust to the rest of the community in obliging them to pay more than if such commodity were obtained from a foreign source. What are your views upon that matter?

Charlie

That reminds me of the story of the belly and limbs—belly got all and limbs none—and therefore apparent, not real, a just cause of complaint. I apprehend the same kind of injustice obtains in the case you have just brought to my notice. Were this exclusiveness confined to a privileged few there would be manifest injustice; but when free to all, as is the case, it ceases to have even the semblance of unfairness. The whole question resolves itself into one of expediency. Do the public interests on the whole gain by such arrangement? There are other things in the world besides £ s. d., and it is possible to have value received indirectly, as evinced by our own packet subsidies, educational rates, &c. Free-traders are men of one idea who cannot see beyond their nose, and therefore take no cognisance of the social and political element, which has a most important bearing upon this question.

In a whining letter which appears in the *Times*, January 10th, 1866, deploring the perversity and dulness of the Yankees,—the Yankees, as everybody knows, are a very dull people, and don't know on which side their bread is buttered, because of their rejection of Free-trade, and their liking for protection, which is, as a matter of course, roundly condemned,—states that "Five years ago, when the census of 1860 was taken, the manufacturers of the country had not the benefit of the high tariff of the war; yet they employed 1,041,349 men, and 270,897 women, and it is supposed directly influenced 6,000,000 of people. It is five years since these figures were collected, and during the interval no nation has made such rapid strides in the development of diversified industry as the United States." You see the truth will crop out; "no nation has made such rapid strides in the development of diversified industry as the United States; and this, too, we are told, under that exploded system, Protection! and mind you, the manufacturers, as here indicated, are not the only people benefited, as Free-traders would have us suppose, but millions of others besides are beneficially affected as a legitimate consequence of manufacturing. Just imagine 6,000,000 of people directly influenced by the manufacturing industry of the States, and that by the adoption of a Free-trade policy, on the testimony of the Hon. Reverdy Johnston and the dictates of common sense, because of having to compete with a more powerful rival, such industry would be greatly impaired if not wholly destroyed! Then we are told that, abandoning employment so profitable, they could give their attention to growing corn. Growing fiddle-sticks! Who is to take the corn when grown? Is there any dearth of corn at the present time? Rather rich the idea; the people of the New England States, the wealthiest, most intelligent, and influential, abandoning their present profitable and luxurious position, and going corn growing, with Indian corn at 12 cents per bushel, and millions of bushels being consumed in the back States as fuel. At this price it is cheaper fuel than coals at five dollars per ton: so says the "Journal of the Society of Arts," June 14th, under "General Notes."

The policy of the United States is eminently protective. People are invited from the old country; and strong inducements are held out to them to settle upon land; and the inducements offered to artisans and others are no

less inviting under the fostering and protective care of the government to settle in the States, and follow their own craft. Hence *reciprocity* is established between them, the one consuming the products of the farm—the other home manufactures. What a nice condition the country would be in were they all reduced to a monotonous, dead level of farming. It would be a nice country to live in, would it not?

John

Well, it is astonishing that leading men belonging to all parties, Whig, Tory, and Radical, have so long and successfully deluded the public upon this question. Why, it appears to me nothing but "a refuge of lies," got up to cheat and deceive, sinister and base; and the professions and motives of its partisans may well be called in question. "The hands are the hands of ESAU, while the voice is the voice of JACOB."

Charlie

We may well impeach their professions and motives, and I will give you a few facts to sustain you in this belief. As to political parties, Whig, Tory, and Radical, in this matter they are all tarred with the same brush. They have all fallen down and worshipped this fetich—the goddess FREE-TRADE. It is not the first time in the world's history that the cry has been raised, "Great is Diana of the Ephesians:" and for the self-same reason that their craft was in danger. I dare say you have seen gentlemen of a certain order manipulate with thimbles and a pea, and how dexterous they are in their movements, and how they manage to gull greenhorns, credulous in their own power to detect the pea! when, lo! the thimble is raised, and to their consternation there is no pea—victims of misplaced confidence. There appears a strong resemblance between the Free-trade movement and the thimble trick. Again, if a hostile army were to invade a country for the express purpose of destroying machinery and all the manufacturing appliances of that country, it would in all probability be called an act of spoliation; but if through the agency of Free-trade the same destruction were brought about, more euphonious terms would be used; it would be said to be in conformity with "political economy," according to "sound economics," an "enlightened commercial policy," and such like unmeaning expressions. I am a little discursive, you know, and I claim to be so, and to present the case in my own way; and in order to show you I am not peculiar in my views as to the *ruin* that would be wrought I shall quote from the *Times* and *Daily Telegraph*. The *Times*, April 25, 1805, states:—"It has been thought that our zeal for Free-trade was part of a design to benefit ourselves by the *ruin* of our neighbours." The *Daily Telegraph* confirms this idea, for we find it saying, November 29, 1864, in adverting to the French treaty:—"We decline to think him (Emperor Napoleon) so amiable an enthusiast as to be willing to ruin the trade of France to please Mr. Cobden." You see murder will out; and this, too, by journals whose leanings are decidedly in the Free-trade interest. That word *ruin* is a significant expression.

John

The plot thickens the further we proceed; but what about the apostles of Free-trade? cannot you interview them a bit? The *Times* and the *Telegraph* are big fish, and we will have no small fry.

Charlie

I have something to say of the apostles too. I think on one occasion one of them was so polite as to classify protectionists as knaves and fools. Suppose we return the courtesy, and assume the same thing of Free-traders; and you must determine yourself whether there is anything to justify the allegation. It is of no use drawing it mild, for they have not; and nothing less than a strong drastic would have any effect. You recollect the cotton dearth during the American war; that this country, and particularly the Lancashire folk, were greatly distressed and embarrassed for want of the raw material, as our supplies were cut off from America. The apostles came out strong on that trying occasion. Would you be surprised to hear that their faith in their cherished nostrum failed on that occasion, and that they were ready to revert to the old state of things directly opportunity offered?—ready to impose a bounty analagous to the old Corn Law to stimulate the growth of cotton in India; but, honest men, this bounty was to be at the expense of India for the benefit of the people of Lancashire. The Lancashire manufacturer was to receive the benefit of the bounty on the growth of cotton. "Mr. Cobden admits the truth of the taunt; on this Indian question he flings the principles of Free-trade to the winds."

To convince you there is no exaggeration in these statements I commend to your perusal a leader in the *Times* on this subject, and which is too good to be omitted or curtailed, and I shall give it you *in extensor* (*vide* Appendix).

John

Well, I never! So they proved false apostles after all. Who after that exposure would believe these immaculate men were sincere in their professions and preachings? Was there not, under cover of Free-trade, some sinister ulterior purpose to accomplish?

Charlie

Anything that is considered good is ascribed to Free-trade; nor should I be greatly surprised if fine weather were placed to its credit. But, on the contrary, should anything be not favourably reported upon where protection obtains, or receives the culture and attention of the State, oh, that arises because of such culture and

attention—a departure from "sound economics;" by which is meant Free-trade.

In the *Argus*, a Melbourne paper, which writes in the interests of Free-trade, we find a leader promulgating such trash as the following, emanating from an Englishman, an advocate of Free-trade. In speaking of the United States and the protection awarded to manufacturers of woollen goods, this sagacious Englishman says: "You will find the best protection to your manufacturers to consist in Free-trade, and we have only to dread your rivalry when you adopt that policy." If this "sagacious Englishman" be right, wherefore all the fuss made in this country in deprecating the protective policy of the United States? According to this "sagacious Englishman" a Free-trade policy in the United States would be damaging to our manufacturing interests, a state of things, no doubt, devoutly to be desired by us! Again, this sapient writer in the *Argus* goes on to say, "But the wool-growers are also protected, and the most strenuous advocates of the present tariff on that staple were the representatives of the State of Ohio. What has been the result? The number of sheep in that State has declined from 7,688,845 in 1863 to 4,302,904 in 1871; while the decrease in Michigan is said to be still greater." You see, it is as I said, Free-traders are men of one idea, under strong delusion, and who cannot see beyond their nose. Did it ever occur to this sapient writer that there might be some other cause or causes which had operated in producing this declension in the number of sheep? It is pretty certain wool-growing was not very flourishing to begin with, which induced the State to give a bounty, the same in principle as the apostles recommended for the growth of cotton in India, to encourage its production; and we only need intensify those causes, notwithstanding the bounty, to account for the decrease. If culture and care be given with a view to production in anything, we expect as a natural consequence a propitious result; but this writer, suffering, no doubt, from monomania,—Free-trade on the brain,—infers just the contrary.

John

The doctrine of Free-trade teaches that every every country has some peculiarity of its own pertaining to natural productions; Australia, wool; America, cotton, &c.; and that it would be better for these countries to confine themselves to these specialities. By so doing production generally would be augmented, and the world at large benefited thereby.

Charlie

Yes, it is assumed these countries may produce any amount of corn, cotton, wool, butter, cheese, mutton, &c., and that they only need produce them in order to dispose of them profitably. That is another of the Free-trade fallacies. Any one who has been in a colony, Australia or New Zealand, for instance, knows very differently. Wool is an article readily disposed of, but gives employment to comparatively few. But what about agricultural and dairy produce generally? There is only a very limited market; and in proof of this I lately received a New Zealand journal, wherein it was stated that fresh butter was being hawked about at Wellington, and offered at sixpence per pound; and at the Hutt, a few miles from Wellington, the price was fourpence per pound. Fourpence a pound for fresh butter. Who would not like to make fresh butter at fourpence a pound? But why don't they send it to England, and so realise a good figure for it? Well, if they could send their produce by telegraph, I dare say they would: but the transit and through the tropics is sixteen thousand miles, and not so easily done as said; and if New Zealand understands her own interests good care will be taken not to be bamboozled by the so-called Free-trade dodge.

New Zealand effected a loan a short time ago better than a million sterling, and I wish to point out how in my opinion this and other loans may, under a protective policy, be turned to good account. I will give an extreme case. We will assume that a good portion of the loan is paid away in wages to men employed on public works, and that their wages are expended wholly in *goods imported*. It follows that in payment the money leaves the country, and there is an end of it. Now for other side: We will assume that, instead of imported goods, the goods are wholly the produce of the colony. It follows that the money is retained, and that it will go on fructifying and reproducing itself over and over again; and by that means lessen the necessity of future borrowing. It appears to me the Government should initiate, encourage by bounties and protective duties, amounting, if need be, to prohibition, in the first place certain manufacturing industries—prohibition first, and a gradual lessening of protection afterwards, in order to invigorate and stimulate into *healthy action*. This is something, mind you, very different from pampering; a five per cent, at one time may be as effective a protection as fifty per cent, at another. All England rejoices in a good harvest, and why? because of not having to *import foreign grain*; and to New Zealand, depend upon it, the saving of *imported articles which the colonists themselves can produce* would prove no less beneficial to the colony. Let New Zealand be, as far as possible self-sustaining. New Zealand is too remote from European markets to avail herself of them to advantage.

John

Well, I think we have looked at this Free-trade question from almost every point of view, and it cannot be sustained by fact, experience, or common sense; the whole thing is a piece of contemptible humbug, and an offence to our common understanding; and I would suggest this dialogue be printed and published for the

edification and profit of the Free-trade community. It will give them something to ruminate upon—a bone to pick.

Charlie

We have appealed to authority, and they stand convicted out of their own mouths. We have appealed to the "inexorable logic of facts." We have appealed to experience and common sense, based upon that experience, and the verdict is against them. Can Free-traders adduce a single case which would serve as a precedent to sustain them in their views? Not one. Certainly not. In England, with two centuries of protection, that sort of thing will no longer pass muster, and every other country rejects all overtures with contempt and derision; and that fact alone speaks volumes. The press often speaks of the advocates of Free-trade in France and America; but be it understood the meaning they attach to Free-trade in those countries is something very different to it as understood here. For instance, in abrogating the French commercial treaty, it is spoken of as a return to protection; and I have already pointed out, on the authority of Mr Cobden, that that treaty abolished prohibition, and substituted protection; and therefore they cannot mean an abandonment of protection, which has always obtained, and which is the antithesis of Free-trade.

If England wishes to have Free-trade by all means let her have it, nobody desires to deprive her of it. If to England Free-trade be political economy, to other countries it would prove political folly. England has the vantage ground; she has attained the platform of security, and has nothing to fear from foreign rivalry; and protection with her, having nothing to protect, would only be a work of supererogation; but the fact cannot be ignored that two centuries of protection were required before this enviable position was attained. England built up her manufacturing fabric by the scaffolding of protection; and when the scaffolding was no longer needed it was removed as so much lumber; and now, forsooth, we preach to other countries that they would get on much better were they to use no scaffolding, that is, protection, at all! Very logical, certainly, only other countries don't see it. Have as much Free-trade as you please as relates to internal traffic, and also, as a rule, as relates to natural products. All countries acquiesce so far; but it is quite another thing as applied to manufactures.

This country, under the guise of Free-trade, had hoped to acquire the monopoly of manufacturing; and, undoubtedly, were other countries such ninny as to adopt a Free-trade policy we should have succeeded to our heart's content. This country would then have become the workshop of the world, and we should have secured to ourselves the almost exclusive use of steam power, machinery, and invention; as other countries would not be able to compete with us, and the consequence would have been the destruction of their own manufacturing industry, which they will never consent to, for obvious reasons. Manufacturing is as necessary to the well-being of a country as the nose is to a man's face. Without a manufacturing, mining, and industrial population you cannot have a market for the products of the farm—beef, mutton, milk, &c.; and, therefore, it necessarily follows that every country will protect its manufacturing interests from *destructive competition* by not throwing its ports open for the free admission of manufactured goods to a more powerful rival. What gives the high value to land and the products of land in England but its manufactures? Remove the manufacturing element and what would they be worth? Apply the same reasoning to other countries; and, as sure as effect follows cause, the same results will be obtained. Hence a most powerful reason why other countries adopt a protective policy, to say nothing of the social and political aspect of the question, and the advantages resulting therefrom. Free-trade, then, simply means to concede to England the monopoly of manufacturing, the rest of the world being reduced to "hewers of wood and drawers of water," mere producers of natural products raw material. If Free-trade don't mean that, it means nothing at all; and all its partisans have to say about it is idle talk.

John

Don't you think it would be better for us in this country first to set our own house in order before preaching to others in this matter? Look at the attitude of the working men of this country—an attitude so thoroughly opposed to all Free-trade notions, in spirit and in practice, by strikes and other proceedings, that Free-traders had better hide their heads and for ever be hushed into silence.

Charlie

What has gone before relates to foreign trade, but this is a home-thrust. Yes, the doctrine has been taught that labour, like a soulless bale of cotton, was regulated by supply and demand, and called political economy. The answer, and in a most conclusive way too, is the existing trade combinations and organisation for the avowed purpose of *protection* to trade interests. The old leaven protection still works in the midst of us; it is an instinct of our nature. Working men claim to have an equitable share of the profits on the articles produced by them; and righteously so, regardless of supply and demand, and they fling the so-called Free-trade and political economy, as affecting themselves, to the dogs.

Look here! Do they mean throwing up the sponge? It is announced by the *Daily Telegraph* that, "The Cobden Club is about to abandon its dinner this year, grieved at the sight of protection rearing its ill-omened head in Australia, America and France." They have lost their appetite; their case must be bad indeed; they see themselves as others see them. But were I in their place I would "Never say die"—not until dead; and then you

know they couldn't.

Appendix.

(FROM "THE TIMES" OF MONDAY, JULY 6, 1863.)

TWENTY years ago we were all thoroughly "posted up," as the Americans say, in every detail of the great Free-trade controversy. Protection could not show its nose above water for one moment without being made the mark for a hundred harpoons, discharged from vigorous and unerring hands. We had the chapter and verse of *Mill*, of *Smith*, and of *Ricardo*, and the requisite illustration ready at the shortest notice. With infinite ability and eloquence Mr. Cobden and Mr. Bright, in a long succession of brilliant and convincing speeches, persecuted through all its Protean changes the theory which makes the assistance of kings and laws a necessary element in the success of commercial, manufacturing, or agricultural enterprise. The "poor-spirited Protectionist," the "cowardly Protectionist," the "whining Protectionist," the "lazy Protectionist," was gibbeted on every platform, and made the butt of every newspaper and of every meeting. A country gentleman could not express the fervent yearnings of his heart for a rise in the price of wheat, or even of barley; Mr. Miles could not give utterance to his jealousy of foreign grease, or a country member congratulate his constituents on still retaining protection on cheese without being exposed to such a volley of abuse and ridicule as left him little disposition to indulge in the British luxury of speaking his mind for the future.

The cause of Free-trade triumphed, and the victors have laid aside the arms which they wielded with so much success. They look with astonishment on the massive weapons with which they fought the battles of their youth, and candidly comparing their present with their former selves they greatly marvel where they found that earnestness, that singlemindedness, that childlike simplicity, that unhesitating confidence in the overpowering efficacy of truth and the supremacy of abstract principles which carried them with such signal success through the stormy period of Anti-Corn Law agitation. The love of many has grown cold, the knowledge of many has grown rusty, the faith of many languishes for want of exercise. The manufacturing interest has emancipated itself from the fetters against which it chafed, and if it still adheres to sound doctrine, does so with that languid assent which men yield to truths in which they no longer believe themselves to have a practical or pecuniary interest. Yet certainly if there were to be found anywhere firm and uncompromising supporters of the right of every man to invest his labour and employ his capital as seemed good in his own eyes, without the interference of Kings and Ministers, might fairly have expected Mr. Cobden and Mr. Bright, Mr. Bazley and Mr. J. B. Smith to be among the last to compromise or palter with the doctrines of Free-trade. Come what might they at least were too deeply pledged to recede. They had made a reputation out of those opinions and could not afford to destroy a foundation which must inevitably bring down with it the superstructure. Yet the same week that has seen Mr Bright advocating the cause of an aggressive war in the American Republic has witnessed his efforts, and those of his old associates, to introduce into India a system of Government interference quite as indefensible in principle and as noxious in practice as the Corn or Navigation Laws themselves. In different forms, seasoned with a good deal of personal vituperation, these gentlemen insist that the Secretary of State for India should bring the pressure of an absolute Government to bear upon the ryots, with a view to induce or compel them to grow a larger amount of cotton than they are at present disposed to produce. That, in general terms, is the modest request of the purest and most orthodox Free-traders. They have outlived the antiquated delusion that Government has nothing to do with the business of private persons, and that any interference on its part is, in the first place, an invasion of the rights of the individual, and, in the second place, more likely to do mischief than good. These doctrines are adapted, it should seem, to Europe, but are quite out of place when applied to Asia. In Europe we may be content to trust the demand to produce the supply; in Asia the power of demand is wholly insufficient, and compulsion must be called in to create an industry which the ordinary motives of private interest have signally failed to call forth. Thus, Mr. Bazley says, "our Government has been neglecting to stimulate the cultivation of cotton in our own colonies and dependencies." How long has it been the doctrine of Free-traders that it is the business of the Government to "stimulate" the production of anything—that is, to use the power which it possesses to induce a man to do that which, in his own view of his own private interest, it is not expedient for him to do? If Government is acting in the interest of the producer, whence did it learn to see what is his interest better than he sees it himself? If in the interest of the consumer, by what right does it sacrifice one class of the community to another? Mr. Bazley wishes he could say that our Government was offering inducements at all comparable to those held out by the French Government. An "inducement" is only another name for a bounty in some shape or another, and we should like to know how long the stimulating production by bounties has formed a part of the economical creed of Manchester. "For thirty years," says Mr. Bazley, "Manchester has been forcing on the Government the necessity of doing something which would diminish our dependence on the Southern States of America for the supply of cotton." What means has Government at its disposal except bribery or compulsion, bounties or forced cultivation, and

which is it that the metropolis of Free-trade recommends for our adoption? "All we want," he says, "is energetic action on the part of the Government." Not quite so. We want that the action of the Government should not only be energetic, but founded on sound principles.

Mr. Cobden, however, goes far beyond Mr. Bazley, and admits the truth of the taunt that on this Indian question he flings the principle of Free-trade to the winds. The Government is, he says, an absentee landlord—no very good reason, we should think, for interfering with the proceedings of its tenants in a manner no resident English landlord would think of doing. The ryot, he says, is ignorant—ignorant, we must suppose, to an extent which prevents him knowing what crop will pay him best. Even if this be so—which it is not—that is no reason for depriving him of the disposition of his own labour and capital, and reducing him virtually to the condition of a slave. Is it not just as probable that a man who has spent all his life in cultivating the soil and observing the climate of India, and who has no other interest except to turn his labour to the best account, should form a better judgment as to what it is expedient he should cultivate than the Manchester manufacturer, who has a direct interest that he should cultivate a particular crop? Why may not the ryot be permitted to judge for himself whether the price he can obtain is adequate, and, if adequate, whether it is likely to be permanent? Suppose he is forced or cajoled into the cultivation of cotton, and suppose that from any one of many causes prices should fall; what compensation is the Government prepared to make to the victims of its interference, and, if none, what right has it to interfere? Mr. Cobden thinks that Sir Charles Wood would, if we really had an opposition, be impeached for neglect of duty because he refused to make the evil precedent of exempting thirty acres of land in Madras from land tax in order to try the experiment of cotton cultivation. The amount of money at stake was a trifle, but the concession of the principle that the manufacturing interest of England had a right to obtain benefits for itself out of the Indian revenue which it ought to provide out of its own funds is a matter of most serious import, and one which no minister having the interests of the people of India really at heart ought to concede for a moment.

We have given sufficient samples of the ground taken up by the representatives of the manufacturing interests to show how flagrantly inconsistent, how utterly unreasonable, how narrow, how unsound, and how selfish are the principles on which the apostles of Free-trade advocate bounties, and the friends of India the oppression of her people. We rejoice to think there is no chance that these evil counsels will prevail, and we do not regret that so flagrant and manifest a dereliction of principle will recoil on the heads of those who are guilty of it. For many years after the victory of Free-trade it was impossible to persuade foreign nations—and the conviction was a source of enormous evil—that the men who were conspicuous in working out this vast revolution did not possess an overpowering influence in this country. It is now quite clear, not only that they do not possess such an influence, but why it is impossible they should possess it? The advocates of peace have become the supporters of war, and the apostles of Free-trade the supporters of bounties and forced labour. THEY HAVE ALREADY ANSWERED THEIR OWN ARGUMENT, AND OVERRULED THEIR OWN AUTHORITY.

Graphic border

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Protection of Native Industries.

AWARE of the difficulties which have for the last sixty years surrounded the question of Free Trade *versus* Protection, it is not without considerable diffidence the following considerations in support of the Protective theory are submitted to the League, not as authoritative utterances upon a phase of political economy of such magnitude, but rather as opinions arrived at after careful thought and diligent enquiry. An earnest desire to promote the prosperity of New Zealand has prompted and guided the researches upon which these conclusions have been formed, and if it may be urged that they are somewhat circumscribed, the reply must be, that "from a Colonist's point of view the question has been examined, the battle as to the manner in which it affects older countries being left to be fought by those it more immediately concerns."

That a country so highly favoured as New Zealand, in the possession of numerous sources of mineral wealth and natural products, should continue to depend upon foreign or outside sources to supply the major portion of its wants, indicates the existence of a condition of things antagonistic to its prosperity, and that the development of its producing powers, so necessary to increase its wealth, has been comparatively neglected. Its people see this, but fail to understand the cause, and continue unwittingly, by their adherence to the Free Trade policy, in which they have been educated in older countries, to heap impediments in the way of their own advancement. They fail to see that the injunction, "Buy in the cheapest market," can be otherwise than beneficially followed. Satisfied with their present capability of doing so they forget that in a question of political economy, as in other matters, there is a side which is unseen in addition to that which is seen, the selfish and immediate interest of the individual in either case determining the position in which he may view it.

To buy in the cheapest market, if it be an outside one, may, or may not, be wise. It may be wise to do so if the whole of the people of the colony are profitably employed in producing the means of purchasing, and the balance of exchange is in favour of the buyer; but it may not be wise to do so if the means of purchase are, as in New Zealand, in a great measure derived from the accidental introduction of capital incident to the increase of population by means of immigration and the unhealthy resource of borrowing money to be expended in works which present but a doubtful possibility of becoming reproductive. It need hardly require demonstration that these sources of supply must gradually become diminished, and that so much of it as may be from time to time sent out of the country is so much wealth to be lost, as had this money been employed in the production of home manufactures it would necessarily have reproduced itself, and assisted to create a field for the absorption and profitable employment of surplus labour. An apparent loss would then result in a real gain, as the additional cost above imported articles would be compensated for by the distribution of two capitals, and thus doubling the net increase of the country while employing the working capacity of its people. The interest of an individual is not always identical with that of the community; his may be served by neglecting the producing powers of the country. To him it may be beneficial to buy in the cheapest market, but it is evident that in order to enable him to do this the whole country must suffer by the violation of a maxim upon the observance of which its natural prosperity depends. Individual interest should be sacrificed to the public good.

No country can ever become wealthy or great which is not possessed of manufacturing industries, or even hope for permanent prosperity. To encourage by all means in our power, even at the expense of self-sacrifice, the production and manufacture of those articles of home consumption which can be grown or made in the colony, is a duty which a regard for the future imperatively imposes upon us. To enable this to be done successfully requires that a moderate protective tariff should be enforced, which would not only afford to the manufacturer a guarantee that his capital was safely and profitably invested, but give increased facilities for developing the natural resources of the country and adding to its general wealth, as the more a country produces the richer it becomes, and *vice versa*. It was not by means of a Free Trade policy that England accumulated its vast riches, and attained its commercial supremacy, but by encouraging, for centuries, the principles of Protection. The colonizing spirit of her people opened up vast markets for her products, and so far was the principle of Protection carried that it was extended even to her colonies, Lord Chatham remarking of them that "they should not make so much as a nail." Had Free Trade existed a hundred years ago, and been continued to the present time, it is morally certain that England, instead of occupying her present magnificent commercial and wealthy position, would, in consequence of unrestricted competition with countries where labour is more abundant and not less skilled, have occupied a much lower place in the scale of wealthy nations. Fortunately her statesmen were too wise to risk sacrificing the substance by grasping at the shadow, or to yield readily to the specious arguments of men like Adam Smith. It has been reserved to a subsequent generation to carry out the principles he taught; it will be left to another to return to those which were abandoned—its note has already been sounded, and ere long the Free Trade bird will have its pinions clipped.

If Free Trade is universally beneficial, how was it that Ireland did not flourish under it? Previous to the Union her manufactures were protected, and in many districts a contented and thriving population were engaged in working up their native commodities. Thousands of operatives were employed in blanket, carpet, woollen, and other manufactures. By the Act of Union the duties were gradually reduced, as gradually her manufactures decayed, until absolute Free Trade extinguished them, and a few half-starved hand-loom workers are all that remain to indicate that manufactures ever existed. She was prosperous under Protection. She has enjoyed Free Trade with the greatest manufacturing country in the world for over half a century, and it is notorious that she is not now in a very flourishing condition. Her natural resources may again be developed, and although the plants may be nearly withered, the genial waters of Protection will revive them. No stronger instance of the baneful effects of Free Trade can be cited, and the colonists of New Zealand may, with such an example before them, see the necessity of exercising great care before submitting themselves unreservedly to its influence.

Free Trade can scarcely be termed otherwise than an experiment which has been tried and found wanting, and occupies so small a space in the age of the commercial world that we may well ask ourselves whether, in the desire to progress, its followers have not gone beyond the bounds of progression, have turned aside from the direct path to national prosperity, and, enchanted with a delusive mirage, have lost themselves in a maze of uncertainty. Facts are more powerful than theories. It may be argued that, theoretically, Free Trade is the most beneficial policy for a country to pursue. The conclusion may be correctly deduced from the premises; and, if the premises are correct, the conclusion may be true also. The premises to be correct it must be established that nations have reached a high state of prosperity under its fostering influence. But such an assertion would be false, and the conclusion would most assuredly be false also, as not a single instance can be cited in the world's history where any nation or people have prospered through carrying out this line of policy. Nay, the reverse is absolutely the case; nor can we, with the knowledge of this fact before us, ever hope to establish large

manufacturing centres of population with this upas-tree flourishing in our midst and blighting all our efforts. If this is the positive result of Free Trade, how can we reconcile the wisdom of its adoption with the admitted truism, "that no country can be wealthy or prosperous without manufactures?" Here we are placed on the horns of a dilemma. The following syllogisms are submitted for the consideration of Free Traders:—

Free Trade prevents the establishment of manufacturing industries in New Zealand.

No country can be prosperous without manufacturing industries.

Therefore Free Trade prevents New Zealand from becoming prosperous.

Manufactures are essential to the prosperity of New Zealand.

Free Trade prevents the establishment of manufactures in New Zealand.

Therefore New Zealand cannot become prosperous.

A short examination of the relative effects of Free Trade and Protection as affecting this colony may not be uninteresting. We will admit, for the sake of argument, that trade shall be perfectly free—in fact, that there shall be no duties imposed which might be construed to be prohibitive. Possessed of immense natural resources, capable not only of supplying the wants of our present population, but of a vastly increased number, we are unable to utilize them in consequence of our inability to contend successfully against the advantages which other countries possess over us in being able and willing, so long as we can find the means to pay, to supply us with manufactured goods cheaper than we can make them. They have secured this power, not because they were originally endowed with greater facilities than ourselves, but because their markets have been closed against the admission of similar manufactures from other countries. Secure, then, against outside competition, the safe investment of their capital enabled them gradually to increase their operations, and by means of production in immense quantities to secure the ability to manufacture at a minimum price, thus rendering successful competition on our part utterly hopeless, even though the natural advantages we possess may be greater than theirs. Under such conditions the attempt to establish manufacturing industries would become fruitless, as neither within or without could a market be found for our commodities except at a positive loss; they would literally be strangled at their birth.

Our natural advantages are really magnificent, yet these would not enable us to contend with Holland in any one branch of manufacture,—a country raised by the skill and industry of her people from what may not inaptly be termed a vast swamp to a leading position among the commercial and manufacturing nations of the old world. They protected themselves. To "scatter plenty o'er a smiling land" is the work Protection has hitherto performed, and will continue to perform, in all countries sheltered under its benign influence. It enables us to concentrate our energies upon the development of our natural productions, to cultivate the land, and to foster and encourage the manufacture of its products, whether they exist in nature's crudest forms or spring from the industry of the people. The agriculturalist and manufacturer would flourish side by side, a mutual dependence existing between them. The former would till the soil without fear of loss, as he would know that he had a market for his produce literally at his door; while the latter would rejoice in the knowledge that customers were in his immediate vicinity ready to bear away the results of his labour or his skill. A mutual exchange thus ensues, and wealth is created at each end of the exchange; each, as he adds to his stock of wealth, extends the sphere of his operations, the labour of the country becomes absorbed in the ever-widening field for industry, and plenty would surround the homes of all. The sound of the axe would resound through the forest, and its giant denizens fall before the advancing tide of progress. Where all are busy no room would exist in the hive for drones. Under Protection not only would the working classes find abundance of employment, but those whose education fits them for a less rough sphere of action would find ample scope for the exercise of their genius or their powers. Now they must become "waiters on Providence," a brood of young Micawbers watching for the chance of obtaining an office, however mean, under the Government; their intellects, which might have attained a high degree of excellence, becoming weakened almost to senility for want of legitimate exercise. The learned professions literally swarm with aspirants for honours who live in the vain hope of being able to distinguish themselves, but the fields are too crowded with laborers, and they sink into a state of apathetic indifference, their young hopes blighted, and he who it was fondly hoped would become a shining light among his brethren must become a starveling clerk, a hanger-on upon his relations. Justice to the rising generation demands self-sacrifice on our part if we wish to see a race of men succeed us of whom it may be said—"They are as legislators or private citizens an honor to humanity."

Farming, owing to free imports, is, with few exceptions, rendered utterly unprofitable—the legitimate market of the farmer being closed against him. Wool-growing certainly is a profitable occupation, but presents no field for the labor of additional hands, and is limited to a few. This may be termed an extraordinary Protection whose proportions do not require extension but limitation. Wool-growing involves a sparse and scattered population, a state antagonistic to the well-being, and, if without corresponding manufactures, to the settlement of the country. No sooner is the word "Protection" sounded within the hearing of a Free Trader than he immediately shouts—"We cannot tax the poor man's loaf." He does not, or will not, understand that it is the

want of a sufficient Protective duty upon corn and other agricultural products which makes the "poor man" an institution in the country, an institution which comprises within its limits a larger proportion of the food-producing class than any others; nor can we be surprised at this when, in consequence of the non-existence of proper restrictions, they are unable to compete with outside markets. The backbone of a new country is then literally broken. Receiving no support or assistance the agriculturist sinks beneath the burdens unjust and unequal taxation imposes upon him. Protected in the most infinitesimal degree he is compelled to pay heavy duties upon 167 out of 263 articles imported into the country, and which are necessary to his occupation, upon 30 of which duties are levied, ranging from 20 to 400 per cent, upon the imported value. No wonder there are poor men. The wonder is that the country was not one huge nest of paupers. Whether a country has Free Trade or Protection the good of all classes should be equally cared for. If one section fails in its undertakings through unequal privileges, it must of necessity become a burden, directly or indirectly, upon the remainder. It follows, therefore, that if the food-producing classes do not receive direct protection they should at least, in common fairness, have every facility afforded them of carrying on their work with the prospect of reaping the advantages to which their labour would entitle them, and be allowed to receive all imported articles required by them in prosecuting their work upon the payment of an equally infinitesimal import duty. This would be carrying Free Trade to its legitimate issue. This would interfere with the home manufacture of the articles in question. Just so; let Free Trade be equal, or protect both. Justice would not then be as she is now—outraged.

The introduction of the system of giving bonuses has, to a limited extent, been attended with apparently beneficial results, but is objectionable, as the bonus being paid out of the public funds becomes a tax upon the whole community, each member of which has to contribute to the production of a particular article, whether he may use it or not. The equity of this is questionable, and may be illustrated by the following example:—A bonus is given for the manufacture of tobacco: those who do not use it are thus unfairly compelled to contribute towards the production without receiving any benefit from the outlay. Protection, on the other hand, showers its benefits upon consumer and manufacturer alike, without injury to the non-consumer. Under the bonus system the manufacturer must enter into competition with the importer, and to succeed in his undertaking must be able to give to the consumer corresponding value for his money. If he is successful a monopoly is indirectly established, as the bonus, if a large one, enables him to out-distance the unsuccessful competitors. He has received what is equivalent to Protection. They, not being equally fortunate, could not enter into competition with him, as he, without the sacrifice of his original capital, could afford to sell profitably at a price which would involve loss to them. The public would consequently suffer by the transaction, as not only would the bonus under the circumstances be a direct loss, but that healthy competition so necessary to secure the great desideratum—cheapness, the certain result of Protection, would be prevented.

The condition of affairs in New Zealand at the present moment presents to the mind of a stranger the appearance of health and vigour. He sees or knows nothing of the canker that is gnawing at its vitals, and passes on impressed with the idea that it is a perfect Eden of prosperity. He sees a maiden to all appearance as beautiful as a houri; the rose tint of health appears to have found a dwelling in her face. Alas! it is the hectic flush of consumption, the forerunner of an early death, and unless measures are taken to arrest the progress of a disease which in its present stage is not altogether beyond the reach of a cure, speedy dissolution is inevitable. That maiden is New Zealand. A poison has been introduced into her system by the "Great Scheme" of 1870, which is rapidly sapping the foundation of her robust youth. Its only antidote is Protection.

The Public Works scheme carried out by means of borrowed money will in the end prove a curse to the country unless means are taken to provide for the future employment of the people. Its labour is being drawn from the ordinary channels. No care is being taken to ensure its retention when the works cease and the loans become exhausted. Unless this is done the neighbouring Colonies of Australia, and perhaps America, will reap the benefit of the tremendous outlay incident to the introduction of population into the country under the Immigration and Public Works Act. How can we expect to retain them? How anticipate that they will recoup the cost of bringing them here unless by the gradual introduction of manufacturing industries in our midst we prepare a profitable field for their labour and that of their children? If we ask for what purpose these Public Works and Railways are being constructed, we are told—"That it is for the purpose of opening up the country." If this be so we may repeat our question, and ask further for what purpose? Is it to settle an agricultural population upon the land who could not pursue their calling without loss; and if not an agricultural population it cannot be for the purpose of introducing manufacturers, as they could not enter into competition with outside sources of supply. Then if neither of these can in consequence of Free Trade develop the resources of the country, what in Heaven's name is the proposed end of this extravagant expenditure? It may be urged that America opened up her inland territory by means of Railways, and has prospered in consequence; but is there no difference between New Zealand and America. The latter abounds in natural grasses, upon which cattle luxuriate and fatten; while the former has only a very partial and limited supply of very inferior natural grasses. The forests of America are easily cleared, while that of New Zealand is one of the most stubborn and tangled in

the world. America offers her land in many instances free of cost. New Zealand does nothing of the sort. American railways are almost entirely constructed with home-manufactured materials, while we get the most expensive portions of ours from foreign sources; nay, so prodigal are we of our borrowed money, that not content with buying those materials we do not at present produce, we actually send to other countries for railway sleepers, although we have an overabundance of wood better suited for the purpose. America protects all her industries; we protect next to none. There is a slight difference between America and ourselves. She must prosper; we cannot while the existing policy of Free Trade is being pursued.

Our proper course is clear. Let us do as America has done—protect our agriculturalists and manufacturers from outside rivals, and immediately, as there, new and profitable industries would spring up in every part of the land, absorbing the skilled and unskilled labour of the country. Our vast mineral treasures would be uncovered, and our indigenous products would be worked up, and capital and labour united add to the common stock of wealth. Without adopting this course is it possible to imagine that the yearly increasing expenditure in governing the country, and the interest payable upon loans, can be met? No other is open to us unless we intend to fold our hands, and while patiently gazing upon the monuments of our own folly await with passive indifference the coming of inevitable bankruptcy. It is with nations as with individuals, reckless, unchecked, and useless expenditure is certain sooner or later to result in ruin. Let us take warning in time and calmly consider our position. Notwithstanding the decrease in the quantity of imports which would ensue in the initiation and continuation of a gradual Protective policy, a sensible diminution in the revenue would not be a consequential sequence, as a multitude of articles which could not be manufactured in the Colony, many of them coming under the head of luxuries, could be made to bear increased burdens, and thus supply a temporary deficiency. No objection could be reasonably urged to this; all classes of the community being fully and profitably employed no inconvenience would be felt. Now is the opportunity to retrieve past errors and prepare for the time when, as before indicated, a deal of surplus labor will be thrown on our hands. It would be positively criminal to wait until the loans are spent before taking a rightful course, as the people then, being without employment, and unable to obtain means to supply their daily wants, would be compelled to fly to the Government to relieve them in their adversity. But what could the Government do with a beggered exchequer? It might attempt to stave off the evil day by raising another loan at ruinous rates to assist the applicants to another and more favoured land, or by increased taxation levied upon the remaining portion of the population initiate a smaller scheme of Public Works to stop the clamour its folly had raised. Upon whom would this increased taxation fall? The capitalists, the rightful employers of labor, who gradually becoming crippled in their resources, would be compelled to abandon the country. In addition to increased taxation upon luxuries and the superfluities of life yet another means of supplementing the ordinary revenue, if rendered temporarily necessary, would be the imposition of an Income and Property Tax, to which little objection would be raised, as in proportion to the increase of the sum of national wealth by means of manufactures, so would property rise in value, and side by side with increase in value would arise increased ability to pay.

The introduction of labor by means of taxes levied upon the whole community is unjust in principle, and is especially disadvantageous to the working classes already in the country—a reduction in the rate of their wages being the necessary consequence. A low rate of wages it is replied is beneficial, as it enables the capitalists to enter into various manufacturing industries which could not be successfully carried out without its aid or that of protection. The importation of labour at the public cost is in a sense a partial development of Free Trade principles, and is a most forcible example of unequal taxation, labour being taxed to bring further labour into competition with it. It is a palpable injustice to the working classes who formed the bulk of the taxpayers, and are compelled to assist in lowering the rate of wages. It is Free Trade as affecting their interests, but Protection as applied to those of the employers. Such being the case assisted immigration becomes a grievous burden to the bulk of the people, and should be discontinued. The true prosperity of the country would be advanced, not by introducing ordinary labour, of which there is sufficient for present demands, but by offering inducements to men of capital to settle in the country. Not merely moneyed men, but those who in addition to capital possess a skilful acquaintance with various arts and manufactures. Let them clearly understand that they would reap benefits commensurate with their means of working up the products of the country, and an abundance of skilled labour would be attracted to the sphere of their operations. The working classes are not fairly treated in the Colony. They are not only taxed to reduce the rate of wages, but are compelled to enter into unequal competition with importers, who by means of deferred, and in some cases no-payments, exert a despotic influence to crush them in their struggle for existence. They must work or starve, but they cannot resist successfully the destructive effect of imported goods produced by means of unlimited capital and the most perfect machinery in the world. Their profits are reduced to a minimum rate, and were it not that an instinctive desire exists in the minds of a few right thinking people to promote local industries their work, small as it is, would soon leave not a trace to show that it had ever existed. It is our duty to cherish every local industry, be it apparently ever so insignificant. From small beginnings have sprung the proudest monuments of the

manufacturing class, and to such may be traced the most splendid illustrations of the constructive genius of modern times. In a prosperous country the wages of the working classes are high, and when wages are high a sign is given that the workers are protected.

The objections urged by importers that increase of duties in any direction simply means adding to the spending capacity of the Government has unfortunately weight with the thoughtless; and the true intention being misunderstood through misrepresentation, it not unfrequently happens that projects, having for their aim the well-being of the community at large, are rendered abortive through the selfishness of a limited number of individuals.

A Government exists for other purposes than merely levying taxes and disposing of the revenue of the country. It is presumed to conserve and administer the estate of the people with a due regard to its permanent good. As a human institution it may not be perfect; nevertheless, while it possesses the confidence of the majority it must always be presumed that it acts for the public weal. Should it, therefore, deem it desirable to impose duties of a restrictive character such a procedure must be interpreted as having been prompted by prudent considerations. In the event of this course being pursued the prospective advantages of importers becomes necessarily contracted. Free Trade is the palladium of their fortunes, and they may reasonably be expected to desire its continuance in the country whose future concerns them but little. Their opinions then upon the question at issue are consequently susceptible to grave suspicion. They are, however, listened to. Shoddy and sham usurp the place of the substantial and useful which characterise home-made fabrics. Apparent cheapness results in positive dearness, and the substance of the people is frittered away. We cannot succeed without manufactures. The hostility of importers must be met with a determined front by those who desire to see them established. The Government should be asked to appoint a Commission to inquire into and take evidence upon the best means of advancing them, and, while guarding against the creation of monopolies, secure to the country the benefits which a generous rivalry would confer upon it. Let us then endeavour to secure for the colony a measure of those blessings which the history of all wealthy nations has demonstrated to flow from Protection, and keeping constantly in view the maxim, "A nation that manufactures for itself is sure to prosper," create in our midst those industries our position and requirements demand. We then should be independent of the uncertain supplies of foreign markets; capital and labour would assist and be mutually dependent upon each other; activity would prevail in every branch of industry, and the colonists, becoming increasingly removed from the fear of want, and rich in the possession of a magnificent climate, would esteem themselves happy in having made their home in New Zealand.

Appendix.

In the Session of 1871 extra duties were imposed upon the articles enumerated in the following table, and the relative difference of their imported value during the years named may indicate a corresponding effect upon the producing power of the country:—

The increase in the items timber and hops may be accounted for by the extraordinary and sudden demand for the former, and occasioned by the prosecution of public works, and the impossibility of producing the latter in so short a space of time. It is, however, satisfactory to know that hop culture is being largely entered into.

The imports of the colony for the year ending December 31st, 1872, exceed those of the year 1871 by, £1,064,758.

Exports for 1871, £5,282,084; for 1872, £5,190,665, shewing a decrease of £91,419.

Articles which are now produced and manufactured in the colony, principally owing to encouraging duties:—Beer (bottled) pays duty of 35 per cent, upon value imported; beer (in bulk), 40; candles, 11; chicory, 200; confectionery, 20; soap, 9; timber (sawn), 14; laths, 14; posts and rails, 10; palings, 16; shingles, 18; tobacco, 140; cigars, 60.

The following should be free, as they cannot be produced in the colony:—Arrowroot, cocoa, chocolate, coffee, sago, spices, pepper, and tapioca. The total imports for 1871 upon these amounts to £26,795—no very large sum out of the grand total.

During the year 1871 imports to the amount of £795,000 came into the colony free of duty: £1,430,000 at 5 per cent, and under, and £3,044,000 at 11 per cent, and under, or three-fourths of the total imports—the total amounting for 1871 to £4,078,193.

Auckland:

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Victorian Convention, Resolutions, Proceedings, and Documents of the Victorian Convention, Assembled in Melbourne, July 15 to August 6, 1857.

Price Sixpence

Published for the Council of the Convention by J. J. Walsh, 239 Elizabeth Street, Melbourne 1857.

THE COUNCIL of the CONVENTION have thought it well to publish, in the present shape, the Resolutions adopted by the Convention, together with a few papers which were considered of sufficient interest to be entered on the minutes of that Assembly: in order that the members of the several Land and Reform Leagues throughout the colony, associated with the Convention, may have these documents in a convenient form, and without the trouble of searching for them through newspapers.

Contents.

Calling of the Convention.

THE following was the first paper issued suggesting the calling of the Convention. It met with a response of general approbation from all the parties to whom it was addressed:—

230 Elizabeth street Melbourne, 20th June, 1857.

DEAR SIR,—As the danger of the Public Lands being handed over, in perpetuity, to the present occupants is imminent—the Bill for that purpose having passed its second reading—I am requested by the Committee of the VICTORIA LAND LEAGUE respectfully to ask your opinion and advice on the desirableness and practicability of holding, on an early day, in Melbourne, or some central place, a Congregational Assembly of Delegates chosen from every district and town in the colony, to deliberate and determine some plan of united action, by which this impending calamity may be averted, and immediate steps taken to adjust, on a comprehensive, liberal, and equitable basis, the all-important question of the Land, both as it regards the miner, the agriculturist, and the squatter.

I beg to assure you that any suggestions you may kindly offer will be duly appreciated and acknowledged by the Committee of the League. An early answer will oblige.

I have the honor to be, dear sir, your most obedient servant,

To——.

J. J. Walsh, Hon. Sec.

The following requisition was afterwards published in the public papers:—

Convention of Delegates.

The various districts and towns throughout Victoria are respectfully invited to elect Delegates to meet in Congress, in Melbourne, on 15th July, to deliberate and determine a plan of united action, by which the Land Bill now before the Legislature may be defeated; and steps taken to adjust, on a broad, liberal, and equitable basis, the all-important question of the Public Lands, as regards the miner, the agriculturist, and the squatter.

By order of the Committee of the Victoria Land League,

Melbourne,

22nd June, 1857.

J. J. Walsh, Hon. Sec.

Several letters having been received making inquiries, among other matters, as to the principles on which the Convention was expected to assemble, and whether it was to be considered as adhering to the views of the Land League, the following circular was forwarded in reply to the letters, and sent generally to all parties to whom the first circular had been addressed:—

239 Elizabeth street Melbourne, 1st July, 1857.

DEAR SIR,—By desire of the Committee of the Land League, I have the honor to acquaint you that Wednesday, the 15th of July, has been fixed for the Delegates to meet in Convention in Melbourne; the place of

meeting to be the Long Room of Keeley's Australasian Hotel, Lonsdale street; the hour, 6 o'clock p.m.

I beg to draw your particular attention to the necessity of having your district adequately re-presented on this occasion: and, with that view, I would most respectfully ask you to exert your influence in getting the people together with as little delay as possible, and urging the necessity of immediate action.

The Committee decline to assign any number of Delegates to any town or district; they prefer to leave this to the judgment and discretion of the residents themselves. It would, however, be exceedingly desirable that as influential a body as possible be deputed to join in the Convention.

We have received several letters inquiring whether the Conference is to be considered as connected with and adhering to the Land League. We beg to say that we do not consider that any Delegate who attends the meeting is bound to any principles, but to represent the opinions and sympathies of his district. The object of the meeting is to gather and concentrate the opinion of the country; to defeat the present Land Bill; and to originate such a scheme as will be acceptable to the people and may fitly embody the future land policy of the colony.

At the same time we wish respectfully to impress upon you that the country has already suffered deeply from vague ideas; and that the use of mere general expressions has opened wide the gate to political falsehood and betrayal. All our present members have been returned on the promise of a "liberal and comprehensive" land policy. We submit that what we now want is an "explicit and intelligible" policy, and that the members of the present Convention should be sent forward on principles sufficiently definite to shape a well-defined and decided scheme that the country shall demand as one man.

There are certain leading principles that will be brought for discussion before the Convention. They are already more or less familiar to the public mind. The Committee hope that they will be tested, and made the subject of discussion in the several districts, and that the delegates will come prepared to represent the opinion of the districts upon them. We beg to suggest the following principles for consideration:—

AS REGARDS THE AGRICULTURAL SETTLEMENT OF THE COLONY we beg leave to submit—

- That the actual cultivator should be allowed to select for himself, to the extent of a moderate-sized farm, the lands best suited to his purpose, wherever they may be found un-alienated in the colony. We recognise the fact that some lands in the neighborhood of towns and settlements have already been so long withheld from sale that they have acquired an exceptional value, and will need to be specially dealt with; but for the general lands of the country, we submit that it is equally opposed to the interests of the individual and the interests of the State that the industry of the people should be directed to inferior lands while superior lands remain unfilled.
- We submit that the actual cultivator should be enabled to enter upon his land the moment he has selected it, at a known uniform price, without auction. We submit that the auction system should be retained merely as a means of determining a preference when capitalist competes with capitalist.

AS REGARDS THE UNALIENATED GRASS LANDS OF THE COLONY, we Submit—

That these should not be subject to any exclusive occupation. We submit that the best use that can be made of them, for the benefit of all, is to have them open to all, as the gold fields are.

We hope that this latter point will engage the especial attention of the Delegates. This Committee begs respectfully to state that they are unanimously of opinion that there can be no effective land reform as long as the unalienated lands are the subject of any EXCLUSIVE OCCUPATION for pastoral purposes.

We believe that the opinion of the country is unanimous that the present system of squatting should not be permitted to endure. But ANOTHER QUESTION will be submitted to the Convention;—it is this: Ought another system of squatting be permitted to take its place that shall differ from it only in this, that the runs shall be let by auction, and the number of the runs be increased by breaking up some of the present larger ones. The doctrine begins to be mooted that this should form part of a liberal land scheme. The Convention will have to pronounce upon this question. We submit it respectfully now as the opinion of this Committee, that this suggestion should RECEIVE NO COUNTENANCE from the people; that to exchange 700 squatters, with runs averaging 60,000 acres each, for 4000 squatters, with runs averaging 10,000 acres each, would be to make our last state worse than our first. If an army of occupation, 700 strong, has been found difficult to dislodge, we submit that the country would have little chance in attempting to cope with an army 4000 strong.

As grass lands merely, we submit that the country should no more run out its grass fields than its gold fields. But the unalienated Crown lands are more than mere grass fields; they are the fields for the future settlement of a population. Unless these lands REMAIN OPEN for the choice of the settler as long as they are unalienated, there can be NO FREE SETTLEMENT. If an exclusive grazing occupation is permitted to precede settlement, then the public must stand outside the fence, as now, until it is the pleasure of the Government Board, dominated as it will be by squatter influence, from time to time to go in and cut them a slice.

It is said that a large revenue could be realised by letting the runs by auction; but we submit that this should form no consideration to induce the people of the colony to perpetuate squatting in this shape. In this

respect there is no parallelism between an individual proprietor and a State. An individual can make a revenue from his lands only by letting them; a State makes revenue out of its lands by settling them. If settlement is discouraged, every pound of RENT gained is several pounds of REVENUE lost: to a State, therefore, rent should not constitute even a temptation to thus obstructing the industry of its citizens.

We have dwelt thus long upon this idea—the introducing a new race of squatters by letting the unalienated Crown Lands by auction—because we believe it to be a coming danger, and one that ought to be forestalled by the Convention.

We do not pretend to enumerate all the subjects that are likely to be brought for discussion before the Convention, but we have been anxious to bring these leading topics early to your notice, that you might afford us the advantage of having them discussed in your neighborhood, and that your Delegates might come prepared to speak with confidence the opinion of the district they represent.

We ask, then, your particular attention to these points:—

- *Free selection for the actual settler at one uniform price, without auction.*
- *All unalienated Crown Lauds to constitute an open country of pasturage, free to the people.*
- *No new pastoral tenancies to be created when the lands are resumed from the present tenants.*

The further topics of PRE-EMPTIVE RIGHT, UPSET PRICE, TAXATION OF ALL PURCHASED LAND, &c., &c., we cannot touch within the compass of a circular.

*I have the honor to be, dear Sir, your obedient servant,
J. J. Walsh, Hon. Sec.*

Meeting of the Convention.

On the evening of the 15th of July, accordingly, a large number of Delegates, who had been appointed at public meetings in various districts of the colony, assembled in the Long Room of Keely's Parliamentary Hotel, Melbourne. On this, first evening, sixty-seven Delegates were present. This number was within a few days increased to eighty-eight. The following are the names of the eighty-eight who ultimately assembled, and the places which they represented:

Names of Delegates.

- BALLAARAT—Alfred Arthur O'Connor, Member of Local Court
- John Yates, Do.
- Duncan Gillies Do.
- John Cathie
- BENDIGO—Robert Benson
- G. E. Thomson
- BEECHWORTH—R. F. Smyth, Member Local Court
- BACCHUS MARSH—James Watt Henry James
- James Crooke
- BRIGHTON—J. H. Thompson
- John Houston
- CASTLEMAINE—Michael Prendergast, Chairman of Municipal Council
- Dr. Davies
- William Hitchcock, Member of Municipal Council
- COLLINWOOD—James Galloway J. R. Gibson
- James Cattach
- James Thomson Macminn Henry D. Riley
- John Harrison
- Pierce Joseph Murphy
- John Westhorpe
- COLAC—Joseph S. Miskin
- CARISBROOK—L. Laskie
- —Richardson
- DUNOLLY—W. H. Wingfield, Member of Local Court
- Francis Quinlan

- EMERALD HILL—William H. Short
- Robt. Mills
- Allan Leitch
- FRYER'S CREEK—Samuel Scotson, Member of Local Court
- GEELONG—Thos. Whinam
- William Clarson
- Theodore Hancock, Member of the Legislative Assembly.
- George Craib
- Henry Fyfe GISBORNE—J. Morris
- HEATHCOTE—James R. Sloane, Member of the Local Court
- HEIDLEBERG—D. A. McGregor, M.D.
- Robt. Pridham
- KYNETON—Archibald Chisholm
- Benjamin Kenworthy
- MELBOURNE—John Hood, Member of the Legislative Council
- Thomas Loader
- C. J. Don
- Wilson Gray, Barrister-at-Law
- J. J. Walsh
- Sir George Stephen, Barrister-at-Law
- Benjamin H. Dods
- Michael Keeley, City Councillor
- Peter Sherwin
- James Warman
- Henry Hayden
- John Patterson
- James Doyle
- Stephen Donovan, City Councillor
- NORTH MELBOURNE—Frederick Calvert
- William Richardson
- Robert Hayes
- Francis Strickland
- William Schultze
- MOUNT BLACKWOOD—Frederick H. James, Member of Local Court
- J. B. Garland
- NINE-MILE, OVENS—George W. Kennedy
- PRAHRAN—J. B. Crews, Member of the Municipal Council
- William J. O'Hea
- George M'Kay, L.L.D., Barrister-at-Law
- RICHMOND—Christopher Cutter
- G. H. Batten
- Henry Johnson, Member of the Municipal Council
- Philip Johnson, Do.
- ST. KILDA—F. Spicer, Member of the Municipal Council
- A. E. Sutherland, Member of the Municipal Council
- F. Quain
- —Woolcott
- T. Hales, Member of the Municipal Council
- SEYMOUR—Peter Tiernan
- SOUTH BOURKE—Robert Hepburn
- T. Brooke
- H. Johnston
- SEBASTOPOL Thomas Mooney
- TARRANGOWER—John Ramsay, Member of the Local Court
- Thomas Gainford, Do.
- TEMPLESTOWE—William Malcolm
- WILLIAMSTOWN—M. Verdon, Chairman of Municipal Council
- William Whyte

- WOOLSHED, OVENS—John Strickland
- WANGARATTA—Henry Parfitt

On this first evening, Thomas Loader, Esq., as Chairman of the Committee of the Land League, the body which had been instrumental in calling the assembly together, took the Chair as preliminary to the inauguration of the Convention

The CHAIRMAN said that the meeting, for the present, would be considered as a Committee of the Land League. As Chairman of that Committee, he would lay before it a short report. The Committee would then disappear, and leave the Convention to organise itself, and shape its own proceedings.

The Chairman then read the following report:—

To the Delegates appointed by the several districts of Victoria to assemble in Couvention at Melbourne, on the 15th July, 1857.

GENTLEMEN,—The present Convention has been specially called into existence by the following advertisement and circular letter issued by direction of the Central Committee of the Victoria Land League.

[The circular and advertisement will be found above.]

The Committee of the Land League rejoice in their pleasant duty of receiving you upon this occasion, and unite in offering to you, Gentlemen Delegates, a hearty welcome to the city of Mel-bourne; and, further, respectfully tender their great admiration and satisfaction at the noble, unanimous, and energetic manner in which your several districts responded to the call from the Land League; and to you, Gentlemen, in particular, for your patriotic conduct in placing yourselves so punctually in personal communication with the League.

The Committee will furnish you with a short report of their past proceedings, preparatory to committing to your consideration the vast interests of the people in the public lands of Victoria.

The Land League, during the past eight months, has been acting within the immediate reach of a very large proportion of the population of the colony; and having communicated with, and endeavored to ascertain, as far as possible, the views of that population, the Committee have taken the liberty of inviting the several districts of the colony to send Delegates to Melbourne, in order that the judgment of the country might be pronounced upon the Land Bill which is now before the House of Assembly; and, also, that the opinions of the country might be collected, for the purpose of framing the outline of a Bill which would embody the experience and desires, and satisfy the rightful expectations, of the colonists in general.

The Committee, without presuming to do more than suggest, respectfully solicit the attention of the Convention to the principles which are advocated by the Victoria Land League.

The Committee, in conclusion, would suggest that the Convention should at once petition the House of Assembly to stay the further progress of the Land Bill now before the House, until the people are fairly represented in the Assembly.

Wishing you, Gentlemen, every success in your noble and most important mission,

*We have the honor to remain, &c.,
Thomas Loader, Chairman.*

One of the Delegates inquired whether it was understood that the Delegates came pledged to the principles of the Land League.

The CHAIRMAN said the Delegates came pledged to no principles, save as they might have pledged themselves to the districts from which they were delegated. He would now vacate the Chair, and this would become a meeting of the Convention.

Mr. WILLIAM HENRY WINGFIELD, one of the Delegates from Dunolly, was then called to the Chair, and the Convention was declared opened.

Mr. J. J. WALSH was appointed Secretary *pro tem*.

At this meeting the Convention organised itself in the following manner. It was resolved that it should meet in Committee of the whole every forenoon, at eleven o'clock, when all the business, to be afterwards presented to the Convention in its evening session, should be prepared: and, that the Convention should meet in session at seven o'clock each evening, to discuss and decide upon this business in full Convention.

Before the Convention separated this evening, the following resolution was submitted by Sir GEORGE STEPHEN, and unanimously adopted:—

That this meeting of Delegates represent the opinion of an immense majority of the inhabitants of the colony, and that such opinion is, that the Land Bill now before the House of Assembly is, in every respect, adverse to the best interests of the colony, and is so erroneous in principle that it is incapable of any

amendment, so as to satisfy the just expectation of the colony; and, therefore, it must be at once and for ever abandoned.

On the next forenoon, Thursday, the Convention, at its meeting in Committee of the whole, elected the following gentlemen, whose names should be submitted to the full session to be officers of the Convention: Wilson Gray, Esq., as President; Sir George Stephen, and Michael Prendergast, Esq., as Vice-Presidents; Thomas Loader, Esq., and Michael Keeley, Esq., as Treasurers; and J. J. Walsh, Esq., as Honorary Secretary. These names were subsequently approved of by the full Convention.

It was also determined that the business of the first two evenings should be to call upon all the Delegates to express the opinion of their respective districts on the subject of the Land Bill then before Parliament—and the principles proper to be embodied in such a bill as would meet the wants and wishes of the people of the colony. And it was resolved, that the Convention should afterwards adopt a series of resolutions in accordance with the opinions then expressed, and embodying the principles on which a land law suited to the colony should be framed.

Opinions of the Districts.

Two evenings were accordingly spent in receiving the opinions of the Delegates.

Some of the Delegates came entrusted with resolutions expressing the views of their districts. A few of these will indicate the opinions which predominated in these districts. The Delegates from Ballaarat presented the following credentials:—

To all whom it May Concern.

- *The people of Ballaarat, in public meeting assembled, at the Victoria Theatae, on Saturday, the eleventh day of July, in the year of our Lord, one thousand eight hundred and fifty-seven, agreed to the following resolutions:—*
- *RESOLVED—That the Victorian Crown lands are the property of the people, and that in order to secure the peace and future prosperity of the country, the following principles should form the basis of future legislation:—*
- *1st. That the actual cultivator should be allowed to select for himself a moderate-sized farm, 300 acres being the maximum, at the uniform price of one pound per acre, without auction.*
- *2nd. That the actual cultivator should be enabled to enter upon his farm on payment of a deposit of ten per cent, on the purchase-money, the payment of the balance to extend over a period of five years—10 per cent, the first year, and 20 per cent, the second, and each succeeding year, till the amount of the purchase-money is paid up.*
- *3rd. That all lands in existing towns and their neighborhood which have obtained an exceptionable value should be specially dealt with, and not subject to the above conditions.*
- *4th. That all unalienated Crown lands should constitute an open country for pasturage, free to the people, and that the present system of squatting is unjust in principle, oppressive in practice, and opposed to the progress of the colony.*
- *5th. That, in the opinion of this meeting, it is the duty of the Government to resume the Crown lands of the country from the pastoral tenants, and that, in no case, should any new tenancies be created when these lands are resumed.*
- *6th. That all the gold fields of the colony, as well as all the known auriferous lands in their neighborhood, should be reserved from sale.*
- *AND FURTHER—*
- *That four Delegates be sent to attend the Melbourne Conference, and that a subscription be at once opened to defray the expenses of the delegation.*
- *That the resolutions passed at this meeting be signed by the Chairman, and submitted to the Delegates for their guidance at the Melbourne Conference, to be held on the 15th instant.*
- *And I hereby certify, that—*
JOHN YATES, Member of the Local Court of Ballaarat,
ALFRED ARTHUR O'CONNOR, Member of the Local Court of Ballaarat,
DUNCAN GILLIES, Member of the Local Court of Ballaarat, and
JOHN CATHIE, Merchant of Ballaarat,

Are declared by me to be duly elected as Delegates to represent Ballaarat at the National Congress to be held at Melbourne.

JOSEPH HENRY DUNNE, *Chairman of the Meeting, Ballaarat.*

Dated this 11th day of July, in the year of our Lord one thousand eight hundred and fifty-seven.

Mr. Strickland, from the Ovens, presented the following resolutions, adopted in his district:—

- That it is the opinion of this meeting that a bill for facilitating the selecting and settlement of the public lands should be passed as quickly as possible, but that they are of opinion that the proposed bill of the Government would be injurious to the interests of a large majority of the community, and will retard the progress of the colony.
- That it is the opinion of this meeting, that, should the Government adopt the unwise policy of forcing these objectionable bills upon the country, it will be utterly impossible to carry them into operation, from their injurious tendency, and the general spirit of opposition manifested to them on the gold-fields.
- That this meeting is of opinion that our delegate shall represent to the Melbourne Convention that 10s. per acre should be fixed as the upset price for all unalienated land. That the land should be open to free selection, at the upset price. Should any dispute arise as to who is the first occupant, it should be settled by four assessors. That the present system of squatting should be entirely Abolished, and all unalienated lands should be open to all.

That the unalienated Crown Lands of the colony be open to the public for purchase by selection. That the cost price of agricultural land so selected shall not exceed 10s. per acre, payable in two instalments; fifty per cent, on occupation, the balance in three years.

That the maximum area that can be settled by any one person shall be 640 acres, but whatever the quantity, the water frontage shall in no case exceed the depth.

Mr. Mooney, of Sebastopol, presented, from that district, a document, from which the following is an extract:—

As respects the public lands, the condition upon which actual cultivating occupiers shall have portions of the public domain, we submit for consideration as follows:—

Farms of 160 acres up to 320 acres, the most that any one person can hold in his own right.

The farms to be open to selection; price ten shillings an acre: five shillings per acre cash on taking possession, the remaining five shillings to be paid at the end of three years. When any fraud is practised by persons holding more land, in contravention of this law, such lands may be "jumped," that is, taken possession of by the first person detecting the fraud. All lands, when sold, to bear a public tax per acre towards the public revenue, and especially towards public roads and schools. The unsold portion of the public domain to be considered a common, open to all, but a suitable tax to be levied yearly per head upon all grazing stock of every kind found on the public domain, whether they belong to squatter, miner, merchant, or fanner. New townships to be suffered to gather and grow by the presence and necessities of immigrants. All mines and minerals of every kind to be reserved in all sales for the benefit of the whole people, to whom, in common, they belong. The right to mine upon property already purchased to be fully recognised.

To extract from the speeches delivered by Delegates would exceed the space of this paper. They were generally in accordance with the views expressed in the above documents. The condemnation of the present land bill was universal.

Having elicited the opinions of the Delegates, the Convention proceeded to frame resolutions which would embody the general views that had been expressed, and which would receive the assent of the Delegates, and of the districts they represented.

Cotemporaneously with this business, the Convention arranged an interview with the Chief Secretary, Mr. Haines, and with the minority who were opposed to the Land Bill in the House of Assembly, memorialised the House of Assembly, and adopted a protest against the bill.

Resolutions Finally Adopted as the Basis of a Land Bill Likely to Satisfy the Country.

The following were the resolutions which, after much careful and anxious consideration, and after discussion protracted through several evenings, were ultimately adopted by the Convention, as embodying the principles on which a bill that would satisfy the wants and wishes of the country should be based. These resolutions were submitted for discussion one by one; and, in many instances, each resolution was divided into several propositions, and these propositions separately considered, debated, and voted on.

1st Resolution—That all exclusive occupation of unalienated Crown lands for pastoral purposes should cease, and such lands should be open as free pasturage for the public.

2nd Resolution—That every adult person in the colony should have a right to select a claim of land not

exceeding—acres, at a uniform price, without auction; such right of selection to extend over all the unalienated lands of the colony, surveyed or unsurveyed: this right, however, to be subject to the following conditions and qualifications:—

- *condition—Substantial occupation.*
- *condition—Payment of ten per cent, of the purchase-money on entering into occupation. The time of paying the subsequent instalments left an open question, to be determined at a future time.*
- *condition—All persons taking up their claims beyond the State survey, to take them subject to having the boundaries of such claims adjusted to the boundaries of the lots as afterwards run by the survey.*
- *condition—Certain lands that have been long withheld from sale, lying in the neighborhood of settlements, and which have thus acquired an exceptional value, to be exempt from this right of selection, and to be specially dealt with.*
- *condition—All the gold-fields of the colony, as well as all auriferous land in their neighborhood, to be exempt from such selection: the Crown, in disposing of all waste lands, whether by selection or other mode of sale, to reserve all gold and minerals in such lands, retaining the right to resume such lands, and to permit mining upon them under certain regulations.*
- *condition—All waters and water frontages with convenient rights-of-way thereto, to be reserved from selection, as more generally provided for in resolution No. 3, hereafter following.*
- *condition—Price: The amount of the uniform price to be hereafter fixed, but not to exceed .£1 per acre. Opinions in the Convention varied between 10s. and £1.*

The Convention recognised that a question will arise hereafter as to the restriction of this right, as well as the general right of purchasing land, to races of certain extraction, but they consider the question to be one of detail, on which it is not now necessary for them to adopt any resolution.

The Convention decided by a considerable majority that the number of acres be, for the present, left blank in the above resolution, leaving the number to future opinion to determine; but they also directed it to be made public, that opinion in the Convention ranged from a maximum of 160 to a maximum of 320—preponderating in favor of 320.

3rd resolution—That in all sales of land the Government should reserve all waters and water frontages, with rights-of-way leading thereto at convenient intervals, as easements for the public.

4th resolution—That all lands alienated from the Crown, whether cultivated or uncultivated, should be subjected to equal taxation for municipal and local purposes; and that uncultivated lands should be further subjected to a special State tax.

5th resolution—That, in surveying the lands of the colony, all discretion and all possible favoritism by surveyors, as to the size and boundaries of lots, be excluded, by making all lots of one uniform size, and running the boundaries by right lines.

PURCHASERS FOR MONEY MERELY, WITHOUT CONDITION OF CULTIVATION OR OCCUPANCY.

Resolved—That while this Convention recommends that the actual cultivator be invested with the special rights set forth in the foregoing resolutions, they are of opinion that persons who may find it inconvenient or impossible to proceed to cultivate at once should not, therefore, be wholly debarred from purchasing from the State; but they are of opinion that this right of purchase should be controlled by such reasonable regulations as may discourage monopoly without shackling enterprise or obstructing fair investment.

Resolved—That this Convention will not at present attempt to define the exact restrictions by which such purchasers should be controlled; but, holding in view that practical legislation on this subject must still be at least some months distant, they will only suggest certain general principles on which they think those restrictions might be based, leaving the closer definition of them to the result of public discussion and the further ripening of opinion.

Resolved—That, as principles likely to be effective in framing such restrictions, they suggest—

- *That the purchaser for money merely, should not, like the actual cultivator, have access to all the lands of the colony, but only to lands brought into market district by district, as the course of previous settlement by the free selection of actual cultivators advances and thus indicates the districts suitable to be brought in.*
- *That such purchasers be permitted to buy for ready money only.*
- *That, as provided in a foregoing resolution, No. 4, purchased lands remaining uncultivated be subject to a special State taxation.*
- *That, as provided for in a foregoing resolution, No. 5, no discretion or possibility of favoritism be left to surveyors in determining the size or boundaries of lots, but that all lots be surveyed by right lines and made of uniform size, such size as may be considered the unit of a reasonably small farm, so that purchasers for money merely, if desirous of having larger tracts of land, shall not, as hitherto, be protected from general competition, but shall encounter, lot by lot, the competition of the small*

purchaser, besides being preceded by the free selector.

Discussions and Divisions on the Foregoing Resolutions

As the best means of indicating the opinions prevailing in the Convention, and the degree of unanimity which existed as to the several principles embodied in these resolutions, some of the principal divisions that took place are here recorded.

On Tuesday evening, July 21st, (Fifth day)—the first resolution was discussed:—

That all exclusive occupation of unalienated Crown Lands for pastoral purposes should cease, and such lands should be open as free pasturage for the public.

After a lengthened discussion, or rather a lengthened expression of opinion, for opinion proved to be nearly unanimous,

The following was the Division List:—

AYES, 52.—*Ballaarat—Messrs. O'Connor, Cathie, Yates. Bendigo—Messrs. Benson, Thompson. Brighton—Messrs. Houston, Thomson. Bacchus Marsh—Mr. James. Colac—Mr. Miskin. Collingwood—Messrs. Galloway, Gibson, Cattach. M'Minn, Riley, Murphy, Capt. Harrison. Caris-brooke—Messrs. Laskie, Richardson. Dunolly—Messrs. Quinlan, Wingfield. Emerald Hill—Messrs. Short, Leitch. Geelong—Messrs. Whinam, Clarson. Kyneton—Mr. Kenworthy. Mount Blackwood—Messrs. James, Garland. Melbourne—Messrs. Don, J. J. Walsh, Dodds, Sherwiu, Warman, Hayden, Patterson. North Melbourne—Messrs. Calvert, Richardson, Hayes, Strickland, Schultz. Ovens—Messrs. Strickland, Smith, Mooney. Prahran—Messrs. Crews, O'Hea. Richmond—Messrs. Batten, Cutter, Philip Johnson. Seymour—Mr. Tiernan. South Bourke—Messrs. Johnson, Brooke. Tarrengower—Messrs. Ramsay, Gainsford.*

Noes, 1.—*Richmond—Councillor Henry Johnson.*

The second resolution, which embodied several principles was divided into separate propositions for convenience of discussion. The resolution stands as follows:—

2nd resolution—That every adult person in the colony should have a right to select a claim of land not exceeding—acres, at a uniform price, without auction; such right of selection to extend over all the unalienated lands of the colony, surveyed or unsurveyed: this right, however, to be subject to certain conditions and qualifications mentioned in pp. 6, 7.

The first proposition submitted to discussion, was a resolution to the effect:—

That every adult person should have a right to select a claim of land not exceeding—acres, at a uniform price, without auction.

This discussion was taken on Wednesday evening, July 22nd. (Sixth day.)

Mr. HEPBURN, of South Bourke, moved the following amendment:—

That inasmuch as the unsold lands of the colony are the property of the people of Great Britain, as well as the inhabitants of the colony, it would be both impolitic and highly injudicious to dispose of the public lands, otherwise than at a fair valuation, to be fixed upon by valuers, or by auction.

Mr. JOHNSON, of South Bourke, seconded this amendment.

After a very full expression of opinion there appeared at the close of the evening, For the amendment:

2.—*Messrs. Hepburn, South Bourke; T. Johnson, South Bourke.*

For the original resolution:

52.—*Messrs. Benson, Bendigo; Chisholm, Kyneton; Kennedy, "Nine-Mile," Ovens; John Strickland, Woolshed; Ramsay, Tarrengower; Watt, Bacchus Marsh; Sloane, Heathcote; Dods, Melbourne; Clarson, Geelong; Sherwin, Melbourne; Smythe, Ovens; Doyle, Melbourne; Malcolm, Templestowe; Hayden, Melbourne; Tiernan, Seymour; F. Strickland, North Melbourne; Garland, Mount Blackwood; Cutter, Richmond; Patterson, Melbourne; Don, Melbourne; Gainford, Tarrengower; O'Hea, Prahran; Hayes, Parkside; Mooney, Sebastopol; Walsh, Melbourne; Warman, Melbourne; Gibson, Collingwood; M'Minn, Collingwood; Houston, Brighton; Thomson, Brighton; Richardson, North Melbourne; Calvert, North Melbourne; Cattach, Collingwood; Galloway, Collingwood; Riley, Collingwood; Quinlan, Dunolly; Murphy, Collingwood; James, Mount Blackwood; Cathie, Ballaarat; Scotson, Fryer's Creek; P. Johnson, Richmond; Wingfield, Dunolly; Yates, Ballaarat; C. W. Thompson, Sandhurst; Leith, Emerald Hill; Crews, Prahran; Short, Emerald Hill; Keeley, Melbourne; O'Connor, Ballaarat; Batten, Richmond; Whinnam, Geelong; and Kenworthy, Kyneton.*

The next proposition submitted for discussion was a resolution to the effect that the right of free selection to be exercised by the actual cultivator should not be confined within the surveys, but should extend overall

unalienated lands, surveyed or unsurveyed. This proposition produced a longer debate than any other that came before the Convention. It was debated for two nights. It also developed, when first submitted, more difference of views than any other question that was debated. On the first night of its discussion an amendment was submitted "that the right should be confined to surveyed lands." On that night a division took place on the amendment. It obtained the support of a minority of 12. It was negatived by a majority of 32. The division list was as follows:—

For the amendment—

Ayes, 12.—Messrs. Cattach, Collingwood; Patterson, Melbourne; Leitch, Emerald Hill; Short, Emerald Hill; Benson, Bendigo; Scotson, Fryer's Creek; Smyth, Beechworth; John Strickland, Woolshed; Whinhan, Geelong; Tiernan, Seymour; Donovan, Melbourne; Sloane, Heathcote.

Against it—

Noes, 31.—Messrs. Warman, Melbourne; Hitchcock, Castlemaine; Dr. M'Kay, Prahran; Gibson, Collingwood; Garland, Mount Blackwood; Ramsay, Tarrengower; M'Minn, Collingwood; J. W. Thomson, Brighton; O'Connor, Ballarat; James, Mount Blackwood; Cutter, Richmond; Murphy, Collingwood; Houston, Brighton; Quinlan, Dunolly; Dods, Melbourne; Walsh, Melbourne; Clarson, Geelong; Wingfield, Dunolly; Mooney, Sebastopol, Ovens; Schultz, North Melbourne; Gainford, Tarrengower; Hayes, North Melbourne; Keeley, Melbourne; Batten, Richmond; Harrison, Collingwood; F. Strickland, North Melbourne; Malcolm, Ballan and Templestowe; Sherwin, Melbourne; O'Hea, Prahran; Calvert, North Melbourne; Hayden, Melbourne.

On the next evening the discussion was continued on the original motion, the result of which was that the original motion was adopted without any division, in a larger house than had been in attendance on the previous night, the result of the protracted discussion being to bring the Convention nearly to unanimity.

On this night some papers were read illustrative of the question under discussion, which the Council directed to be inserted on its minutes, and which are thought sufficiently interesting to be recorded in this brief account of the resolutions adopted by the Convention.

The following extract was read from Gibbon Wakefield's book on colonisation. The delegate who read it explained that Gibbon Wakefield had laid down several valuable principles in relation to that sort of colonisation for which he (Mr. Wakefield) wrote—a class-colonisation for the benefit of capitalists. Many of these principles were equally good for the colonisation of the people. Wakefield strenuously advocated a system of a perfectly free selection for his colonists, uncontrolled by officials, and therefore necessarily unconfined by surveys. The extract read was as follows:—

Free Selection. (Extract from Gibbon Wakefield.)

*There is no business more entirely a man's own business than that of a settler picking new land for his own purpose; and the truism of our time, that in matters of private business the parties interested are sure to judge better than any Government can judge for them, is an error, if the best of Governments could determine, as well as the settler himself, the quality and position of land the most suitable to his objects. He is deeply interested in making the best possible choice. He alone can know precisely what the objects are for which he wants the land. The Government choosing for him, either a particular lot of land, or the district in which he should be allowed to choose for himself, would have no private interest in choosing well; and the private interest of the officials employed by the Government would be to save themselves trouble by choosing carelessly. In most cases they would be utterly ignorant of the purposes for which new land was in demand. Their highest object as officials (except in those rare instances where love of duty is as strong a motive as self-interest) would be to perform their duty so as to avoid reproach; and this motive is notoriously weak in comparison with self-interest. But, indeed, they could not by any means avoid reproach. For supposing (though hut for argument's sake) that the surveyor-general of a colony, in marking out districts to be opened to purchasers, made an absolutely perfect selection with a view to the purchasers' interest, the intending purchasers would not think so. Every man is fond of his own judgment, especially in matters which deeply concern himself. If the Government said to intending purchasers—"Take your land hereabouts," they would reply, "No, we wish to take it thereabouts:" they would reproach the Surveyor-General with having opened a bad district to settlers, and left a good one closed against them. Again, even if any were not dissatisfied at the moment of taking their land, it is certain that if they failed as settlers, and from whatever cause, they would lay the blame of their failure upon the Government, complaining that, if they had been allowed to take land where they liked best, their undertaking would undoubtedly have prospered. For all these reasons (and more might be urged), I would if possible open the whole of the waste land of a colony to intending purchasers; and I hereby declare, that as perfect a liberty of choice for settlers, as the nature of things in each case would allow, is an essential condition of the well-working of the sufficient price. * * * * **

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*The Colonial Secretary, or the Private Secretary, thinks that in such a settlement the colonists ought to be "discouraged" from spreading to the east or west, because it will be more for their advantage to spread northward or southward. So individual judgment is controlled, and colonisation forcibly diverted from its natural course, by a great "reserve" in the "improper" direction. The officials of the Land Office have friends—or, perhaps, secret partners, who would like to acquire this or that spot by purchase, but not at present: either their funds are not ready, or they would like to keep their money for use at colonial interest, till the spread of colonisation beyond the coveted spot shall have given it a position value, when, by means of the rogueries of the auction system, or some other mode of benefitting by official favor, they hope to get it for less than its value; so it is "reserved" for their convenience and profit. * * * * **

According to the whole plan of colonisation which I am developing, there would indeed be no liberty of appropriation for the dogs, small or great; but there would be absolute liberty for the cows, and because all the dogs would be effectually kept out of the manger.

The same delegate read, in support of the same principle of selection unconfined by surveys, an extract from a paper of Mr. Westgarth, read by that gentleman before the Chamber of Commerce, Melbourne, in January of this year (1857). The extract from Mr. Westgarth's paper was as follows:—

Free Selection. (Extract from Mr. Westgarth.)

What we require is a higher step in settlement, and a more productive use of the lands. It is to these steps, and these higher uses, that the squatting must at once give way, and be dealt with in effect as if it had no existence. Our great error in the past has arisen from the great power of the squatting interest in practically defeating this view, and even raising up an argument to question the necessity for further land sales. If every enterprise of society depended, as a preliminary, on a successful argument, with others than those interested as to its prospects, our enterprises would, I fear, be very few and far between. Allowing every man to make his own calculations for himself, let him also have free scope to carry out his plans. If a man finds a spot that will suit his views, and he desires to settle upon and cultivate it, let him have the power to do so at once, even although the squatter he is displacing, and the whole world beside, are entirely convinced that he has only ruin before him.

And now, as to the condition of our country for the purpose, let us first examine the state of the surveys. The total quantity of land yet sold is 2,200,000 acres. The quantity open for selection is 140,000 acres; besides which, there is a smaller quantity, the most of which is partially, but not yet completely, surveyed. The whole surveyed portion, sold and unsold, is less than two and a half millions of acres, of which I believe that not more than a quarter of a million of acres, partially or wholly surveyed, is in advance of the sales. The great desideratum of our colony, therefore—an open choice of its public lands—cannot be obtained within the surveyed territory, nor can we await the long future of such an attainment.

That some future inconvenience may result from the formation of permanent settlements in an unsurveyed country, cannot be doubted,—but in some recent inquiries, I have been agreeably surprised to learn how small is the practical difficulty in this respect, a difficulty, if in this urgent case it can be so called, that should not for a moment be weighed against the benefit to which it is opposed. The following are the views I have been able to arrive at:—

*The colony is now sub-divided into surveyors' districts, each of which has a resident surveyor and staff. There are ten or twelve of such separate districts. * * * * * An intending settler having made his selection under the approval of the surveyor might settle at once, and have his bounds marked out in connexion with local features, the Government reserving only the right to make roads, if necessary, through the ground. Lands surveyed and open for selection are paid for in full on application. This is our present system, but lands unsurveyed might be paid for by deposit of one-half, or 10s. per acre, the remainder at a fixed rate, in the case of 20s. per acre being payable when the locality is brought to sale.*

* * * * *

In some such manner I think we might arrive at the great desideratum of opening up the country without the loss of awaiting the surveys.

A still more important paper on this subject was read on the same evening. The subject had engaged the attention of the Convention in Committee on that forenoon, and they instituted an inquiry into the practice of the United States of America in this respect. Several of their own delegates were personally acquainted with the land system of that country. One of them (Mr. William Henry Wingfield, of Dunolly) was particularly familiar with it. Mr. Wingfield was examined before the Committee. His evidence was reported to the full Convention on the evening in question. This evidence as at first reported was confined to the practice of the United States as regards the right of free selection exercised in that country by the actual cultivator, and the limits within which this selection was permitted to range. Mr. Wingfield stated that the right extended over all the unalienated lands

of the United States, surveyed or unsurveyed, and explained in detail how the boundaries of farms came to be ultimately adjusted. This evidence when reported was considered so valuable that Mr. Wingfield was requested to submit himself to a further examination comprising a more extended view of the whole land system of the United States; and it was directed that the report of this more extended examination should be entered on the minutes of the Convention.

Mr. WINGFIELD'S evidence was as follows:—

Mr. Wingfield's Evidence as to the Land System of the United States.

In the year 1850 and 1851 witness was employed as a Topographical Engineer in the Civil Service of the United States, attached to the military department. Was engaged during these years in the topographical survey of the territories in the Far West. His duty was principally to define positions astronomically, to ascertain elevations barometrically, and to determine base lines for the future land surveys. He had also to report botanically, metallurgically, and geologically as to the character of the regions in which he acted; and on some occasions of pressure he took part in the land survey. These duties made him familiar with the land surveying system of the United States and generally with the circumstances under which immigrants settle into the new countries of the West. In the course of these duties he has been all over the Western regions from Utah to Minnesota.

Free Selection for the Actual Cultivator.

Witness is familiar with the system of free selection and pre-emptive rights which prevails in the United States. By this system the actual settler is entitled to enter upon any land that has not yet been brought into market, select a claim of 160 acres wherever he chooses, and occupy it without any payment until the district is brought into market. When the district is afterwards about to be brought into market, he is entitled at any moment before it is actually brought in, to purchase this claim at the upset price of 1½ dollars an acre without any auction or competition. The only condition is that he must show by affidavit that he has occupied it as his homestead for at least six months immediately previous. In exercising this right the settler has not to ask permission nor license of any kind.

The settler is not bound in selecting his claim to keep within the surveys, but may select as freely beyond them as within them. But this very circumstance is itself the cause of the surveys being rapidly extended in every direction towards which the stream of population flows. No person has anything to gain by retarding them, because retarding them could not stop the settler nor hold the lands back for any unfair purpose; therefore no sinister influences are used to retard surveys, and they are not retarded, but are pushed rapidly forward wherever the movement of population indicates the direction. They are generally kept well a head of population, but occasionally where some inviting lands lie far out, it will happen that settlers go beyond them. To this subject witness will revert again. Witness considers this right of free selection for the actual cultivator over all the unalienated lands of the colony, coupled as it is with the right of unrestricted pasturage over all unsold lands, as the key-stone of the American system of settlement. It is the first stage of settlement, and influences and regulates all the succeeding stages. At this stage the actual settler is free from any competition of the capitalist. No person can get land at this stage without actually tilling and cultivating; unless one actually settles and cultivates he must wait until the next stage at which the lands are "brought into market." This right of the actual settler is, as already stated, confined to a claim of 160 acres for any one person, but when the district in which he has settled is afterwards "brought into market," an operation which witness will presently explain, he may add to his farm, to any extent, by purchasing at that stage on the same terms with the general public.

The surveys are always very far a head of the land that has been "brought into market," and afford the most ample scope for a free selection of the actual cultivator within the surveyed lands, before the district comes to market, and before any of it can be sold for money merely.

The Pasturage of All Unsold Lands Free to the Whole Public:

Before passing on to speak of the stage at which the lands are "brought to market," witness wished to advert more particularly to a matter already alluded to, viz., the rights of the settler with regard to the grass of the unsold lands. This he conceived to be an important consideration at all stages of settlement, as in a new country large tracts of inferior land will remain for very long periods unsold, affording to the settlers on the

purchased lands valuable rights of pasturage if these lands are left free to them for that purpose. But in the early stages of settlement this consideration is one of paramount importance. At that stage a very large proportion of the land is still unsold and unoccupied. The quantity of natural grass land is very great, and the privilege of pasturage affords to the settler not only what he most stands in need of—provender for the cattle necessary to his farming operations, and milk, butter, cheese, wool, and meat for his family—but also, at a time when he is yet distant from markets for agricultural productions, it gives him in the stock themselves, and in wool, a produce which is capable of being carried to any market, however remote.

In the United States all the unsold lands are the open pasturage of all the settlers. Except the pre-emptive claim of the settlers (100 acres each) there is no exclusive occupation of any land until it is sold. No such persons as squatters are known or thought of in the sense in which that term is used here—persons holding the public lands in their exclusive occupation for pastoral purposes before they are sold. Without the right of open pasturage, settlement could not pour over the country as it does in the United States. Witness would not say that the people of the States carefully guarded this right, because that would intimate that some different state of things had ever been presented to their conception; but he would say that they had never thought of a state of things in which any set or class of persons should take the exclusive use of the public lands while they were still the property of the whole people. The value of this right of pasturage to the settler, Mr. Wingfield proceeded to say, could only be understood by those who had lived in a country where it was denied to them. He never knew any difficulties arise from the intermingling of the cattle of different settlers, in these open wastes. There is more than grass enough for all; every man naturally feeds his cattle in the neighborhood of his own homestead, and the 100 acres which he has occupied as his pre-emptive claim. The consequence of this open pasturage is: to the settler, that he has not only abundance of milk, butter, cheese, meat, and wool, for his family, but a large surplus for the market, besides feed for his working stock, all without cost; the result to the general public is that cattle are very abundant, and meat and all grass produce are plentiful and cheap in the towns and cities supplied by those settlers. Beef of prime quality is to be had at from 1½d. to 2½d. a-pound; milk and butter are abundant; fresh butter can be had at from 4d. to 5d. a-pound. This abundance is the manifest consequence of the grass of the unsold land being open to all. Every man has feed for cattle in any numbers that he desires to keep them. The farmers of the Western States look upon the produce and increase of their stock as so much clear profit over and above the proceeds of their agricultural land. This cheapness of the materials of life co-exists with a comparatively high rate of wages; the wages of a laboring man in those regions being a dollar to a dollar and a quarter, that is 4s. to 5s. a day; and a good mechanic, from 1¾ dollars to 2½ dollars, that is from 7s. 6d. to 10s.

The general features of the country of which witness has been speaking much resemble those of Victoria. All the United States territory west of Ohio is in great part an open country; tracts of timbered land alternating with open grassy plains, unincumbered with a tree. These plains are called prairies. They are sometimes flat, sometimes high undulating uplands. The farther we proceed west through Illinois, Iowa, &c., the larger are the prairies, and the scarcer the timber. Besides timbered and prairie land, there is also a good deal of land of an intermediate character, called Oakopening land, lightly interspersed with dropping trees, and park-like in its scenery. It would be quite as profitable to a race of great pastoral squatters to occupy for pastoral purposes these territories of the United States in advance of settlement, and keeping settlement back, as the like occupation has proved to this class of persons in Australia. Indeed, the profits would be of a more certain and permanent character in proportion to the greater population of the United States, as such squatters would have the monopoly of supplying meat to a large proportion of a population now numbering nearly thirty million of people. So, too, if the people of the United States wanted to make a revenue out of their lands by giving them in exclusive occupation to a class of great grazier tenants until they were taken up for exclusively agricultural purposes, they could receive a great rent from them; but any person proposing such a policy would, witness believes, be regarded, there, as scarcely sound in intellect. It would kill out the working settler, prohibit the pioneer, make a country of master and servants, and effectually stop the progress of civilisation and settlement over the continent. In a word, it would produce what we have in Victoria.

Witness has also been in California, and knows that the unsold lands of the United States in California are the open pasturage of the public in that country as well as in the Atlantic States, and there also this free pasturage is the means of great facilities and great profits to the independent settler as well as of great abundance and comparative cheapness of meat, milk, butter, and all grass produce, and indirectly of agricultural produce too, to the rest of the community.

[Since Mr. Wingfield left town, he has written to the Council of the Convention, calling their attention to the following passage in a recent commercial article of the Argus, shewing, on the authority of an American writer, why agriculture has been profitable in California, with prices lower and wages at least quite as high as in Victoria:—It will be found in the Argus of August 20, 1857, Commercial Intelligence. The Argus says:—

"In California the fanners complain of their prospects, but without much reason as yet. The pursuit has

been a profitable one for them hitherto, and they should not grumble if they have short crops one season, after several years of abundance. They have one great advantage which is denied to the farmers here, and that is the opportunity of keeping stock on the public lands at little or no expense. In all other respects they have the same disadvantages to contend with as agriculturists in Victoria have: labor there is quite as high, and prices have been usually lower: still the pursuit is allowed to be profitable. The following paragraph is taken from the letter of a correspondent to one of the New York journals:—

"For the past two seasons farming here has been highly remunerative. No class of our population better deserved, and none met with, greater success. The thrifty industrious tiller of the soil has made money, and is making it. To be enabled to chronicle this is most gratifying to me as a Californian. But why should not the farmers do well? Our soil is among the richest, easiest cultivated, and most productive in the world. The expense of keeping cattle or horses is next to nothing, for the plains—on which there is provender during the whole year, with no frost or snow to render it inaccessible—are open to all."]

The matter of which witness has just spoken—the right of open pasturage over the unsold lands—is a matter of very important consideration in all the stages of settlement. Witness has specially spoken of this right of free pasturage in connexion with the earliest stage of American settlement, because at that stage its value to the settler is so great that without it he could not settle; but it is a matter of the greatest importance at all stages of settlement,—in fact, until the country is filled up.

Bringing the Lands "Into Market."

The second stage of American settlement is when the lands "are brought into market." "Bringing the lands into market" may be said in a general way to mean in the United States the same thing that the like term would signify in Australia. It means offering the land in exchange for money. In the United States, however, this is done under arrangements very different from the arrangements in Australia, and all the American arrangements tend to make favoritism impossible, to discourage the monopoly of the capitalist, and to facilitate settlement. The waste lands belong not to the several states in which they are situated, but to the Federal Government. When lands are about to be "brought into market":—In the first place, they are not brought in by scattered or isolated lots, nor in an irregular or capricious manner. It is advertised for six months beforehand in the Government Gazette, published at Washington, not that certain lots, but that a certain district of country is about to be brought to market on a certain day. The whole district—generally a district of say 20 miles by 20 or 30, that is, from 400 to 600 square miles—is brought into market on this occasion without a single lot of it being excepted or withheld from sale save for a few specified purposes. Again, this district is all surveyed into uniform lots: first, into square miles, or sections of 640 acres, then by right lines into quarter sections of 160 acres, and these again are divided each into two 80 acre lots. The sale takes place at a land office near the spot. The whole district being thus brought into market, all at once, on a given day, it is a great public event in the region of country in which it takes place. It takes no one by surprise, but it has been long known beforehand. Not only has it been advertised for six months in the Washington Gazette, but long before the sale has been determined on, and advertised, it has been the subject of public debate and consideration.

The district about to be "brought to market" is about the size, and very frequently has already acquired the organisation of a county, a considerable population being already settled there on pre-emptive claims. The whole district, and not a lot here and there, is what is to be dealt with. The event therefore is one of common interest, affecting all the inhabitants. These inhabitants are in a position to influence the event, accelerating or retarding it through the senators and representatives of their state, and of their Congressional districts in Congress. It is therefore an event not merely known by means of the Gazette six months before hand, but anticipated and agitated in the district long before it is announced in the Gazette. It may be safely stated that the people of the district itself, and the districts about it, have at least twelve months actual notice of an approaching sale. Before the given day, all persons who have settled on pre-emptive claims, if they would avail themselves of their rights, must file an affidavit at the land office (near the spot), that they have occupied their claim for at least six months before the day of sale as their homestead; and that they have made certain stated improvements, being just enough to constitute a test of actual and bona fide occupation. This affidavit being filed, they pay the upset price of 1¼ dollars an acre into the office, and the land is then theirs. This must be done before the day of sale. On the day of sale the whole district, excepting those pre-emptive claims, is put up for sale in eighty acre lots, and offered lot by lot at auction. If any one wants a larger tract than eighty acres, say eight hundred acres, he must buy ten eighty acre lots. It will be seen at once that at this sale the land can scarcely be pushed by auction to a price materially exceeding the upset price, inasmuch as any one who may have thought any lot of 160 acres desirable enough to induce him to go and settle on it six months before hand, for the purpose of securing it at upset price, was free to do so. The result is that the auction produces no material enhancement of the upset price. It appears by statistical returns extending over all the lands that were sold in ten years that it has not enhanced the average price more than 1½d. or 2d. an acre on the upset price of

5s. 2½d. The whole district lot by lot, having been rapidly passed under the hammer, all the lots that remain unsold are thenceforth open to be purchased at the land office at upset price by the first comer. Very commonly ¾-ths of the lots remain unsold. They are all open for selection at the upset price once the auction is over. Often when there is much inferior land in the district, as much as 7/8-ths or 9-10ths of the whole surface of the district remains unsold, and is thenceforth open to selection to the first comer, who pays his money into the land office. Those who have settled on pre-emptive claims are of course, as already stated, equally free to purchase at the auction, and to select after the auction as any other parties. In this manner they can enlarge their original 160 acre farms to any extent that their means permits them. Until the district has thus been brought into market, they cannot secure more than 100 acres, and this consideration is always the efficient one in determining whether the first pre-emptive settlers will use their influence in promoting or retarding the bringing of their district into market. Of course capitalists who up to that period are themselves shut out are always anxious to have the land brought to market. In the early settlement the pre-emptive settlers are anxious to have the district kept out of market, for until they have been a year or two settled they are scarcely prepared to buy even their 160 acre claims. But after a few years great numbers of them are prepared not only to secure their pre-emptive claims, but to enlarge their farms by purchasing a further extent of land, either at the auction, or by selection after the auction. In time, therefore, the pre-emptive settlers who have put some money together become anxious to have the opportunity of making these purchases, and are desirous to have the district brought into market. This expression of "bringing the land into market" is, it will be observed, a very appropriate and significant one. A thing may be said to be "in the market," when it is to be had for money. None of the land of the United States can be had for money until the Government has proclaimed and brought it "into market" in this manner. Thenceforth it can be had for money merely. Before that period any inhabitant of the state can have the choicest 160 acres of the public lands by settling on it, but no man can have an acre of it for money.

To recapitulate:—In the United States Land System there are three stages. First, before the land is brought to market the actual cultivator, and he alone, can choose 160 acres, not more, where he wills, over all the unalienated territory of the Union. He can occupy this without payment until the district is brought to market. When the district is brought to market he has the pre-emptive right to buy this claim without auction at the upset price of 1¼ dollars, that is 5s. 2½ d. per acre. Secondly, the day that the land is brought to market; this is the first day on which any person can buy land for money. This day may be considered a second stage, though a very short one. On this day there must need be many persons who have been waiting for the opportunity to buy lots in the district that is brought in, and several may have an eye on the same lot. The preference is decided by auction; all the lots of the whole district, except the lots already taken by preemption, being put one by one through the auction on that day. It seldom happens, however, that more than a small proportion of them are then sold. The great bulk of them still remain. And then comes the third stage. All the lots which remain are from that day forward open to the free selection of the first comer who chooses to pay the upset price for them. Any man can then take as many lots as he finds vacant and is able to pay for; the check upon inordinate purchases being that, the moment land is purchased from the Government, it becomes subject to taxation.

Settlers Going Beyond Surveys. The Great Advantages of the Right to do so. the Slight Inconveniencies in So Doing.

The pre-emptive settlers often go beyond the surveys. Witness wishes it to be understood, however, that in his experience the result of allowing the settlers to go beyond the surveys has been that they generally have no need to go beyond them, as the surveys are, under such circumstances, sure to be pushed rapidly forward. There is nothing to be gained by holding them back, as holding them back would not prevent the people from going on. and could not, therefore, be practised with the effect of reserving any special region for friends or favorites to have early information of the survey, and to seize the first opportunity. Witness has, within his personal experience, known several cases, however, in which the settlers did take their pre-emptive claims beyond the surveys. No inconvenience worth considering resulted. Such settlers find it necessary, as already stated, to adjust their boundaries to the lines of the surveyed allotments when the survey reaches them, as the Crown grant which they ultimately obtain describes the allotment by the Government lines. Witness has frequently, in the course of his own surveys, seen these settlers re adjust their boundaries when the survey overtook them, and it gave very little trouble. It will be observed that the uniform character of the United States survey—all the lots being of uniform size—gives the settler a facility for anticipating where the boundaries of allotments will run, if he is within a few miles of any existing survey.

Generally speaking, in taking up a land claim, the settler so endeavors to arrange his boundaries that they may coincide as nearly as possible with the subsequent lines of the survey. He is not always able, however, to succeed in this; the greater or less accuracy with which he does it will, of course, depend upon the distance

which he is in advance of the survey. If he has gone far in advance, it is not possible for him to pay any regard to the future survey; he is, in fact, too far a-head of it to do so. If he is within five or six miles of the survey, he may be able to form a tolerably correct idea of the future lines: at all events, accurate enough for all general purposes in settling the boundaries of his 80 or 100 acre allotment. In forming the survey, the American surveyors adapt themselves to circumstances. In a level country, the lines of the survey are run by the cardinal points. In such a country, the settler even at a considerable distance from the survey can anticipate by private survey where the boundaries of his pre-emptive claim are likely to run, with sufficient accuracy for all practical purposes. In regions that are greatly broken by mountain and valley, however, the surveys are of necessity topographically adjusted to these difficult features of the country, and the settler cannot anticipate what circumstances may guide the surveyors in the direction of their lines. Thus it often happens, either from the great remoteness of a settler's location from all surveys, or from the location being in a broken country where the future discretion of the surveyor cannot be anticipated, that a settler chooses his pre-emptive claim without being able to select it in reference to existing surveys. But this creates no difficulty of any account. If the settler can approximate the boundaries of his claim to the future survey, he does so. He builds his log-house as near the supposed centre as possible. He erects his permanent fences near the centre, and makes but a snake fence round the presumed exterior boundaries. This snake fence is of a purely temporary character, and is easily removed in accordance with the lines of the survey when ultimately determined. In localities remote from the survey, great aberrations from its future lines take place—it is, in fact, impossible that it could be otherwise; the subsequent adjustment, however, is effected without trouble. Witness has seen instances where a whole valley had been taken up by pioneer settlers, and where the boundaries of each man's allotment had to be removed from 100 to 200 yards each. He has seen instances where the lines of a survey ran through the temporary log cabin; nevertheless, there was no complaint. The instances which he has in memory at this moment occurred in Pyke County, Missouri State, but they occur everywhere. Their permanent houses were not put up by the settlers until the surveys were completed and the boundaries settled; and the removal of the temporary log cabin, or the removal of the temporary snake fence, was not regarded in any way as a hardship. It was taken as a matter of course. In fact, on these occasions of the removal of boundaries or huts, the pioneer settlers, instead of complaining, just turned to and helped to put one another right. It is common throughout all the Western Districts of the United States to find pioneer settlers established in the far interior for many years, on locations of their own selection, before the survey of the district was made. He had known instances where these pioneer settlers had cropped the land, season after season, prior to the survey coming up with them; and yet, when the survey did reach them, the boundaries of their allotments were adjusted to the lines of the survey without contention or any serious inconvenience, though a patch of ground which had grown wheat for one settler for many seasons was incorporated in the location of a neighboring settler,—he getting the land on the other side in lieu of it. Each of the parties had taken up the ground subject to the condition of this subsequent removal of boundary, and the nature and character of their improvements were adapted to it.

Facilities 'for Making Rapid Surveys in Victoria, and the Possible Cost of Such.

Mr. Wingfield was further examined as to the possibility of accelerating the surveys, so as to afford every facility for allowing settlement to proceed at once with freedom and convenience.

Mr Wingfield's evidence on this subject was to the following effect:—

He knew there were ample materials in the colony for pushing forward the surveys with any degree of rapidity that might be desired. There were abundance of qualified surveyors in the colony. In making a survey of a country, the first thing to be done would be to make a topographical survey of it, defining by astronomical observation the true position of the most prominent features, and its highest elevations. According as this was done the sections could be laid off by the land surveyors with great rapidity; in fact, with efficient surveyors and assistants, the land could be surveyed almost as fast as the surveyors could walk. It would be only marking out the ground which the astronomical surveyors had already marked out on paper. He presumed that the colony must be already topographically surveyed. It seemed hardly possible, after the country had maintained such a numerous staff of surveyors for so many years, that the true position of the prominent features of it should not be already defined. At all events, great part of the work must be already done; and even if it had all to be done, if nothing were yet done, two staffs of topographical surveyors, of nine men each, ought to make a topographical survey of the whole colony in a year, at an expense of about £10,000, and this allowing for a geologist, a botanist, and a draughtsman, at a salary of £500 each, to be attached to each staff. As each portion of the topographical survey was done, the land survey would proceed with great rapidity. The rapidity of the survey would depend on the minuteness of the sub-divisions. A staff of twenty-five men, properly organised in five parties of five men each, surveying on a plain, could lay off over 20,000 acres a-week, in allotments as

small as 160 acres each. Twenty-five men in five parties of five each, each party walking over four miles in one day, would give 20,400 acres in six days. Making allowance for the defining of hills, rivers, &c., 20,000 acres could, with this number of men, be surveyed in that time, which would give about 1,000,000 of acres in a year. If the sub-division did not proceed lower than a mile square, and this would be sufficient for the first survey if it were necessary to proceed with great despatch, a staff of twenty-five men (making the same proportionate allowances as in the last case) could survey 1,750,000 acres in the year, in sections of a mile square. Six such staffs, consisting in all of 150 men, could survey over 10,000,000 of acres in such sections, in a year. Allowing each party of five to consist of one chief surveyor, at £400 a-year, two assistant surveyors, each at £300 a-year, and two chain men, at .£100 a-year each, the salaries of each party of five would only cost £1300 a-year, less than £7000 a-year for each staff of twenty five. Six such staffs would be £42,000 a-year. Make the most liberal allowance for supplying each staff with tent, provisions, and modes of conveyance as they passed along; and add any large allowance within reason for the expenses of the department and the staff necessary to the department, together with the due pro-portion of the cost of the topographical survey, and then spread the total sum over 10,000,000 of acres, and the result will be an insignificant sum per acre for a survey into sections of a mile square. If the exigencies of settlement in any direction made it necessary to proceed with greater rapidity in that quarter, the speed could be accelerated to almost any degree, without an increased staff, by running the sections, say two miles square, or even four miles square, leaving the settlers for the present to make rough approximations to their boundaries by the aid of private surveyors until such time as the Government surveyor had leisure to fill up the detailed survey down to 100 acres, or even down to 80 acre lots. Approximate calculations are easily made both as to the expense and the rapidity with which the country could be surveyed, and the result in each respect will show that the settlers may be permitted to settle where they like beyond the surveys without any fear that the surveys need lag far behind them. The expense of survey in the United States is 4½d. an acre, sub-dividing down to 80 acre lots. It need not much, if it at all, exceed that sum here.

Sites of Towns and Cities.

Mr. Wingfield was further questioned as to the practice of the American Government in laying out towns. His evidence was that the Government never does anything of the sort; at least, he never saw such a thing done by Government, though he has seen towns and cities growing up of themselves by hundreds. In a country where settlement is unobstructed in every direction, towns grow up naturally in the currents and cross-currents of traffic; on the ports of great waters, and on convenient points along the course, or at the junction of rivers. He has never seen the Government interfere in founding them, nor attempt to make a profit by withholding the presumed sites of them from the earliest use that the public could put them to. He has always understood that the sites of the great cities of the West were originally purchased from the Government at the upset price of 1¼ dollars an acre, or some insignificant advance upon it.

While witness has spoken throughout this evidence of an uniform upset price of 1¼ dollar an acre, he is aware that the United States Government has occasionally reserved certain tracts of land for the benefit of railroads, or the improvement of river navigation, which they have held until the lands fetched 2½ dollars an acre, but these are exceptional cases, not interfering in any appreciable degree with the general principle on which that Government acts in the disposal of its public lands.

Mr. Wingfield's statements respecting the system of selling lands in the United States, and the advantages thence resulting to the settlement of the country, were confirmed by Mr. Gray of Melbourne, Mr. Patrick Hayes of North Melbourne, Mr. Mooney of Sebastopol, Mr. Gibson of Collingwood, Mr. Riley of Collingwood, and others,—all of them Delegates, who had resided for some time in the States.

Ample confirmation of Mr. Wingfield's statements as to the rapidity and cheapness with which the colony might be surveyed was tendered by actual surveyors, but the Convention thought it unnecessary to accumulate further evidence on the subject.

The Council of the Convention have had their attention called, in one of their recent meetings, to a passage in a book, published by a well known English gentleman, descriptive of the United States as a location for emigrants. The author is Mr. Sydney Smith, at one time Secretary to the English Corn Law League. The book is entitled "The Settler: New Home, or the Emigrants' Location." It was published in London in 1849. Under the head "Farming in the Prairies (the open untimbered grass lands)" occurs the following passage, which, as briefly descriptive of the advantages derived from freedom of pasturage over the unsold public lands, the Council have thought worth publishing here. It occurs on page 141.

Free Pasturage (Extract from Mr. Sydney

Smith's Book).

The farms are generally made on the prairie, near to the timbered land (for convenience of firewood, fencing-stuff, &c.) The abundance of grass growing on the prairie, and the quantity of wild vegetable food for animals, offer an ample subsistence for horses and cattle, sheep and hogs, during the summer months. (The ground is covered with snow through the winter months.)

The number of these animals that a farmer keeps is only limited by the amount of winter food that he can raise on his farm. The actual farm is enclosed land, used for the sole purpose of growing the grain, or grass for hay; but not for summer pasturage. The great pasture is all outside—open to everybody, and to everybody's cattle; and the abundance and extent of the range is one of the resources of a new country. The cattle thus let loose on the wide world do not run away as people who have kept them only in houses and enclosures are apt to suppose. Why should they? There is abundance of food everywhere.

The animals like to come to their home where they have been wintered, and a little salt given to them every time they return will generally *circumscribe their range within a mile or two from home.*

In the autumn or early winter we bring them into the farm, and feed them night and morning. In the day, during the moderate weather of winter, they browse about the woods, and the skirts of the prairie. Thus are cattle and horses raised in great numbers.

In the same publication, and almost on the same page, are numerous letters from settlers, showing the prices of meat and other articles of provision in these regions. These letters make it sufficiently evident that cheap beef can be raised without the aid of monster squatters; and that, in fact, the way to raise beef cheap is to do away with the monster squatting of this country. The letter says:—"I will give you the price of various articles of food in English money, that you may understand it better: Beef 1½d. a pound, mutton 1½d. a pound, pork 1½d. a pound' flour 20s. per barrel of 195 lbs., veal 1¼d. per lb., a turkey 1s. 6d., hens 6d. each, butter 6d. per lb., sugar 3½d. per lb., tea 2s. per lb., &c., &c."

The same letter shows that these low prices did not produce low wages, for concurrently with them wages averaged from a dollar to a dollar and a quarter a day for the mere laborer, that is from 4s. 2d. to 5s. 3d., and this in a country that had no gold mines, and depended for its wealth and wages fund solely on the free access opened for its population to its best virgin soils, and its natural pastures.

The above extracts present a succinct epitome of the grounds on which the two cardinal resolutions—the first and second—were based.

The first and second resolutions having been adopted, the other resolutions, down to those which relate to "purchasers for money merely," were adopted after much consideration, but, except the fourth resolution, without any division of opinion.

As to the fourth, which relates to the taxation of all lands, once they are alienated from the State, and by which it is resolved that uncultivated lands ought to be subjected to a special State tax, there was some diversity of opinion. Several Delegates thought that it would sufficiently discourage the monopoly of speculators if all lands were subject to equal taxation, but the resolution was ultimately carried in its present shape by a large majority.

The next resolution that gave rise to any diversity of opinion was the first resolution, under the head of "purchasers for money merely." This resolution was discussed on Friday evening, the 31st July. The resolution is as follows:—

That while this Convention recommends that the actual cultivator be invested with the special rights set forth in the foregoing resolutions, they are of opinion that persons who may find it inconvenient or impossible to proceed to cultivate at once, should not, therefore, be wholly debarred from purchasing from the State; but they are of opinion, that this right of purchase should be controlled by such reasonable regulations as may discourage monopoly without shackling enterprise, or obstructing fair investment.

Mr. O'CONNOR, of Ballarat, moved, and Mr. MOONEY, of Sebastopol, seconded the following amendment:—

That this Convention cannot recognise the right of the State (which is merely the trustee for the people) to alienate any portion of the waste lands, except on the terms stipulated heretofore by the Convention, viz., "substantial occupation."

After a protracted discussion, a division was called for. There were 46 members in the room. Of these, 6 voted for the amendment, 2 declined to vote, and 38 voted for the original resolution.

All the other land resolutions were carried after much consideration and debate, but without giving rise to any difference of opinion in the Convention.

It will be observed that, on those resolutions which gave rise to any diversity of opinion, the dissentients

were so few in number that it may be safely stated that these land resolutions were unanimously adopted by that great mass of opinion which was represented at the Convention.

Interview with Mr. Haines.

While the Convention was engaged in discussing these land resolutions, it was contemporaneously performing other work.

Immediately after its assembling, it appointed, as already stated, a Select Committee to arrange an interview with the Chief Secretary, Mr. Haines; also to arrange an interview with the Parliamentary minority who opposed the Bill.

This Committee reported to the Convention a short address to Mr. Haines, requesting the withdrawal of the Bill, recommending the request to be presented to that gentleman by a deputation.

The request to Mr. Haines was as follows:—

Melbourne, July 22, 1857.

To the Honorable the Chief Secretary.

Honorable Sir,—At public meetings held at the towns and districts hereinafter mentioned, it was determined that the persons whose signatures are attached to this request should meet in Melbourne, for the purpose of using all lawful means in order to obtain the withdrawal of the land bill, at present before the Legislative Assembly.

The requisitionists represent the metropolis, the metropolitan suburbs, the agricultural, and the mining districts of the colony.

Having assembled, the requisitionists have come to the unanimous conclusion to request the Administration to withdraw the land bill at present before the House, and hereby do earnestly request its withdrawal.

This request was presented by a deputation of twelve members of the Convention. Mr. Haines declined to withdraw the Bill; but, at the close of his interview with the deputation, he gave them to understand that no bill should be passed that any future legislature might not repeal. This promise stands so much in contrast with the subsequent conduct of Mr. Haines and his Government, that the Council of the Convention desire to record it here, as it was recorded next day in the respective journals by the several representatives of the daily press of Melbourne who were then present.

The Age reports Mr. Haines thus:—

He could not admit that the intentions of the Government were otherwise than to frame a bill which would be acceptable to the people, and to the whole community, and he could by no means accede to the request of the deputation, and pledge himself either to postpone or withdraw the bill, because he honestly believed that it might be so modified and amended in its progress through committee as to become acceptable to the community. If it should prove otherwise, they must bear in mind that finality did not attach to any act of the present Legislature. They were wishful indeed to pass a law which the people would not be desirous to alter by means of any future Legislature, but if the present measure was found in its operation to be injurious and not acceptable to the country, as it owed its temporary validity to the act of the Legislature, it might hereafter be repealed at the instance of a decided expression of the will of the country to that effect. The Government could have no wish to adopt a law which, instead of settling this question—a settlement admitted by all sides of the House to be necessary and desirable—would require to be altered or repealed by a succeeding Legislature: and he was so well assured that this was not the case, and that the bill could be satisfactorily framed, that he could not consent to its withdrawal.

The Herald—

He thought it was the case, that no ten men in the community, who opposed the Government Land Bill, could concur in the details they would recommend. Indeed, there were things in the bill he did not approve of himself: and as this was so, the Government being, as he had before said, actuated by an honest desire to meet the requirements of the people of the colony, were desirous of at once settling the question. Should any reformed Parliament object to the details proposed, it was a question quite open to them to deal with, and the acts of the present Assembly were not final.

The Argus—

He begged to call the attention of the gentlemen who addressed him to the fact that the present measure was by no means one which need be binding upon any future Parliament: there was no finality in it. All parties of gentlemen in the House concurred in the belief that there was a strong necessity for a speedy settlement of

this question, and this being so, he could not promise on the part of the Government that they would withdraw this measure. He was quite willing to admit that the agricultural interest should be considered. He was an agriculturist himself until within the last year or two, and was quite ready to admit that it was necessary to the well-being of that interest that some of the pastoral lands of the colony should be placed at their disposal, but there were many other details which the opponents of this measure had insisted on, and to which he could not agree. He thought it was the case that no ten men in the community who opposed the Government Land Bill could concur in the details they would recommend; indeed, there were things in the bill he did not approve of himself; and, as this was so, the Government being, as he had before said, actuated by an honest desire to meet the requirements of the people of the colony were desirous of at once settling the question. Should any reformed Parliament object to the details proposed, it was a question quite open to them to deal with, and the acts of the present Assembly were not final.

In contrast with this undertaking, the Council desire to record that, on the third reading of the Bill in the House of Assembly, on the evening of the 3rd of September, Mr. Ireland, the member for Castlemaine, desiring to have this principle of the right of any future legislature to deal with the subject, as if this Bill had not been passed, recognised in the bill itself, moved the following resolution:—

That notwithstanding anything in this Act contained, the Legislature may, from time to time, amend, alter, or repeal the whole or any part of the provisions of the Act, so as to authorise the alienation or disposition in fee simple, or for any lesser estate or interest of the whole or any part of the lands comprised on any run, for any purpose calculated to facilitate the settlement of the country; and to alter the terms and conditions provided by this Act in relation to the resumption of lands by the Governor in Council, or to substitute such new terms and conditions in lieu of those already provided as may be deemed advisable for effecting the purpose aforesaid."

This resolution was opposed by the whole force of the Government, and negatived by a majority of 28 to 17, Mr. Haines voting with, his ministry in the majority. The following are the names of this Parliamentary majority:—

Noes—28

Interview with the Parliamentary Minority.

The same Committee also reported a resolution expressing the thanks of the Convention to the Parliamentary minority, requesting the minority to persevere in their opposition to the Bill, and promising them the support of the country in such opposition; this resolution to be presented to the minority by the full Convention.

The resolution was as follows:—

Convention of Delegates

Assembled at Melbourne, in the Colony of Victoria, in the year of our Lord, 1857.

At a meeting of the Convention, held on the twentieth day of July, 1857, the following resolution was unanimously adopted:—

Resolved,—That inasmuch as the present Land Bill, introduced into Parliament by the Executive Council, is utterly subversive of the best rights and interests of the great body of the people of this colony, this Convention records its hearty approval of the determined and patriotic stand taken by the Minority in the Legislative Assembly in its opposition to the Government Land Bill; and, in tendering this expression of its thanks, this Convention would urge, in case the bill be persevered with, the necessity of further opposition by every means which the forms of Parliament allow; and this Convention declares, that the course thus suggested will receive the concurrence and support of the great mass of the community, whose opinions, on the present occasion, this Convention has the honor to represent.

Signed on behalf of the Committee,

J. J. Walsh, Honorary Secretary

WILSON GRAY, President.

The Convention desired to pay the minority the respect of waiting on them in full body, to present them with this resolution, but owing to the smallness of the room in which the minority had to receive them in the Parliament House, the minority conveyed to the Convention their regret that they were thus prevented from receiving more than a deputation, and that not to exceed thirty.

Accordingly, on the evening of the 29th July, a deputation of thirty waited on the minority in one of the committee rooms of the House of Assembly.

The following is the report of this interview which appeared next morning in the Age newspaper:—

Deputation to the Minority.

On Wednesday, between seven and eight o'clock, a deputation from the National Convention waited upon the members of the Minority in the Assembly who opposed the Land Bill. The objects of the deputation were to present a resolution passed by the Convention expressive of their hearty approval of the course of opposition pursued by the minority, and to entrust—for presentation to the House—a remonstrance against the further prosecution of the Land Bill by the Government. The deputation comprised thirty gentlemen. The members of the minority present were—Messrs Myles, Hughes, Evans, O'Brien, Brooke, Read, Humffray, O'Shanassy, Syme, Duffy, and Baragwanath.

The reception took place in the committee room belonging to the Assembly.

Mr. WILSON GRAY, president of the Convention, opened the proceedings in the following terms:—Gentlemen of the Minority,—I have been deputed by the deputation of the Convention now sitting in Melbourne,—the gentlemen you see are the deputation,—to present you with a resolution which was adopted at a full meeting of that assembly. I beg now to do so. The resolution is addressed:—

To the Honorables B. C. Aspinall, D. Blair, H. Brooke, C. Gavan Duffy, G. S. Evans, J.V.F.L. Foster, A. Fyfe, J. M. Grant, G. Harker, G. S. W. Home, D. A. Hughes, J. B. Humffray, J. Myles, P. O'Brien, J. O'Shanassy, J. D. Owens, P. Phelan, C. Read, T. Baragwanath, P. Snodgrass, E. Syme, and J. D. Wood—who voted in the minority on the second reading of the Government Land Bill, in the House of Assembly, on the 19th day of June, 1857.

(Here Mr. Gray read the resolution.)

It is directed to the minority by name, taking the minority in alphabetical order; and I presume I shall be following the strict letter by handing it to the gentleman whose name—among those present—is first on the list. (He then handed the document to Mr Brooke.) Another resolution was passed expressive of the wish of the Convention to wait upon you in a manner the most respectful, as well as to show most emphatically its approval of your conduct, and it was intended that the whole Convention should attend. It is only the capacity of the room in which you receive it that has prevented the whole Convention from attending. There are, however, thirty present. It is almost impossible to introduce the deputation personally, but I may remark that there is a delegate from each of the following places:—Ballaarat, Bacchus Marsh, Beech worth, Bendigo, Brighton, Carisbrook, Castlemaine, Collingwood, Colac, Dunolly, Emerald Hill, Fryer's Creek, Geelong, Gisborne, Heathcote, Heidelberg, Kyneton, Melbourne, Mount Blackwood, North Melbourne, Ovens, Prahran, Richmond, Sebastopol, St. Kilda, Seymour, Tarrengower, Templestowe, Williamstown, and Wangaratta. From the variety of the places represented, and the numbers that have come here, and who have sat for weeks, away from their business at great personal inconvenience, you can estimate the strength and force of opinion represented. I have nothing to do but to introduce the body to you, gentlemen. There are one or two of the delegates who wish to address a few words to you.

Mr. O'CONNOR (Ballaarat) said there was no part of the duties of the Convention they could more heartily perform, or with greater sincerity, than to record the opinions of the people in reference to the conduct of the minority. (Hear.) He could speak of the district from which he had come, and the unanimous approval which the people had shown to the minority since the introduction of the Land Bill. They were perfectly satisfied that the opposition was made, not from any factious motives, but simply because they (the minority) thought that the bill, if passed, would be entirely subversive of the best rights of the people, and he could inform the minority that they would have, for the future, the unanimous approval of the people to bear them out in their opposition to the bill, which was intended to upset the rights of the colony at large. (Hear, hear.) He begged to express his own and the thanks of the community he had the honor to represent to them (the minority) for their conduct.

Mr. BENSON (Bendigo) said, they appeared there for the purpose of giving the minority a vote of thanks for the stand they had made against that measure, which they considered injurious to the best interests of the community. The Convention had met for the purposes of patriotism and the good of this country, and they considered the minority had the same feelings on behalf of the country; and, therefore, they respectfully thanked the minority for the stand they had made in the cause of freedom, and the future happiness of the people of this country. (Hear, hear.) He concluded by thanking the minority: and expressing his anticipation that the result of their, and the Convention's labor, would be beneficial not only to the district which he represented, but would tend to the general welfare of the land of their adoption.

Mr. QUINLAN (Dunolly) said, believing their (the minority's) time to be very valuable and very limited, and believing that the resolution just read expressed the unanimous opinion of the Convention, he would only say that what was therein expressed was fully re-echoed by the people he represented—the inhabitants of Dunolly.

Mr. SMYTH (Ovens) said, on the part of the people he represented, that the whole of that district—the Municipal Council, the freeholders, the miners, to the number of 20,000—with one voice acknowledged

themselves, and their children, and their children's children, under a debt of gratitude to the minority. (Hear.)

Mr. BROOKE said: Gentlemen of the Convention, I much regret that any alphabetical arrangement should have made me the respondent on this occasion, because there are so many other members of the minority who have occupied a long and distinguished position in this country, and in the eyes of other countries to whom this country will naturally look for approval in this emergency. But I may be allowed to say that a common sentiment actuates every member of the minority who thought proper to oppose this Land Bill. I am quite sure that there is no member who sits on that (the opposition) side of the House but opposed it on the most conscientious grounds possible, feeling it was his duty. (Hear, hear.) After the discussion of the bill which had already occupied so many days, and which will yet occupy many more, it is a source of gratification to me, and to every one holding the same views, to find that we are supported out of doors; to find the members of the Convention, representing political opinion so largely, were with us; and to find that our efforts meet with their approval. For myself, and on behalf of the minority, I have the honor to thank you.

Mr. O'SHANASSY said, as he stood next to his friend Mr. Brooke, he would take that opportunity of accepting in the most grateful manner the compliment paid not only to himself but to all the members of the minority. He differed from Mr. Brooke in this:—that he rejoiced that the Convention had addressed them in alphabetical order, as clearly showing that they were not supposed—as was said by one of the speakers—to be acting from factious motives, but opposing this bill for the simple reason that it was not conducive to the interests of the people; and that the minority on this occasion were acting upon their individual opinions, although unanimous in their opposition. (Hear.) He begged to state that no organisation of any character did exist in the arrangements of the minority; and, consequently, no greater compliment could be paid than to give them an opportunity of stating publicly that no combination existed in the minority. (Hear.) As one living a long time in this country, he rejoiced to see the meeting by convention, and the petitioning of the people; it was an earnest to him, an old resident, that public spirit was at length awakened. He expressed that he was willing to serve the people still; and he hoped they were determined to assert their rights. He would not detain them, as the time for re-entering on the discussion of this measure was drawing nigh. He could only reiterate his thanks for the acknowledgment of their (the minority's) services, and he trusted that the objects they had in view in defeating the measure would succeed. He did not think the gentlemen forming the majority in this session would concede to them all that they required; but he trusted that they might reasonably expect, at all events, that, if the Government would not defer to the opinions of the people and withdraw the Land Bill, they might rest sure of this—that no new rights should be created. (Hear.) To effect this, he pledged himself to attend and to vote most systematically against any clause that created any new right. In conclusion, he said he trusted the time was not far off when the Government would be in accordance with the opinions of the people of the country.?

Mr. HUMFFRAY joined with his hon. friend in expressing his deep sympathy with the great work they (the Convention) had undertaken; and he believed the time was not very far distant when—if they only did their duty—instead of coming there as petitioners, they would have an opportunity of addressing them (the minority) on terms of equality. (Hear.) He thanked them and urged them strongly to continue their support; so long as they did their duty out of doors, they would find a party in doors, however small, ready to do theirs. (Hear.)

Mr. DUFFY said he thought they (the Convention) had done very wisely in presenting this recognition of the efforts of the members who opposed this bill; because, it must be remembered that those resisting the aggression on the people had to bear the slanders of their enemies—(hear, hear); that the men who had endeavoured to oppose this bill had been habitually misrepresented by the journals representing the Government and the squatters. (Hear.) He thought, therefore, that this would serve to clear those misrepresentations. He had more confidence than some of his friends had expressed that this bill would be defeated. (Hear, hear.) Since it had been under the consideration of the House the elections had made a marked change in sides. (Hear, hear.) If it were defeated, it was not to be forgotten that they had not only to stop this bill, but to carry an efficient bill. (Hear.) The only road to that was to reform the Parliament. And they must not forget in their habitual earnestness and zeal on this question, that there was another. He reminded them that the question of State-aid was taken up with great zeal, and many were returned to the Assembly simply on the ground of advocating it: they had been returned to that House—they had advocated it—and they had betrayed the people on every other measure. (Hear, hear.) But when returning men to that House, they must not be content that they be right on the Land Bill; they must take care that they be right on the question of Reform. (Hear, hear.) At all events, when this present measure was disposed of, the Assembly and the Convention must turn their attention to get the Reform Bill passed; to get the Government of this country carried out by the people of this country. When that was done, there would be no need of Conventions. There would be those in the House who were wanted in it. We should have the mind and earnestness of the country represented by those who had the confidence of the people. (Applause.) He thanked them.

Dr. EVANS begged, with his friends who had already addressed them, in acknowledgement of the very great honor they (the deputation,) had conferred upon them in the way in which they bore testimony to their (the

minority's), sincerity of conduct in opposing this land bill, to thank them. He begged leave to express his entire concurrence in everything that had been said by his colleagues. He begged to state, however, that the bill was still in committee, that they had retarded the progress of the bill, the bill was still before the House, and every prospect of its being carried by what they, (the Minority,) had termed "a tyrannical majority." (Hear, hear.) But they would still endeavor to oppose it and strike out every bad clause. This was certain that as the people were determined to oppose this bill, so were the Government determined to carry it out. It was to their (the Convention's) exertions out of doors, and the elections, that he looked for help. When their labors were ended in Melbourne, he looked to them to have what they had not now—a people's representation in this colony. He assured them that the minority would continue to do, as they had done already, their duty to the public on perfectly conscientious and disinterested grounds. (Hear, hear.)

Mr. WILSON GRAY then handed to Mr. Brooke "the Protest (or Remonstrance), against the Land Bill, from the Convention," to be presented to the Legislative Assembly. He said it was respectfully worded, and he had no reason to doubt that it would be received. All the members of the Convention had not signed it, because there was not time for their so doing; it was, however, signed by above sixty Delegates.

Mr. BROOKE said he felt much pleasure in accepting it to present to the House. But he was afraid that, it being a protest or remonstrance, he would be debarred by the the usages of Parliament.

Mr. WILSON GRAY said, that though called a "protest," the body of the document would be found an ordinary petition. It was presented with a request that all the gentlemen of the minority should support it.

Memorial to the House of Assembly.

The Convention adopted the following memorial to the House of Assembly, (the same that was alluded to above), which was signed by all the delegates, and was presented to the House by Mr. Brooke:—

To the Honorable the Legislative Assembly.

The Petition of the undersigned, forming a Convention, now sitting in Melbourne, having been elected by a large majority of the people of this colony, for the purpose of opposing the Land Bill, now before your honorable House,

Shews that we approach your honorable body with every feeling of respect, for the purpose of ex-pressing through this document our firm, but respectful, conviction that the said Land Bill not only does not accord with the opinions of the people whom your honorable House purports to represent, but that the said Bill is in every way calculated to retard the prosperity of the whole community.

We do, therefore, hereby respectfully and solemnly record our opinions that the passing of the aforesaid Bill by your honorable House, as at present constituted, will not be accepted by the country as an equitable settlement of the Land Question.

We therefore humbly pray that your honorable House will, in its wisdom, suspend all legislation upon this subject until an alteration in the Electoral Law shall give a more full and fair representation of all classes in the community.

And we, as in duty bound, will ever pray.

Protest Against the Bill.

At the same time that the Convention took these proceedings it also adopted the following protest against the bill, intended more especially as a warning to capitalists and others whom it might concern, that no public faith was pledged to the recognition of any interests that the bill might pretend to vest in the pastoral tenants, and that such interests, if created by it, would be annulled by the first Parliament in which the people of the Colony should find themselves represented.

Protest

Of the Convention now assembled in Melbourne against the Land Bill at present before the Legislative Assembly of Victoria.

We, the Delegates, assembled in full convention in reference to the Bill now before the Legislative Assembly, for disposing of the Crown Lands, declare that the said Bill is, in the opinion of this Convention, objectionable and unconstitutional, for the following among other reasons:—

- Because it is framed in contravention of the manifest intention and spirit of the Constitution Act sanctioned by her Majesty the Queen, conceding the lands and mines of the colony to the Legislature in the capacity of trustees, for the disposal of the same in a manner just and satisfactory to the people.
- Because the said bill concedes exclusive rights over the public domain to seven hundred and twenty persons to the manifest wrong and the grievous injury of all the other inhabitants.
- Because, in a vote of 32 to 22, twelve of the persons interested in thus possessing themselves of vast tracts of the public land have been suffered to vote in the majority on this bill, which concedes the lands to themselves for indefinite periods, and for nominal rents, a proceeding utterly repugnant to justice and to the genius and usage of the British Constitution.
- Because several other members of the majority on this bill have broken their pledges to their constituents, and their faith to the public, and have voted on this bill contrary to those pledges and the repeated remonstrances of their constituents.
- Because the members of the House of Assembly generally, under the present Electoral Act, represent but a small minority of the people, whilst the great majority of the colony, whose interests are most deeply involved, have no voice whatever, by representation or otherwise, in the framing of this bill.
- Because petitions, bearing the signatures of more than seventy thousand adult males, have been presented against this bill, and not one petition has been presented in its favor: because these petitions have not only been disregarded, but have been treated by the majority with contumely and derision; and, moreover, because the bill itself has been indecently forced forward against the usual forms of Parliamentary proceedings, in defiance of the protest of the minority, and with the declared intention of passing it into law before public meetings of the people of the colony could have an opportunity of expressing upon it their deliberate opinion.
- Because, on the admission of the present advisers of the Crown, the House of Assembly needs, and is to receive, a thorough reform: and it must, therefore, be considered incapable at present to legislate upon a bill that will convey away the public property of the people before the people themselves are permitted a voice in the matter.
- For these and for other reasons, we declare that no public faith is pledged to the recognition of any pretended rights that may be hereafter claimed under this bill, should it become law; that the people of this colony are no parties to the compact; that the Act (if the bill is ever passed) will be a fraudulent enactment for the confiscation of the public lands; and that so far as it may purport to vest any rights it will be repudiated by the people, and repealed by the first Parliament in which they find themselves represented.

To give effect to this protest the following resolutions were unanimously adopted:—

- That the protest now adopted by this Convention be printed, and that each delegate be requested to send copies of it to the district from which he has been delegated.
- That the several delegates be requested, on their return to their several districts from this Convention, to submit this protest for the approbation of a public meeting convened for the purpose, and that they report the result to such central body as may remain in Melbourne.
- That the several delegates pledge themselves to use every effort in their localities to organise such localities, both locally and in connection with a central organization, for the purpose of carrying out the object of this Convention, and among other objects to give effect to this protest and declaration.
- That a copy of this protest and declaration and of those resolutions, be forwarded to the principal mercantile houses and to all the banks in this and the mother country; also to the members of the Legislative Council and the Legislative Assembly; and to the members of the Cabinet and of both Houses of Parliament at home.

Immigration at the Public Expense.

The Convention adopted the following resolutions, on the subject of Immigration conducted at the public expense:—

That, while this Convention desires to see this country rendered so attractive that a tide of voluntary emigration shall pour into it, similar to that which is now setting into America and creating an empire on that continent, it is of opinion that all immigration at the public expense is, in the present stage of these Colonies, a violation at once of the true principles of colonization and of political justice, for the following among other reasons:—

Firstly.—Because the system of immigration at the public expense is an integral part of the present land system—a land system constructed to create a country of masters and servants,—and can have no place in a

land system constructed for a free people.

Secondly.—Because such system of immigration taxes all for the benefit of a few.

Thirdly.—Because the money so raised is avowedly applied to reduce the wages of the laborer, the mechanic, and others of that numerous class who work for wages.

Fourthly.—Because, under a proper land system, such a system of immigration would be wholly unnecessary, even for the ostensible object of its promoters—an abundant supply of labor.

Fifthly.—Because such a system gives to parties in the United Kingdom the power to send to this country a worse class of immigrants than would be likely to come here at their own expense.

Parliamentary Reform.

The Convention adopted the following Report on the subject of Parliamentary Reform:—

This Convention begs to impress it on each delegate, and on the district he represents, that, having given expression to public opinion on the present Land Bill, and, it is hoped, contributed largely to the defeat of it, and having also collected opinion as to the general provisions of the land bill which the people should hereafter demand, the next subject indispensable to the accomplishment of their object is, the consideration of the means by which this "People's land bill," and every other good legislation, can be secured.

The one effective means of achieving good legislation, and making future conventions unnecessary, is thorough Parliamentary Reform.

The Parliament itself must be made the convention of the people.

The Convention reminds the people that on Parliamentary Reform, as on the Land Bill, attempts will be made to blind them by vague and illusory promises, if they do not themselves adopt some leading principles as indispensable, and by these principles test every candidate who presents himself at the hustings.

As such leading principles, the Convention suggest the following:—

- Manhood suffrage, without any special privilege to property.
- Equal electoral districts, based on population, and to be re-adjusted by every new census.
- The same qualification—simple manhood qualification—for the electors of both Houses of Parliament.
- The duration of the House of Assembly not to exceed two years. The duration of the Legislative Council not to exceed three years.
- No property qualification for members of either House.
- The abolition of all preliminary registration of voters as tending to the disfranchisement of the people.
- The security for the right and identity of the elector to be the oath of the party himself, that he is 21 years of age, a British subject, born or naturalised, a resident of the district for two months, and that he has not voted before at the same election; a security of the same nature as that on which property and life are daily disposed of in courts of justice.
- The number of members of the Assembly to be increased—say to 100.
- There is another principle which the Convention have reserved to the last, because there is no other that they deem so important at present to impress upon the popular mind. They have reserved it in order to give to their recommendation of it a special emphasis and force.

This principle is the PAYMENT OF MEMBERS OF PARLIAMENT.

The sacrifices required from a Member of Parliament in this colony are very great. He removes himself from his home and his private affairs; he lives in Melbourne at considerable cost; and, if he discharges his duties honorably and efficiently, his labors are most onerous. It is idle to suppose that such duties will be well discharged without at least sufficient remuneration to indemnify him from loss or expenditure. By a few persons, and for a short time, they may be so discharged; but by the mass of members, or even by a few continuously, they cannot and will not be. If members are not paid, the people must be content to be represented by persons, who, having other business besides the people's business to transact in Parliament, will not only accept the duties to discharge them gratuitously, but will be very happy even to pay considerable sums for the profitable privilege of being entrusted with them. The history of the present Land Bill proves that it has been a very dear bargain for the people to have accepted for nothing the services of gentlemen who ultimately propose to pay themselves by confiscating the public lands to themselves and their friends.

The Convention submit that the experience of the colony is, that the services of men known and trusted in the several districts cannot generally be secured, unless these men are paid at least such a reasonable sum as may cover their expenditure, and save them from direct loss.

The Convention, while they request the attention of the people to all the foregoing points, solicit it especially to the following three—equal electoral districts; the abolition of registration; and the payment of members of Parliament.

The other points of Parliamentary Reform are, more or less, conceded, and the struggle will not be upon them. The efforts of the enemies of Reform will not be open, but disguised. Their endeavor will be to keep the promise to the ear, but to break it to the sense.

They will profess to give manhood suffrage, but they will endeavor to arrange the districts so as to make one man in certain districts equivalent to five or ten men in others.

They will profess to make the right of voting universal, but they will so embarrass it with regulations, and choke it with impossible conditions of continuous residence, as to make it unattainable in practice to a fourth of those whom they promise to enfranchise.

Professedly, they will enable the people to select any representative they choose, unrestrained by property qualification; but they will make the trust so expensive that few will accept it to do the people's business, and it will, in the majority of cases, be continuously held only by persons who retain it for the purpose of furthering transactions of their own.

The Convention, therefore, urge upon the several delegates that, in all local organisation, Parliamentary Reform, embracing all the principles herein enumerated, and, especially, equal electoral districts; the abolition of registration; and the payment of members of Parliament; be made a prominent subject for discussion, and a test for candidates presenting themselves on popular principles.

Mining on Private Property.

The Convention adopted the following Report on the subject of Mining on Private Property:—

The first clause of the bill is objectionable—

1st. Because the words "Mining District" will confine the provisions of the Act to the present Gold-fields' Districts, and not extend beyond them.

2nd. And because it proposes to invest a judge of the court of Mines (who is not competent to decide on mining matters) with the power to determine whether, or not, mining shall be permitted on private lands; of deciding what compensation should be paid to the owner of such land. And further, of imposing on the miner whatever conditions he may think proper.

Clause 2 is objectionable—Inasmuch as it is quite unnecessary.

Clause 4 is objectionable—As it requires the forwarding of documents to the Chief Secretary.

Clause 5 is objectionable—On account of the decision of arbitrators, so appointed, being likely to be slow and unsatisfactory.

Clauses 8 and 9 are objectionable—Because they increase the difficulties of access to private property, by encouraging litigation and vexatious delays.

Clauses 10 and 11 are objectionable—Because the miner is compelled to pay costs whether he gains or loses the suit.

Clause 15 is objectionable—As it does not give power to mine, when the depth would be so great as to prevent any injury to the surface or buildings.

Clause 16 is objectionable—As it legalises unjust contracts already entered into, in opposition to the regulations of the Local Courts of the districts, thereby conferring on individuals a monopoly of certain auriferous lands.

Clause 17 is objectionable—As it confers on the Governor and Council the power of deciding when auriferous lands are worked out.

Finally: the bill is objectionable *in toto*—As it does not give, as it purports, increased facilities of access, to private property—and because it is expensive, slow, and litigious.

The Chinese.

The Convention adopted the following Report respecting the Chinese:—

"1st. That it is the opinion of this committee, that the introduction of more Chinese into this colony is an evil of great magnitude.

"2nd. That this Committee suggest the necessity of petitioning the Government to enact a law to prevent the further influx of Chinese to this colony.

"3rd. That this Committee request the Legislature to enact a law making it imperative upon the Chinese to leave the colony before the end of six months from the passing of said act, and that no protection tickets be granted for a longer period. And that we are urgent on this subject, as we believe the miners are restrained from summarily dealing with the Chinese by the belief entertained that the question is likely to be satisfactorily

arranged by the Executive.

4th. That Mr. Quinlan be requested to draw up a memorial embodying the foregoing resolutions, and the opinions as expressed by the members of this Committee."

Report of Finance Committee.

The Convention adopted the following Report of their Finance Committee:—

REPORT OF THE SUB-COMMITTEE APPOINTED TO FORM A SCHEME OF FINANCE TO SUSTAIN THE OPERATIONS OF THE CONVENTION.

The first element of power which can be wielded by an associated body such as ours is TRUTH, the second the PRESS to disseminate the Truth, and the third FUNDS to defray the expenses attendant on its dissemination.

A well organised subscription is invariably the most successful; by becoming general, it is more cheerfully paid, and enlists a greater amount of sympathy.

We submit, therefore, that cards of "Association with the Convention" be prepared, with a suitable motto, and on the reverse side of the Card the heads of the Convention Land Bill be printed, which will thus afford a means of circulating the principles of the Convention among the people, whilst teaching them to think and act in unity.

For the Delegates of the Convention the Card might be somewhat varied, and the price fixed 20s.; for supporters of the Convention, probably 5s. might be considered enough.

A third class of collections might be monthly payments of One Shilling, from those whose limited means forbid a greater contribution.

A fourth mode would be, that merchants, professional gentlemen, tradesmen, and others who are friendly to the people's cause, be applied to for donations and subscriptions towards the Convention Fund.

A fifth mode of raising Funds might be by Public Lectures and Public Entertainments, &c., where the principles of the Convention may be explained. The operation of raising Funds and the discussing of the great questions which these Funds are to support produce a double action of utility, informing the public mind on the one hand, and raising necessary Funds to sustain the movement on the other.

The Victorian Convention has it in its power to emancipate the country and open the lands, if the people support it with Funds—already two responsible Treasurers and a permanent Finance Committee have been appointed, and we now recommend that the work be forthwith commenced in the Convention; and that Collectors for the City and Suburban Districts be appointed as one of the most pressing duties of the Convention; when the Gold Fields' and Country Delegates return to their constituencies, they will put the same machinery into motion and remit the proceeds to the Central Committee.

That a monthly Balance Sheet be furnished and printed.

Finally—In making this appeal to the people, it is necessary to remind them that, as they are the basis of power, they are likewise the only legitimate source from whence Funds can be obtained to sustain a National movement of this character. Their willingness to contribute the necessary Funds towards its support is at once a proof of their adhesion to the principles, and a means of disseminating them over the whole community.

And also the following Report, supplementary to the above:—

Supplementary Report of Sub-Committee on Finance.

Your committee would suggest the advisability of forming a common fund of at least £1,000, to be placed at the disposal of the Executive Council to carry out the great objects for which this Convention has been convened.

With regard to the appointment of a permanent Finance Committee, your committee recommend the appointment of such body to be left to the Council of the Convention.

In bringing up this report, your committee would earnestly impress on the gentlemen composing the Convention the great importance of bringing under the notice of the people of their various districts the urgent necessity of contributing promptly and liberally to the general funds of the Convention.

But, as a means of meeting expenses already incurred, your committee would respectfully urge that remittances be forwarded from each locality with as little delay as possible.

Council of the Convention.

The Convention, before adjourning, adopted the following resolutions authorising a Council to sit in Melbourne:—

Resolution as to a Council of Twenty-One.

That this Convention, before adjourning, do appoint a Committee of twenty-one of its members as a Council of correspondence and administration, to sit in Melbourne, and meet, from time to time, as they shall deem expedient. Such Council to consist of six members from the gold-fields, three from the country districts, and twelve from the metropolitan and suburban districts: and the officers of the Convention to be ex-officio members.

Resolutions Amending the Above.

That the resolution heretofore adopted by this Convention, appointing a Council of twenty-one members to act as a council of correspondence and administration in Melbourne, be so far rescinded that the Council shall not be limited in number, but shall consist of as many members of the Convention as find themselves able to attend. That seven constitute a quorum, provided these seven include one of the officers of the Convention, that is to say, the President, Secretary, or one of the Vice-Presidents, or Treasurers.

That in matters coming before such council, and being of sufficient importance to justify the expense of the necessary circulars and postages, all the members of the Convention be communicated with before any decision in such matters be arrived at. And that such members be at liberty to vote on such questions by proxy, and that their letters in reply to the circulars be accepted as their proxies.

Local Leagues in Connection with the Convention.

Before the Convention adjourned, they adopted a resolution to the following effect:—

That the delegates be requested, on returning to their several localities, to establish local leagues, holding themselves in correspondence and connection with the Convention Council of Melbourne, and that these Leagues be requested to use a common card, and style themselves by a common name, varied only by the name of the place in which they may be established, thus—"The Convention Land and Reform League of Ballarat," "The Convention Land and Reform League of Bendigo," &c., &c.

In accordance with this resolution, numerous local leagues have been established, and cards have been struck by the Council and circulated to these several leagues.

Adjournment of the Convention.

The Convention having sat from the both of July to the 6th of August, on the latter day adjourned *sine die*.

Postscript.

Melbourne, 1st October, 1857.

The publication of the foregoing pages having been unexpectedly delayed, the Council is now able to add to them the final result of the opposition to the Land Bill. This Bill passed its third reading in the House of Assembly, on the 3rd of September, by a majority of 30 to 23. A few of its clauses had been modified, but in substance it was not materially altered. It still gave the public lands to the squatters on pastoral leases, for protracted periods, and on such terms as would have made it easy for them gradually to acquire a title on fee simple; and, as already stated, ministers and their supporters refused to recognise the right of any future Parliament to alter "arrangements" thus made by this Bill. The division on the third reading was as follows:—

On Tuesday, the 8th of September, the Bill was introduced into the Legislative Council, and read a first time. Faithful to the course they had pursued in the Lower House, ministers proposed to rush it through the Council as they would fain have done through the Assembly, and to make the second reading an order of the

day for that day week. But Mr. Fawkner met the proposal with an amendment postponing the second reading for a fortnight, and to this amendment ministers were compelled to yield. The country immediately began to rouse it to a new effort. Public meetings were held in all parts of the colony, and petitions to the Legislative Council determined on. It was known that the Bill would encounter a strenuous opposition in the Council, and it was thought that the debate would be more than once adjourned. It was resolved, therefore, not to hurry down the petitions before they were largely signed, but to prove by the number of signatures that the hostility of the country had increased, not abated, since the Bill had passed the Lower House. But the fate of the Bill was decided more summarily than the country expected.

For the reasons just stated, scarcely any petitions from the country districts were presented on the night that the second reading was moved. Melbourne, and two of its suburbs—Richmond and Prahran—sent in petitions which numbered over eight thousand signatures, intending to follow them up with supplemental petitions, to be presented on the next night of the discussion. Collingwood and Emerald Hill had petitions already signed by nearly three thousand petitioners, but deferred forwarding them until they were signed more largely. If the discussion had proceeded, Melbourne and its suburbs would have mustered 20,000 petitioners, being about double the number that had petitioned the Lower House from the metropolitan district. The Secretary of one of the Convention Leagues (Ararat) had communicated to the Secretary of the Convention Council that it was their intention not to send down their petition for the first night, but to give the people full opportunity of signing it. He added that there was every likelihood of 20,000 signatures being attached, from Ararat and Pleasant Creek. The Ballaarat gold field had been districted for the purpose of forming Convention Leagues. Ballaarat had furnished 14,000 petitioners to the Legislative Assembly; the petitioners from Ballaarat to the Legislative Council would probably have been still more numerous. On the whole, there was every ground for expecting that the 70,000 petitioners of the Legislative Assembly would have swelled to 90,000 or perhaps 100,000 petitioners of the Legislative Council. But the bill was destined to no such pomp of obsequies. It met a speedier and more ignominious fate.

On Tuesday, the 22nd of September, Mr. Mitchell moved that the bill be now read a second time. Mr. John Pascoe Fawkner moved, as an amendment, that it be read a second time that day six months. Mr. Keogh seconded the amendment. After a debate of some hours, the amendment was put, and the Legislative Council, without even waiting to hear the country, summarily ejected the bill by a vote of 21 to 6. The division was as follows:

The Council of the Convention, whilst they acknowledge that there is cause for rejoicing in this result, desire not to lose time in exulting over it, nor to lose force by overrating this popular success. Only one step has been gained—a bad bill has been defeated; the main battle has still to be fought and won—a good bill has to be carried. This can only be accomplished by organising the opinion of the country. The Council therefore urge it on the people to organise. And, in organising now, the Council submit that they must organise, not only for a good Land Law, but also for that great Reform, which is the only effective instrument of this and all other reforms. The popular agitation must now proceed upon a more extended basis. A "People's Land Law" and "Parliamentary Reform" must be demanded together.

Appendix.

Speech of Mr. Haines in the Year 1852, at Geelong.

The Council desires to record the following speech of present Chief Secretary, Mr. Haines, delivered in the year 1852, at Geelong. They think the document worth preserving, as a monument of the inconsistency and bad faith of the authors of the Government Land Bill.

Mr. Haines said he should first of all proceed to read a few extracts from the Orders in Council bearing upon this important question, and as doubts might arise in the minds of some persons as to their real purport, it became highly necessary that every individual in the country should be made thoroughly acquainted with their import. Time would not allow him to read the whole of these Orders in Council, but in selecting some which bore more particularly upon the question, he should take care that the meaning should not be garbled by means of his not quoting their context both before and after. Mr. Haines then proceeded to read to the meeting the sixth section of these Orders in Council, and observed that by that ordinance the Crown lands of the colony in the unsettled districts were effectually locked up from the public, and only made available to a certain exclusive class for the lengthened period of fourteen years. In the intermediate districts the time was limited to eight years, but in both instances it might be again renewed, to the exclusion of the public generally, and to the advantage of one particular class of the people. The effect of these orders would be to prevent any person coming into competition with the lessee. He was under the impression at the time they were framed, that is five

years ago, the supposition was that the Crown Lands in the interior of the colony would not be required for occupation like those situated nearer to the sea coast. Such indeed might have been the case formerly, but the late discovery of gold had considerably altered the case. (Cheers.) These lands were about to be thrown open, it was true, but not thrown open to public competition, but merely to a distinct body of men, who are to have the unjust privilege of purchasing the most choice spots at the minimum price of 20s. per acre, (cries of "shame, shame.") He would ask is this fair dealing? (Cries of "no, no.") The favored few were not people who were merely in struggling circumstances, or poor; oh no, they were the individuals who enjoyed more wealth than any other section of the community. The squatters waited until the most favorable opportunity for their raising corn and the other necessaries of life had arrived, and most assuredly, if they obtain the advantages they now seek, they will secure the monopoly in corn as completely as they have that of wool. (Cheers.) The public lands adjacent to the gold-fields were of the utmost importance to the colonists at large, and if put up for sale would meet with ready purchasers from the agricultural and laboring classes. From their proximity to the immense population at the various diggings, they would be preferred to any other for the purpose of laying out small farms, and so reduce the exorbitant rates now paid by the diggers for almost every necessary of life. (Cheers.) If the various provisions of these orders were calculated to act fairly on all branches of the community, without great alteration, there would be an end to the matter. He was not antagonistic to the welfare of the squatters, some of whom he counted among his most intimate friends, but he could not remain inactive when he saw the Government of the country disposed to secure their particular interest at the expense of all others. (Cheers.) The pre-emptive right of these gentlemen, of which we have heard so much, and which is a monstrous invasion of the British Constitution, has already been acted upon even before the leases have been issued. He was no lawyer, but could safely say that such gentlemen who had exercised a pre-emptive right before obtaining their respective leases, have purchased an imaginative property which has never been legally vested in them, and which is not worth a farthing's purchase. They have certainly anticipated their position. The Governor may be called upon by the Orders in Council to assess the value of the Crown Lands, but no provision has been framed rendering it compulsory on him to do so. With respect to the purchasing of lands in the intermediate districts, he would simply make the remark, that, before such land, according to the obnoxious orders, can be exposed to public competition, the lessee, or in other words, the squatter, is to have the chance of picking the best portions, at 20s. the acre. (Cries of "Shame, shame.") In the face of this one great disadvantage, the people would have the option afterwards of securing the inferior portions, by a spirited competition, at perhaps from three to four times the amount paid by the favorite lessee. (Groans.) The number of persons present on this occasion convinced him of the great interest that was felt on this subject. He could have wished, however, the serious consideration of so momentous a question had been delayed for a day or two longer. He had only had intimation on the previous afternoon, and had hardly time to bring more decisive arguments against the iniquity of issuing the leases. At the present day the squatter grew his mutton and wool upon land contiguous to the more humble fanner, and this upon land which cost him nominally a fraction of half a farthing an acre. Now, at the very least, the farmer has paid 20s. per acre for his land, or was living upon a tenancy at the rate of 2s. per acre per annum. It is to be wondered, then, that these two divided interests should regard one another with a jealous and suspicious eye? This is the case unfortunately in most instances, and though the agriculturist has purchased and paid for his land at so much disadvantage, he cannot, unless his ground is well and securely fenced in, impound the squatter's stock when found trespassing; but the squatter, in his turn, who has obtained the run at so moderate a rate, can do this, and has but too frequently used his power, to the great annoyance of his neighbors; and this has been more frequently done from vindictive motives than from the legitimate desire of preventing trespass. As regards manuring or improving land, the squatter would have a great advantage in turning stock on the ground, whilst the farmer would have to feed his stock upon artificial food. He could adopt no alteration of crops, and would be reduced to the necessity of turning his agricultural land into pastoral. He would ask, what advantage would he be likely to derive under present circumstances from his doing so? (Cheers.) He felt no hesitation in affirming that if the leases were issued to the squatters, and the privileges which they are anticipating granted, then it would cause the ruin of the agricultural farms, and afford a monopoly in grain similar to that which has so long been enjoyed by that class in the article of wool. With regard to the only real argument or objection that he considered worth while attending to against suspending the Orders in Council, the alleged breach of faith involved, he would say, in answer to those who affirmed that promises ought to be held sacred, that they should in the abstract, but should they, in the particular instance now before them, when the carrying such promises into execution would involve disastrous and unhappy consequences upon a whole people? (Cheers, and no, no.) It must be remembered, also, that these promises had been extorted from the British Government by misrepresentation. On the same principle, it might be said he was bound to pay a promissory note which had been surreptitiously obtained from him. Before he (Mr. Haines) took his seat in the Legislative Council as a nominee, his first inquiry of Government was regarding the issuing of the leases; and the information from that quarter was that they would not be issued. Upon this condition

alone did he take his seat in the House; but, since the commencement of the present session, he found that Government had altered their views upon the subject, and they were determined to issue the obnoxious leases, upon ascertaining which, it became his duty to vacate his seat. (Hear, and cheers.) Previous to the gold discovery, neither the squatter nor the Government were anxious to have the leases issued, or the lands put up for sale. A short time ago, a certain gentleman of his acquaintance requested his assistance in the purchasing of land in the intermediate district; on application to the Government, he was plainly informed that no lands could be disposed of until they had been offered to the squatter. But from the altered condition of the colony, and its accumulating population, the squatters perceive that, if they do not at once get their leases, they never will. A few months more, and the Government dare not issue them. With respect to the returns relative to the squatting question called for by the elective members of the Assembly, their non-production has been attributed to the inefficiency of the printing department. He would not hesitate to say that, when they do come forth, such a budget of corruption will be presented to the public gaze, as will astonish the most indifferent and careless observer. The people have only to resist this measure for two or three months longer, and the day will be their own, and this without any violent commotion. They should remember that, if this great object is achieved now, it may be done peacefully, but if not, he prayed to heaven he may not be present to witness the result. (Loud cheers.) He would now propose the first resolution, "That this meeting considers the Orders in Council, which have been framed under the authority of the Act IX. and X. Victoria, opposed to the advancement of the colony and the welfare of the vast majority of the community."

W. H. WILLIAMS, Printer, 94 Bourke street East, Melbourne.
Iron Trades' Short-Time Movement. A Report of Conferences
Between Representatives of the
Master Engineers & Shipbuilders of Glasgow and Neighbourhood,
And Representatives of the
West of Scotland Iron Trades' Short-Time League,
Held in Glasgow in February, 1872.
With Relative Correspondence.

Glasgow: Published by the Executive of the Short-Time League. M,D,CC,LXXII. Glasgow: Printed by Messrs. Scott Jeans, 13 Turner's Court,

Iron Trades' Short-Time Movement.

THERE can be no doubt that on Glasgow from all parts of the country the eyes of many were fixed, watching with anxiety and interest for the result of the agitation for the 51 hour week, which for months had been stirring the minds of her thousands of iron workers. By all such this pamphlet will be read with interest. We are also of opinion that a calm review of these pages will lead the public mind to think differently with regard to the West of Scotland Iron Trades' Short-Time League from the opinions that are generally entertained towards trade organisations, especially those which, like it, are of gigantic proportions.

We will not comment upon the coolness, the wisdom, the intelligence, and, withal, the friendliness with which these Conferences were conducted by both parties, as these things must undoubtedly strike the mind of every intelligent reader of this pamphlet; but it is almost impossible for us to avoid recording our satisfaction that we have entered upon an era when employers and employed can settle their disputes and differences in a Christian and intelligent manner.

We are sure we have the sympathies of all in so expressing our-selves, and we think that the extended circulation of this pamphlet will deepen those feelings of sympathy, and create in the minds of working men, in any future emergency, an immediate desire to adopt the course pursued by the Iron Trades, instead of the old method of strikes.

It is chiefly for this purpose, and also to serve as a memento of this important transaction in regard to the reduction of the hours of labour, to allow the working man a little more opportunity for improvement—socially, physically, and religiously—that we send this publication forth with our earnest wishes for its success.

Thos. R. Elrick, SECY.

ENGINEERS' COMMITTEE ROOMS, 182 Trongate, Glasgow, March, 1872.

FIRST CONFERENCE.

ON the afternoon of Friday, the 16th February, a Conference connected with the Engineering trade, for the purpose of considering proposals made by the workmen for the reduction of the hours of labour to 51 per week, and for other purposes contained in a Circular hereinafter introduced, was held in the Religious Institution Rooms, Glasgow. The parties to the Conference were the following gentlemen, representing the Clyde Shipbuilders' and Engineers' Association:—

- Messrs J. F. URE (John Elder & Co),
- Messrs B. CONNOR (Caledonian Railway),
- ANTHONY INGLIS (Messrs A. & J. Inglis),
- PETER DENNY, Dumbarton; with
- R. STEEL, Greenock,
- J. P. SMITH as Secretary.
- Bailie HAMILTON (Barclay, Curie, & Co.),

and a Delegation representing the West of Scotland Iron Trades' Short-Time League, consisting of the following gentlemen:—

- Messrs THOMAS TURNBULL, President;
- Messrs JAMES ALISON, Finisher;
- JOHN BARROWMAN, Vice-President;
- JOHN MARSHALL, Fitter;
- JOHN SIMPSON, Boilermaker;
- HUGH WATSON, Fitter;
- JOHN CRICHTON, Smith;
- THOMAS R. ELRICK, Secretary.

Mr J. F. URE was called to the chair, and, in opening the proceedings, said the representatives of the Masters' Association were happy to meet the representatives of the workmen. He trusted that the interchange of their respective views would lead to a friendly solution of the question at issue. The employers, he added, hoped that a meeting of this kind, conducted in a friendly way, and leaving no unpleasant feelings behind, would tend in the future to draw them closer together, and enable them to understand each other's interests better than hitherto.

Mr SMITH stated that the employers now present had been appointed a committee to confer with the workmen at a largely attended meeting of employers held in the Religious Institution Rooms on the 25th January, and he would now read over the names of the employers who were present at that meeting, to show the authority by which the gentlemen present had been empowered to act. The names were as follows:—

- J. L. K. Jamieson (of John Elder & Co).
- Edwd. Blackmore (of Rankine & Blackmore).
- J. D. Napier (of R. Napier & Sons).
- H. Muir.
- Barclay, Curle, & Co.
- J. Walker (of Walker, Henderson, & Co).
- Alston & Gourlay.
- Raeburn & Simm.
- David Davidson.
- D. M 'Pherson.
- William Boyd.
- James Howden & Co.
- Benjamin Conner.
- James Stirling.
- David Laidlaw.
- David Rowan.
- J. G. Lawrie.
- James & George Thomson.
- A. & W. Smith & Co.
- John F. Ure (of John Elder & Co).
- Paterson Wingate (of Thos. Wingate & Co).
- John Norman (of John Norman & Co.)
- Thos. Blackwood (of Blackwood & Gordon).
- Walter Brock (of Denny & Co).
- Wm. Pearce (of John Elder & Co).
- W. Simons (of W. Simons & Co).

- Chas. Connell (of C. Connell & Co).
- James M. Blair.
- A. Steven (of A. & P. Steven).
- John Turnbull.
- Wm. Forrest (of Forrest & Barr).
- C. Cairns (of Moses Cairns & Co).
- J. C. Bunten (of Anderston Foundry Co).
- C. R. Lawson (of John Lawson, Son, & Co).
- J. M'Millan (of Archd. M'Millan & Son).
- Walter M' Lellan.
- R. G. Ross (of Glen & Ross).
- D. C. Glen (of Glen &, Ross).
- Jno. M. Rowan.
- G. Bowser.
- Christie & Smith.
- John Reid & Co.
- George Bennie & Co.
- Smith, Brothers, & Co.
- J. & A. Law.
- Watson, Gow, & Co.
- H. Kelly (of L. & G. Shipbuilding Co).
- Wm. Denny & Brothers.
- Anthony Inglis (of A. & J. Inglis).
- John Thomson (of J. & J. Thomson).
- James M. Thomson (of J. & J. Thomson).
- R. Duncan (of A. Chaplin & Co).
- G. Harvey (of G. & A. Harvey).
- Andrew M'Onie (of W. & A. M'Onie).
- Ebenezer Kemp (of A. Stephen & Sons).
- H. Cameron (of D. Cameron & Co).
- Jag. L. Cunliff (of Cunliff & Dunlop).
- Robert Duncan (of Robert Duncan & Co.)
- John Napier,
- Robert Steele, jun.
- Robert Curie (of Barclay, Curie, & Co).
- Wm. Young (of J. & T. Young).
- Alex. Fullarton (of Craig, Fullarton, & Co).
- Archd. Gilchrist (of Barclay, Curie, & Co).
- John Inglis (of A. & J. Inglis).
- Henderson, Coulborne, & Co.

Mr Smith then asked the Secretary of the League to state how the delegates present on the part of the workmen had been appointed.

Mr ELRICK read over the following list of workshops that had sent delegates to attend a representative meeting at which the League was constituted:—

- Vulcan Tube Works.
- David Rowan's.
- John Elder & Co.'s Boiler Works.
- Napier's, Hyde Park Street.
- John Yule's.
- Phoenix Foundry.
- White's.
- Finnieston.
- Laidlaw's.
- Cowlairs N.—British Railway Engine Works.
- St Rollox Engine Works.
- Wingate & Co.'s.
- J. & G. Thomson's, Clydebank.
- J. & J. Thomson s.

- Nelson's, Springburn.
- Wilson's, Eagle Lane.
- John Elder & Co., Centre Street.
- Anchor Line.
- Addison, Hamilton & Co.
- Barclay, Curie & Co.
- Saracen Foundry.
- Young's, Sword Street.
- Robison's, Stanley Street.
- A. & W. Smith's, Dale Street, Tradeston.
- J. & A. Harvey, M'Neil Street.
- London & Glasgow Limited Co.
- Iron Moulders' Society.
- Stewart, Losidon Road.
- Jas. Howden & Co.'s.
- Mirrlees, Tait & Watson's.
- Clutha Iron Works.
- J. Mitchell & Co.
- Dubs' Locomotive Works.
- Canal Basin Foundry.
- Norman & Co.
- Smith Brothers.
- Clarkson Brothers.
- Robert Napier's.
- King's, Kinning Dock.
- William King's, Paisley Road, &c., &c.

Mr SIMPSON said—The representatives of the workmen at this meeting were elected at a meeting of the delegates from the different shops, held in the Painters' Hall on the 3d February. The workmen held a meeting, and took into consideration the agitation going on throughout the country for short time. Several resolutions were laid before the meeting. Previous to any active steps being taken in forming a Short-Time League, meetings were held in the different shops, from which delegates were appointed, who formed the League.

The CHAIRMAN—Was that the meeting in the Painters' Hall on the 3d February?

Bailie HAMILTON—Do you know how the delegates from the different works were appointed?

Mr SIMPSON—Previous to the formation of the Short-Time League, numbers of the shops throughout the city generally had taken up the question of short time spontaneously. Committees were formed, which were empowered to co-operate with other workshops to form some sort of League. The different committees communicated with each other—

Bailie HAMILTON—The point I wish to get at is, if those individuals who appointed the delegates were really elected at all in the shops. I can quite imagine individuals going to the delegate meeting without being appointed and empowered for the purpose at all.

Mr WATSON—They were all appointed from the shops. At the commencement of the movement, considerable delay was caused by our being unable to obtain halls throughout the city. I could not tell where the movement really originated, but these delegates were appointed in a proper manner, and were really and truly representative.

Bailie HAMILTON—I find that the carpenters have had nothing to do with this short time movement at all; and from what they tell us, we are also led to believe that the rivetters are not concerned in it. I find from a report in a local paper that different trades that have nothing to do with the iron and shipbuilding trades took part in the meeting in the City Hall.

Mr WATSON—When once the committees were formed, they asked the members of the Trades' Council to give them their countenance, and they also asked their Chairman to preside at the meeting in the City Hall. The Trades' Council is composed of all the trades in the city.

Mr SIMPSON—At the meeting in the City Hall, members of other trades that sympathised with us were present.

Mr DENNY—Of what trades is the Short-Time League composed?

Mr SIMPSON—It is composed of the different branches of engineering.

Mr WATSON—Those working broken time do not ask for a reduction in the hours of labour—that is, these not working under cover the same as engineers. They considered it was perhaps too great a stretch to ask this, because they were sometimes prevented from working 51 hours as it is.

The CHAIRMAN—Your League is said to embrace the different works in Glasgow-and the West of Scotland. How far do you consider the West of Scotland to extend?

Mr TURNBULL—We have connection with Greenock, and with the whole of the towns on the Clyde side; but we have also connection, in a more indirect way, with the whole of Scotland.

Mr STEELE—I have been told that the Greenock men repudiate any connection with the League.

Mr WATSON—I had communication with them, and have reason to know that they entirely sympathise with our movement. To make the matter plain, I may state that this League has connection with all other associations of working men throughout the country.

Mr SIMPSON—The gentlemen present may have seen a report in the Herald of a meeting held at Greenock, at which it was unanimously resolved to go in with the League.

The CHAIRMAN—I was going to ask whether you were an independent society, or had any connection with the Associated Society of Engineers?

Mr BARROWMAN—In reply to that question, I may state that I am not a member of any trades' union whatever, and never was; yet I am a member of this League, and a most active one. I think that will be satisfactory.

Mr SIMPSON—I may also state that I am not a member of any trades' union.

Bailie HAMILTON—I don't know if it is important; but I notice that at the delegate meeting there were delegates from Dubs' Works and from the works of the Caledonian Railway Company. Now, is it not a fact that at these works the men agreed to accept the 54 hours? How do you account for that?

Mr WATSON—As I belong to the Caledonian Works, perhaps I may be allowed to answer that question. The agitation in the Caledonian Railway workshops was started previous to this agitation altogether. Mr Connor said to us distinctly that he could not grant us 54 hours, but he would have no objection to grant fifty-four. Several questions arose, and he said that, as a company, they could not take the lead in the matter. The men would get 54 hours in the meantime, and the 51 hours would be left an open question.

Mr CONNOR—I agree with that statement. The men first asked me to present a memorial to the Board of Directors asking for a reduction of the hours to fifty-one. I told them that I would present it to the Board if it was their desire, but that, at the same time, I should feel it to be my duty to give it my opposition. After I made this representation, the memorial was taken back, and altered to 54 hours. The Directors granted the 54 hours, and there the matter stands for the present, but I do not look upon it as a settled question. I reckon that there are more men in our workshops, a very great many, in favour of the 54 than there are in favour of the 51 hours.

Mr MARSHALL—Cowlairs workshops are in the same position as stated by Mr Watson. When the other shops in the town get the 51 hours, they will get the same. We have now gone with the League to demand what the other trades do.

Bailie HAMILTON—Then you can have no objection if all the men in all our workshops do the same—that is, go in on the 54 hours, and get the 51 at the time it becomes general?

Mr MARSHALL—You must remember that there is a very large majority of the men in favour of the 51 hours, and prepared to make a stand for it at any time.

Mr TURNBULL—Dubs' shop have accepted the 54 hours. They asked nothing, but left it to himself, because they knew that he would give whatever the rest of the trade obtained. They just asked a reduction of the hours, and he offered fifty-four. They are convinced he will give the fifty-one at the proper time.

Mr STEELE—No thanks to him, then; for by that time he could not resist.

Mr BARROWMAN—I object to this system of cross-questioning. I think it has gone far enough.

The CHAIRMAN—All the gentlemen present wish, I am sure, is, that the question be put clearly before them.

Mr SIMPSON—I heard the report of the representatives of the Caledonian Works, and they stated that Mr Connor said the Railway Company would not do to take the lead in this matter; but if the masters in the other shops granted the request of the workmen they would get it also.

Mr CONNOR—I said the 51 hours could not be granted, and I said there was no use for a memorial, because the 54 hours would be granted in March. And then, J said that whatever time was fixed in Glasgow the Railway Company would have to grant it, but the Railway Company could not take the lead in the matter.

The CHAIRMAN—Mr Napier, one of our number, is absent in London, but he has sent a letter of apology, which the Secretary will read to the meeting.

Mr SMITH then read the letter, which was as follows:—

5 MONTAGUE PLACE, LONDON, 15th February, 1872.
DEAR SIR,

Yours of 13th inst. duly received, and in reply I beg to state that I am very sorry it will be out of my power to be with you to-morrow to attend the conference with the workmen. I came here on Monday at the pressing desire of the Turkish authorities to look over drawings and scroll contract for an armour-clad frigate, the preliminaries and price of which I had arranged when at Constantinople last autumn. There is a difficulty in concluding the contract, as the extra price we are now compelled to ask, owing to the great rise in materials and wages, is so very much that I am exceedingly afraid this change in price will stop the order altogether, and so deprive Glasgow of at least half a million of Turkish money that would for certain, but for the great rise in materials and wages, have been spent here. As I have again to see the authorities on the subject of this armour-clad and try to bring matters nearer to a point, I cannot well leave this for a day or two yet. I hope, therefore, you will explain to the workmen, and to Mr Jamieson, Mr Denny. &c., the cause of my unavoidable absence. In regard to the 51 hours movement, I am decidedly opposed to it. as being bad for both men and masters, as I think it will defeat the object its promoters have in view; and with me it is very questionable whether the change from 57 to 54 is not also bad; and for certain 51 hours should not, in my opinion, be given into till some years' experience is had of the 54. Hoping that the conference to-morrow will have a good and friendly result,

I am, Sir, yours sincerely,

John Napier.

The CHAIRMAN said the first thing to be taken up was the circular addressed to the masters by the League. The circular referred to was as follows:—

*WEST OF SCOTLAND IRON TRADES' SHORT-TIME LEAGUE, ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE,
January 20, 1872.
SIR,*

It seems evident that, to the majority of Employers in the Iron Trades of Glasgow, the necessity for having the hours of labour reduced is already an acknowledged fact, since it is observable, in many instances, notices have been posted on the gates of certain workshops intimating the possibility of a reduction being conceded to the extent of three hours per week on 1st March without solicitation. The question has also occupied the attention of the employees of the iron trades (your workmen included), who have given it careful consideration, viewing it in its various aspects, and who believe, as the ultimate result of their deliberations, that every step in the direction of a reduction of the working hours to the limit where in a workman can continue in active employment without injury to his mental and physical constitution, is the surest and speediest way to secure a better understanding between employers and employed, seeing it will contribute to the advantage of both parties. But while we, your workmen, in common with the whole of the iron trades, agree in the opinion of these employers, in so far as we have conjectured it, we are further of opinion that the present state of circumstances warrant us in expecting a greater reduction than that already alluded to, as well as other rectifications that are much needed. Therefore, we respectfully request you to consider the following resolutions, as passed in an aggregate meeting of the trades, in City Hall, on Friday, 12th January:—

1st. That, in the opinion of this meeting of the iron trades of Glasgow, the immense increase of scientific power and labour-saving machinery, justifies us in seeking to participate in their advantages by the reduction of our hours of labour. We therefore solicit our employers to consider the propriety of reducing them to 51 hours per week, and that in future the wages be rated by the hour, with an advance on the present rate sufficient to compensate the deficiency caused by the reduction in time.

2d. That we decidedly object to the injurious practice of systematic overtime, and wish it abolished altogether; but in cases of emergency, where it is really requisite, we agree to work it if paid at the rate of time-and-half after the regular working hours, with a penny per hour of allowance—holidays to be reckoned as overtime.

3d. That this meeting approves of the system of weekly payments as being a great advantage to working men, and resolves to solicit its adoption in future instead of the fortnightly system as heretofore.

In forwarding these propositions for your consideration, we deem it unnecessary to enter into details to explain our position, seeing that so much attention and discussion has been given on it for months past.. Expecting an answer in reply on or before 1st February, 1872,

*We are, Sir, in name of Executive of the League, your obedient Servants,
Thomas Turnbull, PRESIDENT.*

Thomas R. Elrick, SECRETARY.

The CHAIRMAN—You will see there are three propositions brought specially before our consideration, and I think we had better consider them one by one. We should be glad to hear anything that any of you gentlemen representing the workmen have to say in support of the first proposition.

Mr BARROWMAN—Would it not be better if you would point out the various items to which you object, and we will consider them, and leave out the other matter?

Mr DENNY—I think Mr Smith's answer said we objected to the 51 hours.

Mr SIMPSON—I think Mr Smith's reply should be read now.

Mr ELRICK then read Mr Smith's reply, which is submitted, along with the correspondence that followed:—

CLYDE SHIPBUILDERS' AND ENGINEERS' ASSOCIATION 67 Renfield Street Glasgow, 20th Jan., 1872. TO THE SECRETARY AND TREASURER OF THE WEST OF SCOTLAND IRON TRADES' SHORT-TIME LEAGUE. GENTLEMEN,

In reply to your circular, dated the 20th inst., addressed to employers in Glasgow and neighbourhood, I have to inform you that at a large meeting of employers in Glasgow, Renfrew, Port-Glasgow, Greenock, and Dumbarton, held in the Religious Institution Rooms yesterday, your circular was under consideration, and the unanimous opinion was, that seeing the employers have recently voluntarily made a reduction of the hours of labour to 54 hours per week, the request contained in your circular for a still further reduction to 51 hours per week, is, in the present circumstances, unreasonable, and Mr John Napier, Lance-field Street; Mr Peter Denny, Dumbarton; Mr J. F. Ure, of John Elder & Co; Mr James Hamilton, of Barclay. Curie, & Co.; Mr R. Steele. Jun., Greenock; Mr Anthony Inglis Pointhouse; and Mr Benjamin Connor, Caledonian Railway, were appointed a committee to confer with an equal number of workmen elected from the various workshops in the district, with the view of arriving at a friendly arrangement in reference to the subject of the circular.

If the workmen are disposed so to meet in conference, will you kindly send me the names-of their representatives, and the workshops where they are engaged, so that a meeting may be arranged.—I am, Gentlemen, yours truly,

J. P. Smith, Secretary.

WEST OF SCOTLAND IRON TRADES' SHORT-TIME LEAGUE, ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE Glasgow January 30th, 1872 J. P. SMITH, Esq. SIR,

I beg to inform you that I am in receipt of the employers' reply to our circular, as forwarded in your communication of date the 26th inst., and further to state that at our next meeting of delegates, which takes place on Saturday first (3d February), it will be duly laid before the meeting for their consignment, as you have desired. Thereafter, when the names of representatives are secured (if the proposal of a conference is approved of), I will make no delay in forwarding them to allow of the necessary arrangements being made to carry out the conference.—I am, Sir, yours truly,

Thomas R. Elrick, Secretary.

[The meeting alluded to in this letter took place on the 3d, and the proposal for a conference was accepted. A letter to the following effect was accordingly sent to Mr Smith, Secretary to the Associated Employers]:—

ENGINEERS' COMMITTEE ROOMS 182 TRONGATE February 3, 1872 J. P. SMITH, Esq. SIR,

Your communication containing the proposal of the employers, as decided upon at their meeting in the Religious Institution Rooms on 26th ult., was laid before a largely-attended meeting of delegates in Painters' Hall, Antigua Place, City, this afternoon, and they unanimously agreed to forward you, in reply, the following resolution, and at the same time inform you of the dissatisfaction they feel that employers non-resident in the district, who had never even been memorialized on the question, have been appointed to take part in the Conference; and to request that if it were possible, without loss of time, to re-arrange this matter so as to meet the workmen's views, you might do so. They could then fully and heartily accord in the proposal referred to.

The following is a copy of the resolution:—" That this meeting of workmen's delegates comply with the employers' proposal, in that they request a conference; and, further, that we agree, as requested, to forward the names of our representatives, and the workshops where they are employed; but that all arrangements for said conference be officially communicated through the Secretary of the League, and not through individual representatives."

Hoping you may find it convenient for the Conference to take place on Tuesday night, or as early thereafter as possible,—I am, yours truly,

*Thos. R. Elrick,
Secretary of West of Scotland Iron Trades' Short-Time League.*

*CLYDE SHIPBUILDERS' AND ENGINEERS' ASSOCIATION 67 Renfield Street Glasgow, 7th Feb., 1872, Mr Thos. R. Elrick, Secretary, West of Scotland Iron Trades' Short-Time League.
SIR,*

Your letter of the 3d came to me on the 5th. Arrangements for meeting will be made as soon as possible, and of which due notice shall be sent you.—Yours truly,

Pro J. P. Smith, Secretary, G. M.

*ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, February 8, 1872. J. P. SMITH, Esq.
SIR,*

Your letter of yesterday has this evening been under the consideration of the Executive of the League, and I have been instructed to inform you that if the objections taken in my last communication to those employers not resident in the district who have been elected as conferees at the proposed conference, is in any way likely to impede the progress of the negotiations, it is our desire that these objections be annulled. Further, we are prompted by the pressure from without to urge that a precise day be stated for the conference to take place, and that it be no later than Tuesday, 13th Feby., 1872; and an answer to this letter is requested by Saturday the 10th, mid-day.—In behalf of the Executive, I am, Sir, yours truly,

Thomas R. Elrick, Secretary.

*CLYDE SHIPBUILDERS' AND ENGINEERS' ASSOCIATION 67 Renfield Street Glasgow 10th Feby., 1872.
SIR,*

I have your note of the 8th. The objection taken in your former letter to the constitution of the committee of employers appointed to meet in conference with the workmen, made it appear necessary to call the employers together again to reconsider the matter, as no alteration could be made without the sanction of a general meeting.

In your last letter you say—"That if the objections taken in my last communication to those employers not resident in the district, who have been elected as conferees at the proposed, conference, is in any way likely to impede the progress of the negotiations, it is our desire that these objections be annulled." Am I to understand by this that the feelings of dissatisfaction expressed in your first letter are removed, and that you are prepared to meet the committee of employers named "fully and heartily" in conference.—I am, yours faithfully.

J. P. SMITH, Secy, for Employers.

*Mr Thos. R. Elrick, Secy.,
West of Scotland Iron Trades' Short-Time League,
182 Trongate.*

ENGINEERS' COMMITTEE ROOMS. 182 TRONGATE, February 12th, 1872. J. P. SMITH, Esq.

SIR,

It was, and is still, my opinion that my letter of the 8th is clear upon the inference you have taken from it, and I can see no reason why you are protracting the proceedings to such an unwarrantable extent, even though you have had reason to call a second meeting of employers on account of an objection raised against certain conferees on the roll; at any rate the least you could in courtesy have done, was to have communicated the reason of the delay, for it is utterly impossible for us to keep the men much longer in abeyance under such treatment. But, that you may be thoroughly convinced on the question of our readiness and willingness, I beg to state that our conferees have been so situated since the date of my last communication. As there is little time to dispose of, I send this communication by the-hands of a messenger, that any reply you have to give may be at once returned, or a time stated when the party may call for it, if it is inconvenient for you to do so immediately.—I am, &c.,

Thomas R. Elrick, Secretary.

CLYDE SHIPBUILDERS' AND ENGINEERS' ASSOCIATION, 67 Renfield Street Glasgow 12th Feby., 1872.

SIR,

I have your note of this date. The inference I drew from your letter of the 8th was, that you annulled the objection, in so far that you were prepared to meet the committee-named; but you did not state that you were satisfied with the constitution of the committee, and prepared to meet them "fully and heartily," as indicated in your letter of the 3d. It is all-important that there should be no doubt as to the spirit in which parties meet, and I will be glad to learn from you if the question put in my letter of the 10th is answered in the affirmative.—Yours faithfully,

J. P. Smith.

Mr Thomas R. Elrick,

Secy. Short-Time League, 26 St. James' Street.

26 ST JAMES' STREET, KINGSTON, GLASGOW, February 12th, 1872. J. P. SMITH, Esq.

SIR,

I am in receipt of yours of this date in reply to mine of this morning. I regret that so much valuable time has been lost upon a matter which is scarcely deserving of so much importance, considering the urgent way in which the workmen are pressing for the conference. But to assure you upon the point indicated in your letter, I distinctly state that we are in the position to enter fullu and heartily into the conference. It is requisite, however, that the arrangements be completed to-day, for we fear it will be impossible to prevent the shops from taking action on their own responsibility, and bringing about consequences that would be serious to both parties concerned, and which might happily be averted by the proposed conference taking place immediately.—I am, yours truly,

Thomas R. Elrick, Secretary of League.

CLYDE SHIPBUILDERS' AND ENGINEERS' ASSOCIATION, 67 Renfield Street Glasgow 12th Feby., 1872.

SIR,

I am glad to receive your second note. There will be no difficulty now in arranging for a meeting. I will probably be able to say to-night or to-morrow forenoon what clay it will suit the masters to meet.—Yours faithfully,

J. P. Smith, Secy.

Mr Thos. R. Elrick, 26 St. James' Street, Glasgow.

*26 ST. JAMES' STREET, KINGSTON, Glasgow February 12, 1872. J. P. SMITH, Esq.
SIR,*

While expressing satisfaction that we are now on a proper understanding in regard to the conference details, I beg to remind you that to-morrow is the day—the ultimatum—to which the men's impatience will allow them to grant us; and it is, therefore, very necessary that the arrangements do not extend beyond that time, else we cannot promise, as a League, to account for individual shops acting on their own responsibility.

Expecting an answer at your earliest convenience—if not by messenger, please address, Engineers' Committee Rooms, 182 Trongate,—I am, yours truly,

Thos. R. Elrick, Secy.

*CLYDE SHIPBUILDERS' AND ENGINEERS' ASSOCIATION, 67 Renfield Street Glasgow 12th Feb., 1872.
SIR,*

I am now able to say that the Employers' Committee will be glad to meet your Committee on Friday the 16th inst., at 2 p.m., within the Religious Institution Rooms, if convenient for you. In consequence of several of the members of the Committee being front home, this is the earliest day upon which they can meet.—Yours truly,

J. P. Smith.

Mr Thos. P. Elrick, Engineers' Committee Rooms, 182 Trongate.

*ENGINEERS' COMMITTEE ROOMS. 182 TRONGATE, February 14th, 1872. J. P. SMITH, Esq.
SIR,*

Your reply to my last communication, which I duly received yesterday morning, was laid before a special meeting of Representatives of the West of Scotland Iron Trades' Short-Time League, last night, in the Blacksmiths' Hall. With the earnest desire to avoid a conflict between themselves and their employers, if it is at all possible, and in consideration of the very reasonable excuse you have assigned as the reason of the delay, the workmen have resolved to meet your Committee on the day appointed, and instructed their representative Committee to attend on their behalf.—I am, Sir, yours truly,

Thos. R. Elrick, Secretary of League.

The CHAIRMAN—Then, this conference has grown out of the correspondence that has been read.

Mr ELRICK—Exactly so.

The CHAIRMAN—This circular of the workmen asks for a still further reduction than 54 hours, and we should be glad to hear what explanation you have to give in favour of that wish.

Mr BARROWMAN—I was intending to make an explanation as to what we had to say in the matter; but we have here put a positive question, and we think it is imperative upon you to state your objections. We have made a claim, and we have stated several reasons in its support, and I think the onus rests upon you.

Mr DENNY—There is a rule to the effect that you are not required to prove a negative.

Mr A. INGLIS—With all due deference to the last speaker on the other side, we have met here to hear some reasons why we should adopt the change. They sent us a circular asking for 51 hours, and we thought it unreasonable, and we wish to hear some of the reasons that have led them to that conclusion. It is very plain, I think, that if we are asked to pay as much wages for 51 hours as we now pay for 57, we are asked to do something that is unreasonable, and something which has not been heard of in the memory of any of us before. We considered that, after this movement had been carried out to the great disadvantage of both employers and employed in Newcastle, the nine hours would be a general thing all over the country. Although none of us—I

for one—did not even consider the 54 hours as an advantage either to the men or to ourselves, yet, to save the trouble that would attend upon a strike, we agreed to give the 54 hours. I have an impression that the time will come when men will ask that the hours be brought back to the 57. I would like you to show us any reason why it is oppressive, in the first instance, for a man to work 57 hours, and then let us know how you consider three hours less work would make him a much better man. You must remember that this affair is a matter for the whole country, and not only for a few engineers. Suppose we have a little dulness in the trade. There are a great many men that will be turned out of employment. You will have some poor-rates to pay very likely, and there will be an increase in the amount of these if you do not give your fellow-labourer an equal chance with yourselves. Then, all great changes, if made speedily, either in politics or religion, always entail a great deal of misery upon somebody. This movement will not be any exception, and you may depend upon it that, if carried out, it will cause a great deal of misery. Employers will lose a great amount of money, and that is a very serious thing. As regards the men, it will only be giving them a benefit for a little, while it would be injuring their employers, and they should take this view of the case into account. In a conference like this, it becomes us to try and satisfy ourselves in some shape. As employers, we are perfectly dissatisfied with the proposal for the 51 hours; indeed, we are dissatisfied with the 54; but we would rather suffer than have a strike. We are met here for the purpose, if possible, of averting any dispute, and I hope you will try to enlighten us and give us some reasons why 51 hours should be granted.

Mr BARROWMAN—I am glad Mr Inglis has so freely given expression to his feelings, and I would now with deference yield to some other speakers on the same aide.

The CHAIRMAN—I think Mr Inglis has opened up the matter in a manner sufficient to give you an opportunity to make a statement, which I have no doubt you will have thought over. It will lead to some further discussion.

Mr BARROWMAN—It is entirely out of deference, Mr Chairman, that I wished to give precedence to the other side. I have prepared no set speech. As regards the general question of the 51 hours, whether it is to be a general benefit or not, is a very broad question—to take it as Mr Inglis has viewed it, as affecting himself, the working men, and the general community. Now, I think, from the working man's point of view, that the 51 hours will produce a great benefit to him. By granting this demand of the working man, you will enhance the general good of the community. If we are called upon to work too much, we prevent others from working. We are filling our jails and poorhouses by working overmuch. we want to divide work with our fellows; and it will certainly recur to the employers that they will have less burdens in the shape of taxes for the poor and for police, and the result will ultimately be a benefit to them as well as to us and to the country generally. We want, if possible, to widen the circle of labour, and bring within it a large number of people who are at present a burden to the nation. Then, again, we want to bring in many—a great many people who are continually taking to selling anything in the world by which they can support themselves and avoid labour. They are a burden upon us, because we have to work what they are neglecting to work. The greater number of these people we have to maintain, the more harm is done to the general welfare of the community. You are well aware that working men generally try to obviate this evil and burden by supporting co-operative stores and various kinds of co-operation. By these means they shorten the various channels through which the necessaries of life run, and in that way they throw out a great number of people who are in the dealing line, and enhance the quality of the articles of life in comparison with the prices they pay for them at the present time. In this way those middle people, who live upon us, will be obliged to go to work, while at the same time our wants will be better supplied. Another thing we wish to do is to make labour less revolting, so that men will not feel they are degraded by working at a trade. I have worked now for nearly thirty years. I have done the very best I could to place myself in a respectable position. With no want of care, and no want of ability, and with no want of willingness to work—for no man ever said I was lazy—I have made nothing by it, and am here to-day looking forward to an early grave by working too much. This morning I was working when I should have been in bed. Now, this is the condition I am driven into by so many people being left cut of employment, whilst I have to help to keep them in a state of idleness. Now, looking at the question in its broad political light, there is at the present time an understanding among the whole of the working classes. They are united in various forms for the purpose and with the express determination of bettering their condition. The working classes have set their minds upon this short-time movement, and I ask you will you delay the settlement of this question until a political crisis arrives? There is little doubt that in the near future some revolution is approaching. I wish this question settled, so that it would not be in the way then. As you are well aware, eight hours has been considered as the maximum of a day's labour by men -who have studied the question thoroughly, and we have compromised the matter by asking an hour less.

Mr SIMPSON—I do not see the necessity of taking up the eight hours' question at all, because I think we can safely leave it to the next generation. I am of the same opinion as Mr Barrowman, and I do not think our request is unreasonable. Mr Inglis has attempted to show that it is; but I don't at all agree with him that the result of

shortening the hours of labour would be an increase of pauperism. There are other causes at work to produce pauperism; and before this Conference is ended, I think it will not be difficult to prove that overtime has a great deal to do with it. Overtime enervates the system and creates a craving for stimulants, and we know with what results these are often resorted to. The respectable working man becomes a drunkard, and he and his wife and family are a burden upon his fellow-workmen and on society. I think this a sufficient reason to show that the shortening of the hours of labour will not increase the burdens of society. We ask the hours shortened to allow us time for the improvement of our minds. I can assure you that we, as working men, highly appreciate the right recently accorded us of having some share in the making of the laws by which we are governed; but I hold it is a necessary following up of that right that we should use it for the amelioration of our condition. I hope, gentlemen, you are not to hold that working men are always to remain in the same condition of existence as they were, say 500 years ago. It is only a question of a very few months, indeed, when this short time movement will be recognised and acknowledged all over the country. You all know that in Dundee and Edinburgh, and other places, the employers have, in some instances at least, granted the request of their workmen——

Mr STEELE—They have been forced into it.

Mr SIMPSON—Well, I think we should take a broad view of this question. Personally, I may say I have no objection to 54 hours; but I look upon it in this light—What is the use of us starting with 54 hours just now, and then, in a few months hence, having to re-open the whole question? I think it would be better to settle the question for at least our generation.

Mr DENNY—I would just remark that the question may be brought up some months hence in a different way.

Bailie HAMILTON—The reverse way?

Mr DENNY—Yes. There is no doubt that what brought this question up just now is the favourable state of trade; but as the state of trade was three years ago, rest assured it will be three years hence.

Mr TURNBULL—If that is so, there is all the more reason that we should have the hours of labour shortened when trade is prosperous. It is for our interest to get this reduction, for one reason—for the well-being of the rising generation. The apprentices in our workshops are kept working late hours, and prevented attending the evening school. Now, if they dropped at five o'clock, they would have plenty of time to attend these schools.

Bailie HAMILTON—According to your proposal, the hours of labour are to be reduced by six, and you are to remain as at present so far as wages are concerned. I have no doubt you will find very soon that your wages will not go so far as they used to do. Of course, if the price of provisions is getting up, your wages will not be of equal value to what they are now. That is looking at the question from your point of view; but do you ever look at it from the way in which it is calculated to affect your employers? The first thing you ask us to do is to give you 51 hours, and you are, at the same time, to get the same amount of money as you now get for 57 hours. Well, taking the men's wages just now at 6d per hour, that is 28s (id. Now, the first thing we have to do, after granting the 51 hours, is to advance the wages so that they shall come up to 28s 6d per week, or something like 6¾d an hour. Well, that is the first consideration on the part of the masters. Supposing they granted all that, and the state of trade continued good, they should have to get more men to do the work. Then the question arises, Where are we to get them? One of the speakers said one object of reducing the hours was that more men might be employed. Now, the fact is that in many departments we cannot get men as it is. Well, passing over that, when you work 51 hours, and receive 57 hours' pay, should you be required to work say three hours additional, you require us to pay time-and-half overtime. The man that now gets £1 8s 6d a week would for the same hours get 5s 7d additional, or within a trifle of 20 per cent, more than at present. Now, I ask you to look at the matter from that point of view. The sum of 20 per cent, is equal in our works to about £18,000 a year. You ask us for a reason for saying your demand is unreasonable. Is it not unreasonable to put us in this position—that we will lose £18,000 a year? Would it not be much better to be satisfied with the 54 hours than produce such disastrous results as this?

Mr WATSON—Our employers still seem to hang on to the idea that the men will work 60 hours per week if they are paid overtime. We do not want to work overtime. I firmly believe that, by increased diligence on the part of those above us, the loss will not be so great as is supposed. We know that when it comes to the last hour of the day—at night, when it comes to be getting dark, a good deal of time is often lost, and I consider the employers will not be at such a loss after all. If you take it cent, per cent., it looks large; but we believe that increased energy will be put into our work while we are at it if the reduction is conceded. ("Hear, hear," from Mr Inglis.) A considerable time has been given to finish existing contracts. We see that the iron market has been rising to an enormous extent, and I do not think it is a reasonable view to suppose that we working men would quietly sit still, and not endeavour to improve our position. I have no doubt that you have considered these questions in taking recent contracts. The wages of nearly all other trades have been rising, but a good many years ago our wages were as high as they are at the present time.

Mr STEELE—The engineers alone have not got the benefit.

Mr WATSON—No, Sir, we have not. We are bound to look at the matter also in another light. Provisions are getting up, and everyone is getting a slice off our weekly allowance, so that we are really in a worse position than we were a good many years ago. In my own position, I find that to keep a house and keep myself respectable is no easy matter; and I get but a bare existence compared with that of other tradesmen. We consider that our existence should be got for as reasonable a number of hours as possible, and that our demand of 51 hours is by no means unreasonable.

Mr DENNY—The real question is, Can this be agreed to in the present state of trade? The argument from political economy can be considered from both sides. I want to look at the matter in a practical light, and I find that the difference to me between 51 and 54 hours is £5000. I am happy to say I have protected myself by taking no contracts. I could not protect myself by putting the contemplated additional outlay on the contracts. I tried it in several instances, and the result was that I lost the contracts altogether. I had anticipated the 54 hours long before it came, and made provision for it.

Mr WATSON—You are working 60 hours in Dumbarton, and the reduction in your case to 54 will be the same as the reduction in Glasgow from 57 to 51.

Mr DENNY—The difference in our work between 54 hours and 51 makes £5000 a-year. In making my contracts I did not allow for this; therefore I would have to lose it, and I can't afford it. I put the matter in this shape. I am willing to grant 54 hours, which is a reduction of six hours per week, and I hold that is a very fair concession, situated as I am, to my workmen. I had expected you to believe me when I say that I cannot afford to go further. Then, the reduction of the hours, coupled with the advance in the material, has deprived me of orders; and the engines I ought to have made for the Austrian Lloyd's are now being made in Trieste, because they can be made there more cheaply. I think that a reduction of the hours to fifty-one would be destructive of the trade. I was prepared to reduce the hours to fifty-four, and my workmen have expressed themselves willing to accept my proposal. I have been a working man myself, and worked very hard too, and I can sympathise with my friend, Mr Barrowman; only I have been a little more fortunate than he. I don't think, with all deference to my friend, Mr Barrowman, that nine hours is an excessive day's work for any man of fair average health and strength. It has not prevented many men from rising in the world, and providing for their families in a respectable way, and I hope the Conference will consider whether the 54 hours is not really going far enough at present. Of course, I quite agree with Mr Turnbull that now is the time to push for the 51 hours; but I would just like to call attention to this view of the matter: when trade reaches an excessive height of prosperity (I speak from thirty years' experience), there most certainly comes a turning point. I want to give the discussion a practical turn if possible.

Mr SIMPSON—I think this a most important part of the discussion. Mr Hamilton informs us that the change would involve his firm in a loss of £18,000; but will Mr Hamilton maintain that shipping companies should have nothing else to do but draw large dividends off his capital and our labour. I wish you to take this view of the matter. We are not wanting anything unjust or unreasonable. We are quite willing to allow some time to expire before we insist upon the 51 hours taking effect, and I don't see any difficulty in raising the next contracts you make. The men are now getting 6s more per week in Liverpool, and 10s more a week in London; and how is it that the English employer, competing in the same market with the Scotch employer, can afford to pay so much greater wages? I think the way to get over this matter is to name a time for the 51 hours to come into force, and to provide for it in the next contracts.

Mr BARROWMAN—The working classes of the West of Scotland and of the whole of the country have come to the conclusion that it is better to reduce the hours of labour than to claim a rise in their wages. The present is a time when a rise of from 10 to 20 per cent, might justly be claimed, because the iron markets have actually risen from 10 to 40 per cent. Well, it is necessary that we should bestir ourselves to keep pace with the age. In recent years we would have accepted a rise in our wages rather than a reduction of the hours of labour, but I can assure you that the working classes are now thoroughly in earnest in wishing the hours reduced.

Mr DENNY—I would suggest that we take the week at 54 hours, with the wages as they are now, and give an advance of 5 per cent, in addition. We must look this matter fairly in the face, because, although I have not got it, there is a pressure of work on the Clyde just now, and it has got to be wiped off. I won't take the vulgar view of the overtime. I have been always against it. (Hear, hear.) My proposal would be halving the time in dispute, and would give the employers the advantage of three hours more.

Mr TURNBULL—Take 54 hours at present, and state a time when you will grant the 51 hours, allowing time to complete existing contracts.

Mr A. INGLIS—The contracts just now will last for twelve months, at least.

Mr DENNY—I state frankly to you that I do not think nine hours is an excessive day's labour. Let us see how it works. I think it a very fair compromise.

Mr A. INGLIS—But you understand that applies only to the engineers.

Mr BARROWMAN—We do not belong only to engineers.

Mr CONNOR—The reduction already granted in our work from 57 to 54 hours a week has caused a loss of 500 days per week. Suppose that the 51 hours are granted, we shall lose 1000 days per week; and how do you think, in the present state of the labour market, shall I be able to provide for that loss? That is another way to look at the matter. Just as surely as sunshine follows sunrise, we will have as bad times as we have ever had. I assure you that any position that is taken by force cannot be maintained. Anything given by concession, and taken frankly, will be maintained. I have spoken to many employers, and I know that whatever you take from them by force, they will take back by force when their opportunity arrives. I am merely throwing out these hints as a caution.

Mr MARSHALL—I think that really when men are well dealt with it will be found that, with shorter hours, the work would nearly come up to the same mark as formerly. I can prove that in the shop in which I am working we have actually done more work in the 54 hours than we used to do in the 57.

Mr CONNOR—That statement goes to show that the work was not honestly done before.

Mr STEELE—I do not think that is the inevitable conclusion, Mr Connor.

Mr MARSHALL—We are not entitled to tear ourselves to pieces, but if well dealt -with, we can do more work.

The CHAIRMAN—It is contended on the one side that a reduction of the hours means a reduction of work; it is contended on the other that a reduction of the hours gives increased physical power, so that that increased power accomplishes more work in less time. Could not some arrangement be made by which both views could be met? Suppose you made an arrangement agreeing upon terms of piece-work. Every man then would be at liberty to do as much or as little as was good for him, and would be satisfied that he was doing what was just. It seems to me that a fair arrangement between masters and men could be attained if a well-regulated system of piecework were introduced, and it appears to me that such a meeting as this could suggest ways of carrying out such a system. I make that suggestion with the object of throwing difficulties out of the way.

Mr TURNBULL—If the piece-work proposal were put to the shops on the Clyde, I am certain it would be the means of turning out the whole trade.

Mr DENNY—In proportion as I raise the wages I get less work, and that is my experience for a period of thirty years.

Mr BARROWMAN—Mr Denny's opinion is different from mine, and I have my own individual opinion.

Mr DENNY—I admit there are some workmen who will work conscientiously whatever pay they get.

Mr BARROWMAN—A remark was thrown out that possibly the men did not work fair before the hours were reduced to fifty-four. Now, I was working 60 hours a week a fortnight ago, and I am as tired at night now, and my fellow-workmen are the same, when we are working fewer hours. I suppose that while we are at work we exercise greater diligence.

The CHAIRMAN—I understand you put it in this way, that a man has only a certain amount of energy, and that that energy can be given out in nine hours as well as in ten.

Mr BARROWMAN—Certainly. If the working men in this country are not relieved of what they consider a great burden and an anomalous position, they will seek refuge in America.

Mr DENNY—That is as it should be.

Mr BARROWMAN—I know that the best intelligence has been draining to America for years.

Mr STEELE—It is always so.

Mr BARROWMAN—There is not such a wide gap between employer and employed there, and there is not so much room for the general dealer. Why, I know an article of commerce which the employer has to produce at a certain price; the workman gets but a small proportion of that price, and when it comes into the hands of the general dealer, he gets from thirty-five to fifty per cent. You know that shippers won't ship anything less than fifty per cent., and we are jogging the employers a little bit just now, that they may jog the shippers.

Mr STEELE—There are goods lying in India just now unsaleable, for the production of which the workmen have got their wages.

Mr TURNBULL—The workmen have produced this extra work by working too long hours, and that is one of the very reasons on account of which we want the hours reduced. At the time of the blockade-running in America I was not in Glasgow at that time, but I happen to know what took place. The blockade entailed upon the workmen nearly two years of overtime. After that there came four years of idleness, or, as I should perhaps say, of dulness; and I know plenty of respectable men who at that time had to go about for two years, or two years and a-half, with little or no work.

Mr DENNY—I want, if possible, to give the conversation a practical turn. The case, I think, stands in this way. The employers feel that they have a certain amount of work on hand, which they want to get done as cheaply as possible; and the workmen feel that there is a certain amount of work on hand, and they want to get as much for it as possible. I have told you my views. If you exact these fifty-one hours from me, you punish me

to the extent of a loss of five thousand pounds; and if I can at all avoid giving fifty-one hours by any means in my power, I tell you frankly I will do it. I am the very last man to do anything harshly; but, at the same time, I am but human, and when I do go into a thing—but I don't want to speak of that. I hope the workmen will consider the proposals that have been made.

Mr A. INGLIS—If the men accept our terms, it would save the necessity of working a great deal of overtime.

Mr SIMPSON—I can assure you, gentlemen, that an earnest and determined attempt will be made to do away with overtime. I think that at this conference it should be thoroughly understood that overtime is a thing we desire to get quit of altogether. I hold that overtime must be very detrimental to the men, and that they should never be required to work it unless when it cannot by any possibility be avoided. When I say this, I refer to an impression that prevails all over the country. We are willing to pay a slight increase in the railway fares to assist Mr Connor. (Laughter.)

Mr DENNY—I object to that. (Laughter.)

Mr CONNOR—The matter of raising the fares does not affect us at all. We are bound to have a certain number of hours worked every week to maintain our stock in good working condition, and if we don't get that number of hours, so many carriages will be thrown out of use. I cannot get extra men, and those I have must work overtime. Before long, if things go on as they are doing, the labour market will be converted into a sort of Dutch auction, where employers will have to contend against one another for men to do their work. Would not that be a nice state of things?

Mr DENNY—Perhaps, for the men. (Laughter.)

Mr SIMPSON—And perhaps it might be the right state of things.

Mr STEELE—Yes; it would save you all the trouble. (Laughter.)

Mr CONNOR—We all supposed that when the 54 hours were accepted in England, it would be a settled question; but in this country they are not satisfied with that, and it is very likely that we shall be asked to make concession after concession, until it comes to 48 hours per week. There is just this difficulty in the way, that we must have our work done, and we cannot get men to do it.

Mr DENNY—I would like to give the discussion a practical turn again. You will never agree upon the political economy of the matter. I may tell you frankly that we shall have the 54 hours. There is not a single man in our shops in Dumbarton that did not come and tender his services to work the 54 hours.

Bailie HAMILTON—The ship-carpenters and riveters have agreed to the 54 hours. We have heard nothing further from the joiners, and it seems to be only the engineers that are standing out for the 51 hours.

Mr CONNOR—I find the blacksmiths in my shop, to a man, are against the 51 hours.

Mr WATSON—For your information, I can forward you by to-morrow, if you wish it, a list of the members of committee, containing 40 names from each department that gave in their adhesion to the 51 hours.

Mr CONNOR—We have 1030 men, and that number forms only a very small proportion indeed.

Mr STEELE—I take it that the 40 means the delegates or members of committee sent from the different shops.

Mr WATSON—It is just the committee, elected to represent the men.

Mr STEELE—I think it is worthy the consideration of the men, with the view of arriving at an amicable settlement of this matter, to accept the 54 hours, with the increase mentioned in the pay. You would get that, I think, without leaving any rankling feeling in the masters' breasts; but, supposing the men would strike, and get the 51 hours while trade was good, the matter would only just have to come up again for settlement. Mr Ure and myself have just returned from a meeting of the National Association in England, and the feeling is most strong there that we should not go beyond the 54 hours.

The CHAIRMAN—Here a great change is proposed, which means a change of a revolutionary character, and no change of this character has ever been permanent. Changes that have been for the benefit of parties or nations have always been gradual. As changes have been gradual, they have been wise. The working hours came down from 60 to 57. That was a thing the masters could stand, and it was done willingly. Well, at the present time, from 57 to 54 is a matter that the masters can bear.

Mr DENNY—I don't go the length of saying that I am willing to bear it.

The CHAIRMAN—Well, I believe that is the general feeling of all those I have seen about the matter, but they will not be satisfied in descending further. We will assume, as one of your number has stated, that there is as much work done in 54 hours as there was formerly in 57.

Mr BARROWMAN—I merely made that statement from my own experience.

The CHAIRMAN—Well, for the sake of argument, let us assume that it is so. Then that is a reason, you say, why there should be some further concession. If it be proved, after a trial of the 54 hours, that that statement is well founded, then, in time, we might be able to grant some further concession. Of course it is a great advantage to the masters, and to the men also, that things should go on in a harmonious and friendly manner. It is to the

advantage of the masters that the elevation of the workmen should attain a high position, and it is clear that, to accomplish this, they must have more leisure than at present. But when you come to take into account what this entails in the meantime, you must see that the reduction of the number of working hours is such as to interfere seriously with the quantity of work that is actually performed. On all hands the masters are very much pressed at the present time. The state of trade has put them into such a position that many masters are refusing to undertake work. I may say that for a considerable period we have been refusing large quantities of work, so that at this present time, although we are not overstocked with work, we are in such a state of uncertainty that we do not know what to ask for the future. For the first time in our experience, contracts that used to be done here have gone to France. You are in this way calling into existence a power that, in the early future, will become a competing power; and instead of having the work in your hands, you are driving it off to other places to employ people in other parts of the world; and then, when slack times come, you have got foreign competition to contend with. It seems to me that these changes should not be of a revolutionary character, because in that way the interests both of masters and men are imperilled. With regard to overtime, I believe it is altogether a mistake. It appears to me that the suggestion thrown out by Mr Denny is a very judicious one. It effects a change gradually, and therefore permanently—(hear, hear)—and it is not of that revolutionary character that sets class against class and interest against interest. It is therefore a matter well worthy of your consideration, and if it met with your approval, we would have a meeting afterwards, and submit it to the Association that appointed us, and try and effect a friendly arrangement that would be satisfactory to employers and employed.

Bailie HAMILTON—With regard to overtime, I find from the circular that the working people ask time-and-a-half for all overtime. In our circular we offered to give time-and-a-quarter for the first six hours, and time-and-a-half afterwards. I think we might perhaps consider whether we would not give time-and-a-half for the whole time, and do away with the penny of allowance.

Mr STEELE—I understand they only pay time-and-a quarter in England.

The CHAIRMAN—Yes; but each case must be settled upon its own merits.

Mr DENNY—I don't believe there will be any difficulty with those details.

Mr BARROWMAN—I don't consider that this question of doing away with the penny of allowance is one that will be gracefully conceded by the men. It is a question of penalty against overtime. What we want to show you is this, that when a man with 30s per week works overtime, his time and a half counts a great deal to him; whereas, to a man with £1 per week, it only counts two-thirds to him of what the other received for perhaps the same labour. The latter thus sacrifices so much of his time.

Mr A. INGLIS—But he is not such a valuable man.

Mr BARROWMAN—There is a large number of apprentices, and the employers take advantage of apprentices with small wages to make them work overtime, when it is possible to dispense with the men who work for larger wages.

Mr STEELE—It would be better to pay apprentices double for overtime.

Mr TURNBULL—Our object is to get overtime done away with as much as possible.

Mr SIMPSON—We are quite aware that at times it is necessary that we should work overtime, but it is systematic overtime we wish done away with.

Bailie HAMILTON—But do you not think, gentlemen, that this very strict line will prove a positive injustice to some of your number? There is many a man as able to work ten hours a day as others are to work eight or nine hours.

Mr TURNBULL—I had three nights a week of overtime for six months, and I believe that if I had continued it for other three months I would have become a drunkard.

Mr CONNOR—It is very bad.

Mr STEELE—Very bad!

Mr TURNBULL—You will observe that in the Chief-Constable's report he states that there is a decrease of crime in the city, and he attributes it, in part at least, to the healthy state of trade. More people are finding employment, and are kept from sinking into crime. Therefore, I think we should take in a little more of them, and save the Magistrates the labour of sending them to prison. (Great laughter.)

Mr CONNOR—The proposal to take men off the streets, and put them into our works, seems to me exceedingly absurd.

Mr A. INGLIS—There are no engineers on the streets.

Mr CONNOR—No doubt there are in the very best of times a few good men that do not work; but they are very few indeed.

Mr WATSON—Perhaps the Habitual Criminals' Bill has had more to do with the decrease of crime than anything else. The thing we object to is systematic overtime.

Mr CRICHTON—Your proposal, as I understood it, is, that we shall work 54 hours, and get the same wages as we now have for 57, with 5 per cent, additional. Now, are we to suppose that you made this offer because

you are unable to go the length of 51 hours?

Mr STEELE—Yes; it is too great a stretch at once.

Mr CRICHTON—It is an understood thing among workmen that we are to begin to work 51 hours on the first of April. In Edinburgh, Dundee, and Aberdeen, the masters have conceded the 51 hours, and if the 51 hours were not granted here, the men would not be content to work 54 hours.

Mr DENNY—I beg to state distinctly, that so far as my workmen are concerned, there is not the slightest dissatisfaction, not the slightest agitation of any kind whatever. I can also speak positively in reference to the most of the works in Glasgow.

Mr BARKOWMAN—I will give you an invitation to meet the workmen to-morrow when you can judge for yourself.

Mr DENNY—That is not the question. I speak of what is the understood feeling in the shops, where we know the feeling that has existed. I am speaking of the Glasgow shops that I am acquainted with, and these other gentlemen can speak for themselves.

Mr TURNBULL—Well, I can speak of the shop I am in, that they are for the 51 hours unanimously. I may add that I have heard the reports of the other delegates from the other shops in Glasgow, and I am not to imagine that they came forward without authority and told lies. A meeting of the men will be held to-morrow afternoon in the Green, and any of you that like can come and judge for yourselves.

Bailie HAMILTON—I would not place any confidence in a meeting held on the Green. If you call a meeting there, who will you get to attend it. You will get a mob of people of all sorts, and it would be impossible to estimate the value of any resolutions that might be passed.

Mr TURNBULL—Well, what would you propose to do to learn the feelings of the workmen?

Bailie HAMILTON—I would propose that the feelings of the men in the different shops should be ascertained by ballot.

The CHAIRMAN—If a ballot were agreed to, a committee like the present one, composed equally of employers and workmen, would do very well to conduct it, and there should be no nonsense about it at all. For my own part, I have been very anxious to get at the real feeling of the men. I don't know whether it is that the workmen are afraid to speak out or not, but we invariably get one kind of answer from them. If we ask our foremen what are the feelings of the men, their reply is generally that they are very well satisfied. It appears to me that were the ballot properly conducted, it would be a very fair way of getting at the minds of the men. An arrangement could easily be made by which two ballot boxes would be provided—on one of which would be printed 54 hours and 57 hours pay, with an addition of 5 per cent., and on the other 51 hours, with the wages as at present. The men could then drop their voting papers into either box they pleased, and we should thus arrive at the real state of the case.

Mr TURNBULL—I am of opinion that the ballot could very well be taken in the way suggested by the Chairman.

Mr BARROWTMAN—The masters would not take the trouble to have the ballot carried out. You of the Associated Shipbuilders do not comprise the whole of the masters of Glasgow. The notices that you issued were not posted on one-third of the shops in Glasgow. I never saw one of the bills, and its contents did not appear to affect the men at all. We were obliged to form the League because the employers, when we applied to them individually, shuffled and shelved us.

Mr CONNOR—If the men take the 51 hours, it will be taken back from them before long.

Mr TURNBULL—Let me assure you that the men are fully prepared for that. I would just submit this to you—Would it be agreeable to the employers to fix a date when the 51 hours would come into operation, suppose we accepted the 54 hours just now?

Bailie HAMILTON—You had better mention a date.

Mr TURNBULL—Suppose it were after the Fair Holidays.

The CHAIRMAN—We cannot give short time before we have finished our contracts. What we should like you to do would be this, and remember we are merely expressing our own sentiments, because we have to go back to those who appointed us. I put the matter to you again, and I should propose that the hours be reduced from 57 to 54, with five per cent, of an addition on the present wages. Let us see how that will work, and, if after a time it should work favourably, no one would be better pleased at it than I should. Do you think your committee would recommend to the workmen that this would be a satisfactory solution of the question? I think it is probable we should do so on our part.

Mr WATSON—Speaking from that point of view, I may say that we have investigated into the feeling in the different shops, and I think it would not be accepted; but we believe that if the 51 hours were granted now, it would settle the question for a very long time. If you had named some particular date, not terribly far away, when you would consider the 51 hours, I believe we would do our utmost to settle the question.

Mr MARSHALL—I am not prepared to accept 54 hours and an advance of 5 per cent. The attitude of the men

shows conclusively that they are prepared to stand for the 51 hours at all hazards.

Mr STEELE—It is better to be candid; but we can just be as candid.

Mr CONNOR—Then, when you meet with the men, be candid enough to tell them that if the 51 hours is insisted upon now, it will not be a final settlement. We have not heard of a single employer who was willing to grant the reduction willingly; they do it under pressure.

Mr SIMPSON—Well, Mr Connor, if you frame a resolution, I will submit it to the meeting to-morrow on the Green; or I will pledge myself to lay the masters' offers fairly before the men.

Mr MARSHALL—We know very well that all the other towns will be guided by the settlement of the question here, and we have, therefore, more to look to than ourselves.

Bailie HAMILTON—You say that you will be satisfied with nothing but a reduction of the time; how long are you to be content with the same wages?

Mr TURNBULL—The wages will rule themselves by the demand for labour in the market.

Mr WATSON—You may leave that with us. You have never seen an organised attempt among the engineers in Glasgow for the purpose of raising wages.

Mr CONNOR—I give you credit for being reasonable in other respects, but I am sorry to say that I cannot give you credit for being reasonable in this instance.

Mr MARSHALL—In England the wages are higher than here.

Mr A. INGLIS—Then, living is higher there.

Mr BARROWMAN—Then, if living is higher there, and if the employers have to accommodate their men with higher wages, while they have to operate in the same market with employers here, it comes to be a question whether the employers here are not well able to pay more than they do.

This ended the discussion, an understanding having been arrived at that the workmen's delegates should submit the employers' proposals to their constituents, and report the result to the masters by the following Monday.

Mr ELRICK proposed a vote of thanks to Mr Ure for presiding, which was accorded, and the Conference then broke up.

ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, February 17, 1872. J. P. SMITH, Esq.
SIR,

As requested by the Committee of Employers at the breaking-up of the Conference on Friday, I now send you the result of our Mass Meeting of to-day on Glasgow Green, that the employers at their meeting on Monday may have it before them. It may, in the first place, be mentioned that on Friday night a delegate meeting was held in the Engineer's Committee Rooms to hear the result of that day's Conference, and decide upon the best course to ascertain the feelings and wishes of the men in regard to the offer (three hours reduction, with an addition of 5 per cent, on the present pay) made by the employers, so that they might have no suspicion of being unfairly dealt with.

A resolution was passed—"That the delegates of the different shops here represented hold workshop meetings on Saturday morning, to lay the employers' terms before the men, so as to ascertain their minds on the matter; also, that they write the result of these meetings on a slip of paper, and hand it in at the Committee Room one hour before the time of meeting in the afternoon."

As the result of this, it was found that, out of the number of thirty-six shops which sent in their returns, three voted for the employers' terms, and all the rest were against them.

These returns were read in open meeting on the Green, so that anyone might have the opportunity of objecting, if he found that his shop had been misrepresented by the delegates, as a guarantee that the returns were correct.

Mr John Simpson (one of our deputation) then rose and stated to the meeting that he had pledged himself to the employers that he would lay the whole matter before the workmen in the fairest and plainest possible way, and he took the opportunity then afforded him of doing so.

Afterwards, a workman proposed the following resolution:—"That this meeting still adheres to the terms of the Circular," which was duly seconded. It was then asked whether or not there was anyone had an amendment to make; but as no amendment was forthcoming, it was suggested—so that the meeting might be fully tested—that votes be taken, first on the side of the motion, and then for the employers' terms. The motion was declared carried, only-three hands being held up in favour of the employers' terms. The number present at the meeting is estimated by the press to be from 12,000 to 15,000.—I am, yours truly,

Thos. R. Elrick, Secy, of League.

CLYDE ENGINEERS' AND SHIPBUILDERS' ASSOCIATION, 67 Renfield Street, Glasgow Mr Thos. R. Elrick, 182 Trongate. 19th Feb., 1872.

SIR,

I am to inform you that at a largely attended meeting of employers, held in the Religious Institution Rooms to-day, your letter containing the result of Mass Meeting held on Green on Saturday was submitted, and I was instructed to inform you that the employers adhere to the offer made at the Conference on Friday—viz., that a week's work be 54 hours, and that the pay be increased so as to be in amount equal to what would be received for 60 hours' work; that overtime be paid at the rate of time-and-half—no extra allowance for overtime.—

Yours faithfully,

J. P. SMITH.

ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, Feb. 20, 1872. J. P. SMITH, Esq.

SIR,

Your letter of the 19th has duly reached me, containing the resolution of the employers to adhere to the terms mentioned at the Conference of Friday, the 16th inst.

It is very noticeable that in your letter all idea of a future Conference is completely excluded; therefore, there is no other alternative before us now than that we resort to extreme measures to effect our purpose, unless some further arrangement can be made to do it in a peaceable manner.

This peculiarity in your letter to which I refer occupied the consideration of our General Committee Meeting of Delegates to-night. Many remarks were made of a determined character by them in giving in reports of the situation of the different workshops, and altogether things bore a very threatening aspect. It was agreed, however, after considerable discussion—"That we request the employers to reconsider the 51 hours, &c., question, coupled with the suggestion of allowing a reasonable time to complete existing contracts; and that, failing to agree among ourselves as to what might be a reasonable time, an arbiter be called in to decide the point." I have been instructed to communicate this suggestion to you to lay before next meeting of employers.—I am, yours truly,

Thos. R. Elrick, Secy, of League.

CLYDE SHIPBUILDERS' AND ENGINEERS' ASSOCIATION, 67 Renfield Street Glasgow 21st Feb., 1872. Mr THOS. R. ELRICK 182 Trongate.

DEAR SIR,

Your letter of yesterday's date, containing resolution passed at meeting of delegates last night, requesting that employers should further consider your proposal, and suggesting arbitration in case of difference, was laid before a largely attended meeting of employers to-day; and it was agreed that, on condition that the men now out on strike return to their work on or before Friday first, the 23d inst., that a committee of employers will be prepared to meet with the workmen's committee again in conference, to reconsider and discuss the questions at issue, with the view of arriving at an amicable settlement; and should there still be differences of opinion, it was agreed to submit the questions in dispute to arbitration.

The employers' committee will be glad to meet in conference to-morrow or Friday, at 2 P.M., or any other day that will suit you.

Should a meeting in conference take place before the men now out return to their work, it is on the understanding that your committee will use all possible influence to get the men to return.—

Yours faithfully,

J. F. Smith, Secy.

Second Conference,

THE Second Conference between the Masters' and Workmen's Delegates took place, in the Religious Institution Rooms, on Thursday the 22d February. The employers were represented by:—

- Messrs J. F. URE;
- JOHN INGLIS;
- ANTHONY INGLIS;
- R. STEELE;
- Messrs B. CONNOR;
- —BLACKMORK, GREENOCK;
- J. P. SMITH as Secretary.

The delegates present on behalf of the workmen were:—

- Messrs THOMAS TURNBULL;
- JOHN SIMPSON;
- JAMES ALISON;
- JOHN MARSHALL;
- Messrs HUGH WATSON;
- JOHN CRICHTON;
- ROBERT STEPHENS; with
- THOS. R. ELRICK as Secretary.

The CHAIRMAN said—We are glad to meet you again, gentlemen, to talk over the matters in dispute between us, and see if we can arrange them in a friendly way amongst ourselves.

Mr TURNBULL—We are just as happy on this side to meet you again on the question, and we are all fully convinced that it is only by meetings of this sort that the matters at issue can be brought to a friendly and definite conclusion. We have to inform you that one of our number, who was with us when we last met in conference, is absent on account of indisposition. I refer to Mr Barrowman; and I have to intimate that at the meeting of delegates last night, Mr Stephens, who is now present, was appointed to attend the conference in his stead.

The CHAIRMAN—Two of our number, Bailie Hamilton and Mr Denny, are unavoidably absent, but I trust we will be able to bring matters to a favourable issue. I am quite sure that if you have met us here with the desire that the question may be arranged in the most friendly way possible, giving us a reasonable time to complete existing contracts, all our difficulties would be got rid of. Perhaps the best way would be for you to state the views you came to at your last meeting.

Mr ALISON—There has been an earnest wish expressed by all our workmen, and, indeed, by all the workmen with whom I have come into contact, to come to a just and right settlement of this dispute. Of course, our men still cling to the 51 hours, in fact to the whole terms of the circular; but we have an earnest wish to give a little time to complete existing contracts, if by that means we could arrive at a peaceful solution of this matter. Various terms have been spoken of on the part of the workmen, but nothing definite has been agreed upon. We have thought that, as we did not know the position you were in, you would be better able to state the time than we could possibly be; but I may perhaps state, it is the desire that we should get the 54 hours on the 1st of March, and the 51 as soon thereafter as the masters can give it. That is practically your offer. So far as I understand the matter, you agreed to drop the three hours of time, and you agreed to grant a rise of 5 per cent, on the present wages, which was nearly equivalent to the additional three hours which we ask. Now, if we could arrive at some date for the commencement of the 51 hours, the dispute would be got over quietly and peaceably. In thinking over the offers already made, we conceived that the employers' terms were such that they would perhaps be able to give us nearly everything we wanted. Were we taking two stages of time—one by us and one by you—for the 51 hours to begin, we might be able to come together, and this dispute would be amicably got over. Do you think you could state a time on your side?

The CHAIRMAN—Some of us have very large pieces of machinery to make, and it takes a very long time to construct them. From the time some of the engines are commenced until they are finished a good deal of time elapses. Of course, we should be very glad to consider with you the time at which the 51 hours should begin; but we should expect that we should get time to complete our existing contracts. For instance, there are engines we construct, one of which we are just going to begin to, that would take twelve months to complete. I don't ask for so much time as that just now, but I think you should take a fair view of the proposal made to you by the employers; and if we cannot agree upon the date, then it comes to be a question of arbitration. It seems to me that this would be the better way to adjust the difficulty.

Mr BLACKMORE—May we understand that if the 51 hours were conceded at any given time, that the men are only going to ask the present pay for the 51 hours, or are they going to tack on to their demands any further provision. On the understanding that our friends making this demand don't ask anything more than 51 hours, I should like it to be clearly understood as to what the pay is to be, supposing 51 hours were conceded, after ten or twelve months hence?

Mr SIMPSON—I have always been of opinion that a conference like this furnishes the proper way of settling this difficulty, and I therefore used my influence to get the negotiations re-opened. I think they should never have been closed, and I am sorry that the communication of our secretary, in your opinion, looked as if we wished they should be so. In laying the matter before the meeting of delegates on Tuesday night, I suggested that, upon the 51 hours being adopted, a reasonable time should be given to finish contracts, and if we could not come to an understanding as to the precise time, that part of the question would be referred to arbitration. In regard to the 54 hours, we considered that you had promised us 54 hours on the 1st of March, with arise of 5 per cent, on the present wages. Now, we think far more of the time than of the 5 per cent. You don't imagine from that, however, that we are willing to work 54 hours for 54 hours' wages. We understand you are to give us present pay for 54 hours' work, and then, after a reasonable time is allowed for completing contracts, you are to give us 51 hours, with the same pay as at present.

Mr BLACKMORE—I want clearly to understand the position the men are taking up in this matter.

Mr SIMPSON—I think I will make myself plain if you will allow me to go on. We mean on the 1st of March to get 54 hours, with 57 hours' pay; and we mean to get 51 hours when the time is arranged, with the same wages as we have now.

Mr CONNOR—Mr Simpson just says this:—You reduce the time from 57 to 51 hours, and you don't reduce the wages.

Mr SIMPSON—Precisely so.

Mr BLACKMORE—That is all I wanted to know.

Mr SIMPSON—That was the suggestion laid before our delegates. We have now got from the delegate meeting of last night full powers put into our hands to settle this question to-day. For my own part, I am willing to sit here until six: o'clock in the morning if that would avail to have it settled. I am sorry to see a statement in the *Herald* of this morning putting back the date of the granting of the 51 hours until the 1st of January, 1873; and I should like to know whether that announcement is official, and whether the time was really fixed at your meeting?

The CHAIRMAM—That was the time that was suggested at our meeting yesterday.

Mr STEPHENS—Last night we left the time an open question for this meeting to settle. We have, therefore, come here free and untrammelled, and we hope that is not your statement as it appears in the *Herald*, because it would be better that we should meet on equal terms.

The CHAIRMAN—Anything we do must be reported to those who have sent us here. We are not in a position to be allowed to come to a conclusion without reporting to the general meeting.

Mr CONNOR—We cannot compromise some of the employers by stating a certain time. Granting, however, that the 51 hours is in accordance with the sentiments of this meeting, I think it would be a very good thing to suppose that it was to begin on the 1st of January, 1873. If that were so, what proposal have you to make?

Mr ALISON—I regret that Mr Blackmore misapprehended my meaning. When I spoke of the wages question, I did so in the belief that it was thoroughly understood at the last Conference. I thought Mr Blackmore would have been aware of that, and it was in that way that my remarks were not more comprehensive. As for the time Mr Connor has stated—the 1st of January, 1873—I may state that we have had that point under discussion, and there were two proposals generally spoken of, one of which has been adopted by a firm in Glasgow. We would work the hours we are now working (57) until April, and then start the 51; or we were to get the 54 hours in the beginning of March, and the 51 in June of the present year. That would be giving a reasonable time to complete contracts. There is no one that works in a marine shop who does not know that the contracts take a considerable time to be got out; but it must have been well known to every master on the Clyde that this movement has been going on for six months.

Mr STEELE—Yes; but it was the movement for the 54 hours.

Mr ALISON—I am perfectly certain that nearly every contract now on hands by Clyde employers was taken on the basis of the 51 hours, and they have been working so.

Mr CONNOR—No, no.

Mr ALISON—You are practically conceding our demands by granting a rise of 5 per cent, in the wages, and we would suggest that you give us 54 hours on the 1st of March and 51 on the 1st of June. That would be a condition under which, it could not be said that either side had gained.

Mr SIMPSON—I am very glad that the suggestion I laid before the delegates has led to this conclusion—that a settlement has been agreed to by one of our employers to-day. The arrangement is, that the workmen

commence the 54 hours on the 8th of March, and begin the 51 hours after the Fair holidays; the same pay as at present, overtime to be counted at the rate of time-and-a-half after the 54 hours have been wrought, while they last, and after 51 hours when that time shall have come into force.

The CHAIRMAN—As regards the statement that the present contracts have been taken on the understanding that the 51 hours were to come into operation, I can say for my own firm that it was not so. The last contract taken was in November, and then we based our calculations on the 54 hours' rate.

Mr CONNOR—That is the true position, Mr Chairman.

The CHAIRMAN—The contracts we took before that time were taken on the basis of the 57 hours' rate, and will not be concluded until September or October next; so that, you see, the contracts we have taken on the basis of the 57 hours will run on until that time, while those taken on the basis of the 54 hours will run on till this time next year or thereabout.

Mr JOHN INGLIS—We also have contracts that will run on till this time next year. We thought that the 54 hours would be adopted here, the same as in the north of England, so that our position is somewhat similar to that of Messrs Elder. Of course, I am only speaking for myself, and for no one else. At the meeting yesterday, two or three of the principal shipbuilders on the Clyde were with difficulty prevailed upon to entertain the 51 hours at all, and it was only on account of the desire of a number of members of the Association and others to prevent the calamity of putting the workpeople out, that it was considered better to meet again with the workmen's delegates, and try if some arrangement could not be come to as to the time. A proposal certainly was made nearly unanimously that January, 1873, would be a fair time to commence the 51 hours, seeing that the contracts extended so long afterwards. You now know the position in which we come here. We have no unlimited powers. We must report to our friends, and if the difference is not settled here, the difficulty must be met by arbitration.

The CHAIRMAN—Each party is very much inclined to look at their own view of the question, but it may be settled by arbitration.

Mr CONNOR—Many of the gentlemen present have many thousands of pounds at stake in this matter. You say you have full powers; but are you to imagine that you have full powers to settle a question that involves the loss of thousands of pounds to gentlemen, many of whom are not present?

Mr STEPHENS—I did not say that we had full powers. I stated that we came free and untrammelled.

The CHAIRMAN—We are evidently both in the same position—that we must report to those who sent us here.

Mr SIMPSON—I think it was I who made the statement that we had full powers to settle this matter, and we are here to-day to settle it; but, of course, it is on the consideration that it is settled with the concession of the 51 hours. We have got the power to go a month or two in the direction of the time named by the masters, if we are met by them in the same spirit; but we have no power to settle the question on the understanding that the 51 hours shall commence, for instance, a year or two hence.

Mr BLACKMORE—Suppose the demand of the 51 hours, pure and simple, were met at once by the masters, the difference of the wages taken out of the masters' pockets would amount to the respectable sum of nearly £130,000. Granting the 51 hours at once would entail a loss upon the masters of between £120,000 and £130,000; and I do ask, is it fair for you to dip your hands into the masters' pockets, and rob them of all the profits of the present year? I am quite free to admit that the state of trade requires an advance of wages; but we have advanced our wages at least ten per cent. [Mr Turnbull here shook his head. dubiously.] If you doubt me, I shall be most happy to lay the books of our firm open for your inspection. From the 9th February last year until the 9th February of the present year, the wages of our workmen have been increased at the rate of an average of ten per cent. Well, all our contracts have been made since the former date, and you must remember that the loss is very serious upon engineering. I only want to put these remarks before you to show you the wrong you are doing to the gentlemen who have invested capital in this business. I admit it is perfectly right that the working men should go on "prospering and to prosper" alongside of their masters; but that they should dip their hands in their masters' pockets, and take out their money in the way I have indicated, is the most unreasonable proposal that has ever been made; and I know people think so. If we go on in this way, I am afraid that capital will take to itself wings and flee away. We have only made one contract for engines since last August, and it was made upon the basis of the 54 hours. I ask you fairly to consider these matters, and think whether it is right for you to press such demands upon us. The masters have shown that they are willing to consider this question of the 51 hours, and if you allow them a fair time for their present contracts to run out, it cannot be before this time next year.

Mr WATSON—Does it never strike any of you gentlemen that in reducing the hours of labour you are creating a friendly feeling among your workmen that will induce them to take a greater interest in your work? Don't you think that we can very nearly produce as much work in nine hours as in ten?

Mr BLACKMORE—That's mere poetry. No honest man can.

Mr WATSON—That's the point where we differ from you.

Mr BLACKMORE—It's a very plausible text to go upon, but there is nothing in it.

Mr CONNOR—I have worked in shops where everything was done by chipping and tiling. Men at that time could work hard, because they had the strength and the energy to do it. Every man who has worked himself knows the difference between the work as it was in our shops then, and as it is now.

Mr SIMPSON—If Mr Connor would come into our boiler yard to-morrow, I will give him a job that he would weary at before five o'clock in the evening.

Mr CONNOR—I do not allude to boilermakers, because I know they are hard worked. I refer to engineers.

Mr WATSON—I do not know what engineering was thirty years ago, but if Mr Connor had been beside me for the last six weeks, breaking down locomotives, he would think nine hours were long enough to work.

Mr SIMPSON—As a workman I have had an experience of about thirty years, and I think I am entitled to say something upon that question. That a man would do as much work in nine hours as in ten has been laughed at; but I would ask Mr Blackmore, and the rest of the gentlemen on the other side, if they were to fling a hammer for nine hours, whether it would not tax some of their energies to fling it as often in the tenth hour as they had done the previous nine? Mr Blackmore says we wish to drop our hands into your pockets, and rob you to the extent of a hundred and thirty thousand pounds. Now that is just going over the ground that was traversed at last conference. We are here to treat with you to-day for the purpose of settling this question, if we can do it upon a reasonable, fair, and just basis. If you go on to say that your losses will be a hundred and thirty thousand pounds a year, we are in this position that we can say such a statement as that has never been proved to our satisfaction; and I for one am prepared to give up the whole question if you will prove that one-half that loss will result from the concession of the demands we have made.

Mr BLACKMORE—Well, Mr Simpson, I do not think it would be difficult to satisfy you on that point.

Mr SIMPSON—I will tell you what. I am old enough to remember the agitation that went on in the cotton trade in this country many years ago for a reduction of the hours of labour. I recollect that when the Hon. Mr Ashley, now Lord Shaftesbury, and Mr Richard Ostler proposed to reduce the hours of the cotton worker from twelve to ten, that John Bright and Mr Cobden rose up in the House of Commons and said that the change would result in a great deal of loss to manufacturing and commercial men. Well, the ten hours were granted; these men were proved to be wrong, and the people engaged in the cotton trade have higher wages and are better off to-day than when they were working 12 hours, while the employers are making larger profits. Now, gentlemen, am I not reasonable in assuming that results like these would follow a reduction in the hours of labour in our trade. I do think that the workmen would take a greater interest in their work, and make up for any loss that you might suffer. You have offered us an addition of 5 per cent, on the 1st of March, and a reduction of the hours to 54 at the same time——

The CHAIRMAN—That was to secure a permanent settlement of the question.

Mr SIMPSON—I understand that. Well, this is not a question of money with us. We want the hours of labour shortened, if possible, to give us time to improve our minds. That was largely entered into at last Conference. Now, what I would ask you to do is this. Take this 5 per cent, which you have offered us, and try if you cannot bring your time for the commencement of the 51 hours somewhat nearer what would be satisfactory to the workmen.

Mr CONNOR—Mr Simpson has referred to the improvement in the cotton manufactures since the reduction of the hours of labour, but I would ask him if he knew the speed of the loom before the introduction of the short time? It has nearly doubled its speed since that time, and all machines have been increased in speed, but you cannot increase the speed of your tools. I deny that the titters and engineers are worked anything like what they were some time ago. With all the supposed honesty of the working man, Mr Watson knows as well as I do that the foreman has often enough to do to keep his machines up to the proper speed. I must say that my dream about getting more work out of men to whom a concession has been granted has faded away.

Mr SIMPSON—You say that the increased speed of the loom has been the cause of the continued prosperity in the cotton trade. Well, has inventive genius quite deserted the engineering trade? (Laughter.) Is it not possible that something may be invented that will more than compensate for all the time that will be lost?

Mr ANTHONY INGLIS—Not before January next.

The CHAIRMAN—You think that, with a diminution of labour, so much more energy would be put into their work by the men while they are at it, that they would make up for the reduction. I may say that I believe piece-work is going to be the thing that is to adjust all our difficulties. In reference to the present time, if there is to be any considerable loss to the masters it must eventually fall upon the men, because all the money that the masters make is spent in extending the works. These extensions give room for additional work; and if the work cannot be done here, it is certain that it must go elsewhere. It may go to England and France if the masters be placed in a position that they cannot do it here, and the workmen will then be the sufferers, it is to the worst interests of the men not to allow the masters to make a fair profit, or to make such changes as are calculated to

do away suddenly with their profit. If you press us too much at the present time, I can assure you that it will ultimately be to your own great disadvantage.

Mr ALISON—Mr Connor said that a great change had taken place in the machinery employed in cotton manufactures, and that no such change had taken place in the engineering trade; but no one who was acquainted with the trade thirty years ago would know it now. I know both times—not by looking on as he does—but by hard practical experience; and so far from three hours being an obstacle to the masters in competing with other places, six hours would not be felt to make any very great difference. Improvements are gradually going on in all our workshops, labour is being much abbreviated, and in a little time any disarrangement caused, by a reduction of the hours of labour would rectify itself.

Mr CONNOR—Yes; but why not leave it now to adjust itself? Not a single farthing will be saved by improvements while the present contracts run.

Mr ANTHONY INGLIS—Supposing you were to lay aside all this discussion about machinery. There is no doubt whatever of the fact, that parties who have to pay 10 per cent, more to their men in a week will be losers to a considerable extent. We think we are making a very extraordinary offer by conceding the half of what you want until the existing contracts are completed. We give you 57 hours' pay for 54 hours' work. That is a step in the right direction; and if you will have the 51 hours, let us be perfectly prepared for it. There is a great number of men who don't want the 51 hours, but are willing to work 54 hours a week, and I think it is a very unreasonable thing that the Short Time League should ask them to reduce their hours whether they are willing or not. It is for you to consider whether it is not a fair thing to work 54 hours for 57 hours' pay until the end of the year, and get the 51 hours afterwards. It is only fair to us, and I am certain you would think so if you were in the same position.

Mr BLACKMORE—I should like these gentlemen to listen to the statement I made to the masters yesterday. I am simply here as a member of the Masters' Association, with which we have been connected from the first. No demand had been made in Port-Glasgow, Greenock, or Dumbarton, for the 51 hours; but believing it possible that if it were granted in Glasgow we might hear something about it, I thought it would be better, before attending the meeting of masters, to call our men together and ascertain what were really their sentiment in regard to the matter. I stopped the work at once, and called the whole of the men together without the slightest warning, and I clearly put before them the fact: s of the case—the demands made by the Short Time League in Glasgow, the system under which we had been working, and what I apprehended were the proposals made by the masters with a view to the settlement of the dispute. All these things were put to the workmen as fairly as I possibly could; and I said, I am not going to ask you immediately what course you are disposed to pursue, but I am going to-day to attend a meeting in Glasgow, and I should like to get an expression of opinion from you on the subject before I go. After a few moment's silence, an engineer said, "Oh, we are all for the 54 hours in Greenock." Another engineer said, "I think we will take a show of hands for the 54 hours;" and I replied, "If you like." The result was that a perfect forest of hands were held up for the 54 hours, and I said, "That is quite sufficient for me." But they said, "Let us have the hands up for the 51 hours," and one engineer who has recently come to the shop—I don't know where he came from, as I did not ask—and five labourers held up their hands for the 51 hours.

Mr SIMPSON—Mr Blackmore has given us a very full statement as to what occurred in his shop in Greenock, and Mr Inglis has said there is a majority of the workmen in favour of the 54 hours. Now, is Mr Inglis prepared to prove that statement?

Mr ANTHONY INGLIS—Do you mean a majority of our own employes? That is what I meant.

Mr STMPSON—All I am going to say is, that I don't believe there is a majority of the workmen in favour of the 54 hours. Our employers asked the men in the work where I am employed to meet them last Monday. A member of the firm made a statement, and then asked any of the men to state their views. I cordially joined with him in inviting them to do so. At last one of the men got up and proposed that we should accept what he called the employers' liberal offer. The motion was duly seconded, when one of the firm asked if there was any amendment. I then put the 51 hours in the shape of an amendment, to elicit the real feeling of the meeting. A "perfect forest of hands," as Mr Blackmore has put it, were held up in favour of the amendment; and when the motion was put, I did not count a dozen hands of the 900 or 1000 men present held up for the 54 hours. I have been told that decision has been set aside by ballot. I don't know how the ballot was taken, and I don't care. I have taken means to ascertain the feeling of the men, and I find there is a great majority in favour of the 51 hours.

Mr WATSON—I know there are certain men who agitate this question within walls, and say another thing in the workshop. There are men who profess that they are for the 51 hours, and then go away and say the very opposite; but the number of such men is happily not large.

Mr JOHN INGLIS—I daresay I was at the bottom of getting the expression of opinion from our men. I thought it was strange I had never heard anything from them in reference to the shortening of the hours to

fifty-one. I inquired at the foreman about the matter, and he said most of the men had come to no definite conclusion, and that they had taken no action whatever. Before going off to the meeting of the masters, I asked the foreman if he got any expression of opinion to send it up to me. I was sitting in the room here when the word came, and I believe it was to the effect that the great bulk of the men declared in favour of the 54 hours. I believe there was a great number of apprentices and some rivet boys and labourers who voted for the 51 hours.

Mr TURNBULL—I believe I can corroborate what Mr Inglis has said in regard, to his shop, but I have also to say that it was never represented in any way whatever. You are quite right in regard to your shop; but taking the shops on the whole, there is a great majority in favour of the 51 hours. But I think this discussion in regard to the state of feeling in individual shops is altogether away from the point. The point before us is—Can we arrange between us a reasonable time for the commencement of the 51 hours? Let us name some time on both sides that we will both consider as reasonable, and if we cannot agree to the same time, then the question must be referred to arbitration.

Mr STEELE—I think that is very sensible.

The CHAIRMAN—I think so.

Mr TURNBULL—We are willing to go the length of accepting 54 hours until the Fair holidays at the present rate of wages, and then to take the 51 at the same wage. That, I believe, is the extent that we should go. Still, I believe that if it would be the means of settling the dispute, we could go the length of the 1st of August, but we cannot go further than that.

Mr STEPHENS—I think it might be well to remark, that, if we accepted the proposal of the masters, we should be placing ourselves in antagonism with those shops who have concluded an agreement with their employers to-day. We could hardly expect the great bulk of the workmen to agree to the 1st of January when there are other men who have already got the reduction. Messrs Mirrlees, Tait, and Watson, and also Messrs M'Onie, have agreed to commence on these terms at an early date. We are most anxious to come to a peaceful settlement of this dispute.

Mr JOHN INGLIS—With regard to Messrs Mirrlees, Tait, and Watson and the Messrs M'Onie, they are not to be placed on the same footing as marine engineers. I do not know what amount of work they do, but I know their contracts do not extend over a very long period. They are principally engaged on colonial orders, making machinery for the sugar planters, and they are obliged to have their work finished, because if it is not sent out by a certain date it is of no use for that year. If they are compelled to increase the number of their hands, the loss to them will be comparatively small, because their contracts run out very soon. On the other hand, we have contracts amounting to hundreds of thousands of pounds that have not yet been begun, and I do not think it is fair to cite Messrs M'Onie and Mirrless as models for our imitation. I think it would be a fair way to put it before your constituents that the Conference recommended that the date for the commencement of the 51 hours should be put back from the Fair holidays to the New Year holidays. Even under that arrangement our loss will be very considerable; but I am prepared to lose something for the sake of a settlement. (Hear, hear.)

Mr CONNOR—Whatever I submit to now, I shall most certainly take it back at the first opportunity. It is all nonsense to talk of men who are losing money submitting amicably to an arrangement that will involve them in that loss. And it is for nothing else than an idea. None of you are losing your health by working-too long hours, and for the purpose of carrying out a mere idea you are prepared to entail these serious consequences upon your masters. You need not talk about the thing being arranged pleasantly and agreeably unless you settle it so that there shall be the least possible loss of money.

The CHAIRMAN—Did you see what Mr Mundella says?

Mr SIMPSON—Did you see what James R. Napier said about the question? (Great laughter.)

Mr ALISON—I must say I am sorry that Mr Connor should speak so strongly, I do think he would be better to remember that vengeance belongs to some One else than him. Mr Anthony Inglis stated at the last Conference that if the men got the 51 hours, they would soon come back and ask for the fifty-seven back again. Well, why should he not give the 51 hours at once, and then the men would come back the sooner to the fifty-seven. (Laughter.) I understood Mr Connor's words to amount to a threat.

The CHAIRMAN—People have different ways of expressing their views, and perhaps Mr Connor is naturally given to express his somewhat strongly.

Mr CONNOR—I meant no threat, but I have a great opposition to everything like mere sentiment.

The CHAIRMAN—When you were talking about the different views that prevailed in reference to this question, it came to my recollection that I had a letter here from a distinguished man, which might indicate the state of feeling in England. He says—"I met Mr Allan, the Secretary of the Amalgamated Engineers, this evening, and spoke to him about the short-time movement. His reply was—"The Society here is dead against the 51 hours.' "

Mr ALISON—There is a very intimate friend of Mr Allan's in Glasgow just now, and I know from him that such a thing is not the case.

The CHAIRMAN—Then, Mr Allan must be all things to all men.

Mr ALISON—I know that Mr Allan is not opposed to the 51 hours.

Mr CONNOR—I will stake my reputation that if Mr Allan was down here just now, he would advise you to take the offer of the masters.

The CHAIRMAN—I do think we had better speak to the point.

Mr MARSHALL—I have wrought in some very hard-wrought shops, and I know very well from what I have experienced, that whatever is granted now, be it as little as it may, will be taken back as soon as the masters get an opportunity.

Mr JOHN INGLIS—I beg to deny it.

Mr MARSHALL—That is my conclusion from past experience. As a general rule, employers take the opportunity to get their labour as cheaply as possible, and the workmen are entitled to take, the same opportunity when it is placed in their way. If the masters are prepared to take large contracts without taking this into consideration, they must be prepared to lose something in consequence.

Mr JOHN INGLIS—I cannot allow these remarks to pass without making some observations in reference to them. In the case of the alteration of the 60 hours to 57, I was one of the delegates who met, and in this very room, if I am not mistaken. The arguments that were put before the deputation on that occasion were considered to be fair and reasonable, and we at once reduced the hours to fifty-seven. Now, I ask any one here if ever any attempt has since been made by the masters to take them back to sixty? I do not like to hear it said that on the first opportunity we will take back what we granted. Since that time we have had many opportunities, and we have never attempted to take advantage of them.

Mr SIMPSON—I do think that is going too far. It was Mr Connor, and not us, who first said the time would be taken back.

Mr CONNOR—No; I did not make that statement without qualification. I said, anything extorted by compulsion would be taken back.

Mr MARSHALL—At last Conference it was stated, in a letter from Mr Napier, that he was against even the 54 hours, so that it would appear whatever we get will be got against your will.

The CHAIRMAN—I think not.

Mr JOHN INGLIS—So far as I am concerned (and I think I may also speak for every man sitting round this table), we would not give anything with the intention of seizing the first opportunity for taking it back. I don't think there is an engineer in Glasgow of any respectability, or worthy of the name, who would make an arrangement with his men that he was not prepared to stand to. (Hear, hear.)

Mr CONNOR—NOTHING fixed by fair arrangement would be taken back.

Mr WATSON—There is only the matter of a few months between us.

The CHAIRMAN—It does not seem at all unreasonable that you should allow proper time, so that the masters should not sustain a great deal of loss. It is very probable that the 51 hours may turn out a better arrangement than the present hours. About that I say nothing; but it would be far better to have the matter settled amicably.

Mr WATSON—Is there any possibility of your moving a little towards us? Could you not cross the border into 1872?

The CHAIRMAN—We must be very cautious. Some of our contracts extend over a very long time. Those made in years past have not been calculated with regard to a reduction of the hours of labour, but in those concluded during the past few months we have done so. But there are some of the contracts still running—and they will run for some time—which were made without an eye to short time, and so far as these are concerned, we should be allowed time to finish them.

Mr BLACKMORE—In this year alone, simply from a scarcity of men to complete contracts in time, we have been obliged to pay one penalty of £500, and another of £200. That will give you an idea of how we are pressed by the shipowners.

Mr SIMPSON—If the matter of money is to be referred to, it is better to make a clean breast of the matter. If we commence to draw comparisons between the positions of the workmen in Scotland and England, the advantage will be found much in favour of the latter. In Liverpool the boilermakers have from 6s to 8s per week, and in London from 8s to 10s, more than in this country; and if the question of money is to be taken into account, this argument should be taken into consideration.

Mr CONNOR—If the Clyde contracts had been taken upon the same basis as in London and Liverpool, there would be no difficulty.

Mr SIMPSON—Do you not compete in the same market as the English shipbuilder?

Mr JOHN INGLIS—Yes.

Mr SIMPSON—That is all I ask.

Mr JOHN INGLIS—I lately had the opportunity of comparing the wages paid by a firm in England—the

name of the firm is Dudgeon—with what we are paying in Glasgow, both as regards piece work and day's wages, and I only saw in the day's wages somewhere about 6d a day of a difference, and of about 3d per day on the regular wages. This firm is competing with firms in the north of England and in Glasgow too. Surely, therefore, your statement about there being a difference of 10s per week in Liverpool must be wrong.

Mr SIMPSON—I said from 6s to 8s in Liverpool, and 10s when you go to London.

Mr WATSON—In Liverpool, turners receive from 30s to 35s, and fitters from 30s to 35s. In Newcastle, turners have from 28s to 30s, and fitters from 28s to 31s. In Manchester, turners have from 30s to 35s, and fitters from 30s to 36s. In London, turners have 36s; fitters, 34s to 36s; and boilermakers, 36s. In Glasgow, turners have 26s; and fitters, 24s, 26s, and 27s; and boilermakers, 28s to 30s. Besides, is it not true that agents from the firms in England have been here for workmen?

Mr BLACKMORE—You are quite right. About ten days ago, there was a gentleman in Greenock from Newcastle looking out for men. He took away from 100 to 120 men, paying their fare third-class to Newcastle, and giving them 6s per week more wages than they had in Greenock. But what was the consequence? They went away one Monday morning, and on the next Monday morning more than one-third of them had returned and taken their places in their old shops. When they were asked the reason of their return, they said—"We were getting more wages than the Newcastle men, and they would not let us stay."

Mr TURNBULL—There are numbers of men who go to a job and come back home-sick.

Mr BLACKMORE—And it is said the men paid their own way back.

Mr SIMPSON—I was offered 6s per week more than I have here, last week, to go to Newcastle. They tell me that they are just about on a level there with what they are here as to provisions.

Mr BLACKMORE—Did you read "A Woman's" letter in the *Herald* this morning? Everything is going up.

Mr TURNBULL—If the competition becomes more general, trade will be spread over the country, so that many of the workmen will go to other towns, and house rents will become less.

Mr J. INGLIS—I am perfectly convinced that if you go back to the workmen, and lay the masters' arguments before them, I have no doubt, from what I know of them, that they would be quite reasonable, so that the matter lies entirely with you. I say it and I believe it, whatever may be the ultimate result, that the power lies with you to place this matter on a firm, sure, and satisfactory basis by to-morrow or even by tonight. I am sure you have it in your own hands, if you like. I believe you have come here to make the best bargain you can; for that matter, so have we; but I don't think that if we should sit here till six o'clock to-morrow morning, we should come one day nearer a settlement.

Mr WATSON—Suppose we put the 54 hours aside altogether just now, when would you be prepared to say that we should start the 51 hours?

Mr BLACKMORE—We cannot say anything about that, because we have not consulted our friends upon the point.

Mr CONNOR—We have already agreed upon the 54 hours in our works, and it would not do to go back from that arrangement.

Mr JOHN INGLIS—I may just say that the wages are bound to increase, instead of diminish, so that everything must be in favour of the workmen.

Mr SIMPSON—We are but servants, as it were; and if we had been sent here to make an arrangement for 54 hours, we should just be as happy to arrange for that as for 51. We were asked by the employers to use our influence to get the shops out on strike to return to their work. The Executive never countenanced their coming out on strike, and it would be a rather difficult matter for us to interfere. However, two of the shops will start to-morrow—these are Messrs Mirrlees, Tait, and Watson, and the Messrs M'Onie; and if the 51 hours are not granted generally, the men will go to work with them.

Mr ANTHONY INGLIS—They cannot employ them all.

Mr SIMPSON—I tell you candidly that we have used our influence to keep the men at work. Perhaps you do not give us credit for this; but I tell you that the men have said we have been dilly-dallying with them, and they have threatened to go to the streets and settle the matter for themselves. The proposal submitted to us last night was that the 51 hours should commence on the 1st of June; but I think that the 1st of August has been mentioned by Mr Turn-bull as a date to which we should be inclined to take it upon ourselves to go, in order to settle the matter. We have no power to accede to the 1st of January. I hold that it is much better that we should arrange amongst ourselves than bring in an arbiter, who might take five or six weeks to come to a decision, besides having to hear the whole case on both sides. I therefore earnestly press it upon both employers and workmen here to try and settle the matter. To the masters I would say, Give us something that we can try and get the men to agree to.

Mr WATSON—I may tell you that a great many of our best men are actually prepared for the worst; but if you would give us something that would be fair and reasonable, we would try and get the matter settled.

Mr CONNOR—You must remember that we have people to persuade as well as you.

Mr TURNBULL—I firmly believe it will be to the interest of us both if we could possibly come to some arrangement. The men are just on edge, and if they come out, I believe one-half of them will go to America.

Mr JOHN INGLIS—Some of the largest employers in the trade were very reluctant to agree even to the terms that have been submitted by the Association. They certainly said the 1st of January was as far as they could go, and you could not expect us to go further without consulting them.

Mr TURNBULL—If that be so, our coming here to-day has just been a loss of time. I hold it would have been more justifiable on your part to have communicated to us the conclusion your meeting had come to, so that we might have been instructed as to whether we should accept it or not.

Mr ANTHONY INGLIS—You have come here on the same footing as ourselves—you have come here pledged to abide by the 1st of August.

Mr TURNBULL—No; our first proposal, and the one we were instructed to make, was the 1st of June. We have stretched our time to July and August merely with the view of trying to effect a compromise.

At this stage the masters' deputation retired for consultation to another room. On their return a few minutes afterwards,

The CHAIRMAN said—We have arranged to have another meeting with our constituents, and we propose to call a meeting here for two o'clock to-morrow. We will ask them to give us whatever additional powers they can, and you can do the same thing with your friends. We shall endeavour to get the sanction of the masters to a compromise between the dates, and save the necessity for arbitration.

Mr TURNBULL—I wish it to be clearly understood that we named the 1st of August to-day simply in the hope of settling the matter, and that the 1st of June is the date fixed by those who sent us here.

The Conference adjourned, to meet on Friday at 3.30 P.M.

Third Conference,

The Conference met on the afternoon of Friday the 23d February, in the Religious Institution Rooms, at half-past three o'clock. There were present on behalf of the Masters' Association:—

- Messrs J. F. URE (who presided);
- JOHN L. K. JAMIESON (of John Elder & Co.);
- ANTHONY INGLIS;
- Bailie HAMILTON;
- Messrs B. CONNOR;
- A. Baton (of Caird & Co., Greenock); and
- J.G. LAWRIE (Whiteinch); with
- J. P. SMITH as Secretary.

The workmen's representatives were:—

- Messrs THOMAS TURNBULL;
- JAMES ALISON;
- JOHN SIMPSON;
- JOHN MARSHALL;
- Messrs JOHN CRICHTON;
- ROBEKT STEPHENS; and
- HUGH WATSON; with
- THOS. R. ELRICK as Secretary.

Mr CONNOR—Before any business is transacted, Mr Chairman, I wish to draw your attention to a report of our last meeting in the *Herald*, in which I am grossly misrepresented. There are only a few lines of what I said in it, and these few lines are sadly distorted. The report represents me as saying—"It is useless to say there was so much moral feeling in the workmen;" whereas what I said was—"It is all humbug to *talk* of the moral feeling of the workmen." The humbug was not the moral feeling of the workmen, but it was in going on talking about it apart from the subject.

The CHAIRMAN—I think Mr Connor is quite entitled to make a full explanation, and I would ask the reporters to take notice of it. The reporter of the *Herald*, however, has explained to me that, after reports of meetings are written out, and handed to the editor, they are frequently cut down; and in this way the misrepresentation to which Mr Connor alluded might, perhaps, have occurred.

Bailie HAMILTON—While these explanations are being made, perhaps I might ask the Secretary of the workmen, what was his reason for introducing my name so conspicuously at the meeting on the Green, saying—"Here comes Bailie Hamilton?" (Laughter).

Mr ELRICK—I cannot say there was anything particular led me to mention it, unless that you were present

as one who represented the employers; and it was merely to bring the fact before the men's minds that one of the representatives of the masters at the Conference was present.

Bailie HAMILTON—I thought you were just passing a joke on me. (Laughter).

Mr ELRICK—By no means.

Mr CONNOR—If what I have referred to be a specimen of reporting, the reporters had better not be here at all.

Mr SIMPSON—I may say that we have a reporter here who is taking full notes for publication, and I can assure Mr Connor that he will get every justice.

The CHAIRMAN—There is a note here, signed by the workmen's secretary, requesting that our secretary should favour him with a list of the names of the employers who were present at the meeting at which we were appointed to act as representatives at these Conferences. There can be no difficulty, of course, in giving these names; but I would suggest that before the report is printed, it should, be submitted to us, so that it may be revised; because a person often in talking says things he really does not intend. I should also be very glad to recommend that we should bear half the expense, and get half the copies.

Mr SIMPSON—We intend to make something out of it, and if you mean to be a half of the expense, I hope you will not ask half the profits.

The CHAIRMAN—We will take half the copies, and leave you the profits.

Mr CONNOR—If it comes to me, I certainly shall cut out everything that is not pertinent to the question. The proper way is, for each man who has spoken to get a proof of his own remarks, and make the necessary corrections.

The CHAIRMAN—That is the way I have always done. I suppose we may consider it settled that we will take half the copies and bear half the expense, so that we may get the benefit of it as well as you?

Mr ANTHONY INGLIS—And I think we should get half the profits. (Laughter.)

Bailie HAMILTON—I really don't know what you will do with one-half the copies, because there might perhaps be 20,000 or 30,000 men who might take copies.

The CHAIRMAN—Then, we can take a certain number, and pay the profit prices.

Mr CONNOR—I will pay any money to be kept from reading it, I can tell you. (Laughter.)

The CHAIRMAN—Now, gentlemen, we have had a meeting to-day of our constituents. They were called together very hurriedly, and therefore we had not so large a meeting as we have had on previous occasions. We laid the question before them as it stood at the close of the Conference yesterday, and I think they would have been inclined to leave the matter with this committee for settlement; but we had an impression from the public papers that the resolution come to at the meeting of your constituents did not allow you to go further than the date mentioned in that resolution. Therefore, we came to the conclusion that, unless we have mistaken what was agreed to at your meeting, as reported in the papers, the matter must be left to arbitration, as suggested in the letter of your secretary. It is possible that we may have misunderstood the papers, and I should be very glad if you would set us right if we are under any misapprehension.

Mr TURNBULL—We laid the proposals we made here yesterday before our meeting last night, and there was a motion and an amendment. The amendment was that the 51 hours should commence at the Fair Holidays, and the motion was that September be the latest date that we be allowed to go to. The meeting carried the amendment—that is, the Fair Holidays; and that is how the matter stands at present.

The CHAIRMAN—I presume, then, that unless we can get further instructions from our constituents, the matter goes forward to arbitration, as suggested by Mr Elrick.

Mr SIMPSON—We laid fully before our meeting last night the arguments you used in favour of further time being allowed for the 51 hours to commence. The delegates who are now before you thought it right that they should not participate in the vote, and they therefore went to one side of the hall while the votes were being taken. There is no doubt that yesterday we had fuller powers than we have to-day; they left us open-handed to deal with the question; but last night, the motion that we should be allowed to go to September, was lost by a majority of 36 to 28. My own opinion about arbitration has not been altered since yesterday, and I still think it very desirable that we should attempt to settle our differences ourselves.

The CHAIRMAN—I quite agree with you, but you blamed the masters yesterday for drawing a hard and fast line, which we might have loosed to-day, had you not been fixed to a date at your meeting. I think, however, that a little more consideration of the matter, would bring the intelligent body of workmen whom you represent to give us a reasonable time to finish our contracts. From the feeling that was manifested at the meeting to-day, I think it should be left to your committee to try if they cannot get the men to come to a different conclusion; and if they should not see their way to do so, the question must go before the arbiters.

Mr JAMIESON—There is a resolution before the meeting to go to arbitration. As I understand the matter, negotiations are now at an end between these two committees, and it is for each of us to consider who would be a proper person to appoint as arbiter. The question that was brought up by us was that a fair and reasonable time

should be allowed to complete existing contracts. I consider myself that the 1st of January was a very fair and reasonable time, so far as the workmen are concerned, although it was not at all what the masters would require. The contracts go far into the next year, and the very fact of the time being shortened at all puts the responsibility of the penalties much more hardly upon the employers, I think it was a very unfortunate contrast that was made at the Conference yesterday, when a comparison was made between the marine shops and those whose contracts can be completed in four or six months. There is nothing now between us. It is understood that we begin work at the 54 hours on the 1st of March, and everything goes on amicably, and it may go on for months. At least, there will be a cessation of hostilities up to the Fair holidays, and in the meantime, the arbiter will be preparing his decision. I know the loss will be very severe on the employers. The statement Mr Blackmore made at the last conference, about £130,000 being lost by this movement, seemed to be doubted, but that sum was far below my calculation of what the actual loss will be. The employers stretched a very great deal for the purpose of averting a lock-out or a strike, which, at the present time, would be very disastrous to the trade in this district. I am very sorry to see such a hard and fast line drawn by the workmen themselves.

Bailie HAMILTON—Well, at the present time, 51 hours is the ultimatum. The employers have asked for a fair and reasonable time, not to be extended too far, and as matters have gone, I think it should be left in the hands of the arbiter.

Mr SIMPSON—In looking to the decision that the meeting of delegates came to last night, I may say it was from no want of confidence in their representatives. They looked at it in this light—they thought Mr Smith ought to have sent them word that a hard and fast line had been arrived at by the masters, so that the meeting of workmen's delegates would have known what to do, and saved the time that they considered was uselessly spent at the last conference. In regard to the loss of £130,000, we don't underrate the master's loss, but we do not look at it in the same light that the gentlemen on the other side do. I may state that, so far as we are concerned, the best course would be this. We are met to hear how far you can come to meet us. If you will show any inclination to come towards us, we will do everything we can to arrange the matter.

Mr A. INOLIS—You are bound to the Fair holidays.

Mr SIMPSON—We are quite willing to hear what you propose.

Mr JAMIESON—A resolution was unanimously come to to-day, that we should leave the matter to arbitration. I have no doubt that if the workmen had left you power to stretch a point last night, our committee might have got leave to settle the matter to-day. Unfortunately you have broken off negotiations with the masters, so that there is no alternative but arbitration.

Mr ALISON—I cannot see that we have broken off negotiations.

The CHAIRMAN—I don't think there is any allegation of that kind.

Mr JAMIESON—It is only the committees.

Mr ALISON—There is nothing on our part meant to fix us down even to a day or a month. I think it was stated that we had stretched a point; now let us see how far you can stretch towards the point of our departure. When we said August we went beyond our instructions, and came to meet you as far as we could.

The CHAIRMAN—You see the basis of the question, as I take it, is that time is to be allowed for the completion of existing contracts. Now, those ponderous pieces of machinery that we construct, many of them take 12 months to be completed. Would you tell me by what magic you can make these machines by the 1st of May?

Mr ALISON—One gentleman said the concessions were all on one side. I don't think that is altogether correct. I think we have made many concessions, and the reverse has been the case. At yesterday's conference it was generally understood that we were to endeavour to settle the question without arbitration, and here you have met us with a hard and fast line.

Mr CONNOR—The thing is all settled in favour of arbitration by our meeting to-day.

Mr WATSON—I think you have a certain amount of powers yet, because I heard Mr Jamieson say so, if I am not mistaken.

Mr JAMIESON—It was yesterday I referred to, and the utmost powers were given us then.

Mr TURNRULL—Mr Chairman—Should our powers extend so far that we are to be the parties to concede the whole length of time to 1st January?

Mr JAMIESON—Certainly. (No, no!)

The CHAIRMAN—When we understood from the newspapers that you were precluded from making an arrangement, we came to the conclusion that the only alternative was arbitration. I quite agree with you that it is a very desirable thing to avoid it, and possibly we might get instructions yet.

Mr STEPHENS—We took it upon ourselves at the last Conference to go the length of August. In doing so we came two months nearer your time, which was the 1st of January. Now, I think it was your duty, and perhaps it was the duty of the meeting you held to-day, to instruct you to come at least two months in our direction.

Mr JAMIESON—I shall go as far back as the Newcastle strike, for it was through it the employers here saw it

was very probable that the time would come when the agitation would come here also. After naming the 1st March as the time for the nine hours to come into force, we were prepared to concede it. The placards we issued remained unchallenged until the Short Time League sent in their circular. When there was some discussion about the matter, and when we could not agree, it was resolved to give 54 hours with 60 hours' pay. The League then said the 51 hours was what they were aiming at, but that they were willing to concede a certain amount of time when the 51 hours should begin. As the Dundee men were continuing their work at 57 hours until the short-time commenced, I had thought you would not object to have the whole of the trade placed upon the same footing; and that, agreeing to your arrangement, we should ask for a reasonable time so as to get rid of the heavy loss that would fall upon us by giving the 51 hours immediately. We have conceded the 54 hours at the present time, and, surely when you are going to get the 51 hours, it would not be too much to ask that you give us until the end of December to prepare for the change.

Mr STEPHENS—I think there is a point that has been lost sight of in your remarks bearing upon the workmen's side of the question. The employers agreed to give 54 hours, with the present wages and a rise of 5 per cent., if the workmen would drop their demand for the 51 hours. The 5 per cent. would amount to a good round sum of money. If the workmen would accede to our terms, we might be even willing to abandon 5 per cent. to have the 51 hours.

The CHAIRMAN—Then, the question again comes to be what is a reasonable time to finish existing contracts?

Mr CONNOR—The 5 per cent. was offered merely for the purpose of getting time to complete the work and provide against incurring penalties. The shipowners won't relax those penalties.

Mr SIMPSON—I think it right to inform you that at our meeting the idea of arbitration was not very favourably entertained.

Mr ANTHONY INGLIS—Did not your Secretary ask for arbitration?

Mr SIMPSON—Yes; but I am stating the feeling of the meeting.

Mr TURNBULL—I am quite sure that if the employers had met us in the same way that we have met them, the matter would have been settled last night. If the employers would only show an inclination to come and meet us a little way, we could report so to our meeting, and I have no doubt there would be some-means used to arrive at a decision.

Mr ANTHONY INGLIS—We have come to a fast resolution, and we won't abate one iota of it.

Mr Simpson—I do not think Mr Inglis should speak in that way. He is in the fortunate position, according to his statement, that all his men are in favour of the 54 hours, but such is not the case with a large number of the firms. I think the importance of the question demands that we should give it our earnest attention. We have the power, and are prepared to take the responsibility of going to our constituents and saying this is the best bargain that, in the circumstances, we can make for you, and I have no doubt at all that they would accept it.

Mr A. PATON (Greenock)—The resolution for arbitration did not originate with the employers, but proceeded upon a proposal made by yourselves. When it was indicated at our meeting that the proposal for arbitration had come from the other side, it was thought, well, if the men have suggested it, by all means let them have it, and the meeting was quite at one that the dispute should be settled by arbitration since the men wished it.

Mr SIMPSON—I can assure you, Mr Chairman, I am heartily sick of this business altogether, and I suggest that you let us know at once how far you are willing to go with us. We shall let you know how far we think it is just for us to go, and when our constituents meet to-night, we shall lay the matter fairly and honestly before them. I believe there is an anxious desire on our side to have the dispute finally settled to-night. I believe that, from the confidence that has been placed in us all along, we might safely enter into a final agreement at this meeting.

The CHAIRMAN was about to speak, when

Mr ANTHONY INGLIS said—I object to you making any statement about the matter. You cannot go beyond what you have been authorised to do, and the other side are also bound by the resolution of their meeting.

Mr JAMIESON—Seeing that the two committees could not come to terms, and that their several meetings have adopted resolutions, it appears to me that the thing is taken entirely out of their hands; and I think what we have to do now is to arrange about an arbiter, and the dispute will be arranged in some way or other satisfactory to the parties.

Mr STEPHENS—I am of opinion that arbitration would entail a great loss of time upon both sides, and after the whole question had been fully gone into, the arbiter might take some time to arrive at his decision. I know that there is a good number of the workpeople that would be prepared to go past the hard and fast line rather than submit to arbitration.

Mr LAWRIE—Will any of these men say that they solemnly believe the contracts on the Clyde will be finished by the 1st of September. If any one of them says so, then I can credit him with believing that he is

proposing what is fair.

Mr ALISON—We had no voice in the taking of the contracts; we have a voice only in the selling of our labour. I apprehend this gentleman has really mistaken his argument.

The CHAIRMAN—The understanding was that time should be given to complete the contracts.

Mr ALISON—We think there should at least be a division between the times mentioned by you and by us.

Mr ANTHONY INGLIS—Do you think that September is half of the time?

Mr ALISON—What I think is that we have come so far, and you have made no concession whatever.

Mr PATON—I would only explain that the contracts of the house with which I am connected cannot be completed within twenty-one months.

Mr ALISON—It is no part of my business how long the contracts will last. I am perfectly certain that the gentlemen present are as able to look after their interests as I am. All we can do in the matter is to try to meet each other. We endeavoured to do so yesterday, and I am sorry that you do not feel inclined to do so to-day.

Mr LAWRIE—Perhaps Mr Simpson will kindly say whether he thinks the 1st of September will allow a reasonable time to finish the contracts?

Mr SIMPSON—It so happens that Mr Simpson does not look at or expect the results that you anticipate. If you could convince me that such results would follow as you say, I should say that September was not a reasonable time. I hold, however, that such results would not follow, and I have satisfied my own mind, and the minds of a good many people outside, on that point.

Mr CONNOR—It is quite clear that there is no use in remarks like these. The only way to do, if Mr Simpson cannot see it, is to get some person to decide between the parties. We have no powers to alter what was done at the meeting to-day.

Mr JAMIESON—I am very sorry that the Committee does not possess powers to settle the matter; but I find from Mr Simpson's own words that he recommended that the masters should be informed that the men were willing to grant them a reasonable time to complete their contracts, and, if they could not agree, the question could be referred to arbitration. That was the state of matters at the beginning of the week, when the whole thing was likely to end in fire and blood, as I may say.

Mr SIMPSON—That is quite correct. These, I think, were my very words. But, mind you, if you resort to arbitration this difficulty will arise, and I warn you of it—will you find an arbiter in whom both employers and workmen will have confidence? When I suggested arbitration, I did it in good faith; but when I saw the feeling of the meeting last night, I did not think it was the best thing we could do. I would just say again that you should say how far you can go.

Mr ANTHONY INGLIS—We have no power to do it, and we cannot do it. We have come to a conclusion, and we will abide by it.

The CHAIRMAN—Anything that is done here must be done in temper. It appears to me there has been some misunderstanding of the matter, perhaps, upon both sides. I believe our meeting to-day would have given us all the powers required had they not considered that you had fixed upon a date that you were prepared to stand by, leaving only the alternative of arbitration. I suggest that we should do to-morrow or Monday what we have done to-day, and get another meeting of our constituents.

Bailie HAMILTON—I think, as the Chairman has said, there has been a misunderstanding, and surely a misunderstanding can be put right. (Hear, hear.) We have no powers just now to go beyond the 1st of January; but, if we had another meeting of our constituents on both sides, we might obtain the requisite powers.

Mr ALISON—It certainly was my impression at the close of the last Conference that the employers were against arbitration, and that it was entirely thrown up. Several of you remarked that it was not a good thing, and that it would be far better if we could do without it. We said we would use every endeavour on our part to settle the question, and to-day you have met us with a hard and fast line.

Mr PATON—We came to that line of action suggested by yourselves, and I really think it unfair to call it a hard and fast line. At the same time, the difficulties pointed out by Mr Simpson in regard to arbitration are not to be overlooked. I came to the meeting of employers to-day with my mind set against arbitration; but as no other thing seemed to be agreed to by the men, I thought it should be resorted to.

Mr JAMIESON—What we have to do now is to appoint an arbiter, and I think we should select a gentleman on each side by whom this should be done.

Mr CRICHTON—If it is impossible to proceed further to-day, I think, as the Chairman has said, there should be another meeting. There is sufficient time yet to correct any misunderstanding; and certainly, in the opinion of the workmen's deputation present, we can settle the question far better, and, perhaps, far sooner, than it could be done by arbitration.

Mr SIMPSON—I think it would have only been true courtesy to have apprised us of the terms of the resolution you had come to which were sent to the papers. As I said before, it was from no want of confidence in their representatives that the delegates did not agree to the motion, but rather from a feeling that they had not

been properly dealt with.

Mr LAWRIE—I would suggest that in the present circumstances we should let bygones be bygones, and afford the workmen an opportunity to-night to consider what would be a sufficient time to allow their employers to finish existing contracts.

Mr SIMPSON—Our difficulties are increasing every day. Messrs Mirrlees, Tait & Watson, and the Messrs M'Onie, have come to terms with their workmen, and you are aware that another calamity has happened to-day. These men are represented at our meetings, but every day is increasing the difficulty and making a settlement more difficult.

Bailie HAMILTON—Now, I would take notice of that remark of yours. I took notice of it at the first conference. Suppose we should all do as they have done, what would be the consequence? Don't you see it is a subterfuge?

Mr TURNBULL—There is a matter which was referred to at a previous conference, with regard to which I wish to make an explanation. Mr Dubs did not say, as was stated, that he would give the 51 hours as soon as any of the other shops gave it, but the men stated that they believed he would do so. I make this explanation because Mr Dubs has heard of the matter, and was displeased.

Mr CRICHTON—I know two or three employers in Glasgow who have not been at all alarmed at the idea of the 51 hours. I refer you for one to Mr Smith of the Sun Foundry, and I may inform you that the firm of Messrs P. & W. M'Lellan has gone even further and offered 50, provided the men would allow the day to be arranged as they wished it.

Mr CONNOR—I think that allusion to Mr Smith of the Sun Foundry is entirely out of place, because it is well known that his is a piece-work shop. A statement like this is, therefore, a delusion and a snare; it is altogether misleading. Mr Smith got up on the stump and talked a lot of stuff to his men, but who does not know that every man of them is working on the piece.

Mr JAMIESON—I think, Mr Chairman, that it is a pity that we cannot settle this question much more easily. I fully expected when I got into the meeting that I would get away in 10 or 12 minutes altogether. We had come to an arrangement previously with the Secretary of the Workmen's League that if we could not agree upon the time when the 51 hours should commence it should be left to a neutral party. The neutral party is neither going to take advantage of you nor me, but to give an equitable decision, and I do not see why there should be any dispute about his appointment.

Mr STEPHENS—My own opinion is that we are bound to accept arbitration if the employers force it upon us.

Mr JAMIESON—The 51 hours has been conceded to you, and the only difference between us is as to when it is to begin. There is no use of us getting into a bad temper. We are all working together; if we do not pull we lead—(laughter)—let us look around on both sides and see if we can get a man to settle our differences. Let me caution you against the very wish of interference with the fortnightly pays, because I think that weekly pays would be a decided disadvantage; certainly to the employers it would be a very great annoyance. The saving man is very much fonder of 5s than 2s 6d, because the latter sum dribbles away much more quickly. If a man has got £1 in his pocket, he will go much easier to the savings bank than if it were less. If he had only 10s he might wish to keep it until it were more, but by the end of the week he would find it had come down to at least 7s 6d. To the workman that is not well inclined there can be no doubt at all that the weekly pays would just give him two "drinks" in the fortnight instead of one. The well-doing man can easily want his wages for a fortnight, and I would impress upon you that weekly pays would only be an annoyance to the employer.

Mr TURNBULL—I have been in receipt of weekly pays for the last two months, and I can safely say that my money goes farther by the week than it did by the fortnight. In some of the shops there is a great deal of lying time, and at present men coming into the shops have sometimes to wait three weeks before getting their pay. The fact is, that weekly payments suit the workmen far better, because they can go and buy their provisions with ready-money and not run into debt, and in this way they can live cheaper and better. I firmly believe that weekly pays are really the best for the workmen, and at the first Conference the employers then met were quite agreeable to grant them. Even Mr Inglis was quite agreeable to grant the pay every night if the workmen wished it.

Mr A. INGLIS—I will tell you what I meant by that; there are some of our men so improvident that they spend all their money and will not go home without it. If a man is in steady work and cannot want his wages for a fortnight, what is he to do when sickness comes. A man should always be a week ahead with his money, and then he can go and buy what he likes.

Mr SIMPSON—There is no point in the circular on which I place more importance than that of weekly pays. I don't claim weekly pays for the improvident, because I think that to the improvident man who is in the habit of going to the public-house the seldomer he gets his pays the better. It is for the sober man we want the weekly pays, that he may not have to take credit. I advocate this claim not so much for ourselves as for the lower paid

workmen. Mr Inglis's advice is an excellent one, that the working man should always be a week ahead, but sometimes the sober working man is obliged through misfortune to run into debt. When once into debt in a shop, he can very seldom get out of it, because when the shops get a hold of him, they take care to keep it. I see that Mr Winterbotham introduced a Bill last night into the House of Commons to make weekly pays imperative in some trades.

Mr PATON—Much could be said for and against weekly pays, but I think it might be quite well left to the different shops to settle it in their own way. If you take the firm I represent, you would find that weekly payments would come to be a very difficult and expensive thing. It is now twenty-five years since I began to deal with workmen and my experience convinces me that there are many things to be said against the system of weekly pays.

Mr JAMIESON—I think that each employer should do with the question as it best suits him.

Bailie HAMILTON—My experience is this; we have one lying day, but you are quite well aware that it is a very serious matter to make up 500 or 600 men's wages. I have known our clerks to be up all night as it is arranging the pays, and weekly payments would add very much to their labours.

Mr SIMPSON—That is the best argument that has been advanced against weekly pays.

Bailie HAMILTON—I quite agree with Mr Inglis that the working man should be a week or a fortnight a-head. It comes to this, that if the men got weekly pays those of them who do not pay ready money would just be a week behind. My experience of arrestments is that they do not come against labouring men or low paid men, but against the better paid men.

Mr JAMIESON—I think that time-and-a-half is a very good thing, and we will not work much of it at that rate.

Mr STEPHENS—Only when it will be needed.

Mr JAMIESON—If it will be necessary, it must be on account of this short-time movement. The sums mentioned by Mr Blackmore at the last Conference as the loss that would fall upon the masters would be but a drop in the bucket compared with what we would have to pay.

Mr SIMPSON—Am I to understand that the question of weekly pays is to be left to be decided by a majority of the workmen in the different shops?

Mr A. INGLIS—I understand that every shop is to be left to do as it likes. Suppose I were to obtain a minority in my shop in favour of weekly pays, am I not to be allowed to grant it if so inclined?

Mr SIMPSON—If you find a shop where a number of workmen want it, I think it would be a great benefit to them; and, gentlemen, with all due respect to you, the man that has the least pay is the best judge in this matter.

Mr PATON—In works where there are only 500 or 600 hands the weekly pays might not be a very difficult matter, but where there are from 4000 to 5000 men the difficulties are very greatly multiplied.

Mr CRICHTON—In regard to the question of overtime, there are certain matters which I should like to be clearly understood. Is it meant that there is to be no allowance, but merely time and a-half? because, if there is to be no allowance, it will be a decided loss to those men whose wages do not exceed £1 per week. A man receiving 18s per week would lose just 3½d per night by the bargain you offer us.

Mr JAMIESON—That, I think, is little better than an idea. After 54 hours are worked for the week, I should say pay time and a-half overtime.

Mr STEPHENS—What do you say about apprentices?

Mr JAMIESON—I don't think we should legislate for apprentices. They are learning their profession. My impression is that we don't pay them as we should, but we do not refer to that.

Mr CRICHTON—I did not refer to apprentices, but to a very large body of men—I mean hammermen.

Mr A. INGLIS—I don't think a hammerman is a hard-wrought man at all. When I was a hammerman we blew the bellows and struck with the hammer too, but no such thing is done now. It is all bosh to talk about hard-wrought hammermen.

Mr SIMPSON—I am happy, Mr Chairman, that those hard times to which Mr Inglis has alluded, when the hammermen had to blow the bellows and strike with the hammer at the same time, do not now exist. (Laughter.)

Mr ALISON—At the first Conference my impression was that the employers were in favour of weekly pays. About the overtime, Mr Steele said that the allowance money would be no obstacle. Bailie Hamilton stated, if I am not mistaken, that he was quite willing to grant weekly pays.

Bailie HAMILTON—I never bound other parties to that, but said I was in favour of weekly pays.

The CHAIRMAN—If I remember aright, the discussion on the occasion of the first Conference was to the effect that if the 51 hours and the overtime were settled there would be no difficulty about anything else.

Mr SIMPSON—You are perfectly correct.

Mr JAMIESON—In Newcastle the workmen are only getting time and a-quarter overtime, and here we are offering considerably better terms than have been arranged in that district. I think, therefore, we have made you

a very liberal offer. I went into the matter of allowance and overtime very carefully, and I find, that there is not a very great difference either the one way or the other, but it gave the advantage to the workmen, and simplified the keeping of the employers' books.

Mr SIMPSON—It appears to me, Mr Chairman, that we are indulging in a great deal of unnecessary repetition. If we had the same gentlemen here at every Conference, many of these questions would not have arisen to-day. Mr Hamilton did say that owing to the people troubling him on "blin' Saturday," there would be very little more difficulty in paying weekly than in doing so fortnightly. In regard to the overtime, the object of the frames of the resolutions contained in our circular was to put a penalty upon overtime for the purpose of making it cease to be wrought. In the shop where I am employed we have not wrought any overtime for a long time; but when it was wrought I have sometimes thought there was very nearly as much work done in the ten hours as when we had to work two hours overtime.

Mr A. INGLIS—You talk about penalties, but I hold it is nonsense to put penalties upon anyone.

Mr PATON—I sympathise very much with what Mr Simpson has said about overtime, but I think it is very imprudent to press us at a time like this with too many difficulties. Time-and-a-half is, I think, as much as you should press for the present moment.

Mr TURNBULL—There is one thing which I must be allowed to call attention to I think it is only fair that the workman should have a reasonable time to get tea, and that he should be paid for that time. For myself, to get back in an hour, I should have to 'bus it both ways; and I don't consider it fair that a man should be called upon to work at night without being allowed time to go home and get his meals.

Mr JAMIESON—Is that not the practice in the trade?

Mr PATON—With us it is.

Mr JAMIESON—It is in my work now.

Mr TURNBULL—I will give you a reason why I put the question. A circular that Mr Jamieson caused to be put upon the gate of his work contained the words, "No allowance in time or money."

Mr JAMIESON—I allow it was rather obtuse and obscure that thing; there is not the least doubt about that. It is an extraordinary thing that the circular was no sooner up than the error was noticed in regard to this point. What it was meant to express was that there was to be no overtime or allowance of the kind that we have done away with, and that there was only to be time-and-a-half for all overtime.

Bailie HAMILTON—My understanding was that this time-and-a-half was to cover the allowance and the time that used to be allowed; but I don't see that we should stick to any hard and fast line.

Mr A. INGLIS—Everyone can arrange with his own men.

Bailie HAMILTON—The delegates are sent here by a large body of men, and they want to know if they are to get time, and the question is whether you are to allow them time to get their meals or not. I should say that you should allow time.

Mr STEPHENS—It should be understood that it is to be the custom of our shops as at present.

Mr LAWRIE—It appears, then, that we have got over all our difficulties except one; and if the workmen's delegates go back to the men and try to arrange for coming nearer the masters' time, we might do the same on our side.

Mr SIMPSON—I would much rather it was that way.

Mr A. INGLIS—We cannot do that, because we have agreed to arbitration.

Mr TURNBULL—There is one point to be considered in the circular yet, gentlemen—that holidays be considered as overtime.

Mr JAMIESON—I think there is one thing that should be made an exception, and that is when repairing our own works. I quite agree that if a man is required to work at ordinary work at the time of holidays, he should get overtime.

Mr SIMPSON—Allow me to remark, Mr Jamieson, that the last holidays in our shop was paid as overtime.

The CHAIRMAN—It is of so little account that I do not think we need arrange about it.

Mr TURNBULL—It is a matter of much importance to working men who wish to get away to visit their friends during the holidays; because, at that time, they can get return railway fares at cheap rates. If they are prevented from taking advantage of the facilities afforded by the holidays, it appears to me to be only just that they should be compensated for that loss.

Mr JAMIESON—I would suggest that you should insert the words "when working at contract work, and not when repairing machinery."

Mr WATSON—I think that is a very fair suggestion of Mr Jamieson's.

Mr TURNBULL—I am very happy that we have got through the circular, and I am only sorry that we are going to part without arranging the date for the commencement of the 51 hours. I think we could meet that difficulty yet, if we were only to try in earnest. We are ready to endeavour to ascertain, if possible, what length our constituents will go, if you would be willing to do the same on your side, so that both of us may get

additional powers.

The CHAIKMAN—But, can we do so?

Mr JAMIESON—It appears to me that we are fairly committed to arbitration.

Mr A. INGLIS—If these gentlemen choose to send notice to you, Mr Chairman, or the employers here, regarding what they are willing to do to save the necessity for arbitration, we might consider such a proposal; but if we proposed any other terms than those we have been instructed to do, I don't think they would be agreed to.

Mr STEPHENS—I think we should go to our people and say the thing is to be sent to arbitration, and if you don't come some time nearer what is proposed on the other side, it must be resorted to. In this way each side would ascertain how far they were inclined to go to save arbitration.

Mr JAMIESON—If the workmen named their arbiter, we might be satisfied with him, and there would be no further trouble.

Mr LAWRIE—Yes; if the workmen named an arbiter, some inquiry could be made in reference to him, and if we were satisfied, the thing would be all right.

Mr A. INGLIS—Is there nobody in Glasgow that would do it?

Mr SIMPSON—Well, the idea is new to us, but the matter might be sooner settled in that way.

The CHAIRMAN—There were two names that occurred to me this afternoon—Mr M'Ewen (late Dean of Guild) and Sheriff Bell.

Mr JAMIESON—I consider it would be well to think over the matter, and suggest one on either side.

Bailie HAMILTON—There is this other consideration, that perhaps an arbiter may not be required.

The CHAIRMAN—I have mentioned those names that occurred to me; but very likely when we come to appoint an arbiter, we will have got authority to settle the dispute without resorting to arbitration at all.

Mr WATSON—It appears to me that if the question went to arbitration it would take at least about five months.

The CHAIRMAN—When we meet to appoint an arbiter, I think it is very likely we shall meet to render his appointment unnecessary.

The Conference then separated.

ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, February 26, 1872. J. P. SMITH, Esq.
SIR,

At a General Committee meeting of our League to-night, in Plumbers' Hall Nelson Street, reports were submitted from the various meetings held to-day in the several workshops.

The workmen are unanimous in their decision to allow our committee full power to make a settlement with the committee of employers, by making whatever concession they consider the circumstances may warrant.—I am, yours truly,

THOS. R. ELRICK, Secy.

CLYDE SHIPBUILDERS' AND ENGINEERS' ASSOCIATION, 67 Renfield Street Glasgow 27th Feb., 1872.
SIR,

I am in receipt of yours of yesterday, communicating the decision of the workmen to entrust their delegates with full powers to come to a settlement.

Mr Smith will not be in town before to-morrow, but your letter will be laid before the meeting of employers to-morrow.—I am, yours faithfully,

James Maccallum.

Mr Thos. R. Elrick, 182 Trongate.

Fourth Conference,

THE Delegates of the Employers and Workmen met in the Religious Institution. Rooms on the afternoon of Wednesday, the 28th February. The Masters' Association was represented by:—

- Bailie HAMILTON (who presided);

- Mr JAMIESON;
- Mr ANTHONY INGLTS;
- Mr LAWRIE, Whiteinch;
- Mr PATON;
- Mr BLACKMORE;
- Mr CONNOR; with
- Mr J. P. SMITH, Secretary.

The West of Scotland Iron Trades' Short Time League was represented by:—

- Mr TURNBULL;
- Mr ALISON;
- Mr MARSHALL;
- Mr STEPHENS;
- Mr SIMPSON;
- Mr CRICHTON;
- Mr WATSON; with
- Mr ELRICK, Secretary.

Bailie HAMILTON—The reason I am in the position of Chairman to-day is that Mr Ure has been travelling all night, and is very much fatigued, so that he will, not be present. Before the commencement of the business, I may state that we had a meeting this afternoon at two o'clock, at which we expected to have received a statement from you as to the time you propose to allow before the commencement of the 51 hours. That was our understanding when we parted at last conference. But since we have got no intimation of the time, but merely that you had received full powers to arrange the matter in a way that would be advantageous to the workmen, we are now ready to hear what proposal you have to make.

Mr TURNBULL—I hope you are ready to meet us in the same spirit as we are prepared to meet you. We have to propose to you, on behalf of the workmen, the 1st of September as affording the employers a reasonable time to complete their contracts.

Mr CONNOR—That is scarcely splitting the difference.

Mr TURNBULL—It is—between our first offer, which was June, and your date, which is January.

The CHAIRMAN—I don't remember June being spoken of, but I remember distinctly that at the first Conference I asked Mr Simpson to name a time, and he said, Perhaps the 1st of August. Is that so, Mr Simpson? Of course, I understood you to say that on your own responsibility.

Mr TURNBULL—It was I that stated the 1st of August. What I said, I think, was, Would you not mention a time—say the 1st of August?

Mr ALISON—I don't know whether the Chairman was present at the second Conference, but I think I then suggested June as an intermediate position. We stretched two months, and we believed the men would agree to that. When we stated June, we went as far as we thought we could go; but practically we took those two months on our own responsibility.

Mr JAMIESON—I perfectly understood at the last conference that the workmen's date was after the Fair Holidays. I met the argument in this way. I said that if you had come to the conclusion to give us a fair and reasonable time, the basis of your arrangement was a week of 57 hours. We were giving you three hours for a certain period, and we wanted you to give us three hours for a certain period, and that period, when the two were put together, was to be a fair and reasonable time when the 51 hours should commence. We talked of the Fair Holidays, and why, in the name of goodness and fair and honourable treatment, go back to June now? This is certainly not a fair thing to do; it is unreasonable this, men. You have done enough of harm with this question already, without going further into it. You have practically damned the trade in this quarter for a time, and why now come before us—

The CHAIRMAN—You must be moderate, gentlemen.

Mr ALISON—Mr Chairman, had Mr Ure been in the position you are in just now, he would have remembered that at the end of the last conference it was distinctly stated that June was our starting-point. Mr Jamieson is clearly in error. He was not present at the time, and I can assure him that there is nothing dishonourable in our conduct. There is no other wish on the part of any one of us than to settle the matter in a fair and honourable way. What Mr Jamieson may have said at the last conference at which he was present I do not remember, but the understanding come to at the meeting was clearly understood.

Mr CONNOR—I also understood at the last conference that the point of settlement was to be between the Fair holidays and the New-Year holidays. That was, I think, the understanding arrived at by all of us here.

Mr SIMPSON—I don't at all wonder that difficulties of this kind should crop up. If we had had the same individuals here at every subsequent Conference as there were present at the first one, these difficulties would not have occurred. When we went the length of August we went further than our constituents authorised us, in

an earnest desire to come to an arrangement. But why don't you make an offer now I we are quite willing to meet you. Let us hear how far you can go.

Mr CONNOR—That the 51 hours begin on the 1st of November, or the whole filing be referred to arbitration. That is a clear ultimatum, and if you don't agree to that, you are bound to arbitration by your own offer.

Mr ANTHONY INGLIS—Before you go further in proposing the 1st of November, let me say that is a point I would not accede to at all. My impression is that we have made a very fair offer already, and one that we should stick by. Suppose you get parties to agree to a compromise, the time will be got by compulsion. If you are going to settle it in this way, would it not do to allow those contractors who have small contracts to arrange upon the 1st of June if they are inclined. But I don't see it is right that you should seek to coerce my men or any other body's men. Can these delegates bind the men, or can we bind the men? Suppose I make a proposal to give a man so much pay for so much work, is that man bound to me until January? Certainly not. If any other employer offer him more wages, I cannot keep him back. If this Short-Time League were to get the men to sign a paper to agree to the same wages until the 1st of January, we might change our minds. My contracts will perhaps take, not to January next, but to Glasgow Fair, 1873, before they are completed; and if I say that I have gone as far as I can go, you are bound to believe that I am telling the truth. Mr Connor has come farther than any person here would have come, and that is telling you honestly. I don't think you have done what you might in this matter, because I have that confidence in the men to believe that they are not unreasonable if you state a matter clearly to them. I think that to come here now, after all we have done, and propose the 1st of June—

The CHAIRMAN—I think you do not clearly understand the position of matters, Mr Inglis, through not having been in the room at the commencement of the meeting. The workmen's delegates have proposed the 1st of September, and June was mentioned as the time from which they had advanced.

Mr ANTHONY INGLIS—Oh, I thought it was June they were proposing to-day. If Mr Connor's proposal is put before the meeting, and agreed to by the employers, I do not think it would be worth while to ask an arbiter to come in between us for the purpose of settling a difference of two months. There is no man would spend his time in doing it.

Mr BLACKMORE—As a representative from Greenock, on the part of myself and Mr Paton, I may state that, although we are part and parcel of the association, and have been nominated to meet with you to-day, we do not oblige ourselves, as Greenockians, to agree to the 51 hours at all. Our men have given a decided expression of opinion against it, and we cannot come to any conclusion. The chances are that if we were to offer our men the 51 hours at all, they will strike against it. I know that the representatives of the Short-Time League were refused a hearing in Greenock. The engineers of Messrs Caird & Co. did not wait to allow him to do what I did in order to ascertain their views. His men have actually insisted upon an interview with Mr Caird, and have represented exactly the same thing that our men did—that they would have nothing to do with the 51 hours.

Mr ALISON—Mr Blackmore has stated that the Greenockians are opposed to the 51 hours, and that his own men are opposed to it. It so happens that I saw two of his own men in Glasgow on Saturday, who came up for the purpose of giving us a very different statement from the one Mr Blackmore gave us.

Mr BLACKMORE—Could you give me the names of those men?

Mr ALISON—I could, but I would not. These men told me that not a single man out of Mr Blackmore's engine shop attended the meeting which he told us decided against the 51 hours.

Mr BLACKMORE—It is a decided untruth.

Mr ALISON—That is what they told us.

The CHAIRMAN—Mr Alison was quite justified in stating to us what they told him.

Mr SIMPSON—We are wandering away from the subject. We are here for a purpose to-day, and we should try to accomplish it. If November is your ultimatum, I have no doubt that our Chairman (Mr Turnbull) will reply to it.

The CHAIRMAN—Well, we must make all allowances. You look at this question from one point of view, and we look at it from another.

Mr PATON—I don't exactly agree with Mr Simpson that there is no use for this discussion. At two o'clock on Friday last, when I was with you, the men asked a meeting with Mr Caird at their engine works, and the following morning Mr Caird told me that they did not want the 51 hours at all. They were quite willing to work the 54 hours. At the same time, Mr Caird is a member of the association, and we will act along with it. Whatever any men may tell you, I can assure you that there is no agitation in Greenock in favour of the 51 hours.

Mr SIMPSON—I may state that the only notice we have got of any agitation in Greenock was the notice in the *Herald* about three weeks ago, which stated that a meeting of the workmen were unanimously in favour of the 51 hours.

Mr BLACKMORE—I am here to state that there were dozens of the men at the meeting of our works, and

that the only engineer who held up his hands in favour of the 51 hours has been wandering about the streets ever since.

The CHAIRMAN—Perhaps it is right for me to state, for the benefit of the gentlemen present, that the proposal made by Mr Connor was our ultimatum. We, perhaps like you, were inclined at first to fight a little shy, and come first to December and then to November; but Mr Connor, in his usual open way, rushed, into the thing at once. I wish you to understand that this is a point beyond which we cannot go.

Mr CONNOR—Only let it be understood that the arbitration will be between July and January.

Mr TURNBULL—There will be no need for arbitration, I think.

Mr CRICHTON—Are we to understand that the proposal the employers have made is agreed to by the whole of them?

The CHAIRMAN—I may say that Mr Inglis was not present when we came to our ultimatum; but I have no doubt Mr Inglis would be disposed to go the same length if his men wished it.

Mr SIMPSON—Really who *would* insist upon men working only 51 hours, if they were wanting to work 54? (A voice—"That's all right.")

Mr TURNBULL—I have consulted my colleagues, and find that they are quite willing to accept your offer of the 1st of November. We were looking to October, and as there is not much difference between us we thought it better to get rid of it. But, in going the length of November there is one point that I should like to put before you. Mr Jamieson, at the last Conference, quoted the wages of the lower paid men at 4s 6d, but there are men below that sum per day. I forgot to inform you that we have a large number of hammermen in our League, and we will not be acting well if we don't get the penny of allowance for the men paid below £1. I think it would be but reasonable that those men should receive that.

Mr A. INGLIS—That is bringing up a different subject, which I don't think the Short-Time League has anything to do with. My opinion is that this is a matter that will very much adjust itself, and that you are putting yourselves to a great deal of extra trouble in speaking for the hammermen. I consider the hammermen just about the easiest wrought men in the shop. The boilermakers are the men that deserve to be well paid, but I would not listen to any discussion about wages.

Mr SIMPSON—In most of the shops the low paid men are not allowed time-and-a-quarter just now, but they have so much allowance. What Mr Turnbull is anxious to know is, in the event of those men being deprived of the allowance, how will they be compensated?

The CHAIRMAN—They are to get time-and-a-half.

Mr SIMPSON—Are we to understand that the labouring man is to get time-and-a-half?

Mr A. INGLIS—Decidedly; everybody is to get it.

Mr JAMIESON—I am very glad the men have accepted the time we proposed, because really the irritation the dispute has caused me and many men connected, with it you will never know. I hope it may do good. I give you all credit for having your only object as that of ameliorating the condition of the working classes. At the present, though, I must decidedly say it is doing the very opposite. I have large contracts that will not be completed until far into next year. The shipbuilding and marine engineering in this part of the country have, I fear, sustained a shock that it will be long before they can recover it. Now, for God's sake, go back to your shops, and don't let us be disturbed again until things right themselves, and try if you can preserve amongst us that great energy that has kept industrial prosperity in this part of the country for a long time, and not give it to other parts of the country with greater facilities than we possess.

The CHAIRMAN—Well, gentlemen, you have had a lecture from our side of the house, and it is quite right that you should give us a lecture from the other side.

Mr ALISON—I don't think that we will seek to bestow a lecture upon you. I am persuaded, sir, that the land of James Watt has nothing to fear from any competition whatever, and I am also persuaded that this movement will not retard the progress that has attended it since his day until now. There is one thing, however, to which I must again allude, and that is to the subject of the weekly pays, which is engaging the attention of the workmen to a very large extent, more than any of you are, perhaps, aware of. Weekly pays are now the rule in England, and there is a strong feeling all over this country in favour of getting them introduced. The whole of our men are appealing in favour of weekly pays.

The CHAIRMAN—I should just say in reply to this, that it was mentioned at last Conference that this was a question for each work to decide for itself. I have no doubt that if any large majority of men, in any shop, were to make the request, it would be granted; although it would cause a great deal of extra trouble. Our time-keeper has to keep an exact account of the time at the different jobs. If he had nothing to do but take 500 or 000 men and calculate their wages, putting down the amount to one job, it would be comparatively an easy matter. But when he has to connect the different men's names with the different jobs, and calculate so many days and so many hours, and then calculate that at so much an hour, it comes to be a very difficult job. I have no doubt, however, that the employers would be willing to meet the men in this matter.

Mr SIMPSON—After the last Conference, we laid the matter before the delegates, that it was to be left to the different shops. We had a delegate meeting again on Monday night, and there was a strong representation that the question should be urged to a settlement. There is some force in the arguments you have stated, Mr Chairman; but a great deal can be said on the other side of the question. It might be well, perhaps, to leave it to a majority of the men in the different shops.

Mr A. INGLIS—Men that are hard pressed have nothing to do but to come to the cashier and get advances. It is quite an easy matter to advance money to men who are in difficulties, but it is a different matter to make up our books; and then you would have two lying days. I hope the case of the engineers is very different from that of common labourers, and that they don't need their pay so frequently. Engineers are a superior class of men—(laughter)—and instead of the pays being weekly, they should get monthly pays introduced. Mr Ure was at a place where they were paid every quarter of an hour.

Mr LAWRIE—Where was that?

Mr A. INGLIS—It was in India. For every basket they carried they got a sweetie kind of thing from a man that stood there for the purpose—(laughter)—and they presented them all at the end of the week, and got their money. I don't see that the men should insist upon the weekly pays. We do not get our pay nearly so often as they do now, and if we were to go to our employers and ask for it, they would not give it. (Laughter.)

The CHAIRMAN—There is one thing that has perhaps been overlooked. However good may be the arrangements you can make, it takes a little time to pay the men, and suppose it takes only half an hour, they would lose half an hour every week. Perhaps, then, there would be a demand for payment for that half hour. (Laughter.)

Mr A. INGLIS—Perhaps for time-and-a-half; and quite just too. (Renewed laughter.)

Mr PATON—Having come to the conclusion of the 51 hours, we have come a long way, and I think it would be imprudent, as well as impolitic, to press other matters upon us at the present time. Besides, it is my impression that it would not be a benefit at all to the workmen.

Mr WATSON—I have a formal request to make to the employers. Disastrous results seem to have been anticipated from this movement. Well, might we not ask them, at some future time, when this system has had a fair trial, to communicate to us, for our satisfaction, whether the unfavourable results that were anticipated to accrue from this movement have taken place. It would be a relief to myself personally to know that such had not been the case.

The CHAIRMAN—I think the best answer you can get to that is, that if the trade continues prosperous, you may conclude that the evil results have not been experienced.

Mr SIMPSON—Let me say that in the Truck Act in the House of Commons there is a clause to make weekly pays compulsory, and Mr Winterbotham has introduced a special Bill for the purpose.

The CHAIRMAN—Perhaps we will be included amongst others.

Mr TURNBULL—I have wrought in shops where subsist money was taken, and it was taken in most cases for drink.

Mr PATON—I can assure you that, during an experience of thirty years, I have found that many workmen would have been in very serious straits but for the subsist money. In times of sickness or death in their families, they are very glad to get it, and I do not think that any employer would give it for any other purpose but simply to relieve the men.

Mr TURNBULL—I should never think of saying so.

The CHAIRMAN—There is another thing you must bear in mind. There are some parties who have set their faces against subsist, and supposing weekly pays were made compulsory, they would very likely give no subsist. Now, I think that in some cases at least that would be a misfortune. I have seen men come into the office at night and say they had not tasted food that day, and it would surely be wrong to turn these men away.

Mr TURNBULL—That touches upon one reason why we introduced the matter. Parties who come into the town seeking employment, after getting it, have sometimes to wait three weeks before getting any pay.

The CHAIRMAN—We have only a day of lying-time.

Mr TURNBULL—It is a week in the place where I am.

The CHAIRMAN—Yours is an exceptional case.

Mr JAMIESON—Would you allow me to propose a sincere vote of thanks to the workmen who have been sent by the various workshops to take part in this conference. There is nobody who has seen and heard them but must admire the way in which they have acted in the whole matter. They are most capital representatives of a body of high-class workmen.

Mr CONNOR—I beg to second the motion.

Mr SIMPSON—We are happy to receive your vote of thanks, and I think we would not know our duty if we did not return it. I beg to move a hearty vote of thanks to the employers' representatives. I think it says a great deal both for the employers and men in the Iron Trades that they can meet in this way and settle their

differences without a resort to force. I hope this will be an example to others for the time to come.

Mr ALISON—I beg to second the motion of a vote of thanks to the masters' representatives. Our present Chairman has failed in nothing to-day, but I wish specially to call attention to the courtesy with which Mr Ure always treated us.

Mr BLACKMORE (addressing Mr Alison)—Do not for one moment think that I am calling in question what you said about the men from Greenock. If you come to Greenock I will call the men together, and ask them to repeat what the two men you speak of did to you, if they can. I can assure you that every fitter and turner who was in the shop was called in to the meeting.

Mr ALISON—I am sorry Mr Blackmore has alluded to this matter again. I think he will remember that I said at the last Conference, at which he was present, that I never doubted his word. I simply repeated the statement I received from the men from Greenock.

Mr TURNBULL—There is an agreement that has to be drawn up between us containing the arrangements come to, and to be signed by both sides.

Mr SIMPSON—That was Mr Ure's proposal.

Mr LAWRIE—The agreement is this—that if the arrangements are not implemented on both sides, there will be a strike or a lock-out.

Mr PATON—You will get the minutes of the Conference, and you can hold them as a guarantee that we will not resile from our engagements.

The Conference separated.

Reported by Wm. Ogilvie Asher.

Printed at "the Star" Office, 13 Turner's Court, Argyle Street, by, Essrs. Scott & Jeans.

Iron Trades' Short-Time Movement. Report of a Conference

Between Representatives of the Master Engineers and Shipbuilders of Glasgow, and Representatives of the West of Scotland Iron Trades Short-Time League, *Held in Glasgow, in November, 1872.* with the Relative Correspondence.

Glasgow: Published by the Executive of the Short-Time League. 1872.

Iron Trades' Short-Time Movement.

AT a series of Conferences which were held in February, 1872, between Representatives of the Clyde Shipbuilders' and Engineers' Association and Representatives of the West of Scotland Iron Trades' Short-Time League, it was agreed to reduce the hours of labour from 57 per week, as they then stood, to 54, in March, the month immediately following; and, after the expiry of eight months, to reduce the hours still further to 51 on the 1st of November. It was a part of the arrangement, that while the hours were reduced there should be no reduction in the wages of the workmen, and when the first reduction was made in March that condition was faithfully fulfilled. From the earliest stage of the movement there was an understanding among the workmen that when the full reduction of the hours to 51 should take effect, the working day should extend from 6 A.M. to 5 P.M., the time being divided by the meal hours into three equal portions. A few days previous to the 1st of November, the employers posted up in their establishments notices stating that from the 1st of November to the 1st of March the working hours would be from 6.30 A.M. to 5.30 P.M., without any alteration in the meal hours. For reasons which, from what took place at previous conferences, as well as from what is contained in the following Report, are clearly apparent, the workmen declined to coincide with the employers' arrangement of the hours; and as a number of the employers refused to adopt the workmen's arrangement of the hours, and as it also transpired in the course of interviews between the parties, that the employers intended to deduct the three hours' pay from the week's wages, their workmen struck work. After this state of matters had continued for a week, the representatives of the workmen deemed it expedient to make the public acquainted with the actual condition of affairs, and for that purpose they addressed, on the 9th November, the first of the following communications to the editors of the Glasgow daily papers:—

SIR,—The dispute that has led the workmen in nine of the principal engineering works on the Clyde to strike work has arisen from the employers having refused to implement the agreement came to at the joint meeting of representatives of employers and workmen held in the month of February with reference to the 51 hours' question. On the 20th January, a circular, containing resolutions adopted by the trade, was sent to the employers, among which was the following—"That, in the opinion of this meeting of the iron trades of Glasgow, the immense increase of scientific power and labour saving machinery justifies us in seeking to participate in their advantages by the reduction of our hours of labour. We, therefore, solicit our employers to consider the propriety of reducing them to 51 hours per week, and that in future the wages be rated by the hour, with an advance on the present rate sufficient to compensate the deficiency caused by the reduction in time." It

was expected the reduction would have been got by the 1st of March, as was requested; but the employers, having called a conference with the men's representatives, explained that it would be unreasonable if the workmen persisted in their claim without allowing them a sufficient time to complete contracts which were based upon the long hour system, and would entail upon them heavy loss. They offered the men a reduction to 54 hours, with an advance of 5 per cent, on the pay they were receiving if they would abandon the 51 hours, but the men preferred the reduction in time to the advance in pay, and so adhered to the 51 hours. In consideration, however, of the loss which the employers alleged they would sustain if the men were immediately to press the entire reduction, they agreed to continue working the 54 hours for eight months, waiving their claim to the 5 per cent, offered, and at the end of that time to get the 51 hours. These eight months expired on the 1st of November, and the terms now offered by the employers are "that 51 hours be a week's work, with a proportionate reduction in pay; the working hours to be from 6.30 A.M. to 5.30 P.M." The men object to have the hours so arranged, as it deprives them of every social and intellectual advantage they would otherwise obtain, and is contrary to the principle for which the reduction was sought. And they also object to the reduction of the wages, as they hold that it was most indisputably fixed at the conference that no reduction should be made. Thus, in two particulars, the arrangement has not been carried out. It is on this account the men have struck work; and they are determined to maintain their position until the terms are honourably implemented. No attempt has been made to show the men, by reason, that they are wrong; but notice has been given of a general lock-out on Friday, if the men on strike do not return to work on or before Wednesday, 13th instant. The decision above referred to, it is necessary to observe, does not apply to all the employers, as there are several of them who have in every respect fulfilled their promise. But, concerning those who have endeavoured to alter the terms in the manner stated, we, the undersigned, as the representatives of the workmen at the conferences, feel it our duty, in the interests of all concerned, to declare that they have failed to implement the terms mutually agreed upon, and are solely responsible for the strike that has taken place. We would ask, How can these employers ever again expect their men to rely on their word if they do not honourably fulfil their promise on this occasion?—We are, &c.,

THOS. TURNBULL, President.

JOHN MARSHALL, Fitter.

JOHN BARROWMAN, Vice-President.

HUGH WATSON, Fitter.

JOHN SIMPSON, Boilermaker.

ROBT. STEPHENS, Fitter.

JOHN CRICHTON, Blacksmith.

THOS. R. ELRICK, Secretary.

JAMES ALLISON, Finisher.

67 RENFIELD STREET, GLASGOW, 11th November, 1872.

SIR,—Letters have appeared in the newspapers from the workmen's delegates and from the Secretary of the West of Scotland Iron Trades' Short-Time League reflecting on the conduct of the employers in regard to the strikes that have recently taken place in some of the principal engineering works. In reference to the letter from the Secretary, complaining that strikes and lock-outs should take place without inviting a conference to settle difficulties, I am instructed to say that no employer, so far as known, has yet refused to meet his workmen in conference. In the present instance, the men struck work in some shops without the employers having the most distant idea of any intention to do so. In reference to the letter of the delegates, several of themselves proposed that when the 51 hours came into operation the wages should be the same as they then were (viz., in February last). It was urged by the delegates that a reduction in the hours of labour was their principal object rather than a rise in wages. At the same time, the condition expressed by the delegates has been fully complied with. The amount of wages paid at present for 51 hours' work is greater than what was paid for 57 hours' work in February last. The dispute as to the hours of opening and closing works was quite unexpected on the part of the employers. From 6.30 A.M. till 5.30 P.M. for four months in winter was adopted as, in the opinion of the employers, most suitable for both parties. This was the point on which the workmen first struck work. The question of wages has been imported into the dispute since. Employers consider that they have faithfully carried out the understanding come to at the conferences in February last, and that the workmen are entirely responsible for the present strikes. They regret that the injudicious and precipitate action on the part of the workmen should be the means of causing much injury to trade and to the welfare of many families.—I am, &c.,

J. V. Smith,

Secretary to the Clyde Shipbuilders and Engineers' Association.

WEST OF SCOTLAND IRON TRADES' SHORT-TIME LEAGUE, GLASGOW, 182 TRONGATE, 12th November, 1872.

SIR,—The letter of the Secretary of the Employers' Association, which you publish to-day, requires a reply; and I will be obliged if you will grant me the privilege. In reference to former letters I have written on the subject of this strike, and also the letter of the delegates to which the Secretary has alluded, it is my painful duty to announce that there is not a statement they contain, however much it may reflect on the conduct of certain employers, that we are not at any moment prepared to prove. I have to-night asked the delegates of the shops now on strike to rehearse what took place between them and their employers previous to their coming out, that I may be fully informed as to the facts of the case. The accounts received have reference to the following workshops:—

The Secretary has stated that in "some shops the men struck work without the employers having the most distant idea of any intention to do so." The only instance in which that statement agrees with the men's account is in the case of J. & G. Thomson's, where one half their number came out without acquainting their employers of their intention, as soon as the notice appeared on the gate that the time was to be arranged in a manner contrary to their expectations and the principle on which the short hours was based, viz., from 6.30 A.M. to 5.30 P.M., to admit of self-improvement. The other half remained at work till met by a fiat refusal from their employers either to alter the time, or give the terms without reducing the pay. In every other instance the shops on strike, previous to coming out, through the agency of deputations, held frequent interviews with the employers, and tried to persuade them to see the justness of their cause; but not till the last ray of hope of having a peaceful settlement effected did they resort to a strike. The point by which the employers seek to justify themselves is that concerning wages, very ably put by the Secretary in his letter, as follows:—

"In reference to the letter of the delegates, several of themselves proposed that when the 51 hours came into operation the wages should be the same as they then were (viz., in February last). It was urged by the delegates that a reduction in the hours of labour was their principal object rather than a rise in wages. At the same time the condition expressed by the delegates has been fully complied with. The amount of wages paid at present for 51 hours' work is greater than what was paid for 57 hours' work in February last."

The following explanation will show how this point is viewed by the workmen. They regard the whole question as one quite apart from a wages question altogether. The employers themselves held it so. As, for example, the following extract of a remark of Mr. Inglis during the discussion at the conference may be quoted:—"MR. INGLIS.—The boilermakers are the men that deserve to be well paid; but I would not listen to any discussion about wages." This remark was elicited by Mr. Turnbull, on behalf of the labourer, who had introduced the wages question to the meeting. "My opinion is," says Mr. Inglis, "that this is a matter that will very much adjust itself, and that you are putting yourselves to a great deal of extra trouble in speaking for the hammermen." In this the men fully concurred. The whole question before the meeting at that time was, When were the hours to be reduced from 57 to 51 without a reduction of pay? So that it is difficult to see how the Secretary endeavours to mix the wages with the hour question; unless it be that, from the present prosperous state of trade, he finds that sort of argument militates towards the interests of the parties he represents. How, let me inquire, would he have done had the condition of trade been the reverse of the present, and the workmen's wages now several shillings less per week than they were when the settlement was made in February? Would he recommend the employers to turn over their books and give to every man and boy an advance equivalent to what they were in the month of February receiving? No, no. If the men had in a body taken advantage of the situation, and compelled the employers to give an advance in the interval, the argument would have had weight, but this has not been the case. If the pay is now better, and men receiving more than they were in February, it is simply due to the inexorable law of supply and demand; and who can prevent it or question its right? If another employer should think he would be more advantaged by my service, and offers me 2s. more per week, what employer has the right to step in to prevent it? Or if I should communicate to the employer I serve that another desires my services, and offers me higher remuneration to go, and to prevent my leaving he should offer me the terms that I have been led to expect, is there anything wrong in my accepting it? Now, in either case, if this had taken place with me during the interval that has elapsed since the 1st of March, would my employer be at all justified in turning me back to my previous pay now while the state of trade does not warrant it? The workmen fully understand their situation, and hold themselves justified in the position they have taken up; nor can they see wherein the blame which the Employers' Secretary seeks to attach to them for

the present strike is applicable to them.—I am, &c.,

Thos. R. Elrick, Secretary.

CLYDE SHIPBUILDERS AND ENGINEERS' ASSOCIATION, 67 RENFIELD STREET, GLASGOW, 13th Nov., 1872.

SIR,—The employers regret that the present dispute should have arisen from a misunderstanding of what took place at the conferences in February last; and I am instructed to say that they are willing to submit the matter in dispute to some man of eminence, whose decision shall be binding on both parties. I shall be glad to learn if the workmen are agreeable to this proposal.—Yours truly,

J. P. Smith.

MR. THOS. ELRICK, Secretary to the "West of Scotland Iron Trades' Short-Time League, 182 Trongate.

ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, GLASGOW, 13th November, 1872. J. P. SMITH, Esq., Secretary to the Clyde Shipbuilders and Engineers' Association, 67 Renfield Street, Glasgow.

SIR,—In reference to your letter of this date, containing a proposal of the employers that the matter in dispute be submitted to some man of eminence, whose decision shall be binding on both parties, I have been instructed to reply that the General Committee of the Iron Trades' League regret very much that the employers cannot see it their duty, in accordance with the terms of agreement, came to in February, in reference to the 51 hours' question, at once to put an end to the dispute by giving a reduction of the hours without reducing the pay, and that they should have thought it necessary to call in extraneous aid to dispose of a misunderstanding that they think should never have occurred. The delegates, or General Committee, disapprove of the proposal, because they cannot admit the reasonableness of the misunderstanding which the employers appear to have formed; and also because, if they acquiesce in it, they would actually be admitting the impossibility of settling such disputes by friendly conference between employer and employed. I am, however, instructed to inform you that the delegates, at their meeting to-night, resolved to refer the matter to their constituents in the different shops, and that they will hold themselves bound by their decision. With the terms of that decision I shall take the earliest opportunity of acquainting you.—I remain, yours truly,

Thos. R. Elrick,

Secretary West of Scotland Iron Trades' Short-Time League.

ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, GLASGOW, 14th November, 1872. J. P. SMITH, Esq., Secretary to the Clyde Shipbuilders and Engineers' Association.

SIR,—In accordance with the resolution communicated to you by my letter of last night, the proposal of arbitration was laid before the various meetings held to-day of the workmen on strike, and I have now to inform you that their unanimous decision, with respect to that proposal, is that it is not necessary, and would be injurious in its tendency if adopted. It is clear, from the letter you inserted in the Herald and Mail of the 12th inst., that there is a perfect understanding in everything connected with the alteration of the hours to 51 per week, with the exception of the arrangement in which the hours are to be worked, and whether those who have received an advance of wages since the month of February are not entitled to the same pay when the reduction to 51 hours is made. Now, it appears to us that this is a matter that can only be satisfactorily settled by a friendly conference between the parties immediately interested; and I have to inform you that the General Committee are prepared, if this suggestion is favourably received, to appoint several of their number to confer with an equal number of the employers on the subject.—I am, &c.,

Thos. R. Elrick, Secretary,

West of Scotland Iron Trades' Short-Time League.

CLYDE SHIPBUILDERS AND ENGINEERS' ASSOCIATION, 67 RENFIELD STREET, GLASGOW, 15th November, 1872. MR. THOMAS R. ELRICK, Secretary of the West of Scotland Iron Trades' Short-Time League, 182 Trongate.

SIR,—In reply to your letter of yesterday, objecting to have the dispute settled by reference to a neutral party, and proposing a conference, allow me to point out that in the letter signed by the workmen's delegates, and published and posted throughout the city, it is stated that the employers have "failed to implement the terms mutually agreed upon, and are solely responsible for the strike that has taken place;" and it is asked, "How can these employers ever again expect their men to rely on their word, if they do not honourably fulfil their promise on this occasion?" The employers have to regret that your delegates should have so expressed themselves, while they (the employers) were acting in good faith, according to their interpretation of the negotiations in February last. The matter in dispute is most suitable for reference to a neutral party, and does not admit of easy adjustment by a conference. It is stated by the workmen, in the letter referred to, "that terms were mutually agreed upon." If this be so, there is no proper subject for conference; but there is a fitting case for reference, to decide whether the workmen or the employers are right. The employers are, however, quite prepared to meet the workmen's delegates; and if the conference should not result in an adjustment of the matter in dispute, that it shall then be referred to a neutral man, whose decision shall be binding on both parties.—I am, &c.,

J. P. Smith.

ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, GLASGOW, 15th November, 1872. J. P. SMITH, Esq., Secretary to the Clyde Shipbuilders and Engineers' Association 67 Renfield Street Glasgow.

SIR,—At a meeting of delegates held to-night, your letter of this date, informing the General Committee of the employers' readiness to meet the men in conference, and suggesting that if the conference should not result in an adjustment of the matter in dispute, that it shall then be referred to a neutral man, whose decision shall be binding on both parties, was considered; and it was agreed to inform the employers that they (the delegates) were prepared to make arrangements with them for a meeting at any suitable time.

In reference to the extracts from the letters of the delegates upon the position the employers have taken up in this dispute, it is considered they may best be replied to when the meeting takes place.

Feeling assured that there is on both sides sufficient ability to discuss and decide the matter by means of the conference, the delegates in the meantime decline to entertain the suggestion of referring the case to arbitration.—I am, &c.,

Thos. R. Elrick,

*Secretary, West of Scotland Iron Trades'
Short-Time League.*

CLYDE SHIPBUILDERS AND ENGINEERS' ASSOCIATION, 67 RENFIELD STREET, GLASGOW, Nov. 18, 1872. MR. THOS. R. ELRICK, Secretary, The West of Scotland Iron Trades' Short-Time League 182 Trongate.

SIR,—Your letter of the 15th inst. was laid before a general meeting of this Association, held to-day, and I am instructed to inform you that a committee of six of the employers will be glad to meet an equal number of the representatives of the workmen, at the Religious Institution Rooms, to-morrow (Tuesday), the 19th instant, at three o'clock P.M.

If you agree to this arrangement, kindly let me know early.—Yours truly,

Pro J. P. Smith, Secy., C.B.F.

ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, GLASGOW, November 18, 1872. J. P. SMITH, Esq., Secretary to the Clyde Shipbuilders and Engineers' Association, 67 Renfield Street, Glasgow.

SIR,—In reply to your letter of this date, I have to inform you that the delegates representing the workmen will be glad to meet the employers in conference to-morrow, at the hour specified.—I remain, yours truly,

Thos. R. Elrick,

Secretary, West of Scotland Iron Trades' Short-Time League.

A CONFERENCE of Employers' and Workmen's Representatives was held in the Religious Institution Rooms, on the afternoon of Monday, the 19th November, at three o'clock. The Clyde Shipbuilders and Engineers' Association was represented by Mr. David Rowan (who presided), Mr. A. Inglis, Mr. A. Smith, Mr. J. L. K. Jamie son, and Mr. James Howden, with Mr. J. P. Smith, their secretary. The workmen's representatives were Mr. Thomas Turnbull, Mr. John Barrowman, Mr. John Simpson, Mr. James Allison, Mr. John Crichton, and Mr. John Marshall, with Mr. Thomas R. Elrick as their secretary.

The CHAIRMAN (Mr. Rowan) said—My notion of the way in which this meeting ought to be opened to-day would be to read over some correspondence which has passed between our Secretary and Mr. Elrick, the Secretary of the West of Scotland Iron Trades' Short-Time League, and that would form a suitable introduction to the business that will come before this conference. But, perhaps, on the other hand, this is almost unnecessary, because the correspondence has taken place so recently that we are all quite well acquainted with its nature. There are, however, differences of opinion, which we alone are in a position to lay before this conference, and the first of these differences of opinion refers to the original dispute—what induced the men to go out on strike. I wish to read a letter, or a portion of a letter, which was published in the papers by Mr. Elrick—

MR. SIMPSON.

I ask if this letter is to be found in the report of the conferences?

The CHAIRMAN.

It leads up to this conference, and forms so much of what you might call the minutes since the conferences were gone into. The Chairman then read from a letter addressed by Mr. Elrick to the newspapers, dated November 12, 1872, as follows:—"The letter of the secretary to the Employers' Association, that you publish to-day, requires a reply; and I will be obliged if you grant me that privilege. In reference to former letters I have written on the subject of this strike, and also the letter of the delegates to which the secretary has alluded, it is my painful duty to announce that there is not a statement they contain—however much it may reflect on the conduct of certain employers—that we are not at any moment prepared to prove. I have to-night asked the delegates of the shops now on strike to rehearse what took place between them and their employers previous to their coming out, that I might be fully informed as to the facts of the case. The accounts received have reference to the following workshops—"David Rowan, and so forth." Then the letter goes on—"The secretary stated that in some shops the men struck work without the employers having the most distant idea of any intention to do so. The only instance in which that statement agrees with the men's account is in the case of J. & G. Thomson," and so on. Now, continued the Chairman, the employers have said nothing that they are not prepared to stand by. I may say, in reference to myself, that I had a deputation of my workmen with me in the first of the month in reference to this short time. The men alluded entirely and exclusively to the hours of beginning and closing work. They objected to commencing at half-past 6 and leaving off at half-past 5, because they preferred to begin at 6 and close at 5. I had no idea of any dispute arising, not even the most distant conception but that harmony and good feeling would settle the matter. When the men came to me I said it was surely a matter of great indifference either to them or me as to whether the hours should be as I proposed, or as they proposed; but I said there is no use of making a dispute about it, because as soon as the practice was established we would agree to it. The men went away in the best of humour with this answer; but they did not come back after dinner. The Anchor Line men began to taunt my men at the meal hour that they had taken no active part in any strikes, and that now they should do something; so my men did not come back. That was the beginning of the strike with me. The question of wages was not mentioned. Next forenoon I had a deputation of two from my men, and the hours was again the principal subject of discussion. One of the men asked incidentally, "What about the wages?" I said, "I don't know;" but I stated that the men would be paid the same rate of wages per hour as before. The question of wages has now, however, grown to be of the greatest importance. In reference to the hand-bill here, in which the employers are charged with having broken faith with the men, I may say that you have made a statement that is incorrect. You assume that the wages question was settled at the conferences in February last; and, taking this report of the conferences which has been published by yourselves as their *data*, the employers do not see that that question was settled in the way you wish to put it. Their opinion was that the wages should be the same, rated per hour, to make up the wages to the same sum per week of 51 hours as was paid in February. That brings us to the questions at issue—the question of wages, and what the settlement was.

It is simply a difference of opinion; and, being all interested parties, we were very anxious to refer this matter to an entirely neutral party, and submit to him this report of the conferences, pure and simple, to say what it really contains, leaving it entirely to his decision. That, we thought, was the honest and fair way; but you objected, and hence the present conference.

MR. ALLISON.

I think the Chairman stated that the first communication he had with his men was about the arrangement of the hours, and that the wages question was imported afterwards. Perhaps that would be best explained by saying that the men had a clear and distinct understanding for eight months previously that the wages would not be touched. They believed the wages were all right, and at the commencement of the dispute they only knew about the dispute as to the hours. The firm with whom I am employed saw the matter in that light. The question came to be with the workmen, How are we to work the nine hours per day? The wages were not spoken of until it was brought up incidentally in the interview with the employers, and the firm I am with gave it at once.

MR. INGLIS.

What firm is that?

MR. ALLISON.

It is Messrs. Tod & M'Gregor. They understood that at the conference in February the 57 hours were promised absolutely for the 51 hours' work. It was simply to allow them to keep their promise good with the building trades that we took from the employers part of the time in March and to let them have their contracts finished, that we spread the rest of the time over till November. What the men asked, and what the employers conceded, was that the 57 hours' wages were to be given for the 51 hours' work. There was not the slightest difficulty with any of the employers in understanding our meaning in that matter. So clear was it, that Mr. Denny of Dumbarton did not hesitate to put the proper meaning upon it; for he said he would give his men 60 hours' wages for 54 hours' work. He gave six hours' pay, and what we asked was to reduce our working hours by six, and not reduce the wages; so that I cannot conceive how any master could misunderstand our meaning.

MR. INGLIS.

It was well understood that the wages were to be the same for 51 hours as for 57 at the time the agreement was made, and that these rises should take place by two stages—from 57 hours to 54, and then from 54 to 51.

MR. ALLISON.

Oh, not at all. It was clearly understood that there was to be six hours' reduction without any reduction of wages. I don't see how you cannot understand me now; you understood me well enough at the conferences.

MR. INGLIS.

I don't misunderstand you.

MR. ALLISON.

We would not have been agreeable to work longer than the 1st of March at the 57 hours and without the 51; but to suit the employers and oblige them, we took time by instalments.

MR. INGLIS.

We are quite at one, I understand.

MR. ALLISON.

The employers said at the time of the conferences—If you will be content with 54 hours, we will give you 5 per cent, advance on your wages, which was to be an equivalent for the other 3 hours' work. Now, how is it that after you agreed to give us what we wanted, and we waited out of it for eight months to oblige you, that you are going to take the 3 hours' pay from us? The matter seems so plain and clear that I cannot accept the idea of a misunderstanding. As to the rises that have taken place on the wages in the interval no one can help them, and I cannot see what they have to do with it. Mr. Inglis himself said in February that we should allow the wages to find their own level by the law of supply and demand. Although some men have got advances, and some men have been lifted out of one shop into another for a rise, that does not touch the bargain of February. The whole tenor of the agreement bore out that the 57 hours' wages were to be given for the 51 hours' work.

MR. TURNBULL.

I quite agree with the Chairman that the first cause of the dispute was the hours. In the shop I am in we had a dispute of the same sort. We never for one moment thought of the wages, because, as Mr. Allison has said, it was a question that no man had the slightest idea would be touched on. I may state we went on working and were paid the same wages, full time, on Thursday last.

THE CHAIRMAN.

What shop is that?

MR. TURNBULL.

It is the Caledonian Railway shops. We were paid the full amount; and the Perth shop stands in the same position. The first point of dispute was the time. But rumours went abroad that the employers meant to reduce the wages, and therefore the men were told to see whether such was the case. It was when the men found out

from the employers that such was to be the case that they struck work. They would not abide by a reduction of their wages, and that is what has brought the wages question into the dispute. First, the question was one of time; secondly, it became one of wages.

MR. SIMPSON.

Mr. Rowan has stated the matter as it occurred in his shop. I don't for one moment doubt that what he has said is true. Mr. Elrick took the report as given by the delegates, and if it is not a correct report, it must be left with them. But I can speak for the shop in which I am in that not until there had been three different deputations, and until the men got an emphatic denial that the wages were to be paid the same, was a strike resolved upon. I understand the deputations were sent about the hours; but before they resolved to strike, they thought it necessary to understand what about the wages. Three different deputations went to one of our employers, and it was not until they knew that the money was to be deducted from their wages that they agreed to strike. I can assure you that all our men understood the question as any unprejudiced man who looks over these pages (alluding to the report of previous conferences) must understand it. Let me quote from page 8 part of the circular sent to the employers before the conferences. It is a motion adopted at a public meeting:—"That, in the opinion of this meeting of the iron trades of Glasgow, the immense increase of scientific power and labour-saving machinery justifies us in seeking to participate in their advantages by the reduction of our hours of labour. We therefore solicit our employers to consider the propriety of reducing them to 51 hours per week, and that in future the wages be rated by the hour, *with an advance on the present rate sufficient to compensate the deficiency caused by the reduction in time.*" Now, gentlemen, I submit that this was never deviated from for one moment. It was a question of time when it was to come into operation. The employers said, "We have large contracts; you must give us time to finish these contracts." We took the case into consideration, and we allowed eight months time to expire before the adoption of the 51 hours system. The first of March came; you reduced our hours from 57 to 54. You understood that you had to raise the wages to make up for the three hours taken off the time. The eight months transpired; they were given to do away with arbitration altogether. The first of November came. We paid the penalty of eight months to have the advantage of settling our own business for ourselves and doing away with arbitration. We wrought on until the first of November, never doubting that the latter part of the engagement would be implemented as well as the first part; and not until the men had fully satisfied themselves—and some of them worked on until the pay-day, a fortnight after other places had struck, and did not believe, until the proportion was deducted from their pay, that the employers would not concede the terms that were conceded in these pages. I think with regard to the matter of the bill which you have read, and said it is incorrect, our position is this, that we were justified in using the language.

MR. JAMIESON.

Not in making it a quotation. You have altered the wording, and put it within brackets, and made it a quotation.

MR. SIMPSON.

It's all the same.

MR. JAMIESON.

I beg your pardon; it makes all the difference in the world.

The CHAIRMAN.

Here is the quotation within brackets:—"That 51 hours be the week's work, with a proportionate reduction of pay, the working hours to be from 6.30 A.M. to 5.30 P.M." Now, will you show us a document that has come from us having these words in it?

MR. SIMPSON.

I shall be very happy. We are here to give, in regard to the specified time—

The CHAIRMAN.

The question is simply this, that you have made statements that are incorrect, because you have made a quotation from a document issued by us that is not correct. You have made this statement, and published it as a quotation, and it is not in any document emanating from us.

MR. SIMPSON.

I saw the whole of the documents that Mr. Smith wrote to Mr. Elrick. Comparing the one statement with the other might settle the matter.

MR. BARROWMAN.

Would you oblige me by showing me the place.

[The Chairman handed Mr. Barrowman the bill.]

MR. ELRICK.

I may explain that the part of the letter to which you have alluded is no fault of ours. It was not put to the papers by me as a quotation; but it appears in the papers according to the manner in which you describe it, as a quotation; and I suppose that the compositor who set it up thought it should have been a quotation, and made it

one. I may say that in handing the article to the printers for setting up the bill, it was simply cut from the papers, and I never observed until this moment that it was put as a quotation. It was never intended as one, but was simply meant to express the spirit of the actual facts. So far as the documents issued by the employers are concerned, I have never seen one of them, but understood what was the arrangement from the reports of the delegates. I do not, however, see anything wrong. I cannot see that I have made any misstatements in regard to the matter, and shall be happy if you can show me any.

MR. JAMIESON.

The portion of it that is wrong is this, that it conveys to the public that the employers made such a statement as is here put within brackets—that these were the actual words used. That is where the error has been made.

MR. BARROWMAN.

I am afraid, Mr. Chairman, that you take that part pointedly to yourselves. I believe, however, that the inverted commas are a mistake. It was put there as the spirit of the agreement entered into.

MR. INGLIS.

It was not an agreement; it was a refusal. I may say that our men met us, and we never refused to pay for 57 hours for the 51 hours' work.

The CHAIRMAN.

Neither has any of us refused it.

MR. INGLIS.

I would like it to be understood that we don't refuse to pay 57 hours' pay for 51 hours' work. Say that the wages for the 57 hours in February was 28s. 6d. If a man is not getting 28s. 6d. now for 51 hours, then he has reason to complain; but if he has got more than that he is not ill-used,—we have given him as much for 51 as for 57. Certain classes of our workmen have struck for an advance of wages more than once, or twice, or three times, and said they had no connection with any bargain made by the delegates, the League, or any one else as to the regulation of wages. They got advances until I don't know how many percentages they have got more than in February. And I say it is unfair to the men who honestly carried out their agreement that others should get what they were promised. Of course, if there is any reason why their wages should be advanced, I do not see why not. But if we made a bargain we ought to stick to it; and if no bargain was made, then it is an open question.

MR. JAMIESON.

Mr. Simpson made a statement which was partially correct, and partially incorrect in regard to the original cause of the strike. In reference to the boiler works, I don't know how they came out very well; but the engine works came out on the hour question. "When the men came to me as a deputation from both shops, I said there was to be no change in the rate of pay. I never thought there was to be any change in the rate of pay. My impression was exactly as Mr. Simpson and Mr. Barrowman put it with regard to the agreement in February. I shall read from your own pamphlet. But first I will go farther back. In the month of November last we issued, in a placard, that we were going on the 1st of March to reduce the hours from 57 to 54. Our intention was to give the same rate of pay for 54 as for 57 horn's' work; but the men were not satisfied, and there was an agitation got up for 51 hours. We saw, as employers, that it was going to be a great loss to the manufacturer to reduce the hours of labour below those in other parts of the country, and we made a strong effort to get the 54 hours adopted as they were being worked in the North of England, and various other parts of the country we were competing with. To show that we were anxious to have the longer hours, we offered 60 hours' pay for 54 hours' work; but the men were not satisfied with that, and went in for the 51 hours only, and that only would they have. Then we met in conference, and seeing that our contracts were so extensive, especially with those of us who are engaged in marine engineering, we made an agreement that at the 1st of March we would start on 54 hours per week, and on the 1st of November we would start the 51 hours. At the time of the conferences there were two or three passages between us that bore upon the wages question. One of these was put forward by Mr. Barrowman himself, which you will find at page 15 of the pamphlet, as follows:—"The working classes of the West of Scotland, and of the whole of the country, have come to the conclusion that it is better to reduce the hours of labour than to claim a rise in their wages. The present is a time when a rise of from 10 to 20 per cent, might justly be claimed, because the iron markets have actually risen from 10 to 40 per cent. Well, it is necessary that we should bestir ourselves to keep pace with the age. In recent years we would have accepted a rise in our wages rather than a reduction of the hours of labour; but I can assure you that the working classes are now thoroughly in earnest in wishing the hours reduced." There is not the slightest question of wages in this point at all; it is entirely in reference to the hours. Again, when it was put directly by Mr. Blackmore to Mr. Simpson, as in page 24, Mr. Blackmore asks the question—"I want clearly to understand the position the men are taking up in this matter.

MR. SIMPSON

I think I will make myself plain, if you will allow me to go on. We mean on the 1st of March to get 54

hours with 57 hours' pay; and we mean to get 51 hours when the time is arranged, with the same wages as we have now." Now, that is distinctly the understanding I have in reference to the point of wages, and that I am prepared to carry out. Nay, I am prepared to carry it out farther. In the case of any man who has not got in the meantime greater wages than he had for 57 hours in February, I shall be very glad to make it up to him now. Seeing, then, that it was a question of time and not of wages that was in dispute, and that it was fairly put before us at the conference, that we should pay the same amount for 51 hours' work as for 57, I say that it is a difference of opinion that has brought us here, and one that is clearly a case for arbitration out of our hands altogether. To show how anxious we were to get this point amicably settled, we agreed at our meeting to take the opinion of one of the most eminent men of legal knowledge in this part of the country; and we put the report of the conference into his hand, and asked him to say whether there was anything in it to cause the men to write those letters to the papers. I ask what faith can we have in the statements of the men, when such men of eminence, as he to whom I have referred, gives an opinion directly to the contrary. I would ask the Chairman to read that opinion.

MR. SIMPSON.

I think it is better that it should be kept over in the meantime; I think it is important it should not be read just now.

The CHAIRMAN.

There are one or two points that are to come up—

MR. SIMPSON.

I think that this is not the proper time to read it.

MR. A. SMITH.

It will save us going over the same ground, if I say that I agree with what has been said by Mr. Jamieson in reference to the words he quoted from page 2-4 of the pamphlet. I read that portion of the pamphlet, and I think that it is well I should just state what occurred with our men in the interim in reference to this wages question. One or two deputations waited upon us, and I asked and got an advance of pay. Otherwise there were partial advances given. In our boiler shed we advanced the rate of pay fully, when we commenced the 54 hours on the 1st of March, to what the men had for 57 hours, and then in a short time after that there was a demand made for an advance of 1s. per week, which they all got, and that was a second advance. Then about six weeks ago, there was a regular effort made by the men on the south side of the river, who said that unless they all got 2s. a week—or about two 2s. 3d. a week, they would strike. That was the third advance. These advances, taken together, makes up a sum of about 4s. 6d. per week over what the men had when working 57 hours per week. Now, I read from Mr. Simpson's statement, "We understand that you are to give us present pay for 54 hours' work; and then, after a reasonable time is allowed for completing contracts, you are to give us 51 hours, with the same pay as at present." Now, Mr. Chairman, I think that is so plain that I could hardly conceive, after the advances our men have got, that they would come forward and say that they must have another advance now. We say we are willing to shorten the hours; but here they have received 4s. 6d. per week of an advance, so that I think in the statement that has gone forth from the workmen, they should at least have recognised this point. I am certain, if that had been done, that the public would have been under a very different impression than what they are now. I do not want to refer to anything else just now, and Simpson can reply.

MR. SIMPSON.

I go back with our Chairman to the original demand made by the men on the employers. I think that is the fair start. It was—"We therefore solicit our employers to consider the propriety of reducing them to 51 hours per week, and that in future the wages be rated by the hour, with an advance on the present rate sufficient to compensate the deficiency caused by the reduction in time. 'Now, if you please, you will turn with me to page 13 of the report, where you will see Bailie Hamilton [I need not read it] fully understands what we meant; because he calculates the value of those hours—what the loss will be to him to pay the same wages for 51 hours' work as for 57, and makes it £18,000 loss to his firm. I may also state that Mr. Jamieson calculated the same—what would be the money value to his firm. But we come now to page 24.

MR. JAMIESON.

That is not to the point.

MR. SIMPSON.

The time was not settled to begin at the 1st of November when I was speaking. It may have been a little error in speech, or I may have been speaking as if the time of changing the hours was to commence in March, I am free to confess that it is not definite in this respect. But, if I made an error in speech, my friend, Mr. Connor, does not leave me long in error, but takes me out of it. Allow me, gentlemen; I will finish the quotation that you have begun. Mr. Connor says, at page 24 of the pamphlet, "Mr. Simpson just says this:—You reduce the time from 57 to 51 hours, and you don't reduce the wages. Mr. Simpson—Precisely so. Mr. Blackmore—That is all I wanted to know." Mr. Connor quite understood, although I had made an error in speech, that I was still talking

about the original demand; and Mr. Blackmore seemed to be satisfied with it. Then, let us go on farther, and we find that the question of wages was altogether ignored. It was raised at the conference, but the employers ignored it, and none more strongly than Mr. Inglis, who is now present. Now, gentlemen, had the wages in the interval become lower instead of higher, would you have been justified in raising them?

MR. JAMIESON.

Most unquestionably; that is my opinion.

MR. SIMPSON.

It was not a question of wages. You offered us 5 per cent, to give up the reduction of the hours from 54 to 51, and we refused it. We went and offered this to the men, who said it is a question of the reduction of hours without a diminution of pay.

MR. INGLIS.

That is all right; that is what has been done.

MR. SIMPSON.

We allowed the 51 hours to be put off to get an amicable arrangement. You admitted at the time the trade was in such a position that, if we had forced the whole time then, you were not in a position to refuse it. We allowed eight months to expire before we insisted on the 51 hours coming into operation; but I submit, gentlemen, that we never deviated from our original claim. We gave eight months for finishing the contracts; but you cannot find within the pages of this pamphlet that we withdrew our original request to have the same wages for 51 hours as for 54. Now, we are blamed for not putting the thing before the public correctly. All I can say is, that we have done everything in our power to make the matter plain. We have scattered these pamphlets over the country. They lay on our hands a long time, and were likely to be a pretty bad speculation; but the present dispute has relieved us of the most of them. We have given every chance, through meetings everywhere, for the public to judge fairly betwixt us; and I don't see how we can be accused of keeping the public in the dark upon this question. Mr. Smith says so in his letters; but Mr. Elrick has replied to that satisfactorily. Regarding the question of wages, I really think it should not have been introduced at all, because there is a law which must govern you and us, over which neither of us have any control. I think we must honestly leave the question of wages to be regulated by that inexorable law. The only interpretation upon this pamphlet is that our employers shall implement their engagement at the 1st of November in the same way as they did at the 1st of March.

MR. ALLISON.

There is perhaps nothing in this city that more rapidly equalises itself than wages. I think it is totally beside the question to spend so much time upon the subject of wages, and we are wandering from the point at issue. We are not asking more money; we are only asking to the extent of what the agreement was in February. I observe, from the remarks of Mr. Jamieson and Mr. Inglis, that I attach one meaning to the 57 hours' pay, and they attach another. There is nothing to hinder two men to read that pamphlet and form different opinions. We know that, with respect to any book, that can be done. I wish to draw your attention to the fact that, when we asked this reduction of six hours' labour, and no reduction in the wages, we wished it all at once; and it was simply to accommodate those gentlemen who were busy building that we agreed to take it by instalments—the 54 hours in March, and the 51 in November. Now, it seems that Mr. Jamieson and Mr. Inglis differ from us.

MR. INGLIS.

We don't differ from you at all.

MR. ALLISON.

Then I presume Mr. Inglis and the other gentlemen are prepared to give the same wages for 51 hours as for 54.

MR. INGLIS.

If you mean that this was an agreement—some people dispute that it was an agreement; but suppose we admit that it was an agreement, which I have always believed it to be—(hear, hear)—I read the agreement just as Mr. Simpson does. He says that "we mean on the 15th of March to get 54 hours with 57 hours' pay, and we mean to get 51 hours when the time is arranged, with the same wages as we have now." Now, I may tell you, gentlemen, that a number of our men have considered this as an agreement, and they have never agitated for an increase of wages. I grant that a number of men are paid higher now than in February. I never call in question that certain men have got advances. But a number of men came to us and said we want an advance of $\frac{1}{2}$ d. per hour. That was a large advance, but we conceded it. We asked them about the 51 and the 54 hours; and said that when they got the 51 hours, that would be an equivalent for a rise in their wages. We do not take that under a quibble; it cannot be per hour. There has been a rise of $\frac{3}{4}$ d. per hour in some instances. But take it at only $\frac{1}{2}$ d., and 35-100ths of 1d., then you have for 51 hours a rise of $\frac{1}{2}$ 35d. on the 57 hours. Well, we understand that; but these men who got the advances from strikes repudiated the idea of the 51 hours altogether, and do still, a number of them, and they are at this moment working the 54 hours, and won't work the 51 hours. Now, in this

case we have a difference of opinion in regard to the interpretation of this agreement. We have blacksmiths who have got two or three advances, and hammermen have got more than one advance from strikes. Now, these men cannot be said to have adhered to any bargain or agreement made in February to be carried out in November. (Hear, hear.) I think it would be unfair to those men who consider there was an agreement, and have faithfully carried it out, to put them in the same position as those who have got advances by striking. I say that these men should not get any more advances—the 54 hours' pay for the 51 hours' work—as it was proposed to do by the men now on strike. Now, as I stated before, there was either an agreement, or there was not an agreement. If there was an agreement, as you say there was—which I am quite prepared to implement and give effect to—I say that those men who have departed from the agreement are not entitled to profit by it or have the benefit. What I object to is this: A number of men came to me and asked advances before the time, and I conceded them. Now, if you think it is fair and reasonable and honourable to compel me to give them another advance, you had better say so. But if you say that only those men who have continued faithful to the agreement should get the advance, then we are quite at one, but I would keep out those men who have got advances, and not give them a single farthing.

MR. CRICHTON.

The last time we were here the workmen of Messrs. A. & J. Inglis were not represented in the Short-Time League. I have no doubt the men in that employment had taken advantage of the want of representatives at the League to say they had nothing to do with it, and that they did not consider thus a legal arrangement. Now that may account for the men in Messrs. A. & J. Inglis' establishment, who were not represented with us, saying that they did not consider themselves bound by the agreement; and that may also account for the misunderstanding.

MR. TURNBULL.

I was at the hist conference, and both employers and workmen understood that the word "present," used in regard to the wages, then meant that the wages received at that time were to be advanced to suit the 51 hours. I have no doubt whatever, that at the time all the employers believed that; and I may state, in confirmation of that, that I myself asked for a written agreement to bind both parties, and the objection then made was that if we would sign an agreement that the men would not in the interval ask for an advance of wages, the employers would agree to it. I think it was Mr. Inglis who said so.

MR. JAMIESON:—He said we could not bind the men on the wages question.

The CHAIRMAN.

Well, gentlemen, I think on both sides there has been a very full expression of opinion. I have been very much pleased with Mr. Simpson's remarks about the inexorable law which regulates the relations of capital and labour. If Mr. Smith has been obliged to advance the wages of his men, it is because there has been a pressure of work and a scarcity of hands to do it. I believe that, at the present moment, if the wages were settled as you want them, in a fortnight hence they would be changed; and that, on the other hand, if they would agree to have them settled as the employers wish, a similar result would follow. We need not attempt to regulate this inexorable law, it will regulate us. If there is more labour than labourers in the market, the labourers will have good pay; but if more labourers than labour, the wages will fall. I never saw this document until last week. My own impression on reading it was that it was a pity the wages question was interpolated into this dispute at all, because it did not seem to be a part of it, and my opinion was that it was a subject that had better been omitted. The first thing that brings the matter to a conclusion is this bill in which the employers are charged with breaking faith with the men. Now, my own idea was that if the men were right in this matter, that if I thought it was my duty to pay them the 54 hours' wages for the 51 hours' work, then I would give in at once. Therefore, I say, it is a matter that should be settled by a neutral party; and if we are bound, in his opinion, by this engagement to advance the pay, then we have not a word to say. We put this question to Dr. Robertson, Professor of Law in Glasgow University, and I will now read his judgment on the matter:—

"176 St. VINCENT STREET, "GLASGOW, 16th November, 1872.

"DEAR SIR,—We have perused the report of the conferences between the Master Engineers and Shipbuilders and the Representatives of the "West of Scotland Short-Time League. The principle for which the men mainly contended during these conferences was shortening the hours of labour. Air. Simpson, one of the delegates from the workmen, so puts it. He says: 4 This is not a question of money with us; we want the hours of labour shortened, if possible, to give us time to improve our minds. That was largely entered into at last conference.'

"Undoubtedly, the question of wages was discussed, but this appears to have been in a somewhat casual way. Bailie Hamilton is reported to have said—'You say that you will be satisfied with nothing but a reduction of time. How long will you be content with the same wages V To which Mr. Turnbull replied, 'The wages will

rule themselves by the demand for labour in the market.'

"At a subsequent conference, viz., that on 22nd of February, the question of wages was brought pointedly before the delegates of the workmen by Air. Blackmore. He is reported to have said: 'On the understanding that our friends making this demand (viz., that the working time per week be limited to 51 hours) don't ask anything more than 51 hours, I should like it to be clearly understood what the pay is to be, supposing the 51 hours were conceded after ten or twelve months hence,' to which Air. Simpson replied: 'We understand you are to give "us present pay for 54 hours' work, and then, after a reasonable time is allowed for completing contracts, you are to give us 51 hours with the same pay as at present.

"MR. BLACKMORE.

I want clearly to understand the position you mean to take up in this matter.

"MR. SIMPSON.

We mean on the 1st of March to get 54 hours with 57 hours' pay, and we mean to get 51 hours when the time is arranged, with the same wages we have now.'

Mr. Turnbull afterwards said—'We are willing to go the length of accepting 54 hours until the Fair Holidays at the present rate of wages, and then to take the 51 at the same wage.'

"Both parties subsequently agreed that the 51 hours time movement should come into operation on 1st November.

"If the employers now pay their workmen the same amount of money for 51 hours as at the time of the conferences they paid for 57 hours, they are acting in consonance with the spirit and letter of the arrangement come to at these conferences.

"We cannot find in the report of the conferences any ground for the statement that the employers have failed to implement the terms then mutually agreed upon.—We are, dear Sir, yours truly,

"Roberton & Ross.

"J. P. SMITH, Esq.,

Renfield Street."

MR. BARROWMAN.

I cannot say that I can coincide with a lawyer's judgment of this subject, because it does not affect us as it would affect a lawyer. It is not a legal question, but one that appeals to our moral feelings and consciences; and if we feel that we have right on our side, we have a right to hold and express our feelings. We feel that the engagement was a sacred one entered into between man and man, and we are able to judge of what takes place in our daily intercourse with one another as correctly as any lawyer in the country. We don't require legal advice in this matter, when we are forming conclusions based on our experience. I have just this to say, that I understood from his speech, that Mr. Jamieson felt that he was outraged and aggrieved by the opinion that the arrangement entered into in February last gave the men higher wages than he thought they should have received.

MR. JAMIESON.

They are not receiving higher wages.

MR. BARROWMAN.

I thought that both Mr. Inglis and Mr. Jamieson had said that wages had risen since the men got the 54 hours. Then I would ask you, gentlemen, does it not occur to you that you are responsible for the time interloping between the 1st of March and the settlement of the 51 hours; that it was to convenience you that we agreed to the delay; and that it is not fair that we should be held responsible for what took place during these eight months in regard to a question (the question of wages) that we repudiated any power over, and that we could not control. All we wanted was that when a change of the hours took place it should not revolutionise the position of the working man—that it should not affect his family affairs, and that it should take place without a reduction of the wages they were then receiving. We did not, and no man in his senses would, try to bind down the wages of any class of men—more particularly the wages of the class of men we represent, seeing that wages fluctuate so much in our trades. We don't go and band ourselves together to fix the rate of wages. You may, if you don't carry out this solemn engagement, force this upon us, and the men may be forced to fix a rate of wages, and demand a penny an hour advance. But, if you wish to work harmoniously, let the wages regulate themselves according to the law of demand and supply. You see that from the earliest time of the conferences the wages question was thrown out, except in so far as it was necessary to go into a consideration of the circumstances of the trade when the working men's delegates applied for this change to take place. The men were willing to sacrifice eight months, and work on with the patience of a Jacob that they might get this change. When the time came, I was talking to an employer, and he said he had no difficulty in understanding the

question. Well, now, I will state my own case. I have, without solicitation, received three different stages of a rise. I cannot say whether it was for additional skill, or what it was, but I have never sought an advance either by word or deed. Now, I ask you, would you turn me back to the wages I had when working 57 hours? You have come from the 57 down to the 51, but I have received an advantage of from 60 to 51 hours. Now, you are in a position that you have less to complain of. You took your position, advocated your case, and the delegates yielded the cause of their constituents so far as eight months, to let you implement your contracts without loss. Seeing you have not given them the 51 hours without a reduction of pay, the working men in your establishments feel that they have a just cause of complaint, and that so great as to make them cease working. They have a perfect right—seeing the engagement has not been carried out by your not paying the wages that they were receiving For the 54 hours—to state in any manifesto that they may send abroad that you are not paying the same wages for the 51 as for the 54 hours. We have been blamed often by other trades that we have not carried out this matter so as to be able to bind either side to the strict letter of the engagement, and that it has not been gone into by fixed resolution. Now, I understand it has been said that the question of the arrangement of the time is a very small question; but the working men feel it to be a very important question; and I propose, if you are agreeable, that this question of fixing the hours be acceded to the shops in which it has been refused, and that they be allowed to work from 6 in the morning till 5 in the evening.

MR. INGLIS.

Now, how would you do in the case of a boat where men are working less than 51 hours, and they stop at half-past 5; would you compel those men to go out at 6 in the morning? I, for one, think this is a question which the Short-Time League should not have interfered with, because there is a disagreement among the men as to their hours. We have three sets of men beginning at different times—we have one set. going out at 7, another at half-past 6, and another one at 6, and how to accommodate them all we cannot find. The one set won't accommodate the other in any one way. My opinion is that all those who have shipbuilding and ship-repairing yards should be allowed to accommodate their men to the best advantage, so that they please them. As for engine shops in the town, it is a very small matter indeed when they commence—whether at 6 or half-past 6. We cannot afford to have one man commencing at 6 and another at half-past; but if it is a mighty thing, we may have to submit; and if they cannot want it, why we must concede it. I suppose it will not bring us down; but I think it is a thing that ought to be left to the different shops to decide for themselves. It is an awkward thing for a man to have to go out and stand in the cold without working. As for the hours of taking their meals, it is a thing which the League brought forward. Now, we are obliged to give them an hour when working in the shop, and half an hour if they are working outside. You cannot make a universal law for all cases, and I think it would be only friendly to allow the employers and the men to make the best arrangement they can. As for the other thing about which Mr. Turnbull has spoken, I don't know what he means by "we." If Mr. Turnbull would state that he means the League have made an agreement, and that we had refused to abide by it, then let him say so; but if they cannot show that they have made an agreement, then I think they have no right to interfere with it at all. Those who agreed to accept the 54 hours on the 1st of March and 51 in November, and that the wages should be the same for the 51 hours as for the 57, although they have got a little advance, I think they should have the benefit of it; but for those who repudiated the 51 hours movement, and said they would regulate their wages for themselves by their own demands, I think the League is not called upon to demand anything for them. I think it is an easy matter, if you would only consider it for a moment, to settle either the one point or the other. If you adhere to the agreement, let it be carried out; but let those who have not agreed to it, both employers and employed, be left out of the matter altogether.

MR. SIMPSON.

I think that Mr. Inglis in his remarks wishes to draw a distinction between the workmen and the League.

MR. TURNBULL.

We, the committee, could not take it upon ourselves to bind the workmen. We could only speak for ourselves.

MR. SIMPSON.

I think it should be understood that the workmen constitute the League, and that they choose delegates to represent them.

MR. JAMIESON.

Do you know that there is a great number of workmen in my establishment at this time who are under the intimidation of the League?

MR. SIMPSON.

I wish most distinctly and emphatically to deny that.

MR. JAMIESON.

It is told so to me.

MR. SIMPSON.

I have always repudiated everything like intimidation upon any man. The action I took was this, when the lull was put up. I may tell you that the bill stated that from the 1st of November to the 1st of March the hours would be from half-past 6 in the morning to half-past 5 in the evening, and that after the 1st of March the hours would be arranged by the employer. The men said, That is not the interpretation we meant to put upon it at all. The great thing we aimed at was to get time at night to try and improve our minds. (Laughter.) You may laugh; but I am expressing the fact, and the men are in earnest about it.

MR. JAMIESON.

I believe that you and the others present may be in earnest; but don't say the whole body of the men are in earnest, for I have evidence since the 54 hours came into operation of the improvement that is in Govan. The police reports tell me the improvement that has taken place in Govan since the hours were reduced, as compared with the state of matters when the men were working 57 hours.

MR. SIMPSON.

When this bill was posted up, the workmen sent a deputation to Mr. Jamieson. It has been stated here that the men have been intimidated. I tell you I stood aside, and took no part in what was done by the men. I was determined I should allow the men to carry out the engagement themselves. But after the third interview with their employers, when they resolved to strike, I considered it my duty to do everything in my power to get this agreement honourably implemented. There was no intimidation—there has been no intimidation. Mr. Inglis said that his men did not want, and would not take the 51 hours; but Mr. Blackmore came all the length from Greenock to say his men would strike against the 51 hours. Gentlemen, we have seen what these statements are worth. Mr. Blackmore's men, when the time came, showed themselves fully alive to the movement, and as ready to receive the three hours less work as any other workmen. It is a strange thing that a large number of the employers have taken the very same view that the workmen have taken of the agreement, and a very large number of the employers were wrong if the men were in the wrong. Your attention cannot be too often called to the conclusion of the last conferences. A legal document has been read here to-day, but we do not look upon this as a legal matter at all. I agree with Mr. Barrowman, that at the end of the last conferences we ought to have had some written resolution, to which both parties could have attached their names. It was Mr. Ure, the excellent chairman of the last conferences, who threw out the hint that there should be a paper. We went to a lawyer and got a paper prepared. We had it in our possession; but when we produced the paper you refused to sign it. And here are Mr. Paton's own words. He said: "You will get the minutes of the conference, and you can hold them as a guarantee that we will not resile from our engagements." Now, Mr. Paton has acted in accordance with what we considered the true interpretation of this pamphlet, and his men remain at their work. Mr. Blackmore disputed it, but has since changed his mind, and his men have gone back to their work. I tell you candidly that in submitting the case to this professor of law, I do not think he is the proper man to judge this question at all. It is a question of honour between employers and their workmen. If it had been a legal quibble, a lawyer was the man to do the work; but I do not think a lawyer is the proper man to judge in an agreement between employers and their workmen, or to be called in to interpret its meaning. I can assure you, in reference to the remark of Mr. Jamieson, that there was no intimidation used. The men do not go near any of your gates; but you will find them far away from your gates in halls, and you are left undisturbed to take on whom you can get. Far too much has been said about leaders and agitators in connection with such disputes as these. In whatever we have done we have acted conscientiously to benefit ourselves and our fellow-men; and I would strongly advise that no such language be used in future.

MR. INGLIS.

Mr. Simpson has made a long speech. Among other things, he said I made a statement that our men did not want 51 hours, and that they would not work 51 hours. He seems to doubt the correctness of what I stated. But we have asked some of our men to work 51 hours, and they would not take the reduction, and they are still working 54.

MR. SIMPSON.

In the engineers' shops?

MR. INGLIS.

I am not going to say in what shops, but I have them working as I have said. As regards intimidation, perhaps you men here do not have anything to do with intimidation, but you cannot know what the other men on strike may be doing. So far as you know, there has been no intimidation, and that is all you can say about the matter. I think the employer has a right to arrange with his men about the hours at which they shall commence and leave off work, and I don't think they should go and ask the League about it. I never heard this thing in reference to the arrangement of the hours mooted before, and I do not think it makes any difference to the men if they get the 51 hours. It is a very natural thing that the employers should make the arrangement they propose with their men, only for three or four months in the dead of winter; and I don't think there is any great harm done, even although the League should not agree with it. It was a very small matter, indeed, of Messrs. Elder &

Co., or any other company, putting up a bill in their shops about the hours; and I think you have no right to interfere between a workman and his employer, if he is agreeable to work the hours as the employer has them arranged, provided the workman conies in for the 51 hours.

MR. BARROWMAN.

I want, on the part of the League, to correct Mr. Inglis. He has said, with a clear meaning to my mind, that the League has interfered with the men working the hours set down by their employers. Now, sir, until the men complained and appealed to the League, the league did not do anything. The League is itself the creature of the men, and it is not merely the men acting by the League. I can tell you this much. So far as I have heard of intimidation, the only case I have had reason to condemn was not a case of one man interfering with another, but it was a case where an employer had interfered with a man being employed in another shop. If it is wrong for the men to interfere with one another, it is worse for the employers, who have the advantages of education and a good social position, to interfere with those who employ their men; and they ought to know better than to interfere with a man going to another shop, for the purpose of earning his daily bread. I say that is intimidation of the worst kind.

MR. INGLIS.

We all admit that intimidation is wrong. We did not say that you did it; we said that you had no right to do it.

MR. BARROWMAN.

I am perfectly satisfied with that explanation. So far as I am concerned, I took no action whatever until I was put forward to express the views of the men.

MR. INGLIS.

I said you had no right to interfere with—

The CHAIRMAN.

I think the matter has been pretty well discussed now.

MR. A. SMITH.

We put up a bill on our gate, and it was to this effect—That the Association had arranged that the hours of work for the four winter months should be from half-past 6 in the morning to half-past 5 at night. But the masters were not bound to that. In any place where the master and his men made a different agreement, there was nobody going to interfere. I think there has been a great deal of misunderstanding, and not a little misrepresentation, with regard to this matter. I heard an expression of opinion that the employers in the engine shops did not care about the hours, but that they will agree with their men. But, we are told, it is different in the ship-yards; and if the men and the masters can regulate them, I think it is a very paltry matter to quarrel about. It would not have been a matter that we would have struck upon, and if the men had come and said, We are very anxious to have the hours arranged in such a way, I am satisfied that the employers in the engine works would not have cared anything about it. It sometimes happens that a few hot-headed men in a place cause a great deal of disturbance. A lot of our men would have been very glad to come in; but I said, I don't want you to come in and get your names black-balled on my account, and I hope you will let matters go on quietly, and see if you can come to some arrangement. I do not think that the workmen's representatives should persist in regulating the hours, but should leave the employers and workmen to settle that matter themselves; and I am certain, if that were done, things would settle themselves in a day.

MR. TURNBULL.

That is a thing we cannot interfere with, because the men have sent the delegates to settle the matter to suit their convenience. As to what Mr. Inglis said about the outside men, it is well enough known that we take nothing to do as regards them—we take no notice of the men who are employed in outside work. What we refer to is that, in the engineer shops in Glasgow, the men should commence work as near one time as convenient. You will quite understand the need for this, for if a man has been used rising to his work at 6, and goes to a place where they commence at half-past 6, he never gets into a regular state at all; and as for the dinner hour, we considered that it was too long to have four hours between breakfast and dinner, and that it would be better for us and better for our employers to get our dinner at one o'clock. The men themselves have stated to me publicly that they are thoroughly convinced that they are putting out as much work as formerly, before the hours were reduced, because they do not yawn and watch the clock, and weary in the forenoon between 1 and 2 as they used to weary. Is it not a fact that between 1 and 2 o'clock, the workmen are yawning and watching the time, and wearying to hear the bell ring? and it is for your interest and for ours that the time should be as nearly equal as possible. But we don't interfere with the shops; if the men will start at half-past 6, we have no objection.

MR. INGLIS.

What would you do with the outside men? Will you make them work 51 or 54 hours?

MR. TURNBULL.

If they are outside workers, we take nothing to do with them.

MR. MARSHALL.

We, as a body of workmen, are entitled to some rights; we are banded together for our own interests.

Several EMPLOYERS.

That is not denied at all.

MR. JAMIESON.

I am sorry to see this conference taking this turn. We should have liked to know how we are going to settle present differences. With regard to the hours of labour, I do not think there can be much question about the time when you begin, or when you leave off. When the workmen came to me, I said it was only intended to apply to the winter months, with the object of preventing a loss of time by men losing a quarter or half an hour in the morning; and I said, "You may depend upon it that, if it does not work well, we ourselves will be the first to go back to the old hour. Let us give it a fair trial, men. You know that employers have some right to manage their own business without any agreement with their employees." And I am sorry to hear that dictatorial style adopted by the men here, such as "We granted you the eight months," and "When we gave you leave, it was entirely for your benefit." Now, these are rather hard words between the different parties—from those who are receiving wages to those who are paying them. You must know that labour and capital have great differences between them, and there must be a chasm in society somewhere. I can assure you that the same reasons I threw out in February have come to pass. In two or three months' time it is quite possible that, in place of working 51 hours, we might have to work only 48. In three or four of the works there is a scarcity of work now, and in a few months there may be greater scarcity of it; so that I would advise you not to draw a fast line, and say we are going to work so many hours: for this is regulated by the quantity of work to be done, and the number of workmen to do it. When we go on short time, the care we have is to select the greatest number of men that we can keep on. I can assure you that the question of what hours you will begin and leave off work is a bagatelle. If you wish to begin at 6 o'clock, and we want you to begin at half-past 6, don't rush out on strike without saying a word, as my men in the engine-shop did. The notice was put up on the gates, and immediately they went out. The men in the engine-shop went away upon the point of the hours; the wages question came afterwards. But we having granted that the arrangement of the hours is not of much consequence either for the one side or the other, now we approach the wages question. On it we have given our opinion, and you have given your opinion. We are perfectly different in our reading of this pamphlet. We have heard the evidence of a man who is beyond suspicion of taking either the one side or the other; and now we come to the settlement of the difficulty. Each one believes his reading of the statement is the correct one, formed from his own point of view. But there is a difference; and how are you going to solve that difference?

The CHAIRMAN.

I think we have got over the whole question, so as to understand the different view which each party takes as regards the result of the conferences. Mr. Barrowman was rather indignant in his remarks about the opinion we have received. He contended that this was a moral question, and that the employers were making a legal catch of it, by interpreting it by the language in which it was expressed, rather than looking at the spirit or meaning. Now, I could not but observe that there was a want of clearness about the wages to be paid for the 54 and the 51 hours' work; and I regret that this matter was not made clearer than it seems to be at present. There is one thing, however, that strikes me forcibly, and that is that it was a mistake to put this wages question in here at all. First of all, we are agreed that the wages will rise and fall according to the law of supply and demand, and that no restriction of the hours can affect that law; and yet here you propose that the wages shall be at a certain rate eight months forward. In endeavouring to put that right, you have evidently seen the difficulty, and you could not fix upon a surer position for the protection of the men than by taking the wages as they are at the present moment. You wish them not to be less. The great loss has been the importation of the wages question at all. Had the wages been lower, then there would have been a conflict. You understand what is the employers' view, and now we have all discussed the matter, and you understand clearly our view, and we understand your view. Although a great many of the shops are Working the 51 hours, don't imagine that their opinion is different from ours, because they have been obliged to adopt the arrangement of the hours from their particular circumstances at the time. However, I am exceedingly sorry to see so many good men going idle; and although you may manage, by a certain system, to pay these men their wages, still I cannot but look upon it as if they were living upon your charity and that of others. I always regret to hear of a working man taking extraneous support other than that provided by his own industry. It seems to me something like going upon the Poor-law Board. I think it is one of the most grievous things possible; but I am quite satisfied of this, that had' this matter been left entirely an open question, both in point of arrangement of the hours, assuming the 51 hours as settled, and wages, that within a fortnight or three weeks it would have settled itself, and that in a way independently of us. I am not prepared to make any proposal, because I think it would come better from the delegates of the workmen. I would like to hear how the delegates expect to settle the question.

MR. INGLIS.

Take this into consideration. You have said that you do not recognise the outside people in the shipbuilding yards; if you would distinctly state that you don't give any opinion for them; that you would leave them to make their own arrangements, would that be consistent with your views? If you would not interfere with them, and coerce them in any way—

MR. ALLISON.

I think that this matter was clearly stated in February. We never try to coerce any one.

MR. TURNBULL.

We have again and again stated that.

MR. INGLIS.

I would like if you would say so now.

MR. ALLISON.

We have said so already.

MR. TURNBULL.

The reporters will take notice of that—that we have again stated it. Our Chairman wishes the proposal to come from our side.

The CHAIRMAN.

Seeing there has been reasonable ground for difference of opinion, I merely ask—when we are supported in our opinion by high legal authority, to which, of course, we do not wish you to attach any importance—that you should make some proposal.

MR. TURNBULL.

The League has sent back here the same men who were at the other conferences. Perhaps if the same men on your side were here now, we might have reasoned the matter in a more satisfactory manner. But the parties are new on your side, and at the last conference we had fourteen, but now we have only six on either side.

MR. JAMIESON.

That cannot be helped.

MR. A. SMITH.

I was very loath to come; but I may state for your satisfaction that we could not get the same men. We are, however, just as open to conviction as anybody could be. Mr. Ure, who was to have taken the chair, has taken unwell; Mr. Hamilton was very backward to come, and Mr. Gilchrist, his partner, was appointed to come in his stead; and another gentleman was to be here, but he had to go away from home. But we are just as frank and as ready to listen to you as they would have been, and we don't wish to take any privilege because we have come from the employers' side.

MR. ALLISON.

With all due respect to our Chairman, he says there is a reasonable doubt as to the interpretation of the pamphlet, but I question that very much. He has not shown any reason why there should have been a misunderstanding. The matter appears very clear to me.

MR. HOWDEN.

I am in the position of not having been present at the former conferences, and I had to take, therefore, the accounts brought back by the representatives sent thither. But I have a very distinct impression of what this arrangement came to, based on the impressions of the reports taken back to us. A perusal of this pamphlet still further confirms me in my impression. Well, what was settled then was that when the 54 hours came into operation, the 57 hours' pay was to be given. The 54 hours was to commence on the 1st of March, and the 51 hours on the 1st of November. The question of wages at the 1st of November was not settled at all: that was my impression, and I attended the meetings of the employers, and heard all that was said. Well, the argument of my workmen was that there was an arrangement come to, and they put this pamphlet into my hands to show me what it was. I turned up the pamphlet, and I saw the remarks that have been referred to already at page 24—that for 54 hours' work they were to have 57 hours' pay, and that for 51 hours they were to have the same pay. If you turn back to page 23, you will find what Mr. Blackmore's idea was. Look at his question: "I should like it to be clearly understood as to what the pay is to be, supposing 51 hours were conceded after ten or twelve months hence?" Well, Mr. Blackmore was not delegated to settle the matter of pay; neither were any of the representatives of the masters. But it was to see what was the greatest demand the workmen were going to make that Mr. Blackmore put that question. Very well. Mr. Simpson undertakes to enlighten him. He tells him plainly that for 54 hours' work they were to have 57 hours' pay, and for 51 hours "the same pay as at present." Now, it was never stated that what the men were receiving for 54 hours' work was to be given for 51; and I beg to say that if the representatives had agreed to anything of that kind—had decided what pay I should give to my men eight months afterwards, I would have repudiated such a decision, as they might have committed me to ruin by any such agreement. Since the 1st of March there have been several strikes in our shop, for the purpose of

raising the wages, and now they have got up until we are paying 13 or 14 per cent, more wages for 51 hours than we were paying for 57. I beg to say that the contracts that we are now working were taken before this time last year, when we had no conception of such demands being made upon us; and we are now paying 25 per cent, more for labour than when these contracts were made. Our contracts were taken, as I have said, before this time last year, and here you are saying we are resiling from an agreement made in February, a statement which I most indignantly repudiate. Now, if you workmen understand that we came under such an agreement, why has there been those strikes during the interval, to force up the wages to their present position? I know that for a fortnight we were without a rivetter in our establishment. There was not a man that would look near our shop. Of course we had to yield, because we got no support; and now you come and say that we have failed to implement a bargain come to in February. I beg to say that we have implemented that bargain, and more.

MR. SIMPSON.

It seems to me as if it were really impossible for you to understand the question as we do it. Would it not be much better for you to quote what Mr. Conner said as well as what I said. Mr. Conner saw clearly that I had made a mistake, and he wishes Mr. Blackmore perfectly to understand the position.

MR. HOWHEX Allow me to say, I have underlined Mr. Conner's remark—"Mr. Simpson just says this, you reduce the time from 57 to 51 hours, and you don't reduce the wages." Well, if the wages had been now what they were when the men were working 57 hours, I would say at once, "Yes, we will give the 57 hours' pay for the 51 hours' work," although I don't believe that there was any agreement come to. But I take Mr. Conner's words, and I say I accept them as a bargain. If you say it was a bargain, although I do not think it was, I am ready to abide by it. But you take no notice of the strikes that have been going on since.

MR. SIMPSON.

Now that Mr. Howden will be bound by the explanation of Mr. Conner, I may refer to the strikes that have taken place. I never knew of them taking place. I know that in our shop there was word came across from the north side of the river to say that there was a number of employers had given an advance of $\frac{1}{2}$ per hour; and it required no strike at all, but simply a statement that an advance had been granted elsewhere, and the employers at once gave the $\frac{1}{2}$ d. without any nonsense at all. I hold that you have no right to blame us for importing the question of wages into this dispute. Mr. Howden says that he is giving more wages than was paid for the 57 hours; and our answer to that is, that the state of trade demands it.

MR. INGLIS.

Question; question.

MR. SIMPSON.

If I am not to be allowed to go on, I will sit down.

MR. SMITH.

I think Mr. Simpson should be allowed to proceed without interruption.

MR. SIMPSON.

I think we are at the question. We have been blamed for striking and banding together to raise the wages. After they got the $\frac{1}{2}$ d. there was a young man went to Mr. Howden's shop and got another $\frac{1}{2}$ d. from Mr. Howden, and after having served a fortnight in his shop he removed to Messrs. Tod & McGregor's and got another $\frac{1}{2}$ d. Were these not legitimate rises of wages? In regard to the remarks made by the Chairman, I am on strike for the first time, and I have got such a lesson, that it will be the last time. But with respect to what the Chairman says about us receiving charity, I wish to enlighten you upon the point. There is not a single man on strike in the city of Glasgow living upon charity, depend upon that. This is a question upon which the whole working men of Scotland are interested. They think that the question of reducing the hours of labour is so important, that they are determined—as a matter of duty, not of charity—to give us their support. I am very happy to be able to inform you that a large number of the men do not require it. I may likewise inform you that a large number of the men have left Glasgow and got situations in other places, and I have no doubt when this question is settled you will find that to be the case. Mr. Howden is very indignant that we should have claimed the same money for the shorter hours; but there was not one of us left this room, or the other room, at the Last conference, without understanding that; because it was the first request we made, and I hold that we never deviated from that in any way except allowing eight months to complete the running contracts. That is the way the workmen look at it. The workmen in your shops look upon it as not only a bargain, but a sacred contract, and this is borne out by the fact that some of yourselves have kept it. You are not to go away with the opinion that the men feel themselves degraded. They felt that since the masters failed to implement the agreement, the only resource left them was to come out until they got the terms the employers had promised them. I hope that this dispute will not last long. Not a single word can be said against the conduct of the men at this time, although I have heard of employers going to works where the men had got employment, and asking the masters to put the men away, so that they might be compelled to live on charity, if you will have it so. I can assure you I would feel myself less than a man if I did anything of that kind.

The CHAIRMAN.

I may say, Mr. Simpson, for your edification, that I had two squads of men working out of Glasgow, and they thought that during the strike they might work away; but deputations of men were sent from the League to bring them from their work, and they did so.

MR. SIMPSON.

I presume those men were sent from your own workmen, and that because it was considered they ought not to work against their own interest, and that if they left their work the dispute would be the sooner settled.

MR. INGLIS.

That didn't alter the matter at all.

The CHAIRMAN.

These men went back and offered to do the work on their own account.

MR. A. SMITH.

I don't think we should allow this sort of discussion to go on, because I do not think we have had much intimidation.

MR. CRICHTON.

We have been dealing with matters that do not come immediately between us and a settlement, more especially that the hours, as proposed by the men, have been acceded to. I would suggest that we should take into consideration whether we cannot agree to the arrangement of the hours as proposed by Mr. Barrowman. But I cannot quite agree with what Mr. Turnbull said, that we should take no notice of the shipbuilding yards. It is not exactly fair to put it that way—that outside workers, who are dependent upon daylight and cannot get artificial light, that they must inevitably settle their hours according to their mode of working. I believe that, for the future, things will in their case be as they have been in the past. We have never been asked to alter their hours.

MR. INGLIS.

Do you confine these remarks to ship-yards, or do you allow them to apply to men engaged shipping machinery at the quays?

MR. CRICHTON.

I am aware that with respect to these classes of workmen, the practice has been very different in the building shops and on the quays, and I do not think that anybody has interfered with it. There are many things that you cannot interfere with.

MR. INGLIS.

I will give you an instance. Here was a ship, the *Royal Consort*, came here from Fleetwood to get her boilers repaired. Our men were working at her, and the owners were very anxious to get her on the station again. The boiler-makers were at work in her in the harbour when the strike took place; and we had to write to her owners and tell them we could do nothing with her, and that they must look after her. The owners sent an agent over here and superintendent from Fleetwood. They tried to engage men and they got some. They were engaged on Saturday, but they did not come back, and it was all about this half hour in the morning. There the vessel still lies. We would willingly have allowed them to commence work when they liked, and given them a rise besides to get the job done, but the men would not allow them. Is not that a very hard case.

MR. CRICHTON.

This is a thing that has occurred incidentally to the dispute which has arisen with the men in your employment. In the engineering department, the men, not having their wants acceded to by their employers, have stopped work, and, as a very natural result, they would ask their fellow-workmen to do the same.

MR. ALLISON.

It is not an invariable rule that outside men work different hours from others. I have worked from 6 in the morning till 6 at night in ships at new work a number of years ago. I think the working hours should be stated.

MR. JAMIESON.

I think we are quite agreed about the hours; there is no difficulty about them. Our proposition was intended as an arrangement that would have been beneficial to both parties; and it would have been wise in the League to have left each employer to have settled with his men the hours that would have best suited them. What we wanted, I think, was that we should agree to make an arrangement satisfactory to our workmen generally in each place. We thought all the employers would be agreed upon that point, and then would come the question of wages. I think we were agreed that the question of hours should be arranged by each employer among his own men, so as to suit their purposes, because really it must come to that. We may have to work long or short hours, and if we have to discharge a large body of men, surely it is much better to work short hours than to put away a large number. If you think, Mr. Chairman, that the league would be satisfied with this arrangement, I am perfectly certain that it would be successful, and I for one would pledge my firm to mutually arrange the hours, or alter them as my workman and myself would think best. There is now the question about the three times

three. I know that a number of men who have families would find the proposed arrangement very inconvenient, as most of the members of their families come to dinner between 2 and 3, which has always been the dinner hour in the factories. I would not like, without very grave consideration, to alter that hour. The proposed hour may effect a better division of the day, or it may not. You can easily see that where there are young people in a family it would be an awkward thing to have some coming for dinner at one hour and others coming at another. Now, we come to the wages question.

MR. SIMPSON.

I would just say this in regard to the proposal to leave the hour question to the shops. You know what your men want; then why not make a settlement at once? The men have stated plainly enough that they wish to commence work at 6 o'clock and leave off at 5, and there seems no difficulty about that. We have commenced our work at 6 in the morning for a long, long time, and it has never been discovered until this strike took place that it was a bad thing for our health.

MR. JAMIESON.

It has never been stated that it was bad for the health.

MR. INGLIS.

It is not correct that the men invariably get up at 6 o'clock. It was always 7 o'clock in the winter.

MR. SIMPSON.

Since I began my trade it has been 6 o'clock; and you know the old adage about going early to bed and getting up early. I think it is a true one, and it gives the men more time at night.

MR. INGLIS.

The men could get up to their book in the morning. They read the Bible now half an hour before they come to work. That is the new arrangement. (Laughter.)

MR. SIMPSON.

I cannot follow you to the Bible now.

The CHAIRMAN.

It is quite clear that on the question of hours there is not a great deal of difference of opinion. The hours of labour and the question of wages are the two points at issue. I have asked you already if you have anything to propose that would be likely to conduce to a settlement. I know very well that, although we are all patriots and honourable men, going about without work is not the best thing. There are a great number of good men going about idle whom I should like to see at work; and it is to put an end to this, and for the sake of our men, ourselves, and the industry of the country, that I am anxious to see this dispute settled.

MR. BARROWMAN.

I proposed a motion that, seeing you see no difficulty in starting work at 6 o'clock in the morning, stopping to breakfast at 9, coming back to work at 10, going to dinner at 1, returning at 2, and closing at 5 o'clock, you should agree to that. As the delegates on your side of the house had expressed an opinion that there is little difficulty in that, I thought it was a proper motion to make; and now I see it is all the more proper since I have heard the remarks of several additional speakers, because it seems this is a pertinent question. It has been spoken of as a vital question, though I do not think it is so very vital. I would willingly agree, so far as I am personally concerned, that each shop should settle its own mode of working the hours. But, then, the workmen are dissatisfied with the hours as announced by their employers. I was objected to as having used words not very courteous; I hope the meaning they intended was more mild than the words themselves. I wish this motion particularly placed before the conference, because, as I have said, the men in your shops put forward this as a vital question. Would it not be far better, seeing there is not any very great difficulty in the way, to come to a resolution to work the 51 hours on the principle desired by the workmen. It has been this point that the dispute has arisen upon, and it would be better, I think, that you should adopt this principle of working the hours. I know that in many shops where there is outside work it is necessary to make a special arrangement; and I have wrought with Mr. Inglis in that way many years ago. Circumstances alter conditions when men are working outside.

The CHAIRMAN.

There is no use in making a motion, because we are at a conference, and motions are not made at conferences.

MR. BARROWMAN.

At an earlier part of the conference I drew attention to the fact that our former engagement was so loose; and a motion appeared to me the best way to avoid a repetition of that.

The CHAIRMAN.

Then, will you give us your opinion on the other point? The employers consider that they carry out their agreement in seeing that there is no man in their employment that has less wages for the 51 hours than when working 57 hours per week.

MR. BARROWMAN.

I can see this difference between us, that some gentlemen on your side have stated that they must fall back upon the rate of wages that existed in February. Now, I say that is quite foreign to the question in dispute, and it is departing from the meaning of this pamphlet—the meaning of the engagement entered into between the employers and their workmen in February last. We think that we have done our duty in ignoring the question of wages, and that the wages rising or falling by no means alters the question. It is simply this, that if some men have improved in their skill to such an extent as to enhance their value to their employers, who have given them 1s. or so per week of an advance, if you do not pay them for the three hours, you are ignoring their additional quality of work by putting them back to the old wages.

The CHAIRMAN.

You misunderstand the question. The employers affirm that they must pay the same wages for the 51 hours now which was paid for the 57 in February, and that those men who have got their wages advanced in the interim should not be affected by that arrangement. But all those men who have not the same wages as they had in February—that is, for the 51 hours as for the 57—must have their wages advanced.

MR. ALLISON.

I understand you to mean that the wages shall be the same now as they were in February. I most certainly understood that the wages were to be the same in March for the 54 hours as they were in February for the 57, and that they were to be the same in November for the 51 hours as they were in October for the 54.

MR. JAMIESON.

Is that in the pamphlet?

MR. ALLISON.

There is nothing about rates of wages there.

MR. HOWDEN.

I beg to say that, if there was any agreement, it was this—that we pay the same wages now for 51 hours as we paid in February for 57. But, if there was no engagement, then there has been no breaking of faith, and such a charge is irrelevant from the purpose. If there was an engagement, it must mean that the wages on the 1st of March and on the 1st of November be equal.

MR. TURNBULL.

Mr. Howden states that he does not wish to lower the wages; but, if a man has got 3s. advance, and he merely keeps off the wages as rated by the hour for the three hours, he is not making the wages of that man the same as they were in March.

MR. HOWDEN.

No; that would be reducing the wages.

The CHAIRMAN.

I was going to propose that, seeing it is allowed there is just ground for a difference of opinion, the employers should agree to give up their arrangement of the hours of labour, and that the delegates from the workmen's side should agree to accept that condition; and that all those men who have not now the same wages for 51 as they had for 57 hours should have it made up to them.

MR. SIMPSON.

I fully concur in the proposal of the Chairman with respect to the hours—

MR. JAMIESON.

The question between us hitherto has had reference only to the time of commencing and leaving off work. I do not think we should differ about the dinner hour being at 2 o'clock.

MR. SIMPSON.

It is distinctly understood by the workmen that having the dinner hour between 1 and 2 o'clock is part of the arrangement they are contending for.

MR. INGLIS.

We never heard of it before.

MR. SIMPSON.

I admit you were never told at the conference what time the hours were to be arranged. My understanding, as well as that of all the men I have consulted as to the meaning of this pamphlet, is simply this—that we were to have a reduction of our hours from 57 to 51, with no reduction in our pay. But we gave the employers eight months' time to finish contracts; and, when that time has expired, they attempt to do us out of 3 hours' wages, so that the workmen most distinctly think the bargain has been broken.

MR. JAMIESON.

Why do you say you have allowed time to finish the contracts, when you know there are contracts still unfinished that were taken before this time last year? It would be a very unfortunate thing if this dispute is

going to end in bringing your employers into a compulsory solution of it. All those disputes would be far better ended in a friendly spirit. We differ in opinion upon two points, and the employers believe they have equally as good a right to receive credit for their opinions as to give you credit for yours. I do not say you are not now holding the same opinion as you held from the first; neither can you accuse me of my opinion not being equally as well founded as yours; but when you drove us into a corner, and, as it were, compelled us to grant the 51 hours, I told you it was not to be regarded as a permanent thing. Any one who goes through the shops of Glasgow can see that my words were prophetic when I said that you would drive away the work. I can show you a letter from one of the oldest and largest steam-ship companies in the world, which says that the Clyde prices are now so excessively high that they have to send their ships elsewhere. I should like to see this question amicably settled; and if we can't settle it amicably ourselves, I think the best way would be to put the whole case into the hands of some competent party in whom we shall both have confidence, and let us both be bound by the opinion that this party gives. If this were done, I would let the men arrange their meal hours as they like.

MR. SIMPSON.

We have no power to rule the rising or falling of the wages. Well, now, just you give us in November the terms that we want and that were agreed upon. If trade will be bad in a month, what is to hinder you to alter the rates?

The CHAIRMAN.

But, then, Mr. Simpson, you wish to fix the condition of things altogether apart from wages.

MR. SIMPSON.

I am sorry the same gentlemen are not here now from your side as at the previous conferences, because the delegates of the men appointed the same persons to represent them as formerly, seeing they understood all about the former arrangement. The position we took up then was, that we would be able to make up for any loss that might ensue from the reduction of our hours of labour. But, it is my opinion that no loss has accrued to the employers from the reduction of the hours from 57 to 54, and also that none will result from their reduction from 54 to 51. I will give you further high authority for it. I will give you the opinion of a large employer of labour, Mr. Baxter, the member for Montrose, and secretary to the Admiralty, who recently expressed his conviction that it was profitable both to employers and workmen to reduce the hours of labour, and that we had not yet reached the limit of remuneration. I think that although you may not give much credit to my opinion, yet that, as a large employer of labour, Mr. Baxter's opinion is entitled to some little consideration on your part.

MR. TURNBULL.

It is a well known fact that you have all noticed every article that has come from the League in the papers. In the middle of October there was a League meeting held, which was reported in the papers, at which they recommended the three times three. It was advertised in all the papers, not as an order, but as a recommendation to the shops; so that the employers must have seen that notice. After that followed the posting up of the notices in the shops by the employers.

MR. JAMIESON.

You will surely give me credit for speaking the truth.

MR. TURNBULL.

Yes; certainly.

MR. JAMIESON.

I repeat that the first time I heard of the three times three was since I entered this room.

MR. TURNBULL.

There is one other point. Mr. Jamieson says that the employers think it would be against the men's own interest to take dinner between 1 and 2 o'clock, and that the hours would be different in the factories and other places; so that it would not suit their families. It is a well known fact that the masons and joiners have families as well as the engineers—(laughter)—and the majority of them go at 1 o'clock.

MR. INGLIS.

It may be so in some places; but I do not think the majority of the joiners go at 1 o'clock.

MR. TURNBULL.

The joiners all do it.

MR. INGLIS.

Not in our shop.

MR. A. SMITH.

The masons eat their dinner at their work. They don't usually go home.

MR. SIMPSON.

Are Mr. Inglis's joiners working 51 hours?

MR. INGLIS.

No; they work 54.

MR. SIMPSON.

That makes a difference.

MR. TURNBULL.

It is a well known fact that the families of the factory workers do not all go home for their meals; and I do not see that it should be an objection to giving us the three times three. I do not think that it will be against the employers interest, but rather in favour of it, as well as to the interest of the workmen. I may say that the main objection of the workmen to have the dinner hour between 2 and 3 is that they are of opinion that it is meant as a way of putting them back again to 6 o'clock at night, whenever there is any opportunity. That is one of their very greatest reasons for seeking it.

MR. JAMIESON.

There was one of you said he would like to know, at the last conference, at some future time, how the working of the 54 hours affected us. I am not very certain which of you it was. (A voice—"It was Watson; he is not here to-day.") I thought I missed his face. I came prepared to give him information on that point in regard to one piece of work. I find that under the 57 hours this piece of work cost us £816, and the same thing cost us under the 54 hours' system £1,020. It was work identically the same, and, as far as I know, done by as good men, although I would not be prepared to say by the same men. I had a good superintendence and a good arrangement for getting the work done well. The question was put so pointedly, and the opportunity for answering it was so fair, that I watched it with a very peculiar attention all along, and these are the facts of the case. Now, if any person who knows about trade will consider that the profits will cover expenses like these, then I leave the question. As for myself, I am of opinion that it would shut up every establishment on the Clyde in a year. I am only bringing that before you.

MR. SIMPSON.

Does Mr. Jamieson attribute the difference between £816 and £1,020 to the results of the shortening of the hours of labour alone, or the increase in the price of material as well?

MR. JAMIESON.

This difference consists entirely of the wages paid for the work. The increase of material is as much in some things.

MR. SIMPSON.

Am I to understand that you did this work for the same money as the farmer?

MR. JAMIESON.

The contract was one of a large number taken at the same time.

MR. A. SMITH.

I think we might come to a settlement, provided the dinner hour were left an open question, whether the men went to dinner at 1 or 2 o'clock. For myself, I would not care a snuff about it.

The CHAIRMAN.

Let us get a settlement of the whole matter, Mr. Smith.

MR. INGLIS.

It will not work in every place. There should be an explanation of the circumstances of each case, because all the men will not do it.

MR. TURNBULL.

Perhaps you are in the hope of deferring this question, and prolonging it until you have an opportunity of settling it by arbitration. I can tell you that the men are not prepared for that, and will not go into it.

The CHAIRMAN.

No, no; I am not deferring it in that hope; but as I have said all along, I have so many good hands that I have sympathy for them.

MR. SIMPSON.

Seeing the hours are arranged, I may say the men are firm and decided in this point that you should give us the same pay in November as in October. They can't see that they are wrong. If trade gets bad you can reduce the wages, and why not grant what the men want now? I have already told you that we have no power to regulate the wages, and we have never combined to keep them above their proper level, and when trade has been bad we have allowed them to fall. I would leave this to your consideration, that you would allow the men their way thus far; because you cannot make them believe any other thing than that you have agreed to give them it in this way.

MR. INGLIS.

Mr. Simpson has asked rather much. I quite agree that they should get the same wages as in the month of March; but I would make this exception, that in the case of all those who have combined to raise their wages above the natural level—which can be proved to have been done—and have also said they had nothing to do with the League, I think those should be excluded. I would exclude all those who have struck work and

repudiated any engagement, because, in their case, it is not merely paying the same wages, but it is advancing the wages per hour. But in the case of all those who have not got the same wages now as they had in the month of March, they should now have it made up to them. Even if they have got a shilling or two of advance, if they have not struck, I would not make any difference; but you have no right to take anything to do with parties who are not in your League, or were not in it at the time of the agreement.

MR. ALLISON.

I am glad to think that we are likely to come to a settlement. Mr. Inglis says he would give it to some. Now, I feel the difficulty of saying how far any man is or is not entitled to it for having struck work.

MR. INGLIS.

They know themselves.

MR. ALLISON. There has been no strike of any combination, so far as I know, except, may be, the ships' smiths.

MR. INGLIS.

Also hammermen and rivetters.

MR. ALLISON.

I don't know to whom you would grant the exception.

The CHAIRMAN.

I think the only proposal that can be made to you to-day is, that the employers are willing to give way upon the hour question, seeing that on that question the workmen have some peculiar jealous feeling. On the other hand, the employers are as decided as you can be to the contrary, that there can be no other conclusion drawn from this document (the report of the conferences), than that which the employers have drawn. You who were at the conferences, and being interested by personal motives, may have some moral feeling contrary to that, but you have failed to express it; so that if we are to arrive at any decision, the only conclusion that can be drawn from the present position of affairs is that which I have laid before you. I propose, then, that the hours of work be what you wish them, and that all those workmen who have not the same wages now for 51 hours as they had in February for 57, should have their wages advanced to that point. That, I think, is the just conclusion, and the only fair one. I am very sorry to hear Mr. Simpson say in as many words that it was the duty of the employers to yield on every point. I think we should have something to do with the settlement of this matter.

MR. ALLISON.

I am very sorry you should impute personal motives. I must say it is scarcely fair to impute personal motives to our side, when we impute none to yours.

MR. TURNBULL.

I would ask you gentlemen present how many hands you have in your shops who are getting less wages now than in the month of February, because there are a great number of men who have changed shops since that time. I myself am now working for 2s. per week less wages than I had in February, and I am in another shop. Now, if the thing were settled as you propose, my employer would have to give me 2s. of a rise.

MR. INGLIS.

Why not; he can either give it you, or dismiss you.

MR. TURNBULL.

But I was not in his shop in February at all, and the employers could only judge of men they had in their employment at the time.

MR. A. SMITH.

One word. You know the sort of hardship in regard to our case is just something like this. Our men said they must have the same rate of wages as those of Messrs. Mirrlees, Tait, & Watson, and we paid them that rate. Then they were paid higher than the other shops, and they feel it a hardship to be reduced so much. If they had gone on as Messrs. Mirrlees, Tait, & Watson's men did, there would have been no hardship at all. If there had not been a deputation in the meantime, and the wages forced up, I confess I believe that this question would not have arisen now.

MR. SIMPSON.

Did the deputation of men that waited upon you refer you to Messrs. Mirrlees, Tait, and Watson, and did not you say that you were paying higher wages than they, but that they would get the 51 hours without a diminution of pay.

MR. A. SMITH.

I said that we were paying the same rate per hour now for the 51 hours as for the 54. They had begun to work the 51 hours, and I said we would pay the same rate per hour. A gentleman apart from our works altogether, without my knowledge, drew a comparison of the rates in all the shops on that side of the river, and he came and told me that we were paying fully above the average. They were working 51 hours then with that pay.

MR. SIMPSON.

I was informed that you told your men that they would receive the same pay in November as they were getting in October.

MR. A. SMITH.

No; if that had been so, they never would have been out.

MR. JAMIESON.

As I understand it, the position is this. Seeing we are willing, as the Chairman has said, to concede the hours, which the men look upon as important, and seeing there is a dispute as to the wages, and that there are some shops paying as high a rate of wages as formerly for 51 hours, I think you should allow the wages to settle themselves, if you don't like to let it go to arbitration. I do not think you should force a compulsory arrangement.

MR. CRICHTON.

I understood from Mr. Jamieson that the hours were a settled question. I think that very encouraging as far as we have gone.

The CHAIRMAN.

He assumes this as only a part of the settlement of the question. The whole thing must be settled at one time. We are here for that.

MR. CRICHTON.

From the tenor of the expressions of opinion I have heard from the men, they are not willing to lose three hours. That would be throwing them back to a worse position than they were in February.

MR. ALLISON.

That conforms with my own personal knowledge. These are our instructions that the men will not agree to a reduction of the wages.

The CHAIRMAN.

We are not reducing the wages.

MR. SIMPSON.

If you do as you propose, there will be three hours' less wages.

The CHAIRMAN.

There is not three hours' reduction.

MR. SIMPSON.

There are three hours' reduction from the agreement that they held was settled.

MR. INGLIS.

No, no.

MR. JAMIESON.

The simplest plan to my mind, as well as to every properly balanced mind, would be, what we are perfectly willing to do, to leave the reading of the pamphlet to some neutral party. If I disagree with Mr. Inglis, we don't quarrel and fight and run out into the street. I don't lock my gate against his carriage, but we choose a mutual friend to settle the difference between us.

MR. SIMPSON.

I will show you the way the working men look upon this question. One of you gentlemen have a contract for £80,000 or £100,000, if you please. You get paid some of the money at a certain date to account, and when the vessel is ready for sailing you expect the rest of your money. But the other contracting party refuses to fulfil their share of the contract, and say they will call in an arbiter to say whether they will pay their just debt or not.

MR. JAMIESON.

That is just what is done; and every contract we arrange provides for arbitration, so that your example is entirely against you.

MR. SIMPSON.

You sign a contract for a vessel for £100,000, and are to get £50,000 when it is going on, and £50,000 when it is finished. If the party came and said, I will only give you £80,000, would you call in an arbiter to hold him to the payment of his just debt, or would you not rather be inclined to recover it in a court of law? Now, that is something like the case of the workmen. They paid eight months to do away with arbitration, and you talk of arbitration again after they have given all this time to do away with it! Do you think the thousands of men who are walking the streets of Glasgow cannot read the English language as well as anybody else?

MR. INGLIS.

Then I suppose one side only is to judge?

The CHAIRMAN.

You speak rather strongly, Mr. Simpson.

MR. SIMPSON.

I admit that I speak strongly.

The CHAIRMAN.

If you agree to submit the question to any neutral man, we will be bound by his judgment.

MR. SIMPSON.

The men refuse to do this.

MR. HOWDEN.

If they refuse to do so, then their case must be a bad one.

MR. SIMPSON.

No; we have paid eight months.

MR. INGLIS.

What have you paid?

MR. SIMPSON.

We gave eight months at 54 hours.

MR. JAMIESON.

Submit the dispute to two or three gentlemen, if you are not satisfied with one.

MR. SIMPSON.

All the men are against it.

MR. BARROWMAN.

We are here and you are there. I am sure you will not give up your position in society to any man who knows nothing about the subject. You are as capable of judging of the question as any other man you can call in, so that the only question can be that it is a toss-up between us, and we are referring it to another man as they do with a master. (No, no.) I am explaining what the question of arbitration would be, settled in this way.

MR. JAMIESON.

You are perfectly well aware that all the disputes in the trade in the north of England are just now settled by arbitration—that everything there is put before arbiters. Now, we have offered to give your own hours; and, if we cannot join hand in hand as to the wages, if you won't have arbitration, then give us some other suggestion, beyond saying, We must have our pound of flesh now, because we know we can take it. That is tantamount to what you are saying. Let us have some proposition from you that we can consider beyond the point of saying that we won't settle it unless it is all our own way.

MR. BARROWMAN.

I was just going to say that arbitration, instead of settling the dispute satisfactorily, would have aggravated it. In the North of England, and various other places, where disputes are settled by arbitration, there are courts of arbitration where these disputes are adjudicated upon. But, then, we have not agreed that this dispute shall be settled in that way; and I hold that, if you take the question from before us, you insult each man here present by saying in as many words that we lack the faculty of deciding it. We are at that stage of the proceedings that the question must either be settled, or there must be a toss-up between us. Now, the working men are not willing to toss-up upon the subject. They think that they are aggrieved; that the contract, as understood by them, was quite clear; that they have filled up their part of the contract; and that certain employers have failed to fill up theirs.

The CHAIRMAN.

We don't know what you mean by a toss-up.

MR. HOWDEN.

I have to remark that the employers on their side have fulfilled their engagement, if you say there was an engagement, as you seem to hold. Now, if we are equally decided on that point, as you are in your opinion, how can we settle the matter if each side has come to a conclusion already, except by arbitration?

MR. INGLTS.

I may be allowed to remark that the men proposed arbitration at last conference, and it fell through.

MR. SIMPSON.

I believe it was I who suggested arbitration; but the men would not submit to it themselves. They accepted the 1st of November rather than arbitration; and, when the 1st of November conies, the men think it is rather too much to refer them again to arbitration.

MR. A. SMITH.

i think it is a very great pity that we did not come to arbitration last time, because, had an arbiter been brought in, he would have settled the dispute. Had he been called in, the arrangement would have been clearly put down, and there would have been no difficulty about running through the pamphlet to find out the feeling that then existed. It would be far better if that could be done now, because there would be referred to the arbiter any dispute that might arise between a master and workmen. For my own part, I have the feeling that I carried

out most fully all the arrangements that are in this pamphlet to the fullest extent; and I think that, when the delegates came here, they should have come open to make an arrangement. We came to make an arrangement—a sensible arrangement—to make the best arrangement we could; and I think that the whole question in dispute is urged upon us to give up all to you. I say distinctly that it is asking too much; and I consider that the delegates coming from the working men should have had some power to arrange the matter amicably, without insisting on getting it all their own way.

MR. ALLISON.

I came here to make an arrangement, and so far from having asked too much, I am persuaded that we are asking too little. Had we got a settlement of the whole six hours in March, there would have been no misunderstanding whether we should have got the pay. I am persuaded that those employers who have given in have really understood the agreement as the men did, and have honestly implemented the bargain, such as we understood it; and no amount of reasoning can turn us from that opinion.

MR. INGLIS.

If that is to be the way I must go.

MR. JAMIESON.

Is there no alternative proposition; is there nothing from the workmen but this—Here is our programme, and unless you (the employers) agree to it there is an end of the matter. You will give us no alternative; it is a throwing down of the gauntlet, which I should not like to see the working men of Glasgow ever doing.

MR. TURNBULL.

According to my reading of the pamphlet, the money we were getting on the 31st of October we were to get on the 1st of November. That is also the men's understanding of the pamphlet.

MR. JAMIESON.

I can see better than you the damage that this agitation has done and is likely to do; but I do not want to press that matter at the present moment. In the same spirit as the Chairman has said, I know that a great number of good and valuable men would be glad to come back at any terms into our works; but I want to see whether the whole body could not be got back without withdrawing more than the employers have done—that is to say, we have both been in error, and let us split the difference. We say we will give you the time; but here you will not move a single inch towards us. You mean to say that it is the employed at the present time that have the power, and you will drive us into a corner, and make us grant anything you demand. That is the real position you have taken. I would like you would propose something if you have the power.

MR. TURNBULL.

We have no power to propose anything but the agreement.

MR. JAMIESON.

Well, now, can you not go back to your constituents and ask further powers. I don't mean to say that our reading of the pamphlet is the correct one; but give us credit when we say we believe it is, as we believe your statement of the fact that you think it otherwise. Go back and say there is a misunderstanding about this pamphlet. Say, These gentlemen are perfectly willing to refer it to one, two, or three neutral individuals, and have an umpire, and they will settle the matter at once. If we are right, let it be ruled so; and if we are wrong, we are perfectly willing to give in.

MR. SIMPSON.

You have already referred it to an eminent gentlemen.

MR. JAMIESON.

We have only given you that opinion in a friendly way. We wished to know whether we were right or wrong. We may be wrong, but it shows that a legal gentleman of high standing agrees with us.

MR. SIMPSON.

There is another eminent legal gentleman—Henry Glassford Bell—an orator, a poet of no mean power, has seen this pamphlet. You will recollect that you were invited to a soiree, but none of you had time to attend it. Sheriff Bell presided at that soiree, and if you read the *Herald*, and *Mail*, and *Scotsman*, you will find the expression of Mr. Bell's opinion upon it. You may also recollect that Mr. Ure suggested him as arbiter at the time of the conferences.

MR. HOWDEN.

I would like to see his opinion.

The CHAIRMAN.

Now, would you have any objection to submit the case to Sheriff Bell.

MR. SIMPSON.

The men say it is a moral agreement, not a legal one. They say the employers have broken this agreement, and they will not listen to the proposal for arbitration.

The CHAIRMAN.

Then I suppose the thing is at a close.

MR. JAMIESON.

I am very sorry that we should go away without making some arrangement.

MR. A. SMITH.

Would it not be better for the delegates to say to their constituents at the meeting to-night that we have come to an arrangement upon one of the points.

The CHAIRMAN.

We have come to no decision upon that point yet.

MR. A. SMITH.

We would come to an agreement upon it, if the workmen were prepared to make any concession, or refer the matter to any one. I know that the mind of the employers was to pay all the advance on wages, from the 1st of November, if it were ruled by an arbiter that they should do so.

MR. TURNBULL.

We have a meeting to-night with our constituents, at which the whole matter will be laid before them by the shorthand notes being read.

MR. A. SMITH.

We will call a meeting of the Association, and hear their opinion on referring it to Sheriff Bell, if you decide to do so; but I would rather have it referred to a man acquainted with business. If you can refer it to any man, or make any proposition to the meeting, I think we might soon settle it. I think it is a great pity that so many men should have discussed this question and not have arrived at some conclusion. I think that if you had come here with any disposition to settle the point it would have been settled. Suppose you agree to refer it to an arbiter, the wages will be paid according to his decision, whatever it is.

MR. JAMIESON.

That is a very good suggestion. I think it is a pity the men went out at all, because the thing should have been argued from the first before an arbiter, and whatever decision he gave it would have been given effect to, and there would have been no loss to either one party or the other. If there were an arbiter properly chosen, the men can return to their work and be guided by his decision; and if it be in their favour, they will receive the same wages from the commencement.

MR. A. SMITH.

There are some of the employers that would be prepared to go back to the first of November, and fulfil any decision that the arbiter may come to.

MR. JAMIESON.

But there were also some of them so indignant that they were against us coming here at all.

This ended the Conference.

ENGINEERS' COMMITTEE ROOMS, 182 TRONGATE, GLASGOW, 20th November, 1872. J. P. SMITH, Esq., Secretary to the Clyde Shipbuilders and Engineers' Association, 67 Renfield Street, Glasgow.

SIR,—I am instructed to inform you that the unanimous decision of the workmen connected with the shops on strike in reference to the proposal of arbitration is that, in the circumstances, arbitration is uncalled for, there being, in their opinion, no reasonable grounds for the alleged misunderstanding, coupled with the fact that the majority of the employers have conceded the terms for which they (the men on strike) were contending. They therefore decline to accept the proposal.—I remain, yours truly,

THOS. R. ELRICK, Secretary,

West of Scotland Iron Trades' Short-Time League.

CLYDE ENGINEERS AND SHIPBUILDERS' ASSOCIATION 67 RENFIELD STREET, GLASGOW 27th Nov., 1872. MR. THOMAS R. ELRICK, Secretary of the West of Scotland Iron Trades' Short-Time League.

SIR,—At an adjourned meeting of the members of the Clyde Shipbuilders and Engineers' Association, held to-day, respecting your letter of the 15th inst., refusing their offer to submit the question in dispute between the employers and the employed to arbitration, I was instructed to state that they regret this refusal; but, having a regard to the considerable amount of work still to be completed, and their anxiety to keep faith with their

employers, they have agreed to yield to the workmen's present demand.—Yours truly,

Pro J. P. Smith, Secretary. C.B.F.

Reported By Wm. Ogilvie Asher.

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